



Ector County Commissioners' Court

July 25, 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 10:00 a.m.

INVOCATION- COMMISSIONER GREG SIMMONS

The invocation was led by Commissioner Simmons.

PLEDGE OF ALLEGIANCE- UNITED STATES AND TEXAS

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

SPECIAL PRESENTATIONS/REQUESTS/RESOLUTIONS

1. Adult Probation Budget FY24-25 Presentations , Richard Mann- Adult Probation Director

To present the Ector County Community Supervision and Corrections Department biennial budget for fiscal years 2024-2025.

NO ACTION WAS TAKEN ON THIS ITEM

2. SART Team List, Dusty Gallivan- District Attorney

To consider, discuss, and take any necessary action to remove Heidi Zavala from the SART appointee list and to be replaced with Jeannie Martinez.

Commissioner Simmons made a motion to remove Heidi Zavala from the SART appointee list and to be replaced with Jeannie Martinez; a second was made by Commissioner Gardner.

MOTION PASSED 5-0

CONTRACTS/AGREEMENTS/GRANTS

3. Paper Towels and Bathroom Tissue II Proposal Renewal, Lucy Soto- Purchasing

To consider, discuss, and take any necessary action regarding the price increase on Paper Towels and Bathroom Tissue II (Proposal #20-11-13-01), and authorize the County Judge to sign all documents associated with this agenda.

A motion was made by Commissioner Stringer to approve the price increase on the Paper Towels and Bathroom Tissue II (Proposal #20-11-13-01), and authorize the County Judge to sign all documents associated with this agenda item; Commissioner Simmons seconded the motion. MOTION PASSED 5-0

SEE ITEM 3A ON SUPPLEMENTAL AGENDA/MINUTES.

4. Departmental Uniform Agreement, Lucy Soto- Purchasing

To consider, discuss, and take any necessary action to approve a 3-year contract with Cintas for Departmental Uniforms through the OMNIA Cooperative Purchasing Contract, and authorize the County Judge to sign all documents associated with this agenda.

Commissioner Simmons made a motion to approve a 3-year contract with Cintas for Department Uniforms through the OMNIA Cooperative Purchasing Contract and authorize the County Judge to sign all documents associated with this agenda item; a second was made by Commissioner Gardner. MOTION PASSED 5-0

5. Fleet Maintenance Agreement #9, Lucy Soto-Purchasing, Steven Davis- Public Works Director

To consider, discuss, and take any necessary action regarding the Agreement for Fleet Maintenance Amendment #9 with Vector Fleet Management, and authorize the County Judge to sign all documents associated with this agenda item.

A motion was made by Commissioner Simmons to approve the Agreement for Fleet Maintenance Amendment #9 with Vector Fleet Management, and authorize the County Judge to sign all documents associated with this agenda item; Commissioner Hall seconded the motion. MOTION PASSED 4-1 (Commissioner Gardner Against)

6. Road Construction Inspection Services RFQ Specifications, Lucy Soto-Purchasing, Steven Davis- Public Works Director

To consider, discuss, and take any necessary action regarding the *Request for Qualifications Road Construction Inspection Services* (RFQ #23-08-23-02), and authorize the County Judge to sign all documents associated with this agenda item.

Commissioner Simmons made a motion to approve the Request for Qualifications Road Construction Inspection Service (RFQ #23-08-23-02), and authorize the County Judge to sign all documents associated with this agenda item; a second was made by Commissioner Gardner. MOTION PASSED 5-0

7. Housekeeping & Equipment Supplies Bid, Lucy Soto-Purchasing, Billy Carrigan- Building Maintenance Director

To consider, discuss, and take any necessary action regarding the bids for Housekeeping Equipment and Housekeeping Supplies for Building Maintenance. Housekeeping Equipment and Supplies bids were awarded to Wagner/Dade on September 2021, with options to renew for four additional one-year periods; there is no price increase for next year's budget.

A motion was made by Commissioner Hall to approve the bids for Housekeeping Equipment and Housekeeping Supplies for Building Maintenance. Housekeeping Equipment and Supplies bids were awarded to Wagner/Dade on September 2021, with options to renew for four additional one-year periods; there is no price increase for next year's budget; Commissioner Simmons seconded the motion. MOTION PASSED 5-0

8. Henderson Building Roof Replacement, Lucy Soto and Billy Carrigan

To consider, discuss, and take any necessary action on the proposal specifications for the Henderson Building Roof Replacement project, and authorize the County Judge to sign all documents associated with this agenda item; the proposal specifications are ready to advertise and distribute to vendors upon approval.

Commissioner Stringer made a motion to approve the proposal specifications for the Henderson Building Roof Replacement project, and authorize the County Judge to sign all documents associated with this agenda item. The proposal specifications are ready to advertise and distribute to vendors upon approval; a second was made by Commissioner Hall. MOTION PASSED 5-0

9. Medicare Advantage and Drug Plan Insurance, Lucy Soto- Purchasing, Dana McWilliams- Human Resources Director

To consider, discuss, and take any necessary action regarding the specifications for Medicare Advantage and Drug Plan Insurance for Retirees. The specifications will help select a third party Medicare Administrator to process Medicare and pharmaceutical claims and the specifications

are ready to distribute to vendors upon approval.

A motion was made by Commissioner Simmons to approve the specifications for Medicare Advantage and Drug Plan Insurance for Retirees. The specifications will help select a third party Medicare Administrator to process Medicare and pharmaceutical claims and the specifications are ready to distribute to vendors upon approval; Commissioner Stringer seconded the motion. MOTION PASSED 5-0

10. Vehicle Replacement Order for I.T., Lucy Soto- Purchasing, Mario Ornelas- I.T. Director

To consider, discuss, and take any necessary action to approve the purchase of two 2023 Ford Transit 250 Vans through a TIPS Cooperative Purchasing Contract in the amount of \$89,806.50, to replace a previous order that was canceled by the Ford Motor Company.

Commissioner Hall made a motion to approve then amended his motion to include the purchase of one 2023 Ford Transit 250 Van through a TIPS Cooperative Purchasing Contract to replace a previous order that was canceled by the Ford Motor Company; a second was made by Commissioner Gardner. MOTION PASSED 5-0

11. Garza County Interlocal Inmate Housing Contract, Mike Griffis- Sheriff

To consider, discuss, and take any necessary action to approve the Inmate Housing Interlocal Agreement between Garza County and Ector County, including increases in the per diem rate, and authorize the County Judge and Sheriff to sign all documents associated with this agenda item.

A motion was by Commissioner Stringer to approve the Inmate Housing Interlocal Agreement between Garza County and Ector County, including increases in the per diem rate, and authorize the County Judge and Sheriff to sign all documents associated with this agenda item; Commissioner Simmons seconded the motion. MOTION PASSED 5-0

12. Regional Public Defender Interlocal Agreement , Shelby Rigtrup- County Judge Admin

To consider, discuss, and take any necessary action regarding the biennial renewal of the Interlocal Agreement between Regional Public Defender Office Local Government Corporation and Ector County beginning October 1st, 2023, expiring September 30th, 2024 and automatically renewing on October 1st, 2024 and expiring on September 30th, 2025, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Commissioner Simmons made a motion to approve the biennial renewal of the Interlocal Agreement between Regional Public Defender Office Local Government Corporation and Ector County beginning October 1st, 2023, expiring September 30th, 2024 and automatically renewing on October 1st, 2024 and expiring on September 30th, 2025, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item; a second was made by Commissioner Stringer. MOTION PASSED 5-0

13. Astound Internet Contracts, Mario Ornelas- I.T. Director

To consider, discuss, and take any necessary action to approve internet service contracts with Astound for the Ector County Courthouse and Sheriff's Office, and authorize the County Judge to sign all documents associated with this agenda item.

A motion was made by Commissioner Stringer to approve internet service contracts with Astound for the Ector County Courthouse and Sheriff's Office, and authorize the County Judge to sign all documents associated with this agenda item; Commissioner Hall seconded the motion. MOTION PASSED 5-0

14. Hillmont Estates Streetlights, Mike Gardner- Commissioner, Precinct #1

To consider, discuss, and take any necessary action regarding agreement specifications with developer Ron Chesnut about streetlights, and authorize the County Judge to sign all documents associated with this agenda item.

ITEM WITHDRAWN

PLANNING AND DEVELOPMENT

15. Replat of Blake Subdivision, Eddie Landrum- Planning & Development Director

To consider, discuss, and take any necessary action on a Replat of the North 100.73 Feet of Lot 4, Block 1, Blake Subdivision, being a Subdivision of 1.0 Acre of Land out of Section 18, Block 43, T-2-S, and authorize the County Judge to sign all documents associated with this agenda item.

Commissioner Hall made a motion to approve a Replat of the North 100.73 Feet of Lot 4, Block 1, Blake Subdivision, being a Subdivision of 1.0 Acre of Land out of Section 18, Block 43, T-2-S, and authorize the County Judge to sign all documents associated with this agenda item; a second was made by Commissioner Simmons. MOTION PASSED 5-0

16. Frontier West Mobile Home Park MHRC, Eddie Landrum- Planning and Development Director

To consider, discuss, and take any necessary action on Frontier West Mobile Home Park Block 2, Lot 1 and 2 Frontier West Addition, and authorize the County Judge to sign all documents associated with this agenda item.

A motion was made by Commissioner Hall to approve Frontier West Mobile Home Park Block 2, Lot 1 and 2 Frontier West Addition, and authorize the County Judge to sign all documents associated with this agenda item; Commissioner Simmons seconded the motion. MOTION PASSED 5-0

CONSENT AGENDA

17. Proposed Consent Agenda, County Auditor's Office

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

17a.) To consider, discuss, and take any necessary action to approve a line item transfer to General Fund, 161st District Court, Educational Travel, 001-070-5161 from Departmental Furniture and Equipment, 001-070-5199 for \$2,000, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

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

BUDGET/FINANCIAL

18. Budget Amendment Request- Justice of the Peace #3, County Auditor's Office

To consider, discuss, and take any necessary action to approve a budget amendment to General Fund, Justice of the Peace #3, Departmental Furniture and Equipment, 001-203-5199 from Unreserved Fund Balance, 001-3310 for \$1,250, 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 General Fund, Justice of the Peace #3, Departmental Furniture and Equipment, 001-203-5199 from Unreserved Fund Balance, 001-3310 for \$1,250, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item; Commissioner Gardner seconded the motion. MOTION PASSED 5-0

19. 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 July 25th, 2023, and review County financial statements and reports.

Commissioner Hall made a motion to approve Accounts Payable Fund Requirements Report for July 25, 2023 and review County financial statements and reports; a second was made by Commissioner Hall. MOTION PASSED 5-0

DISCUSSION AND POTENTIAL ACTION

20. Opioid Litigation, Lee McClendon- County Attorney

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

A motion was made by Commissioner Stringer to move discussion to Executive Session; Commissioner Gardner seconded the motion. MOTION PASSED 5-0

After reconvening from Executive Session, Commissioner Simmons made a motion accept and execute the settlement participation and release forms regarding settlement offers from Walgreens, CVS, and Walmart in the matter of Texas opioid multidistrict litigation for the County in the matter of *County of Ector v. Purdue Pharma, L.P. et al*; a second was made by Commissioner Hall. MOTION PASSED 5-0

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

12:08 P.M.

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

EXECUTIVE SESSION

21. 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

22. Legal Matters- Litigation , Lee McClendon- County Attorney

To consider and discuss legal matters (*County of Ector v. Purdue Pharma, Inc., 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.

NO ACTION WAS TAKEN ON THIS ITEM

23. Legal Matters and Economic Development Matters, Lee McClendon- County Attorney

An executive/closed session meeting will occur regarding the following matters: (a) pursuant to Section 551.071(2) and 551.129 of the Texas Government Code (consultation with attorneys), for the Commissioners' Court to consult with and seek advice from its attorneys regarding legal and factual issues related to economic development projects authorized by law for Texas counties; and (b) pursuant to Section 551.087 of the Texas Government Code (economic development negotiations), for the Commissioners' Court to (i) discuss or deliberate regarding commercial or financial information the Commissioners' Court has received from and/or regarding a business prospect that the Commissioners' Court is considering to have to locate, stay, or expand in Ector County, Texas and with which the Commissioners' Court is conducting economic development negotiations, and (ii) deliberate the offer of a financial or other incentive to or from said business prospect for a proposed economic development project to be located in said County.

NO ACTION WAS TAKEN ON THIS ITEM

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.

NO ACTION WAS TAKEN ON THIS ITEM

ADJOURN

12:09 P.M.

Commissioner Simmons made a motion to adjourn with a second by Commissioner Gardner. MOTION PASSED 5-0

SIGNATURE PAGE

26. 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.

August 07, 2023 at 01:48 PM



Jennifer Martin, Ector County Clerk



Ector County Commissioners' Court

July 25, 2023

10:00 AM

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

**NOTICE OF ADDITION OF SUPPLEMENTAL ITEMS FOR THE MEETING OF THE ECTOR COUNTY
COMMISSIONERS' COURT**

CONTRACTS/AGREEMENTS/GRANTS

1. Outside Auditor Engagement Renewal , Shelby Rigtrup- County Judge Admin

3a.) To consider, discuss, and take any necessary action to approve the engagement letter with Whitley Penn for the County's fiscal year 2023 Audit, and authorize the County Judge to sign all documents associated with this agenda item.

Agenda Item 3a on County Judge's agenda:

3a) Commissioner Hall made a motion to table the item; a second was made by Commissioner Stringer. MOTION PASSED 5-0

SIGNATURE PAGE

2. 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.

August 07, 2023 at 01:46 PM

A handwritten signature in blue ink that reads "Jennifer Martin".

Jennifer Martin, Ector County Clerk