

**THE STATE OF TEXAS
COUNTY OF ZAPATA**

IN THE COMMISSIONERS COURT OF ZAPATA COUNTY, TEXAS

Be it remembered, that on this the 9th day of May, A.D., 2016, the Commissioners Court of Zapata County, Texas convened in **REGULAR SESSION** of said Court, at the regular meeting place thereof, in the Courthouse of Zapata, Texas, with the following members of said Court, to-wit:

PRESENT:

Hon. Joseph Rathmell	County Judge
Jose Emilio Vela	Commissioner, Precinct No. 1
Olga M. Elizondo	Commissioner, Precinct No. 2
Eddie Martinez	Commissioner, Precinct No. 3
Norberto Garza	Commissioner, Precinct No. 4
Mary Jayne Villarreal-Bonoan	County Clerk and Ex-Officio Clerk of the Commissioners Court

VISITORS: Romeo Salinas, Triunfo Gonzalez, Jr., Monica Alanis, Roger Miller, Juan J. Meza, Maria I. Gutierrez, Jorge Oyervides, Mauro Ramon, Victor Villarreal, Betty M. Lopez, Rogelio Huerta, Cynthia Garza Herrera, Ramiro Hernandez, Selina-Roxanne Davis and Tricia Cortez.

WHEREUPON, the following Orders and Proceedings were had by said Court, to-wit:

MEETING CALLED TO ORDER AT 9:00 A.M.

**ROLL CALL BY MARY JAYNE VILLARREAL-BONOAN, COUNTY CLERK AND
EX-OFFICIO CLERK OF THE COMMISSIONERS COURT**

**INVOCATION BY PASTOR ROGER MILLER, COMMISSIONERS COURT
CHAPLAIN**

PLEDGE OF ALLEGIANCE

COMMUNICATIONS

Judge Rathmell informed the Court that he attended a Masonic Lodge Scholarship ceremony.

ORDER APPROVING INVOICES

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve invoices as presented by Triunfo Gonzalez.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

ORDER APPROVING CHECKS ISSUED

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve checks issued as requested by Hon. Romeo Salinas, County Treasurer.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

TREASURER'S REPORT

Mr. Salinas was not present.

TAX / ASSESSOR COLLECTOR'S REPORT

Luis L. Gonzalez, Tax Assessor/Collector, was not present to give report.

**PRESENTATION OF PLAQUE AND RECOGNITION FOR LETICIA B. GUZMAN
FOR 25 YEARS OF SERVICE**

Presentation of plaque and recognition for Leticia B. Guzman for her 25 years of service in the County Treasurer's Office as requested by Romeo Salinas, County Treasurer.

**ORDER APPROVING RESOLUTION IN OPPOSITION OF AERIAL HERBICIDE
SPRAYING FOR ERADICATION OF CARRIZO CANE**

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve resolution in opposition of aerial herbicide spraying for the eradication of carrizo cane as requested by Tricia Cortez, Rio Grande International Study Center. Ms. Cortez gave a brief presentation regarding the aerial herbicide spraying, she stated that a bill was passed by Carlos Uresti, State Senator, allowing the use of certain methods to get rid of the carrizo cane by using certain aerial herbicides. The opposition is due to environmental and health hazards.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

**ORDER TO TABLE REQUEST BY JUDGE RATHMELL REGARDING SETTING
OF FEE FOR COLLECTION OF HOUSEHOLD APPLIANCES, FURNITURE
AND OTHER ITEMS**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to table request by Judge Rathmell regarding setting of fee for the collection of household appliances, furniture, and other items.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

NO ACITON WAS TAKEN ON THE FOLLOWING ITEM

13. To allow a local Football Soccer League to utilize an available park (behind the county swimming pool) and to have Zapata County upgrade the existing field to meet official safety standards as requested made by Rogelio Huerta (956)324-5151.

Request includes the following:

- Soil preparation with Bermuda grass seeding
- Install area with an irrigation system
- Install seating benches
- Install lighting

as requested by Honorable J.E. Vela, Commissioner Pct. 1.

**ORDER APPROVING TO CONTINUE LETTER OF CREDIT TO ESTABLISH
STAND BY TRUST FUND FOR FINANCIAL ASSURANCE FOR
CLOSURE AND POST CLOSURE OF SAN YGNACIO LANDFILL
NO. 783 AND CLOSED LANDFILL NO. 1528**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve to continue the letter of credit to establish stand by Trust Fund for the Financial Assurance for the closure and post closure of San Ygnacio landfill no.783 in the amount of \$536,939 and

closed landfill no. 1528 in the amount of \$270,343 as requested by TCEQ, Deborah Wisneski, Financial Analyst and Triunfo Gonzalez, County Auditor.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

ORDER AUTHORIZING FIRE CHIEF MEZA TO PROCEED WITH APPLICATION PROCESS ON POSSIBILITY OF ESTABLISHING A FIREHOUSE CLINIC

Motion was made by Commissioner Garza, seconded by Commissioner Elizondo, to authorize Fire Chief Meza to proceed with the application process on the possibility of establishing of a Firehouse Clinic with an application fee of \$15,000 to be paid out of the tobacco fund. Phase I would include urgent care, a nurse practitioner and would progress to an emergency room, as requested by Chief J.J. Meza, Fire Department.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

ORDER APPROVING USE OF PAVILION FOR MENTAL HEALTH AWARENESS EVENT

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve request to use the pavilion for Mental Health Awareness event on May 12, 2016 from 3:00-5:00 p.m. as requested by Norma Garcia, Border Region.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

ORDER APPROVING REQUEST TO USE ZAPATA COUNTY PAVILION EXTERIOR FOR ANNUAL ZAPATA TO LAREDO FUN RACE

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve request to use the Zapata County Pavilion exterior from 7-8 am on Sunday, June 12th for the Annual Zapata to Laredo Fun Race as requested by Mike Doyle, Pro Bikes.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

ORDER AUTHORIZING APPROVAL OF ORDER AUTHORIZING THE ISSUANCE OF "ZAPATA COUNTY TEXAS UNLIMITED TAX REFUNDING BONDS, SERIES 2016" DELEGATING AUTHORITY TO CERTAIN COUNTY OFFICIALS AND STAFF TO EXECUTE CERTAIN DOCUMENTS RELATING TO BONDS AND ENTERING INTO ESCROW AGREEMENT AND PAYING AGENT/REGISTRAR AGREEMENT

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve an Order Authorizing the issuance of "Zapata County, Texas Unlimited Tax Refunding Bonds, Series 2016" delegating the authority to certain county officials and staff to execute certain documents relating to the bonds; entering into an escrow agreement and a paying agent/registrar agreement; and authorizing other matters related thereto as requested by Honorable Joseph Rathmell, County Judge.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

**ORDER TO TABLE REQUEST BY MANUEL GONZALEZ REGARDING REPLAT OF
VELEÑO ESTATES SUBDIVISION UNIT I
(THIS ITEM WAS RECALLED AND APPROVED BELOW)**

Motion to table request by Manuel Gonzalez of Premier Engineering regarding the replat of Veleño Estates Subdivision Unit I. Mr. Gonzalez was not present.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

THE FOLLOWING ITEMS WERE DISCUSSED IN EXECUTIVE SESSION

20. To amend and make changes to the animal and fowl ordinance as requested by Guillermo Saenz, Environmental Department.

21. Discussion and possible action involving potential claims against subcontractors involved in the construction of the Zapata County Courthouse and any matters incident thereto as requested by Fortunato G. Paredes, J. Cruz & Associates, LLC.

22. Discussion and possible action to enter into a Power of Attorney and Contingency Fee Contract between Zapata County, Texas and J. Cruz & Associates, LLC and Norman Jolly, P.C concerning potential claims against subcontractors involved in the construction of the Zapata County Courthouse and any matters incident thereto as requested by Fortunato G. Paredes, J. Cruz & Associates, LLC.

UPDATE BY RAMIRO HERNANDEZ

Ramiro Hernandez briefly reported that a grant has been approved for the Boys and Girls Club.

He also added that the Little League starts this week.

**MOTION WAS MADE BY COMMISSIONER GARZA,
SECONDED BY COMMISSIONER MARTINEZ,
TO ENTER INTO EXECUTIVE SESSION**

**MOTION WAS MADE BY COMMISSIONER GARZA,
SECONDED BY COMMISSIONER MARTINEZ,
TO RETURN TO REGULAR SESSION**

ORDER AMENDING ANIMAL AND FOWL ORDINANCE

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to amend and approve the animal and fowl ordinance with clarifications, the distance is to be 25 feet and no more than 10 animals are allowed as requested by Guillermo Saenz, Environmental Department. [Executive Session is requested pursuant to Texas Government Code Title 5, Sub Chapter D, Section 551.071 (Consultation with Attorney).

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

**NO ACTION WAS TAKEN ON THE FOLLOWING ITEMS DISCUSSED IN
EXECUTIVE SESSION**

24. Discussion and possible action involving potential claims against subcontractors involved in the construction of the Zapata County Courthouse and any matters incident thereto as requested by Fortunato G. Paredes, J. Cruz & Associates, LLC.

[Executive Session is requested pursuant Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney)]

25. Discussion and possible action to enter into a Power of Attorney and Contingency Fee Contract between Zapata County, Texas and J. Cruz & Associates, LLC and Norman Jolly, P.C., concerning potential claims against subcontractors involved in the construction of the Zapata County Courthouse and any matters incident thereto as requested by Fortunato G. Paredes, J. Cruz & Associates, LLC.
[Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

**ORDER APPROVING REPLAT OF VELEÑO ESTATES SUBDIVISION UNIT I
(THIS ITEM WAS RECALLED AFTER BEING TABLED ABOVE)**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve the replat of Veleño Estates Subdivision Unit I as requested by Manuel Gonzalez, Premier Engineering.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

ADJOURN

Motion to adjourn was made by Commissioner Martinez, seconded by Commissioner Garza, and being put to a vote, was approved by the affirmative vote of all members of the Court.

There being no further business for disposition at this term, the Court adjourned.

JOSEPH RATHMELL, COUNTY JUDGE
OF ZAPATA COUNTY, TEXAS

ATTEST:

MARY JAYNE VILLARREAL, COUNTY
CLERK AND EX-OFFICIO CLERK OF
THE COMMISSIONERS COURT OF
ZAPATA COUNTY, TEXAS