



Ector County Commissioners' Court

March 26, 2024

10:00 AM

Commissioners' Courtroom, Ector County Administration Building Annex, 1010 E. 8th St.,
Odessa, Texas

CALL TO ORDER- JUDGE DUSTIN FAWCETT

Dustin Fawcett, County Judge
Mike Gardner, Commissioner Precinct #1
Greg Simmons, Commissioner Precinct #2
Don Stringer, Commissioner Precinct #3
Billy Hall, Commissioner Precinct #4
Minutes taken by Jennifer Martin, County Clerk

The meeting was called to order at 10:00 a.m.

INVOCATION- COMMISSIONER MIKE GARDNER

The invocation was led by Commissioner Gardner.

PLEDGE OF ALLEGIANCE- UNITED STATES AND TEXAS

Commissioner Stringer led the pledge of allegiance to the United States flag and the pledge of allegiance to the Texas flag.

Judge Fawcett asked the people who had submitted public participation forms to come up and speak since their topics were not on the agenda.

Shirley Kelley addressed the court regarding issues with ECUD and their response to public information requests.

John Kelley addressed the court regarding ECUD as well stating that circumstances with ECUD have not improved but deteriorated. Mr. Kelley gave specific examples of intimidation and the refusal and/or roadblocks to getting answers for FOIA requests.

Patti Kappaugh addressed the court regarding the same issues with public information requests to ECUD. She detailed the type of questions that have been asked of ECUD.

Sylvia Rodriguez-Sanchez addressed the court regarding additional issues with ECUD transparency.

Judge Fawcett stated that June 17th is the deadline for the Attorney General response.

Michelle Spinks addressed the court to update the court on Kellus Turner park and the planting that has been done.

SPECIAL PRESENTATIONS/REQUESTS/RESOLUTIONS

1. Building Maintenance Thank You Bags Presentation, Shelby Rigtrup- County Judge Admin. Assistant

To consider, discuss, and take any necessary action to present "thank you" bags to the Building Maintenance Department.

Employees of the Ector County Building Maintenance Department were recognized for their hard work and dedication to Ector County and given gift bags.

NO ACTION WAS TAKEN ON THIS ITEM

2. Darkhorse Analytics Software Presentation & Funding, Dustin Fawcett- Ector County Judge, Jason Cotton- Odessa Fire Rescue Chief

To consider, discuss, and take any necessary action to provide \$30,000.00 in funding from ARPA Funds to the City of Odessa for a Data Analytics and Predictive Modeling Tool for emergency services in Ector County, and authorize the County Judge to sign all documents associated with this agenda item.

Deputy Chief Marts of Odessa Fire Rescue addressed the court to go over what the tool is for and its capabilities. Commissioner Simmons made a motion to approve the agenda item as presented; a second was made by Commissioner Hall. MOTION PASSED 5-0

3. Resolution, Dustin Fawcett- Ector County Judge, John Henderson- Commissioners' Court Attorney/ Grant Writer, Jerry Morales- Lozoya Contractors

To consider, discuss, and take any necessary action to approve the Resolution agreeing to split sales tax and use revenue generated on Petroplex Addition, Block 1, Lot 1, with the City of Odessa on a 50/50 split basis, and authorize the County Judge, County Commissioners, and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #3.pdf

A motion was made by Commissioner Gardner to approve the agenda item as presented; Commissioner Hall seconded the motion. MOTION PASSED 5-0

4. Proclamation: Child Abuse Awareness Month, Shelby Rigtrup- County Judge Admin. Assistant

To consider, discuss, and take any necessary action to approve a Proclamation declaring April 2024 as "*Child Abuse Awareness Month*", and authorize the County Judge, County Commissioners, and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #4.pdf

Commissioner Stringer made a motion to approve the agenda item as presented; a second was made by Commissioner Gardner. MOTION PASSED 5-0

5. Proclamation: National Crime Victims' Rights Week, Shelby Rigtrup- County Judge Admin. Assistant

To consider, discuss, and take any necessary action to approve a Proclamation declaring April 21st-27th, 2024 as "*National Crime Victims' Rights Week*", and authorize the County Judge, County Commissioners, and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #5.pdf

A motion was made by Commissioner Gardner to approve the agenda item as presented; Commissioner Gardner seconded the motion. MOTION PASSED 5-0

6. Emergency Mass Communication System, Wes Carta- Environmental Enforcement/Emergency Management Director

To consider, discuss, and take any necessary action to approve Hyper-Reach as the Emergency

Mass Communication System for Ector County; the fees associated with this system are dependent upon the services selected.

Wes Carta, Ector Emergency Management addressed the court to go over the features of the mass communication system. Mr. Carta requested that year one be paid for by ARPA funds then subsequent years out of the general fund.

Commissioner Simmons made a motion to table until the upcoming budget cycle; a second was made by Commissioner Stringer. MOTION PASSED 5-0

7. March 2024 Auction , Lucy Soto- Purchasing Director

To consider, discuss, and take any necessary action to declare surplus and approve *sale by auction* for the items on the March 2024 Auction List in accordance with Title 8, Subtitle B, Chapter 263, Subchapter A of the Texas Local Government Code; the auction will open March 27th, 2024.

A motion was made by Commissioner Simmons to approve the agenda item as presented; Commissioner Stringer seconded the motion. MOTION PASSED 5-0

8. Donation, Mike Griffis- Sheriff

To consider, discuss, and take any necessary action regarding the acceptance of a \$10,000.00 donation from OXY for the purchase of *RTS Tactical Level III A Rifle Special Threats Mini Shields* for the Ector County Sheriff's Office.

ITEM WITHDRAWN

9. Out-of-State Conference Approval, Eddie Landrum- Planning and Development Director

To consider, discuss, and take any necessary action to approve Eddie Landrum and Pamela Berry to attend an out-of-state conference from July 14th-20th, 2024.

Commissioner Stringer made a motion to approve the agenda item; a second was made by Commissioner Simmons. MOTION PASSED 5-0

AWARD OF BIDS/PROPOSALS

10. Flock Safety Cameras, Lucy Soto- Purchasing Director, Wes Carta- Environmental Enforcement/ Emergency Management Director

To consider, discuss, and take any necessary action regarding a quote for Flock Safety Cameras; this purchase is being made through the Omnia Partners Cooperative Contract # 23-6692-03 which was awarded to Insight Public Sector.

A motion was made by Commissioner Simmons to approve the agenda item as presented; Commissioner Hall seconded the motion. MOTION PASSED 5-0

11. Airport Fixed Based Operator Bid Specifications, Mike Gardner- Commissioner, Pct. #1

To consider, discuss, and take any necessary action regarding the bid proposal specifications for the Airport Fixed Based Operator; the specifications are ready to advertise and distribute to vendors upon approval by the Commissioners' Court.

Bill Ritter and Mark Merritt addressed the court to answer questions and give details of the bid specifications. Commissioner Stringer made a motion to approve the agenda item as presented; a second was made by Commissioner Gardner. MOTION PASSED 4-1 (Voting against the motion was Judge Fawcett)

12. GIS Servers & Server Hardware/Software Bid Specifications, Lucy Soto- Purchasing Director, Eddie Landrum- Planning & Development Director

To consider, discuss, and take any necessary action regarding the bid specifications for Planning & Development GIS Servers and Server Hardware/Software. Some items from the original specifications have become outdated or unavailable, so the bids have been separated into two specifications so that more responses can be received; the specifications are ready to advertise and distribute to vendors upon approval by the Commissioners' Court.

Commissioner Gardner expressed his disappointment that this project was not yet

completed. A motion was made by Commissioner Simmons to approve the agenda item as presented; Commissioner Gardner seconded the motion. MOTION PASSED 5-0

13. Landscape Architect Bid Specifications, Lucy Soto- Purchasing, Marisela Campos- Public Works

To consider, discuss, and take any necessary action regarding the request for qualifications bid specifications for a Landscape Architect to provide a *master plan* for Ector County Parks; the specifications were developed by Public Works and the Purchasing Department and are ready to advertise and distribute to firms upon approval by the Commissioners' Court.

A motion was made by Commissioner Simmons to approve the agenda item as presented; Commissioner Gardner seconded the motion. MOTION PASSED 5-0

14. Road Materials Bid Specifications, Lucy Soto- Purchasing Director, Marisela Campos- Public Works

To consider, discuss, and take any necessary action regarding the bid proposal specifications for four (4) Road Materials; the specifications are ready to advertise and distribute to vendors upon approval by the Commissioners' Court.

Commissioner Gardner made a motion to approve the agenda item as presented; a second was made by Commissioner Hall. MOTION PASSED 5-0

15. Caliche Roads- 2024, Lucy Soto- Purchasing Director, Marisela Campos- Public Works

To consider, discuss, and take any necessary action regarding the bid specifications for Public Works Caliche Roads; the specifications were developed by Public Works, the Purchasing Department and Landgraf, Crutcher & Associates, and the specifications are ready to advertise and distribute to vendors upon approval by the Commissioners' Court.

A motion was made by Commissioner Hall to approve the agenda item as presented; Commissioner Gardner seconded the motion. MOTION PASSED 5-0

16. Tripp Avenue- Phase I Bid Specifications, Lucy Soto- Purchasing Director, Marisela Campos- Public Works

To consider, discuss, and take any necessary action regarding the bid specifications for Tripp Avenue--Phase 1 Paving & Drainage Improvements from W. 42nd Street to W. 16th Street; the specifications were developed by Public Works and the Purchasing Department and Landgraf, Crutcher & Associates, and the specifications are ready to advertise and distribute to vendors upon approval by the Commissioners' Court.

Commissioner Gardner made a motion to approve the agenda item as presented; a second was made by Commissioner Hall. MOTION PASSED 5-0

CONTRACTS/AGREEMENTS/GRANTS

17. Tyler Technologies Jury Software Agreement & Funding, Clarissa Webster- District Clerk

To consider, discuss, and take any necessary action to approve the *Software As A Service Agreement* with Tyler Technologies for Jury software and services and to discuss funding options for this agreement, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #17.pdf

A motion was made by Commissioner Hall to approve the agenda item; Commissioner Simmons seconded the motion. MOTIOM PASSED 5-0

Clarissa Webster addressed the court after the vote for approval to discuss funding options.

Commissioner Hall amended his motion to include the funding would be from ARPA funds; a second was made by Commissioner Simmons. MOTION PASSED 5-0

18. ICON Software Termination Letter , Clarissa Webster- District Clerk

To consider, discuss, and take any necessary action to approve the District Clerk's Office to send out a "subscription termination or expiration" letter to all appropriate parties to fulfill the requirement of a 180-day advance notice of intent for non-renewal in compliance with the previous Jury software agreement with ICON Software, and authorize the County Judge to sign all documents associated with this agenda item.

A motion was made by Commissioner Gardner to approve the agenda item as presented; Commissioner Simmons seconded the motion. MOTION PASSED 5-0

CONSENT AGENDA

19. Proposed Consent Agenda, Tristan Marquez- County Auditor

To consider, discuss, and take any necessary action regarding the following Proposed Consent Agenda:

19a.) Line-Item Transfer- Environmental Enforcement:

To consider, discuss, and take any necessary action to approve a line-item transfer to Sales Tax Fund, Environmental Enforcement, Legal Advertising, 005-471-5326 from Contract Services, 005-471-5309 for \$3,000.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #19.pdf

Commissioner Simmons made a motion to approve the consent agenda as presented; a second was made by Commissioner Gardner. MOTION PASSED 5-0

BUDGET/FINANCIAL

20. Budget Amendment- Sales Tax Sheriff's Office, Tristan Marquez- County Auditor

To consider, discuss, and take any necessary action to approve a budget amendment to Sales Tax Fund, Sheriff's Office, Motor Vehicle Equipment, 005-360-5505, and to Donated Revenues, 005-4171 for \$146,421.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #20.pdf

A motion was made by Commissioner Stringer to approve the agenda item as presented; Commissioner Hall seconded the motion. MOTION PASSED 5-0

21. Financial Reports/Statements, Tristan Marquez- County Auditor

To consider, discuss, and take any necessary action to approve the Accounts Payable Fund Requirements Report for March 26th, 2024, and review county financial statements and reports.

Minutes Attachments

1. AP Department Payment Report - 5284.pdf

2. AP Department Payment Report - 5286.pdf

Commissioner Stringer made a motion to approve the agenda item as presented; a second was made by Commissioner Gardner. MOTION PASSED 5-0

11:17 a.m.

Commissioner Stringer made a motion to adjourn to Executive Session; a second was made by Commissioner Simmons. MOTION PASSED 5-0

12:32 p.m.

A motion to reconvene was made by Commissioner Gardner with a second by Commissioner Simmon. MOTION PASSED 5-0

EXECUTIVE SESSION

22. Legal Matters, Shelby Rigtrup- County Judge Admin. Assistant

To consider and discuss legal matters pursuant to Title 5, Chapter 551, Section 551.07, Texas Government Code.

Commissioner Simmons made a motion to authorize sending the notice of default to the coliseum tenant as discussed in Executive Session; a second was made by Commissioner Stringer. MOTION PASSED 5-0

A motion was made by Commissioner Simmons to send a demand letter/notice of default for the contract on the 67th Street Improvements as discussed in Executive Session; Commissioner Stringer seconded the motion. MOTION PASSED 5-0

23. Real Estate, Shelby Rigtrup- County Judge Admin. Assistant

To consider and discuss real estate issues/transactions pursuant to Title 5, Chapter 551, Section 551.072, Texas Government Code.

24. Personnel Matters, Shelby Rigtrup- County Judge Admin. Assistant

To consider and discuss personnel matters pursuant to Title 5, Chapter 551, Section 551.074, Texas Government Code.

Commissioner Simmons made a motion to approve moving forward with the hiring of an airport maintenance position with the exception to county policy as discussed in Executive Session; a second was made by Commissioner Stringer. MOTION PASSED 5-0

ADJOURN

Time: 12:34 P.M.

With no further business to discuss a motion to adjourn was made by Commissioner Stringer with a second by Commissioner Simmons. MOTION PASSED 5-0

THE STATE OF TEXAS

COUNTY OF ECTOR

I, Jennifer Martin, County Clerk, do hereby attest to the accuracy of the Commissioners Court Proceedings for the Regular Commissioners' Court meeting held on the above date.

March 28, 2024 at 09:58 AM



Jennifer Martin, Ector County Clerk