



Ector County Commissioners' Court

May 23, 2023

10:00 AM

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

CALL TO ORDER- JUDGE DUSTIN FAWCETT

The meeting was called to order at 10:04 a.m.

INVOCATION- SHANE KENNEY: FIRST PRIORITY

PLEDGE OF ALLEGIANCE- UNITED STATES AND TEXAS

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

SPECIAL PRESENTATIONS/REQUESTS/RESOLUTIONS

1. CGI Digital Presentation , Shelby Rigtrup- County Judge Admin

To consider, discuss, and take any necessary action to receive a presentation from CGI Digital pertaining to a free video opportunity for Ector County, and authorize the County Judge to sign all documents associated with this agenda item.

Commissioner Hall made a motion to table the item; a second was made by Commissioner Garder. MOTION PASSED 5-0

2. Zencity Presentation , Shelby Rigtrup- County Judge Admin

To consider, discuss, and take any necessary action to receive a presentation from Zencity, and authorize the County Judge to sign all documents associated with this agenda item.

Josy with Zencity joined the meeting via phone to give a slide presentation to the court. The cost of the presented service would be \$50,000 - \$75,000 annual cost.

NO ACTION WAS TAKEN ON THIS ITEM

3. Coffman Associates Airport Presentation , Don Stringer, County Commissioner, Precinct #3

To consider, discuss, and take any necessary action to receive a presentation from Coffman Associates Representatives regarding their master plan for the Odessa-Schlemeyer Field Airport; secondary meetings will be held on 5/23/2023 from 2:00PM-4:00PM and 5:30PM-6:30PM in the Commissioners' Courtroom.

This item was heard after item #20.

Coffman Associates addressed the court to go over the master plan for the Odessa Schlemeyer Airport and to give a presentation.

NO ACTION WAS TAKEN ON THIS ITEM

4. Postage Fee Approval, Jennifer Martin- County Clerk

To consider, discuss, and take any necessary action regarding a request to charge a \$1.75 postage fee for mailing online certified copies of birth, death and marriage certificates, and to also offer priority shipping for \$9.65 and express shipping for \$28.75; flat rates set by USPS.

Commissioner Stringer made a motion to approve as presented; a second was made by Commissioner Hall.

Jennifer Martin addressed the court to inform them of a price increase.

Commissioner Stringer amended his motion to include the price increase for priority shipping to \$9.85 and express shipping to \$29.05; Commissioner Hall amended his second. MOTION PASSED 5-0

CONTRACTS/AGREEMENTS/GRANTS

5. Engagement Letter- GRS, Randy Donner- County Auditor

To consider, discuss, and take any necessary action to approve the engagement letter for Gabriel, Roeder, Smith & Company for the OPEB evaluation and GASB 75 valuation reports for fiscal years ending 2023 and 2024, and authorize the County Judge to sign all documents associated with this agenda item.

A motion was made by Commissioner Simmons to approve the engagement letter for Gabriel, Roeder, Smith & Company for the OPEB evaluation and GASB 75 valuation reports for fiscal years ending 2023 and 2024, and authorize the County Judge to sign all documents associated with this agenda item; Commissioner Gardner seconded the motion. MOTION PASSED 5-0

6. Dawson Geophysical Operations Permit , Shelby Rigtrup- County Judge Admin

To consider, discuss, and take any necessary action to approve Dawson Geophysical Company to conduct a 3D geophysical survey, including payment to Ector County in the amount of \$1,857.36, for and on behalf of TGS regarding Law Enforcement Block 1, 15.848 Acres in N Part of Lot 1, Law Enforcement Block 1, 61.978 Acres of Lot 1, and Law Enforcement Block 1, 15.41 Acres in E Part of Lot 1, and authorize the County Judge to sign all documents associated with this agenda item.

Commissioner Gardner made a motion to approve Dawson Geophysical Company to conduct a 3D geophysical survey, including payment to Ector County in the amount of \$1,857.36, for and on behalf of TGS regarding Law Enforcement Block 1, 15.848 Acres in N Part of Lot 1, Law Enforcement Block 1, 61.978 Acres of Lot 1, and Law Enforcement Block 1, 15.41 Acres in E Part of Lot 1, and authorize the County Judge to sign all documents associated with this agenda item; a second was made by Commissioner Hall. MOTION PASSED 5-0

7. Ector County Interlocal Cooperation Contract with the Department of State Health Services, Jennifer Martin- County Clerk

To consider, discuss, and take any necessary action to approve the Ector County Interlocal Cooperation Contract with the Department of State Health Services which allows the Ector County Clerk to have access to the State remote birth certificate site in order to issue birth records from across the state of Texas, and authorize the County Judge to sign all documents associated with this agenda item.

A motion was made by Commissioner Hall to approve the Ector County Interlocal Cooperation Contract with the Department of State Health Services which allows the Ector County Clerk to have access to the State remote birth certificate site in order to issue birth records from across the state of Texas, and authorize the County Judge to sign all documents associated with this agenda item; Commissioner Gardner seconded the motion. MOTION PASSED 5-0

8. Vehicle Order for Public Works, Lucy Soto- Purchasing & Steven Davis- Public Works

To consider, discuss, and take any necessary action to approve the purchase of a 2023 Toyota Highlander for the Public Works Department through a TIPS Cooperative Purchasing Contract in the amount of \$41,013.25 from Sales Tax Account 005-810-5505.

Commissioner Simmons made a motion to approve the purchase of a 2023 Toyota Highlander for the Public Works Department through a TIPS Cooperative Purchasing Contract in the amount of \$41,013.25 from Sales Tax Account 005-810-5505; a second was made by Commissioner Gardner. MOTION PASSED 5-0

9. Health Department Vehicle Order, Lucy Soto- Purchasing & Brandy Garcia- Health Department Director

To consider, discuss, and take any necessary action on a change order to PO #: 38602 for a price increase of \$16,800.00 to cover a trim change required by General Motors for the vehicles ordered for the Health Department for Fiscal Year 2023.

A motion was made by Commissioner Simmons to approve a change order to PO #: 38602 for a price increase of \$16,800.00 to cover a trim change required by General Motors for the vehicles ordered for the Health Department for Fiscal Year 2023; Commissioner Gardner seconded the motion. MOTION PASSED 5-0

10. Health Department Grant Agreement , Brandy Garcia- Health Department Director

To consider, discuss, and take any necessary action to approve the Department of State Health Services Grant Agreement, Contract No. HHS001311600001, under the Center for Health Emergency Preparedness and Response Grant Program.

Commissioner Simmons made a motion to approve the Department of State Health Services Grant Agreement, Contract No. HHS001311600001, under the Center for Health Emergency Preparedness and Response Grant Program; a second was made by Commissioner Gardner. MOTION PASSED 5-0

POLICIES/PROCEDURES

11. Purchase of Equipment from ECUD, Lucy Soto- Purchasing

To consider, discuss, and take any necessary action to approve an order granting an exemption for the purchase of personal property by Ector County, and approve the purchase of used equipment from the Ector County Utility District, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item. This purchase is eligible for exemption from the competitive bidding/proposal requirements of the County Purchasing Act in accordance with Texas Local Government Section 262.024(a)(9)(C) as a discretionary exemption.

A motion was made by Commissioner Simmons to approve an order granting an exemption for the purchase of personal property by Ector County, and approve the purchase of used equipment from the Ector County Utility District, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item. This purchase is eligible for exemption from the competitive bidding/proposal requirements of the County Purchasing Act in accordance with Texas Local Government Section 262.024(a)(9)(C) as a discretionary exemption; Commissioner Gardner seconded the motion. MOTION PASSED 5-0

PLANNING AND DEVELOPMENT

12. Replat of Plumanearly Division- Lots 1-5, Block 3, Eddie Landrum- Planning & Development Director

To consider, discuss, and take any necessary action approve a Replat of Plumanearly Subdivision, Lots 1-5, Block 3 A, Subdivision of 4.83 Acres, in Section 7, Block 43, and authorize the County Judge to sign all documents associated with this agenda item.

Commissioner Hall made a motion to approve a Replat of Plumanearly Subdivision, Lots 1-5, Block 3 A, Subdivision of 4.83 Acres, in Section 7, Block 43, and authorize the County Judge to sign all documents associated with this agenda item; a second was made by Commissioner Stringer. MOTION PASSED 5-0

13. De-annexation of Property, Eddie Landrum- Planning & Development Director

To consider, discuss, and take any necessary action to approve the de-annexation of all Val Tek's property and adjacent ROW; there will be a six-month time limit.

A motion to deny was made by Commissioner Simmons; Commissioner Stringer seconded

the motion. MOTION PASSED 5-0

14. De-annexation of Partial ROW Pacific Drive, Eddie Landrum- Planning & Development Director

To consider, discuss, and take any necessary action to approve the de-annexation of partial ROW Pacific Drive (50ft x 116ft) adjacent to City of Odessa, City Limits.

Agapito Bernal, Interim City Manager addressed the court to clarify the request.

After some discussion, Commissioner Simmons made a motion to deny the request; a second was made by Commissioner Stringer. MOTION PASSED 5-0

BUDGET/FINANCIAL

15. Line Item Transfer- Court at Law #1, Randy Donner- County Auditor

To consider, discuss, and take any necessary action to approve a line item transfer to General Fund, County Court at Law #1, Professional Dues and Fees, 001-140-5302 from Educational Travel, 001-140-5161 for \$70, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item,

A motion was made by Commissioner Stringer to approve a line item transfer to General Fund, County Court at Law #1, Professional Dues and Fees, 001-140-5302 from Educational Travel, 001-140-5161 for \$70, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item; Commissioner Hall seconded the motion. MOTION PASSED 5-0

16. Line Item Transfer- J.P. #4, Randy Donner- County Auditor

To consider, discuss, and take any necessary action to approve a line item transfer to General Fund, J.P. #4, Educational Travel, 001-204-5161 from Office Supplies, 001-204-5171 for \$100, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Commissioner Gardner made a motion to approve a line item transfer to General Fund, J.P. #4, Educational Travel, 001-204-5161 from Office Supplies, 001-204-5171 for \$100, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item; a second was made by Commissioner Simmons. MOTION PASSED 5-0

17. Budget Amendment- Coliseum Capital Improvement, Randy Donner- County Auditor

To consider, discuss, and take any necessary action to approve a budget amendment to Coliseum Capital Improvement Fund, Contract Services, 043-860-5309 from Unreserved Fund Balance, 043-3310 for \$178,000, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

A motion was made by Commissioner Simmons to approve a budget amendment to Coliseum Capital Improvement Fund, Contract Services, 043-860-5309 from Unreserved Fund Balance, 043-3310 for \$178,000, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item; Commissioner Hall seconded the motion. MOTION PASSED 5-0

18. Budget Amendment Request- Library, Randy Donner- County Auditor

To consider, discuss, and take any necessary action to approve a budget amendment to General Fund, Donated Revenues, 001-4171 and to Library, Library Supplies, 001-690-5185 for \$8,868, and authorize the County Judge and County Clerk to sign all documents associated with this agenda request.

Commissioner Hall made a motion to approve a budget amendment to General Fund, Donated Revenues, 001-4171 and to Library, Library Supplies, 001-690-5185 for \$8,868, and authorize the County Judge and County Clerk to sign all documents associated with this agenda request; a second was made by Commissioner Gardner. MOTION PASSED 5-0

19. Investment Report- 3/31/2023, Randy Donner- County Auditor

To consider, discuss, and take any necessary action to approve the Ector County Investment

Report for the quarter ending March 31, 2023.

A motion was made by Commissioner Gardner to approve the Ector County Investment Report for the quarter ending March 31, 2023; Commissioner Hall seconded the motion. MOTION PASSED 5-0

20. Financial Reports/Statements , Shelby Rigtrup- County Judge Admin

To consider, discuss, and take any necessary action to approve the Accounts Payable Fund Requirements Report for May 23rd, 2023, and review County financial statements and reports.

Minutes Attachments

1. General 5 23 23.pdf

Commissioner Hall made a motion to approve the Accounts Payable Fund Requirements Report for May 23rd, 2023, and review County financial statements and reports; a second was made by Commissioner Simmons. MOTION PASSED 5-0

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

A motion was made by Commissioner Stringer to reconvene; Commissioner Gardner seconded the motion. MOTION PASSED 5-0

DISCUSSION AND POTENTIAL ACTION

21. Litigation , Shelby Rigtrup- County Judge Admin

To consider, discuss, and take any necessary action regarding the consideration of authorizing the County Judge or any other authorized officials to execute the settlement participation and release forms regarding settlement offers in the matter of Texas opioid multidistrict litigation for the County in the matter of *County of Ector v. Purdue Pharma, Inc., L.P. et al.*

This item was heard after discussion in Executive Session.

A motion was made by Commissioner Simmons to authorize the County Judge or any other authorized officials to execute the settlement participation and release forms regarding settlement offers in the matter of Texas opioid multidistrict litigation for the County in the matter of *County of Ector v. Purdue Pharma, Inc., L.P. et al.*; Commissioner Stringer seconded the motion. MOTION PASSED 5-0

EXECUTIVE SESSION

22. Legal Matters, Shelby Rigtrup- County Judge Admin

To consider and discuss legal matters pursuant to Title 5, Chapter 551, Section 551.071, Texas Government Code.

NO ACTION WAS TAKEN ON THIS ITEM

23. Legal Matters- Litigation , Shelby Rigtrup- County Judge Admin

To consider and discuss legal matters (*County of Ector v. Purdue Pharma, Inc., L.P., et al., MDL Pretrial Cause No. 2018-63587, in the 152d District Court of Harris County, Texas*) pursuant to Title 5, Chapter 551, Section 551.071, Texas Government Code.

Reference Item #21

24. Real Estate, Shelby Rigtrup- County Judge Admin

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

NO ACTION WAS TAKEN ON THIS ITEM

25. Personnel Matters, Shelby Rigtrup- County Judge Admin

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

Commissioner Gardner made a motion to appoint Carlos Chavez as Justice of the Peace Precinct 1; a second was made by Commissioner Stringer. MOTION PASSED 5-0

ADJOURN

Time: 1:08 p.m.

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

SIGNATURES PAGE

26. Judge Fawcett and Jennifer Martin Agenda Signature Page , Shelby Rigtrup- County Judge Admin

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.

June 02, 2023 at 09:07 AM



Jennifer Martin, Ector County Clerk