

**THE STATE OF TEXAS  
COUNTY OF ZAPATA**

**IN THE COMMISSIONERS COURT OF ZAPATA COUNTY, TEXAS**

Be it remembered, that on this the 9<sup>th</sup> day of January 2023, 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
Pedro M. Morales	Commissioner, Precinct No. 2
Jose A. Solis	Commissioner, Precinct No. 3
Roberto Garza	Commissioner, Precinct No. 4
Mary Jayne Villarreal-Bonoan	Zapata County Clerk and Ex-Officio Clerk of Commissioners Court

**ABSENT:**

Paco Mendoza	Commissioner, Precinct No. 1
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**VISITORS:** Ralph Treviño, Roger Miller, Delia Mendoza, Karran Westerman, Rebecca Y. Gutierrez, Guadalupe R. Gutierrez, Raymundo Del Bosque, Joseph Peña, Daniel Arriaga, Juan J. Cruz, Ricardo Benavidez III, Manuel Gonzalez, and Jorge A. Vela.

**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 HON. MARY JAYNE VILLARREAL-BONOAN, COUNTY CLERK AND  
EX-OFFICIO CLERK OF COMMISSIONERS COURT  
INVOCATION BY REV. ROGER MILLER, COMMISSIONERS COURT CHAPLAIN  
PLEDGE OF ALLEGIANCE**

**COMMUNICATIONS**

Judge Rathmell stated that the blimps we have been seeing will no longer be in our county due to budget cuts.

Covid-19 Report as of December 12, 2022:

2607 positive +11

1780 probable +47

No deaths were reported.

Commissioner Solis reported that the Siesta Shores park was vandalized. Fence was taken down and lights were broken. He urged the public to please call 911 if suspicious activity is seen.

**ORDER APPROVING INVOICES**

Motion was made by Commissioner Solis, seconded by Commissioner Garza, to approve invoices from December 22, 2022 – January 5, 2023, in the amount of \$1,260,192.22 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 TREASURER'S REPORT**

Motion was made by Commissioner Solis, seconded by Commissioner Morales, to approve Treasurer's Report 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.

**ORDER APPROVING CHECKS ISSUED**

Motion was made by Commissioner Solis, seconded by Commissioner Garza, to approve checks issued from December 22, 2022 - January 5, 2023, in the amount of \$1,260,192.22 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.

**TAX / ASSESSOR COLLECTOR’S REPORT**

Tax Assessor/Collector’s office reported Hotel-Motel tax collections in the amount of \$7,843.72 for the month of December with a year-to-date total of \$24,252.43. Net collections were \$449,827.06 with tax collections at a rate of 66.13%.

Mrs. Mendoza stated that applications are still being accepted for the Texas Home Owner’s Program.

**COUNTY ASSESSOR-COLLECTOR SHALL FILE ANNUALLY A CONTINUING EDUCATION CERTIFICATE OF COMPLETION WITH COMMISSIONERS COURT**

Delia Mendoza, County Assessor-Collector filed the annual continuing education certificate of completion with the Commissioners' Court of Zapata County as requested by Hon. Joe Rathmell, County Judge.

**ORDER TO TABLE REQUEST BY JUDGE RATHMELL TO DETERMINE PROJECT FOR SUBMISSION TO TEXAS DEPARTMENT OF AGRICULTURE 2023-2024 TXCDBG PROGRAM**

Motion was made by Commissioner Solis, seconded by Commissioner Garza, to table request by Judge Rathmell to determine a project for submission to the Texas Department of Agriculture 2023-2024 TxCDBG Program.

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

**ORDER TO PROMOTE BECKY GUTIERREZ TO LIBRARIAN AT THE OLGA V. FIGUEROA PUBLIC LIBRARY**

Motion was made by Commissioner Solis, seconded by Commissioner Morales, to approve to promote Becky Gutierrez from Slot #2 Clerk to Slot #1 Librarian at the Olga V. Figueroa Public Library, with an annual salary of \$28,918.00 as requested by Hon. Joe Rathmell, County Judge.

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

**ORDER APPROVING TO ADVERTISE FOR CLERK POSITIONS AT THE OLGA V. FIGUEROA PUBLIC LIBRARY**

Motion was made by Commissioner Solis, seconded by Commissioner Morales, to approve to advertise for clerk positions Slot #2 and Slot #3 at the Olga V. Figueroa Public Library, for one (1) week, as requested by Hon. Joe 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 ADVERTISE FOR POSITION OF INDIGENT CARE AND  
PAUPER EXPENSE DEPARTMENT ADMINISTRATOR**

Motion was made by Commissioner Morales, seconded by Commissioner Garza, to approve to advertise for the position of Indigent Care & Pauper Expense Department Administrator, for one (1) week, as requested by Hon. Joe 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 TRANSFER DIONI HERNANDEZ FROM COUNTY AUDITOR'S  
DEPARTMENT TO OPERATION LONE STAR GRANT SLOT #2**

Motion was made by Commissioner Garza, seconded by Commissioner Solis, to approve to transfer Dioni Hernandez from the County Auditor's Department to Operation Lone Star Grant Slot #2, effective February 1, 2023 at \$12.02 per hour (\$25,001.60) as requested by Hon. Joe 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 HIRE JOSE ALFONSO MONTES AS BAILIFF  
FOR OPERATION LONE STAR GRANT**

Motion was made by Commissioner Garza, seconded by Commissioner Solis, to approve to hire Jose Alfonso Montes in Slot #1 as Bailiff for Operation Lone Star grant effective, February 1, 2023; with a salary of \$16.82 per hour (\$34,985.60) as requested by Hon. Joe Rathmell, County Judge.

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

**ORDER APPOINTING TEXAS A & M TO DO THE AGRICULTURE'S TxCDBG  
COLONIA PLANNING AND NEEDS ASSESSMENT GRANT (CPF22-0236)**

Motion was made by Commissioner Solis, seconded by Commissioner Morales to appoint Texas A & M to do the Agriculture's TxCDBG Colonia Planning and Needs Assessment Grant (CPF22-0236) as requested by Hon. Joe Rathmell, County Judge.

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

**ORDER APPROVING PAYMENT TO EMILIANO RAMIREZ FOR LABOR TO REPAIR  
NORTHWEST FENCE LINE AT ZAPATA COUNTY SHOOTING RANGE**

Motion was made by Commissioner Morales, seconded by Commissioner Garza, to approve payment to Emiliano Ramirez of \$1,000.00 for labor to repair the Northwest fence line at the Zapata County Shooting Range; to be paid out of Non-Department as requested by Hon. Joe Rathmell, County Judge.

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

**ORDER APPROVING BIDS FOR REPAIRS OF SAN YGNACIO WATER PLANT OFFICE  
BUILDING AND CONSTRUCTION OF CHAIN LINK FENCE**

Motion was made by Commissioner Solis, seconded by Commissioner Garza, to approve the bid by J.C. Investments in the amount of \$8,730, being the lowest bid, for the construction of the chain link fence.

Motion was made by Commissioner Solis, seconded by Garza, to approve the bid by Deep South Haulers in the amount of \$18,614.50 for repairs of two buildings including roof repairs of one building and other repairs of the 2<sup>nd</sup> building as requested by Hon. Joe Rathmell, County Judge.

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

**ORDER APPROVING USE OF FACIAL RECOGNITION TIME CLOCKS  
BY ALL COUNTY DEPARTMENT EMPLOYEES AS THE  
OFFICIAL TIME KEEPER OF COUNTY EMPLOYEE HOURS**

Motion was made by Commissioner Solis, seconded by Commissioner Garza, to approve the use of the facial recognition time clocks by all County Department Employees as the official time keeper of County Employee hours as requested by Hon. Joe Rathmell, County Judge.

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

**ORDER APPROVING PAYMENT TO RENE GARCIA FOR REPAIRS OF  
IRRIGATION PUMP AT ZAPATA COUNTY GOLF COURSE**

Motion was made by Commissioner Morales, seconded by Commissioner Garza, to approve payment to Rene Garcia for repairs of the irrigation pump at the Zapata County Golf Course as requested by Hon. Joe Rathmell, County Judge.

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

**ORDER APPROVING COST OF MATERIALS AND LABOR  
TO REPLACE FALCON SENIOR CITIZEN NUTRITION CENTER ROOF**

Motion was made by Commissioner Morales, seconded by Commissioner Solis, to approve cost of materials and labor to replace Falcon Senior Citizens Nutrition Center roof as follows:

Jesus Hernandez (labor)	\$ 4,200.00
Reyes Insulation (material and labor for spray foam insulation)	\$ 3,900.00
Lone Star Steel and Supply (material for roof)	<u>\$ 3,625.00</u>
Total	\$11,725.00

as requested by Hon. Paco Mendoza, Commissioner Pct. 1.

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

**ORDER APPROVING TO HIRE TEMPORARY CLERK FOR  
JUSTICE OF THE PEACE PRECINCT 2 ZAPATA OFFICE**

Motion was made by Commissioner Solis, seconded by Commissioner Morales to approve to hire a temporary clerk to work 20 hours per week at the rate of \$10 per hour for Justice of the Peace Precinct 2, Zapata Office as requested by Hon. Judge Olga M. Bruni, Justice of the Peace, Pct. 2.

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

**ORDER APPROVING PAY INCREASE FOR JOSE PEÑA**

Motion was made by Commissioner Solis, seconded by Commissioner Garza, to approve pay increase for Jose Peña from \$10.50 per hour to \$11.52 per hour (Slot #7a). Mr. Peña has met all educational TCEQ requirements and has achieved a Wastewater Collection Operator Class I

License. Funds to come from 08-600-227 (License Stipends) as requested by Ralph Trevino, Water Plant Director.

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

**ORDER APPROVING PAY RATE INCREASE TO JOSE D. CLAUDIO AND AMANDA MOLYNEUX**

Motion was made by Commissioner Morales, seconded by Commissioner Solis, to approve a pay rate increase to Jose D. Claudio & Amanda Molyneux due to certification from EMT-B to EMT-I from \$11.00 to \$12.00 hr. Monies are within budget as requested by Chief Daniel Arriaga, Fire Chief.

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

**ORDER APPROVING PAY RATE INCREASE TO LUIS CUELLAR AND EZEQUIEL RAMIREZ**

Motion was made by Commissioner Solis, seconded by Commissioner Garza, to approve a pay rate increase to Luis Cuellar & Ezequiel Ramirez from \$10.00 to \$11.00 due to completion of temporary status for over one year. Increase is within budget as requested by Chief Daniel Arriaga, Fire Chief.

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

**ORDER APPROVING PAY RATE INCREASE TO LUIS LOPEZ, JR.**

Motion was made by Commissioner Solis, seconded by Commissioner Morales, to approve pay rate increase to Luis Lopez, Jr EMT-B to EMT-I from \$11.35 to \$13.17 per hour. Monies are within budget as requested by Chief Daniel Arriaga, Fire Chief.

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

**ORDER APPROVING QUOTE FOR PURCHASE OF NEW AMBULANCE**

Motion was made by Commissioner Solis, seconded by Commissioner Garza, to approve quote for purchase of two (2) new ambulance from #2 quote by Trinity Apparatus for a total of \$193,458.00 or up to \$200,000.00 as requested by Chief Daniel Arriaga, Fire Chief.

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

Before adjourning, Chief Danny Arriaga addressed the court stating that he contacted Trinity Apparatus on purchase of the 2 ambulance units and was able to bring down the total discount savings, including shipping by \$9,500, and brought the total price to \$189,458.00 for both units.

**ORDER APPROVING PAYMENT OF INVOICE AND REVIEW OF 2<sup>nd</sup> STREET PAVING STATUS**

Motion was made by Commissioner Solis, seconded by Commissioner Garza, to approve payment of invoice in the amount of \$6,000.00 to Premier Engineering for work performed on 2nd Street paving project. Project has been completed. This is TxDOT CTIF funded project 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.

**ORDER TO TABLE PLAT FOR CARLA STREET**

Motion was made by Commissioner Solis, seconded by Commissioner Garza, to approve final plat for Carla Street as requested by Manuel Gonzalez, Premier Engineering.

Commissioner Garza rescinded his motion.

Motion was made by Commissioner Garza, seconded by Commissioner Solis, to table final Plat Carla Street as requested by Manuel Gonzalez, Premier Engineering. Mr. Gonzalez will talk to property owners regarding drainage improvements and potential flooding conditions.

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

**ORDER APPROVING \$11,200 FOR ADDITIONAL MATERIALS NEEDED TO COMPLETE FLORES DRAINAGE PROJECT**

Motion was made by Judge Rathmell, seconded by Commissioner Solis, to approve \$11,200 for additional materials needed to complete Flores Drainage Project 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.

**ORDER APPROVING CHANGE ORDER FOR MOUFLON OIL FIELD SERVICES TO INSTALL ADDITIONAL LINEAR FEET OF WATER AND SEWER SERVICE LINES**

Motion was made by Judge Rathmell, seconded by Commissioner Solis, to approve change order for Mouflon to install additional linear feet of water and sewer service lines for Cardinal and Crane Street paving project. The County will provide materials and labor.

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

Manuel Gonzalez reported that they are getting ready to start construction. There is an existing 2" line on both streets. Water crews were putting in a service line, suggested that service lines be put in for future growth.

**ORDER APPROVING PURCHASE OF LICENSE PLATE READER (LPR) MOBILE TRAILER**

Motion was made by Commissioner Solis, seconded by Commissioner Morales, to approve purchase of License Plate Reader (LPR) mobile trailer from Trinity for \$119,175.00 from Operation Lone Star grant as request by Joe Pena, Zapata County Sheriff's Office.

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

**ORDER APPROVING PURCHASE OF LICENSE PLATER READER (LPR) SOLAR POLE MOUNTER CAMERAS**

Motion was made by Commissioner Solis, seconded by Commissioner Garza, to approve purchase of License Plate Reader (LPR) Solar Pole Mounted Cameras from Trinity for \$77,118.00 from Operation Lone Star grant as request by Joe Peña, Zapata County Sheriff's Office. The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

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

**ORDER APPROVING PURCHASE OF 9 FORD - PATROL UNITS**

Motion was made by Commissioner Solis, seconded by Commissioner Morales, to approve purchase of 9 Ford F-150 Patrol Units from Silsbee Ford Inc., 1211 US HWY 96 North, Silsbee, TX, for a total of a total of \$473,264.00 from Operation Lone Star Grant as request by Joe Peña, Zapata County Sheriff's Office.

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

**ORDER APPROVING PURCHASE OF "THE SHERIFF'S APP"**

Motion was made by Commissioner Solis, second by Commissioner Garza, to approve purchase of "The Sheriff's App" for \$7,497.50 from Operation Lone Star grant as request by Joe Peña, Zapata County Sheriff's Office.

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

**ORDER APPROVING TO HIRE FLORINA COVARRUBIAS**

Motion was made by Commissioner Solis, seconded by Commissioner Morales, to approve to hire Florina Covarrubias as temporary employee at \$10.00 per hour for 6 pay periods using unused funds from (10-567 /#2), effective December 22, 2022 as request by Joe Pena, Zapata County Sheriff's Office.

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

**ORDER APPROVING CONTRACTS FOR GRANT ADMINISTRATION SERVICES WITH CARLOS COLINA VARGAS, AICP & ASSOCIATES**

Motion was made by Commissioner Garza, seconded by Commissioner Solis, to approve contracts for grant administration services with Carlos Colina Vargas, AICP & Associates for the following projects: Miraflores Neighborhood Park, Falcon Lake Ramp Site Improvements Project, and FEMA Emergency Operations Center Project; county attorney will add additional language, as requested by Carlos Colina Vargas, Consultant

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

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

**MOTION WAS MADE BY COMMISSIONER SOLIS,  
SECONDED BY COMMISSIONER MORALES,  
TO RETURN TO REGULAR SESSION**

**ORDER AUTHORIZING COUNTY JUDGE AND LEGAL COUNCIL TO PROCEED AS DISCUSSED IN CLOSED SESSION**

Motion was made by Commissioner Solis, seconded by Commissioner Garza, to authorize County Judge and Council to proceed as discussed in closed session, regarding status of litigation in Cause Number 11,436 and styled Zapata County V. Shady Haven, LLC, filed in the 49th Judicial District Court in Zapata County, Texas.

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

*Executive Session is requested pursuant to Texas Government Code Title 5, Sub Chapter D, Section 551.071 Consultation with Attorney. [Requested by: Lisa M. Paul, J. Cruz & Associates, LLC.*

**ORDER TO TABLE REQUEST BY JUDGE RATHMELL ON TAX ABATEMENT AGREEMENT BETWEEN ZAPATA COUNTY, TEXAS AND ALTAMIRA SOLAR, LLC**

Motion was made by Commissioner Solis, seconded by Commissioner Garza, to table request by Judge Rathmell on tax abatement agreement between Zapata County, Texas and Altamira Solar, LLC.

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

*Executive Session is requested pursuant to Texas Government Code Title 5, Sub Chapter D, Section 551.071, Consultation with Attorney.*

**ORDER TO TABLE REQUEST BY JUDGE RATHMELL ON CONSIDERATION TO AUTHORIZE COUNTY JUDGE TO ENTER INTO A 312 ABATEMENT AGREEMENT WITH DESERT VINE SOLAR, LLC**

Motion was made by Commissioner Solis, seconded by Commissioner Morales, to table request by Judge Rathmell on consideration to authorize County Judge to enter into a 312 Tax Abatement Agreement with Desert Vine Solar, LLC.

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

*Executive Session is requested pursuant to Texas Government Code Title 5, Sub Chapter D, Section 551.071 (Consultation with Attorney). [Requested by: Honorable Joseph Rathmell, County Judge.*

**ORDER TO TABLE REQUEST BY COUNTY JUDGE ON CONSIDERATION TO AUTHORIZE COUNTY JUDGE TO ENTER INTO A 312 TAX ABATEMENT AGREEMENT WITH RIO GRANDE RIVER SOLAR, LLC**

Motion was made by Commissioner Solis, seconded by Commissioner Garza, to table request by Judge Rathmell on consideration to authorize County Judge to enter into a 312 Tax Abatement Agreement with Rio Grande River Solar, LLC.

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

*Executive Session is requested pursuant to Texas Government Code Title 5, Sub Chapter D, Section 551.071 (Consultation with Attorney). [Requested by: Honorable Joseph Rathmell, County Judge.*

**ORDER APPROVING RESOLUTION AMENDING AUTHORIZED REPRESENTATIVES FOR TEXPOOL**

Motion was made by Commissioner Solis, seconded by Commissioner Morales, to approve Resolution Amending Authorized Representatives for TexPool to include Romeo Salinas, Triunfo Gonzalez, Jr., and Josefa Martinez 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.



**ADJOURN**

Motion to adjourn was made by Commissioner Solis, seconded by Commissioner Morales, 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.

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JOSEPH RATHMELL, COUNTY JUDGE  
OF ZAPATA COUNTY, TEXAS

ATTEST:

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