

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

Be it remembered, that on this the 12th day of August 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
	Saíd Alfonso Figueroa	County Attorney
	Mary Jayne Villarreal-Bonoan	County Clerk

ABSENT: Norberto Garza Commissioner, Precinct No. 4

VISITORS: Triunfo Gonzalez, Brian J. Martinez, Juan J. Meza, Maria I. Gutierrez, Mario Gonzalez-Davis, Joyce Currington, Diana C. Villarreal, Luis Lauro Gonzalez, Roger Miller, Tony Jasso, Hugo G. Villarreal, Elva Gonzalez, Eddie Saenz, Christina Garcia, Alicia C. Villarreal, Luis Daniel Villarreal, Maria E. Gutierrez, Delia Mendoza, Ray Del Bosque, Ramon Montes, Manuel Gonzalez, Jr., and Pete Garza.

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 REV. ROGER MILLER

PLEDGE OF ALLEGIANCE

ORDER APPROVING MINUTES OF JULY 8, 2013 AND JULY 22, 2013

Motion was made by Commissioner Villarreal, seconded by Commissioner Martinez, to approve the Minutes of **July 8, 2013**, and **July 22, 2013**, with corrections, 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.

MONTHLY REPORT OF ZAPATA FAMILY MEDICAL CLINIC

Mrs. Elva Gonzalez of Laredo Medical Center gave the monthly report for July 2013. Mrs. Gonzalez stated that the clinic saw a lower patient number. An increase is expected when school starts and people are back from vacations.

ORDER APPROVING INVOICES

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve invoices as presented 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 CHECKS ISSUED

Motion was made by Commissioner Martinez, 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.

ORDER APPROVING TREASURER'S REPORT

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve Treasurer's Report as presented by 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 BY GARDENIA'S NURSERY

Christina Garcia, Owner of Gardenia's Nursery and More came before Commissioners' Court and offered services to the County. They have a little of everything from plants to trees. The business is located at 1302 Hidalgo.

ANNUAL JUNE REVIEW OF FRANCHISE AGREEMENT WITH PATRICIO HERNANDEZ, DBA GRANDE GARBAGE COLLECTION COMPANY

Mr. Hector Uribe reported that Mr. Patricio Hernandez has not paid. Direction from the Court will be obtained in executive session. Mr. Hernandez has been in non-compliance in quarterly payments for 2 quarters. June review has been complied with. Mr. Uribe will visit with Mr. Hernandez and address the item in executive session.

ORDER AUTHORIZING HECTOR URIBE TO PROCEED WITH PREPARATION OF ORDINANCE

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, approving and authorizing Mr. Hector Uribe to continue with his effort in the preparation of an ordinance which will charge franchise fees to utility companies with type A municipal powers and also require said companies to register.

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

ORDER APPROVING PURCHASE OF EXCAVATOR FOR ENVIRONMENTAL DEPARTMENT

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve the purchase of a John Deere excavator for the Environmental Department for the purchase price of \$233,000 and to elect a 5 year finance option for the purchase as requested by Hon. Joe Rathmell, County Judge and Guillermo Saenz, Environmental Department.

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

ORDER APPROVING REQUEST OF A TEXAS DEPARTMENT OF TRANSPORTATION TRAFFIC STUDY FOR POSSIBLE INSTALLATION OF TRAFFIC LIGHT AT INTERSECTION OF U.S. HWY 83 AND 20TH AVENUE

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve the request of a Texas Department of Transportation traffic study for the possible installation of a traffic light at the intersection of U.S. Hwy 83 and 20th Avenue in Zapata, Texas as requested by Hon. Joe Rathmell, County Judge and Hon. Norberto Garza, Commissioner Pct. 4.

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

ORDER APPROVING MEMORANDUM OF UNDERSTANDING FOR SERVICES TO AT-RISK PROGRAM (START) BETWEEN SERVING CHILDREN AND ADULTS IN NEED, INC. (SCAN) AND ZAPATA COUNTY

Motion was made by Commissioner Villarreal, seconded by Commissioner Martinez, to approve a memorandum of understanding for the Services to At-Risk Program (START) between Serving Children and Adults in Need, Inc., (SCAN) and Zapata County 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 INCREASE OF RENTAL FEES FOR NEWLY REMODELED FALCON COMMUNITY CENTER EFFECTIVE SEPTEMBER 1, 2013

Motion was made by Commissioner Martinez, seconded by Commissioner Villarreal, to approve the increase of rental fees for the newly remodeled Falcon Community Center to become effective September 1, 2013. A rental fee of \$150 will be charged for showers and parties and a rental fee of \$300 will be charged for weddings and quinceañeras 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 ACCEPTING RESIGNATION OF JAVIER DE LEON (SLOT #9) AND ALLOWING ZAPATA COUNTY FIRE DEPARTMENT TO HIRE A REPLACEMENT PARAMEDIC AND/OR PARAMEDIC/FIREFIGHTER

Motion was made by Commissioner Villarreal, seconded by Commissioner Martinez, to accept the resignation of Javier De Leon (slot #9) and to allow the Zapata County Fire Department

Chief to hire a replacement paramedic and / or a paramedic/fire fighter as requested by Juan J. Meza, Zapata County Fire Department.

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

**ORDER APPROVING GENERAL INSURANCE, AUTO INSURANCE,
PUBLIC INSURANCE, LAW ENFORCEMENT AND CRIME INSURANCE
RENEWAL WITH NO CHANGES**

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to approve the general insurance, auto insurance, public insurance, law enforcement, and crime insurance renewal with no change as requested by Nellie Treviño.

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

**ORDER APPROVING PERSONNEL HANDBOOK POLICY FOR
WATERWORKS DEPARTMENT OVER TIME**

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to approve the Personnel Handbook Policy for Waterworks Department overtime as requested by 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 TO TABLE REQUEST BY ROMEO SALINAS TO APPROVE
EDUARDO "EDDIE" SAENZ AS AGENT OF RECORD FOR
ALLSTATE BENEFIT PRODUCTS**

Motion was made by Commissioner Villarreal, seconded by Commissioner Martinez, to table request by Romeo Salinas, County Treasurer, to approve Eduardo "Eddie" Saenz as agent of record for the Allstate Benefit products as the servicing agent to insure products are being represented.

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 APPROVING RESOLUTION AUTHORIZING PUBLICATION OF
NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION**

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve a resolution authorizing publication of notice of intention to issue certificates of obligation as requested by Daniel M. Martinez, J.D., C.P.A., Windstead PC.

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

**ORDER DIRECTING COUNTY AUDITOR TO SOLICIT COMPETITIVE
SEALED PROPOSALS IN ORDER TO RE-ROOF ZAPATA
COUNTY COURTHOUSE BUILDING**

Motion was made by Commissioner Martinez, seconded by Commissioner Villarreal, to direct the County Auditor, who is also County Purchaser, to solicit competitive sealed proposals in order to re-roof the Zapata County Courthouse building, maintain a permanent positive pressure in the building, and to remediate all issues/problems with the sprinkler system and plumbing throughout the courthouse building and any matters incident thereto as requested by Juan Cruz, Attorney at Law, J. Cruz and Associates, LLC.

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

**ORDER APPROVING RE-PLAT OF SIESTA SHORES SUBDIVISION
SECTION 3 RECORDED IN VOLUME 3 PAGE 88 INTO
LOT 88A, 88B, 88C, 88D, 88E OF SIESTA SHORES SUBDIVISION SECTION 3**

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve the re-plat of Siesta Shores Subdivision Section 3 Recorded in Volume 3 Page 88 into Lot 88A, 88B, 88C, 88D, 88E of Siesta Shores Subdivision Section 3 as requested by Manuel Gonzalez, Premier Civil Engineering.

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

**ORDER TO TEMPORARILY HIRE GERZON GUZMAN
AT SAN YGNACIO LANDFILL**

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve to temporarily hire Gerzon Guzman in slot #12 at \$8.00 per hour at the San Ygnacio landfill as requested by Guillermo Saenz, Environmental Director.

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

**ORDER APPROVING ZAPATA COUNTY COMMISSIONERS COURT
RESOLUTION REQUESTED BY TEXAS DEPARTMENT OF
TRANSPORTATION TO ALLOW INSTALLATION OF TWO
TEXAS VETERANS MEMORIAL HIGHWAY SIGNS ON
U.S. HIGHWAY 83 IN ZAPATA COUNTY**

Motion was made by Commissioner Martinez, seconded by Commissioner Villarreal, to approve a Zapata County Commissioners Court Resolution requested by Texas Department of Transportation to allow installation of two (2) Texas Veterans Memorial Highway signs on U.S. Highway 83 in 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 CARLOS VILLARREAL AND
CELSO VIDAURI III TO APPROVE CONSTRUCTION OF AN
INTER NATIONAL CROSSING IN ZAPATA COUNTY**

Motion was made by Commissioner Martinez, seconded by Commissioner Villarreal, to table a request by Carlos Villarreal and Celso Vidaurri III, Attorney at Law regarding a Resolution to approve the construction of an international crossing in Zapata County.

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

ORDER APPROVING INSTALLATION OF SPEED HUMP

Motion was made by Commissioner Martinez, seconded by Commissioner Villarreal, to approve installation of a speed hump at the following address:

a. Betty Lane in Siesta Shores
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 TRANSFERS

Motion was made by Commissioner Martinez, seconded by Commissioner Villarreal, to approve the following line item transfers in order to meet budget requirements:

FROM:	Wastewater	08-602-341	Chlorine Chemicals	\$5,000.00
TO:	Wastewater	08-602-336	Repair Maintenance	\$5,000.00
FROM:	Wastewater	08-602-310	Office Supplies	\$1,000.00
TO:	Wastewater	08-602-336	Repair Maintenance	\$1,000.00
FROM:	Wastewater	08-602-310	Office Supplies	\$735.00
TO:	Wastewater	08-602-205	Uniform Services	\$735.00

as requested by Eloy Chapa, Wastewater Manager.

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 Villarreal, to approve the following line item transfers in order to meet budget requirements:

FROM:	Nutrition Center	38-647-336	Raw Food	\$500.00
TO:	Nutrition Center	38-647-310	Office Supplies	\$500.00
FROM:	Nutrition Center	38-647-336	Raw Food	\$600.00
TO:	Nutrition Center	38-647-454	Repair and Fund	\$600.00
FROM:	Nutrition Center	38-647-336	Raw Food	\$1,500.00
TO:	Nutrition Center	38-647-589	Center equipment	\$1,500.00
FROM:	Nutrition Center	38-647-336	Raw Food	\$1,000.00
TO:	Nutrition Center	38-647-330	Fuel & Lubricants	\$1,000.00

as requested by Rosalinda Gonzalez, Nutrition Center.

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 Villarreal, to approve the following line item transfers in order to meet budget requirements:

FROM:	Fire Department	10-543-400	Contract Services	\$4,239.70
TO:	Fire Department	10-543-457	Rep., Maint, Ambulances	\$4,239.70
FROM:	Fire Department	10-543-459	Building Repairs	\$1,000.00
TO:	Fire Department	10-543-457	Rep., Maint, Ambulances	\$1,000.00

as requested by Juan J. Meza, Chief, Zapata County Fire Department.

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 Villarreal, to approve the following line item transfers in order to meet budget requirements:

FROM:	Non-Department	10-409-730	Consulting	\$4,000.00
TO:	County Judge's Office	10-400-400	Indigent Defense	\$4,000.00

as requested by Roxana Elizondo, Court Coordinator, County Judge's Office.

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

MONTHLY REPORT BY ZAPATA COUNTY TAX ASSESSOR/COLLECTOR

Luis Lauro Gonzalez, Zapata County Tax Assessor/Collector, reported Hotel/Motel Tax in the amount of \$19,162.75. Delinquent accounts have made arrangements to pay Hotel/Motel Taxes owed. A total of \$158,630.27 has been collected in tax collections for a total of 94% annual collections.

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

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

ORDER AUTHORIZING COUNTY ATTORNEY TO TAKE ALL POSSIBLE LEGAL ACTION ON THE VELEÑO WATER/SEWER PROJECT

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to authorize County Attorney Said A. Figueroa to take all possible legal action on the Veleño Water/Sewer Project. *Executive Session is requested pursuant to Texas Government Code Title 5, Sub Chapter D, Section 551.071 (Consultation with Attorney) as requested by Said Alfonso Figueroa, County 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 REQUEST BY HECTOR URIBE,
ATTORNEY AT LAW, REGARDING LEGAL ACTION ON ENFORCEMENT
OF FRANCHISE AGREEMENT BETWEEN PATRICIO HERNANDEZ
DBA GRANDE GARBAGE COLLECTION COMPANY AND FAILURE
BY GRANTEE TO PAY FEES OWED TO GRANTOR**

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

ADJOURN

Motion to adjourn was made by Commissioner Martinez, seconded by Commissioner Villarreal, 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