

On this the 7th day of October, 2021, at 10:00 A.M. came on to be held a REGULAR meeting of the Ector County Commissioners' Court in the Commissioners' Courtroom, Ector County Administration Building Annex, 1010 E. 8th St., Odessa, Texas with the following members present:

- Debi Hays, County Judge
- Mike Gardner, Commissioner Precinct #1
- Greg Simmons, Commissioner Precinct #2
- Don Stringer, Commissioner Precinct #3
- Armando Rodriguez, Commissioner Precinct #4
- Minutes taken by Jennifer Martin, County Clerk

when the following proceedings were had to-wit:

County Judge Debi Hays called the meeting to order at 10:08 A. M. with a quorum of the court present. The invocation was led by Dallas Kennedy and Mr. Kennedy and his students let the pledge of allegiance to the United States flag and the pledge of allegiance to the Texas flag.

SPECIAL PRESENTATIONS/REQUESTS/RESOLUTIONS

1. To consider, discuss, and take any necessary action to re-appoint George Anderson to the 911 Emergency District of Ector County Board of Directors to be effective from October 1, 2021 to September 30, 2023 and authorize the County Judge to sign.
Mike Gardner – Commissioner Pct. 1

Commissioner Gardner made a motion to re-appoint George Anderson to the 911 Emergency District of Ector County Board of Directors to be effective from October 1, 2021 to September 30, 2023 and authorize the County Judge to sign; a second was made by Commissioner Simmons. **MOTION PASSED. 5-0**

Voting for Motion:

- ✓ Judge Hays
- ✓ Commissioner Gardner
- ✓ Commissioner Simmons
- ✓ Commissioner Stringer
- ✓ Commissioner Rodriguez

2. To consider, discuss, and take any necessary action to allow Mathew's Martial Arts to utilize the administration building parking lot after hours.
Debbie Clay – Commissioners Office

A motion was made by Commissioner Simmons to allow Mathew's Martial Arts to utilize the administration building parking lot after hours subject to an indemnification agreement being signed; Commissioner Stringer seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

- ✓ Judge Hays
- ✓ Commissioner Gardner
- ✓ Commissioner Simmons
- ✓ Commissioner Stringer
- ✓ Commissioner Rodriguez

3. To receive a presentation from Superintendent Dr. Scott Muri with ECISD regarding the ConnEctor Task Force work with Broadband.
Debi Hays – County Judge

Dr. Scott Muri, Superintendent of ECISD, gave a presentation regarding broadband deficiencies and how an investment from Ector County could be beneficial for the public and the County entity.

Dustin Fawcett, addressed the court stating that ODC tasked him and others to research and poll issues with the lack of broadband in Ector County prior to the COVID-19 pandemic. Mr. Fawcett stated that their research is where much of the data that ECISD is using came from. Mr. Fawcett is an advocate for the additional infrastructure and believes that since it is run by the government that the government should own it. He also stressed the importance of his belief that the ARPA Funds should be invested and not just spent.

Dr. Ravi Shakamuri addressed the court in support of ConnEctor Task Force. He stated that many people could benefit if they had the ability to attain internet at a lower cost or at all. They could use it for education and tele-health with their physician.

After Dr. Muri completed his presentation and others addressed the court, it was recommended by Judge Hays that they follow-up with the Commissioners Court to go over additional details and the suggested business plan.

NO ACTION TAKEN ON THIS ITEM

- 4. To consider, discuss, and take any necessary action to accept the resignation of County Attorney Gregory Barber and to appoint a new County Attorney.
Gregory Barber – County Attorney

Commissioner Simmons made a motion to accept the resignation of County Attorney Gregory Barber and to appoint Lee McClendon as the new County Attorney; a second was made by Judge Hays. **MOTION PASSED. 5-0**

Voting for Motion:

- ✓ Judge Hays
- ✓ Commissioner Gardner
- ✓ Commissioner Simmons
- ✓ Commissioner Stringer
- ✓ Commissioner Rodriguez

AWARDS OF BIDS/PROPOSALS

- 5. To consider, discuss, and take any necessary action regarding the forfeiture of award by Tiger Correctional Services on the Senior Nutrition Foods Services Request for Proposals and to award Summit Food Services and authorize the County Judge to sign.
Lucy Soto – Purchasing
Donna Greaves – Senior Center

A motion was made by Commissioner Simmons to accept the forfeiture of award by Tiger Correctional Services on the Senior Nutrition Foods Services Request for Proposals and to award Summit Food Services and authorize the County Judge to sign; Commissioner Gardner seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

- ✓ Judge Hays
- ✓ Commissioner Gardner
- ✓ Commissioner Simmons
- ✓ Commissioner Stringer
- ✓ Commissioner Rodriguez

CONTRACTS/AGREEMENTS/GRANTS

6. To consider, discuss, and take any necessary action regarding the AIA Certificate of Substantial Completion for the LEC Booking and Intake Renovations Phase II and authorize the County Judge to sign.

Lucy Soto – Purchasing

Charlie Pierce – Building Maintenance

Commissioner Stringer made a motion to approve the AIA Certificate of Substantial Completion for the LEC Booking and Intake Renovations Phase II and authorize the County Judge to sign; a second was made by Commissioner Simmons. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Gardner

✓ Commissioner Simmons

✓ Commissioner Stringer

✓ Commissioner Rodriguez

7. To consider, discuss, and take any necessary action regarding Amendment #6 to the Contract with Vector Fleet Management and to renew the contract for the FY 2021-2022 and authorize the County Judge to sign all documents associated with this agenda item.

Lucy Soto – Purchasing

Evans Kessey – Highways & Streets

A motion was made by Commissioner Simmons to approve Amendment #6 to the Contract with Vector Fleet Management and to renew the contract for the FY 2021-2022 and authorize the County Judge to sign all documents associated with this agenda item; Commissioner Stringer seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Gardner

✓ Commissioner Simmons

✓ Commissioner Stringer

✓ Commissioner Rodriguez

8. To consider, discuss, and take any necessary action regarding a subscription through Westlaw West Proflex for the Law Library patrons and authorize the County Judge to sign.

Lynette Nickell – Library

Commissioner Simmons made a motion to approve a subscription through Westlaw West Proflex for the Law Library patrons and authorize the County Judge to sign; a second was made by Commissioner Gardner.

MOTION PASSED. 5-0

Voting for Motion:

✓ Judge Hays

✓ Commissioner Gardner

✓ Commissioner Simmons

✓ Commissioner Stringer

✓ Commissioner Rodriguez

9. To consider, review, discuss, and approve pay application #13 to Johnson Controls, Inc. for the Master Lease Purchase Agreement.

Randy Donner – County Auditor

ITEM WITHDRAWN

10. To consider, discuss, and take any necessary action regarding a Contract Addendum between Securus Technologies, LLC and Ector County to approve the new FCC mandate on rate changes and authorize the County Judge to sign.
Mike Griffis – Sheriff

A motion was made by Commissioner Gardner to approve a Contract Addendum between Securus Technologies, LLC and Ector County to approve the new FCC mandate on rate changes and authorize the County Judge to sign; Commissioner Stringer seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

11. To consider, discuss, and take any necessary action regarding the Axon Evidence Prosecutor Services Agreement between Axon Enterprise, Inc. and Ector County and authorize the County Judge to sign.
Dusty Gallivan – District Attorney

Commissioner Simmons made a motion to approve the Axon Evidence Prosecutor Services Agreement between Axon Enterprise, Inc. and Ector County and authorize the County Judge to sign; a second was made by Commissioner Gardner. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

12. To consider, discuss, and take any necessary action regarding a Services Agreement with Texas Association of Counties County Information Resources Agency (TAC CIRA) and Ector County and authorize the County Judge to sign.
Debi Hays – County Judge

A motion was made by Commissioner Simmons to approve a Services Agreement with Texas Association of Counties County Information Resources Agency (TAC CIRA) and Ector County and authorize the County Judge to sign; Commissioner Gardner seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

13. To consider, discuss, and take any necessary action regarding the approval of the FY 2022 TIDC (Texas Indigent Defense Commission) Formula Grant Resolution authorize the County Judge to sign and all documents associated with this agenda item.
Debi Hays – County Judge

Commissioner Simmons made a motion to approve the FY 2022 TIDC (Texas Indigent Defense Commission) Formula Grant Resolution authorize the County Judge to sign and all documents associated with this agenda item; a second was made by Commissioner Gardner. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

CONSENT AGENDA

14. To review, consider, discuss, approve, and take any necessary action regarding the following proposed Consent Agenda:

14a. To consider, discuss, and approve a line item transfer to General Fund, JP #4, Office Supplies, 001-204-5171 for \$126, to Postage, 001-204-5193 for \$300 from Educational Travel, 001-204-5161 for \$426.

Randy Donner – County Auditor

A motion was made by Commissioner Simmons to approve a line item transfer to General Fund, JP #4, Office Supplies, 001-204-5171 for \$126, to Postage, 001-204-5193 for \$300 from Educational Travel, 001-204- 5161 for \$426;

Commissioner Gardner seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Rodriguez
<u>✓</u> Commissioner Simmons	

BUDGET/FINANCIAL

15. To consider, discuss, and take any necessary action regarding the Copier Lease for Courts at Law and to approve a budget amendment to General Fund, Non Department Judicial, Copier Lease Contract, 001-220-5284 from Unreserved Fund Balance, 001-3310, for \$6,060 and authorize the County Judge to sign.

Lucy Soto – Purchasing

Commissioner Gardner made a motion to approve Copier Lease for Courts at Law and to approve a budget amendment to General Fund, Non Department Judicial, Copier Lease Contract, 001-220-5284 from Unreserved Fund Balance, 001-3310, for \$6,060 and authorize the County Judge to sign; a second was made by Commissioner Gardner. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Rodriguez
<u>✓</u> Commissioner Simmons	

15a. To consider, discuss and take any necessary action regarding the Ector County Monthly Treasurer's Reports for July 2021 and August 2021 and authorize the County Judge and County Commissioners to sign.

Cleopatra Callaway – County Treasurer

A motion was made by Commissioner Stringer to approve the Ector County Monthly Treasurer's Reports for July 2021 and August 2021 and authorize the County Judge and County Commissioners to sign; Commissioner Simmons seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Rodriguez
<u>✓</u> Commissioner Simmons	

16. To consider and approve the Accounts Payable Fund Requirements Report for October 7, 2021 to review County financial statements and reports.
Randy Donner - County Auditor

A motion was made by Commissioner Gardner to approve the Accounts Payable Fund Requirements Report for October 7, 2021 to review County financial statements and reports; Commissioner Simmons seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner ✓ Commissioner Stringer
✓ Commissioner Simmons ✓ Commissioner Rodriguez

Commissioner Commissioner Stringer made a motion to adjourn into Executive Session; Commissioner Commissioner Simmons seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner ✓ Commissioner Stringer
✓ Commissioner Simmons ✓ Commissioner Rodriguez

A motion was made by Commissioner Stringer with a second by Commissioner Rodriguez to reconvene.

MOTION PASSED. 5-0

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner ✓ Commissioner Stringer
✓ Commissioner Simmons ✓ Commissioner Rodriguez

EXECUTIVE SESSION

17. To consider and discuss legal matters pursuant to Title 5, Chapter 551, Section 551.071, Texas Government Code.
Debi Hays - County Judge

Commissioner Simmons made a motion to authorize payment of an invoice from Baker Botts LLP in the amount of \$2005 for legal services; a second was made by Commissioner Stringer. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner ✓ Commissioner Stringer
✓ Commissioner Simmons ✓ Commissioner Rodriguez

18. To consider and discuss legal matters (Papaw Street) pursuant to Title 5, Chapter 551, Section 551.071, Texas Government Code.
Debi Hays - County Judge

NO ACTION TAKEN ON THIS ITEM

19. To consider and discuss real estate issues/transactions pursuant to Title 5, Chapter 551, Section 551.072, Texas Government Code.
Debi Hays - County Judge

NO ACTION TAKEN ON THIS ITEM

20. To consider and discuss personnel matters pursuant to Title 5, Chapter 551, Section 551.074, Texas Government Code.
Debi Hays - County Judge

NO ACTION TAKEN ON THIS ITEM

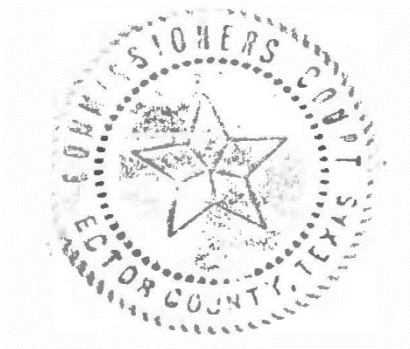
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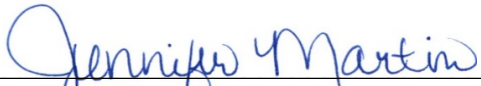
With no further business to discuss, Commissioner Stringer made a motion with a second by Commissioner Gardner to adjourn to the call of the chair. **MOTION PASSED. 5-0**

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 of October 7, 2021.




JENNIFER MARTIN, COUNTY CLERK
ECTOR COUNTY, TEXAS