

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

Be it remembered, that on this the 10th day of June A. D., 2013, 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
	Gabriel Villarreal	Commissioner, Precinct No. 2
	Eddie Martinez	Commissioner, Precinct No. 3
	Norberto Garza	Commissioner, Precinct No. 4
	Mary Jayne Villarreal-Bonoan	County Clerk

ABSENT:

Saíd Alfonso Figueroa	County Attorney
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VISITORS: Triunfo Gonzalez, Nellie R. Treviño, Brian J. Martinez, Juan J. Meza, Maria I. Gutierrez, Joyce Currington, Sean Kamber, Diana C. Villarreal, Luis Lauro Gonzalez, Salvador Elizondo, Niki Gilmore Ryman, Isela Crisp, Martin Briseño, Delia Mendoza, Marisa Ramirez, Jorge Martinez, Eduardo Gracia, Jr., Pat Gonzalez, and Hector Garcia, Jr.

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

INVOCATION BY HON. JOSE E. VELA

PLEDGE OF ALLEGIANCE

ORDER APPROVING MINUTES OF MAY 13, 2013 AND MAY 27, 2013

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve the Minutes of **May 13, 2013**, and **May 27, 2013**, as presented by Mary Jayne Villarreal-Bonoan, County Clerk.

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

UPDATE ON POOL AND LITTLE LEAGUE

Brian Martinez, from the Zapata County Judge's Office, gave a brief update on behalf of Ramiro Hernandez. The Pool has been open as of June 6, 2013. All Valley Pool requested payment of \$514 since work will be completed this week.

Little League will close June 4, 2013 and election of officers will be held.

MONTHLY REPORT OF ZAPATA FAMILY MEDICAL CLINIC

Mr. Sean Kamber of Laredo Medical Center presented Commissioners Court with the monthly report for May 2013. No significant difference changes occurred this past month. The EMR (Electronic Medical Records) System has been successfully implemented. The clinic is once again certified for drug testing.

REPORT BY CHIEF MEZA ON FIRE DEPARTMENT

J.J. Meza, Zapata County Fire Chief, reported that \$84,000 were collected in May. He also informed the Court that while responding to a 911 call, the ambulance had been involved in an automobile accident with a lady who ran a red light in Laredo and collided with the ambulance. The ambulance driver was given a drug test. The ambulance was driven back to Zapata, but will need repairs. The lady involved in the accident was insured and a police report was made. The Fire Department is down to 3 ambulance units and an older unit will also be available.

Judge Rathmell commended the Fire Department for picking up trash at boat ramp.

MONTHLY REPORT BY ZAPATA COUNTY TAX ASSESSOR/COLLECTOR

Luis Lauro Gonzalez, Zapata County Tax Assessor/Collector, reported Hotel/Motel Tax in the amount of \$7,386.53. Oso Blanco and Aqua Lakeview Inn are delinquent and have not submitted payment for the Hotel/Motel Tax. A grand total of \$100,185.73 has been collected for the current fiscal year (October - 2012 - May 2013). Taxes collected are at a 93% average for the year.

ORDER APPROVING INVOICES

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve invoices as presented by Triunfo Gonzalez, County Auditor. Including invoice to All Valley Pool and Patricio Hernandez. Voided invoices have been deducted.

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. Including checks for All Valley Pool and Patricio Hernandez.

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, seconded by Commissioner Villarreal, to approve Treasurer's Report as presented by Romeo Salinas, County Treasurer. No deposits were made by Justice of the Peace, Precinct 2 for the month of May.

New time clocks are up and running and will become mandatory by the end of the month.

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

ORDER ACCEPTING TEXAS DEPARTMENT OF TRANSPORTATION'S OFFER REGARDING VELEÑO BRIDGE PROJECT LIFT STATION

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to accept the Texas Department of Transportation's offer regarding the Veleño Bridge Project Lift Station and to authorize the Zapata County Judge to sign all necessary documents as requested by Hon. Joe Rathmell, County Judge. TxDot will pay \$635,785.00 for the purchase of the ROW, lift station will be constructed out of the ROW.

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

ORDER APPROVING PROFESSIONAL SERVICES PROPOSAL BY CAROLYN ARNOLD FOR CCAC

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve the professional services proposal by Ms. Carolyn Arnold, President/CEO for CCAC, Inc. in regards to service proposal available to assist Zapata County as requested by Hon. Jose E. Vela, Commissioner Pct. 1.

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 BRIAN MARTINEZ REGARDING FEE SCHEDULE FOR OSWALDO H. AND JUANITA G. RAMIREZ EXHIBIT HALL

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to table request by Brian Martinez, of the Zapata County Judge's Office, regarding the setting of a fee schedule for the Oswaldo H. And Juanita G. Ramirez Exhibit Hall. Brian Martinez and Chief Meza will check on the capacity of the building. Renters would have to provide tables and chairs and no amenities will be removed.

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

ORDER APPROVING PURCHASE OF IPADS FOR JUSTICES OF THE PEACE

Motion was made by Commissioner Villarreal, seconded by Commissioner Martinez, to approve the purchase of 3 Apple iPads for the Justice of the Peace in Precinct 1, Precinct 2 and Precinct 4 in the amount of \$2,725.42 to be paid from the Technology Fund line item 62-582-392 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 INSTALLATION OF UNDERGROUND FIBER-OPTIC LINE AT CORNER OF HWY 83 AND LASSO LANE BY FIBER LIGHT

Motion was made by Commissioner Villarreal, seconded by Commissioner Martinez, to approve the installation of an underground fiber-optic line at the corner of Hwy 83 and Lasso Lane by Fiber Light as requested by Hon. Joe Rathmell, County Judge.

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

ORDER ACCEPTING RESIGNATION FROM GABRIEL VILLARREAL III, ZAPATA COUNTY CONSTABLE PCT. 1

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to accept the resignation from Gabriel Villarreal III, Zapata County Constable Pct. 1, effective May 31, 2013 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 APPOINTMENT OF MR. SALVADOR ELIZONDO TO FILL POSITION VACATED BY ZAPATA COUNTY CONSTABLE PCT. 1

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve the appointment of Mr. Salvador Elizondo, certified peace officer, to fill position of vacated Zapata County Constable Pct. 1, in compliance with TEX LG CODE ANN § 87.41: Vacancies filled by appointment of Commissioner's Court as requested by Hon. Jose E. Vela, 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 FINANCIAL SUPPORT FOR 2013 WORLD RECORD ENCAMPMENT

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve financial support for the 2013 World Record ENCAMPMENT and/or assistance in obtaining third party sponsorships. Support in an amount of \$3,000 will be used out of the sesquicentennial funds account and \$2,000.00 from airport funds which will be paid to The British Broadcasting Company (BBC) who is interested in filming the event this year and will be utilizing their blimp and helicopters as requested by Charlie Avaritt.

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

ORDER INSTALLING SPEED HUMPS

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve installation of a speed hump at Flores Memorial Park on 3rd Avenue (between Glenn and Delmar Streets) as requested by Hon. Jose E. Vela, Commissioner Pct. 1.

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 approve installation of a speed hump at 1513 Jackson Street in Zapata as requested by Hon. Gabriel Villarreal, Commissioner Pct. 2.

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 approve installation of a speed hump at 5421 McAllen Lane as requested by Hon. Eddie Martinez, Commissioner Pct. 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: Non Department	10-409-482	Insurance-General	\$25,000.00
To: Non Department	10-409-730	Consulting Fees	\$25,000.00

in order to meet budget requirements 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.

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

From: Non Department	10-370-901	Royalties	\$10,000.00
To: Non Department	10-409-464	Co. Property/Repairs	\$10,000.00

in order to meet budget requirements 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.

PUBLIC COMMENT

Maria Barragan and Anna Holcomb came before the court to complain about Grande Garbage. Mrs. Barragan presented the Court with pictures of overflowing garbage containers and trash cans that are not picked up on the scheduled days. Trash is scheduled to be picked up once per week, however, Ms. Barragan and Mrs. Holcomb stated that there are times when it is only picked up twice per month. Failure to pick up the trash cans presents a problem because the leash laws are not obeyed, and if food is thrown out, dogs knock down the trash cans littering the neighborhood.

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

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

**ORDER TO TABLE REQUEST BY HECTOR URIBE REGARDING ANNUAL JUNE
REVIEW OF FRANCHISE AGREEMENT WITH PATRICIO HERNANDEZ DBA
GRANDE COLLECTION COMPANY**

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to table request by Hector Uribe, Attorney at Law, regarding the annual June review of franchise agreement with Patricio Hernandez, doing business as Grande Collections Company, for the collection of solid waste in Zapata County.

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 HECTOR URIBE REGARDING LEGAL
ACTION CONCERNING COLLECTION OF FRANCHISE FEES OWED BY UTILITY
COMPANIES FOR COUNTIES WITH TYPE A MUNICIPAL POWERS**

Executive Session is required pursuant to Texas Government Code Title 5, Sub Chapter D, Section 551.072, Consultation with Attorney.

ORDER APPROVING RATIFICATION ACTION TO COLLECT FEES

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve to ratify action to collect fees owed to the County in regards to the Franchise Agreement between Patricio Hernandez, doing business as Grande Garbage Collection Company, and failure by the Grantee to pay fees owed to the Grantor as requested by Hector Uribe, Attorney at Law.

Executive Session is required 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 ON REQUEST BY HECTOR URIBE REGARDING LEGAL ACTION
CONCERNING COLLECTION OF FRANCHISE FEES OWED BY UTILITY
COMPANIES FOR COUNTIES WITH TYPE A MUNICIPAL POWERS**

Executive Session is required pursuant to Texas Government Code Title 5, Sub Chapter D, Section 551.072, Consultation with Attorney.

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
ZAPATA COUNTY, TEXAS

ATTEST:

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