

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

Be it remembered, that on this the 12<sup>th</sup> day of December, A. D., 2011, the Commissioners Court of Zapata County, Texas, convened in **REGULAR SESSION (PUBLIC HEARING)** 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
	Gabriel Villarreal	Commissioner, Precinct No. 2
	Norberto Garza	Commissioner, Precinct No. 4
	Celica A. Rodriguez	Chief Deputy County Clerk for M.J. Villarreal-Bonoan, County Clerk

<b>ABSENT:</b>	Eddie Martinez	Commissioner, Precinct No. 3
	Saíd Alfonso Figueroa	County Attorney
	Mary Jayne Villarreal-Bonoan	County Clerk

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

**PUBLIC HEARING CALLED TO ORDER AT 8:35 A. M.**

Roll call by Celica A. Rodriguez, Chief Deputy Clerk, Zapata County Clerk

**ROLL CALL BY CELICA A. RODRIGUEZ, CHIEF DEPUTY COUNTY CLERK**

**INVOCATION BY REV. ROGER MILLER, KING'S WAY CHURCH**

**PLEDGE OF ALLEGIANCE**

Mr. Gustavo Martinez of Linebarger, Goggan, Blair, and Sampson gave a presentation regarding property tax change. Delia Mendoza recommended that it should be done for future revenues.

The public hearing concluded, action will be taken during regular meeting.

**REGULAR COMMISSIONERS COURT MEETING  
CONVENED AND WAS CALLED TO ORDER AT 9:00 A.M.**

**PRESENT:**

Hon.	Joseph Rathmell	County Judge
	Jose Emilio Vela	Commissioner, Precinct No. 1
	Gabriel Villarreal	Commissioner, Precinct No. 2
	Eddie Martinez	Commissioner, Precinct No. 3
	Norberto Garza	Commissioner, Precinct No. 4
	Celica A. Rodriguez	Chief Deputy County Clerk for M.J. Villarreal-Bonoan, County Clerk

**ABSENT:** Saíd Alfonso Figueroa County Attorney  
Mary Jayne Villarreal-Bonoan County Clerk

**VISITORS:** Romeo Salinas, Triunfo Gonzalez, Mario Gonzalez-Davis, Auddy Hernandez, Gustavo Martinez, Carlos Treviño, Jr., Joyce Currington, Lelani Garza, Juan J. Meza, Bobbie Meza, Luis Lauro Gonzalez, Delia Mendoza, Brian Martinez, Abi Sharda, Maxzin Davila, Roger Miller, Diana Cuellar Villarreal, Jose F. Mendoza, Ed Romero, Bryann Braegger, Ana Mariela Martinez, Paco Mendoza, Karran Westerman, Peggy U. Moffett, Manuel Gonzale, Jr. And Mario Elizondo.

**ORDER TO TABLE MINUTES**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to table minutes as requested by Mary Jayne Villarreal-Bonoan, County Clerk.

**COMMUNICATIONS**

Commissioner Vela stated that he received a letter from cardiovascular physician Fermin Romero.

Judge Rathmell commented on the Quinceañera Ball and stated that there had been a very good turnout.

**DEPARTMENTAL REPORTS**

Luis Lauro Gonzalez, Zapata County Tax Assessor/Collector, reported that the tax office collected \$17,420.17 in Hotel Motel Tax fees and \$731,848.50 in tax collections for the month of November.

**ORDER APPROVING INVOICES**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve invoices as presented by Triunfo Gonzalez, County Auditor. Commissioner Vela commented on last page regarding capital outlay carryover and stated that it was part of parks and wildlife.

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 Garza, second ed by Commissioner Martinez, to approve Treasurer's Report as presented 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.

**PRESENTATION ON PROGRESS OF INFRASTRUCTURE OF  
ZAPATA COUNTY TECHNOLOGY ADVANCED EDUCATION CENTER**

Dr. David Brown, Dean of the Zapata County Technology Advanced Education Center, reported on the progress of the infrastructure of tech center. The building is almost finished and Laredo Community College will be coming to Zapata to register students for the five classes to be offered here. Dr. Brown stated that he had spoken to Rep. Ryan Guillen who was thrilled to see the progress in Zapata which will also bring in money to this community. Texas workforce will soon request reimbursement and Dr. Brown asks that they return master key provided to them by previous judge.

**REPORT ON DELINQUENT TAXES FOR FISCAL YEAR 2011**

Gustavo Martinez of Linebarger, Goggan, Blair and Sampson reported on delinquent taxes for the Fiscal Year 2011, \$653,481 have been collected.

**ORDER AWARDING BID FOR ENGINEERING SERVICES FOR  
TEXAS DEPARTMENT OF AGRICULTURE, OFFICE OF RURAL AFFAIRS  
TXCDBG CONTRACT NO. 711520**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to award bid to Premier Civil Engineers for Engineering Services for the Texas Department of Agriculture, Office of Rural Affairs, TXCDBG Contract No. 711520 as requested by Dioni Hernandez, Project Office.

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

**ORDER AWARDING MANAGEMENT SERVICE FOR TEXAS DEPARTMENT OF  
AGRICULTURE, OFFICE OF RURAL AFFAIRS TXCDBG CONTRACT NO. 711520**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to award Management Service bid to Mario Gonzalez-Davis for the Texas Department of Agriculture, Office of Rural Affairs, TXCDBG Contract No. 711520 as requested by Dioni Hernandez, Project Office.

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

**ORDER APPROVING ISSUANCE OF ZAPATA COUNTY TEXAS TAX NOTES  
SERIES 2011, AUTHORIZING PURCHASE CONTRACT A PAYING  
AGENT/REGISTRAR AGREEMENT AND MAKING OTHER PROVISIONS  
REGARDING SUCH NOTES AND MATTERS INCIDENT THERETO**

Motion was made by Commissioner Vela, seconded by Commissioner Garza to approve the

issuance of Zapata County, Texas Tax Notes, Series 2011; authorizing a purchase contract a paying agent/registrar agreement; and making other provisions regarding such notes and matters incident thereto for remediation of courthouse as requested by Juan Aguilera, Ecamilla, Poneck & Cruz, LLP.

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

**ORDER APPROVING 2" SEWER LINE TO BE INSTALLED THROUGH  
EASEMENT BELONGING TO COUNTY**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve a 2" sewer line to be installed through an easement belonging to the county. This 2" sewage line will be connected to the main sewage line located on Madison Street. The purpose of this line will be to provide service to Aqua Restaurant & Bar and Lakeview Inn & Suites. Owners of Aqua Restaurant & Bar and Lakeview Inn & Suites will purchase materials, hire electrician, holding tanks, etc., Zapata County will provide the labor, as requested by Abi Sharda, General Manager of Aqua Restaurant & Bar and Lakeview Inn & Suites.

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 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 APPROVING INTERGOVERNMENTAL TRANSFER TO  
TEXAS HEALTH HUMAN SERVICES COMMISSION TO FUND MEDICAID  
SUPPLEMENTAL PAYMENT TO LAREDO MEDICAL CENTER**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve an Intergovernmental Transfer to the Texas Health and Human Services Commission to fund Medicaid Supplemental Payment to Laredo Medical Center as requested by Hon. 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 APPROVING THE INTERLOCAL AGREEMENT BETWEEN  
ZAPATA COUNTY AND ZAPATA COUNTY INDEPENDENT SCHOOL DISTRICT  
FOR ASSESSMENT AND COLLECTION OF AD VALOREM TAXES**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve the Interlocal Agreement between Zapata County and the Zapata County Independent School District for the assessment and collection of ad valorem taxes as requested by Hon. 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 APPROVING MEDICAL OFFICE SPACE LEASE AGREEMENT BETWEEN  
LAREDO MEDICAL CENTER AND ZAPATA COUNTY**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve a Medical Office Space Lease Agreement between Laredo Medical Center and Zapata County for one year. Janitorial services, utilities and other remodeling will be done. One office will be available for Zapata County to lease, as requested by Hon. 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 APPROVING AND AUTHORIZING TO PROCEED WITH PROPOSED  
ZAPATA COUNTY HEALTH CARE CLINIC EXPANSION PROJECT AND  
INITIATE PROCESS TO CREATE A SPECIALIZED RENAL DIALYSIS AND  
CARDIOLOGY CLINIC TO SERVE LOCAL RESIDENTS**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve and authorize to proceed with the proposed Zapata County Healthcare Clinic Expansion Project and initiate the process to create a specialized renal dialysis and cardiology clinic to serve our local residents as requested by Hon. Jose Emilio Vela, Commissioner Precinct 1.

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

**ORDER APPROVING HIRING OF FERNANDO V. MARTINEZ IN SLOT #2  
SPECIAL ROAD AND BRIDGE DEPARTMENT #012  
LABOR/MAINTENANCE PRECINCT 2**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve hiring of Fernando V. Martinez in slot #2 Special Road and Bridge Department #012 Labor/Maintenance Precinct 2 at \$8.00 per hour as requested by Hon. Gabriel Villarreal, Commissioner Precinct 2.

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 FUND-RAISER HELD BY  
FIDEL AND ANDREA R. VILLARREAL ELEMENTARY SCHOOL**

Motion was made by Commissioner Villarreal, seconded by Commissioner Garza, to approve the use of the Pavilion for a fund-raiser held by Fidel & Andrea R. Villarreal Elementary School on December 15, 2011 as requested by Cynthia Morales, Fidel & Andrea R. Villarreal Elementary School.

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 REQUEST BY MARIA ISABEL ESPINOZA  
PRESIDENT OF LITTLE LEAGUE AND RAMIRO HERNANDEZ, SAFETY OFFICER  
TO USE LITTLE LEAGUE BASEBALL FIELDS AS WELL AS UPKEEP AND  
PROVIDING BASES FOR EACH FIELD THAT ARE WITHIN REGULATIONS**

**ORDER APPROVING ADDITIONAL FUNDING MADE PAYABLE TO  
ZAPATA COUNTY CHAMBER OF COMMERCE FOR  
2012 BASS CHAMPS SOUTH TEXAS REGION FISHING TOURNAMENT**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve additional funding of \$3,500 from Hotel-Motel Tax and made payable to the Zapata County Chamber of Commerce for the 2012 Bass Champs South Texas Region Fishing Tournament. Event will take place on January 12-14, 2012 as requested by Paco Mendoza, President/CEO, Zapata County Chamber of Commerce.

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

**ORDER APPROVING FUNDING FOR LINE ITEM 80-600-485 WHICH WAS  
DELETED FROM NEW 2011-2012 BUDGET**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve funding from royalty fund for line item 80-600-485 which was deleted from the new 2011-2012 budget. This item is a funding for an annual TCEQ fee for approximately \$30,000.00 as requested by Carlos Treviño, Jr., Water Plant Manager.

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

**ORDER APPROVING A LEASE AGREEMENT WITH  
ZAPATA COUNTY APPRAISAL DISTRICT**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve a lease agreement with the Zapata County Appraisal District as requested by 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 APPROVING USE OF OSWALDO H. AND JUANITA G. RAMIREZ  
EXHIBIT HALL FOR WRESTLING TOURNAMENT**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve the use of Oswaldo H. and Juanita G. Ramirez Exhibit Hall on December 17, 2011 for a Wrestling Tournament sponsored by the Marine Corp League. Marine Corp League will provide security and liability insurance as requested by Karran Westerman, Marine Corp League.

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

**ORDER APPROVING HIRING OF LUIS GARZA ON SLOT #4 AT  
ENVIRONMENTAL DEPARTMENT**

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve hiring of Luis Garza on slot #4 at \$8.00 an hour at the Environmental Department as requested by Guillermo Saenz, Environmental Department.

The above motion, being put to a vote, was approved by the affirmative vote of Commissioners Vela, Martinez, and Villarreal. Commissioner Garza abstained. Motion carried.

**NO ACTION WAS TAKEN ON REQUEST BY FORTUNATO PAREDES, ESCAMILLA,  
PONECK, & CRUZ, LLP REGARDING DISCUSSION AND POSSIBLE ACTION TO  
AUTHORIZE LAW FIRM OF ESCAMILLA, PONECK & CRUZ, LLP TO INITIATE  
JUDICIAL COURT PROCEEDING AGAINST M1 SOLUTIONS, INC. FOR LAPTOPS  
AND ACCESSORY EQUIPMENT OWED BY M1 SOLUTIONS TO ZAPATA COUNTY  
SHERIFF'S DEPARTMENT**

**ORDER APPROVING INSTALLATION OF STREET LIGHTS/HUMPS**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza to install the following street light at the following address:

- a. 3297 U.S. North Hwy 83 (San Jose Community)
- b. 1908 Laredo Street (Medina Addition)

as requested by Hon. Gabriel Villarreal, Commissioner Precinct 3.

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 Martinez, seconded by Commissioner Garza to install a security light at the following address:

- a. 1201 Madison

as requested by Hon. Eddie Martinez, Commissioner, Precinct 3.

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 Martinez, seconded by Commissioner Garza to install a speed hump at the following location:

- a. 5421 Lopez

as requested by Hon. Eddie Martinez, Commissioner, Precinct 3.

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

**ORDER APPROVING LINE-ITEM-TRANSFER**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve the following line item transfer:

From:	49 <sup>th</sup> District Court	10-435-335	Equipment Rental	\$4,000.00
To:	District Clerks Office	10-450-462	Equipment Rental	\$4,000.00

as requested by Jose A. Lopez, 49<sup>th</sup> District Judge.

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

**ORDER APPROVING RESOLUTION IN SUPPORT OF LOCAL HOMELAND SECURITY GRANT PROGRAM AND STATE HOMELAND SECURITY PROGRAM**

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve a resolution in support of the local Homeland Security Grant Program (HLSP) and the State Homeland Security Program (SHSP) as requested by Mario Elizondo, 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 DENYING RESOLUTION AND ORDINANCE RELATING TO APPROVAL OF TAXATION OF GOODS-IN-TRANSIT THAT ARE OTHERWISE EXEMPT FROM TAXATION**

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to deny Resolution and Ordinance relating to Approval of Taxation of Goods-In-Transit that are otherwise exempt from taxation under Section 11.253, Texas Tax Code.

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

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

**NO ACTION WAS TAKEN ON REQUEST BY FORTUNATO PAREDES, ESCAMILLA, PONECK, & CRUZ, LLP REGARDING DISCUSSION AND POSSIBLE ACTION INVOLVING M1 SOLUTIONS, INC'S (M1 SOLUTIONS) DISPUTE AS TO MONIES ALLEGEDLY OWED TO M1 SOLUTIONS FOR WORK PERFORMED FOR ZAPATA COUNTY SHERIFF'S OFFICE AS WELL AS LAPTOPS AND ACCESSORY EQUIPMENT OWED BY M1 SOLUTIONS TO ZAPATA COUNTY SHERIFF'S DEPARTMENT AND ANY MATTERS INCIDENT THERETO INCLUDING CLARIFICATION AS TO ISSUES DEALING WITH SUPPORT AND MAINTENANCE OF EMAIL ACCOUNTS FOR SHERIFF'S OFFICE AND SERVICING OF ZAPATA COUNTY SHERIFF'S PATROL UNIT LAPTOPS**

Executive Session Is Requested Pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071  
(Consultation with Attorney)



**NO ACTION WAS TAKEN ON REQUEST BY FORTUNATO PAREDES, ESCAMILLA,  
PONECK, & CRUZ, LLP REGARDING DISCUSSION AND POSSIBLE ACTION ON  
PROPOSED SETTLEMENT OFFER FROM REIM CONSTRUCTION INSURANCE  
CARRIER CONCERNING ADDITION OF TWO (2) INCHES OF ASPHALT OVER  
INDIAN BURIAL MOUND LOCATED IN SAN YGNACIO, TEXAS  
AND ANY MATTERS INCIDENT THERETO**

Executive Session Is Requested Pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071  
(Consultation with Attorney)

**ADJOURN**

Motion to adjourn was made by Commissioner Villarreal, 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.

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JOSEPH RATHMELL, COUNTY JUDGE  
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