

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

Be it remembered, that on this the 11<sup>th</sup> day of May, A. D., 2009, 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. Rosalva Guerra	County Judge
Jose Emilio Vela	Commissioner, Precinct No. 1
Gabriel Villarreal	Commissioner, Precinct No. 2
Joseph Rathmell	Commissioner, Precinct No. 3
Norberto Garza	Commissioner, Precinct No. 4
Sáid Alfonso Figueroa	County Attorney
Mary Jayne Villarreal-Bonoan	County Clerk

**VISITORS:** Romeo Salinas, Doroteo N. Garza, Ramiro V. Martinez, Mario Gonzalez-Davis, Nellie Treviño, Roger Miller, Juan J. Meza, Marisa Ramirez, Ed Romero, Dorothy Pizaña, Hector F. Lopez, Jr., Paco Mendoza, Myra Garcia, Teresa Hein, Celia Balderas, Jose F. Mendoza, Hector M. Medina, Dora Mtz. Ramos, Robert B. (Garcia & Wright), Raul Garcia, Laura Garza, Guillermo Saenz, Delia Mendoza, and Luis L. Gonzalez

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**

**PLEDGE OF ALLEGIANCE**

**PRAYER BY REV. ROGER MILLER**

**ORDER APPROVING MINUTES FOR MEETINGS OF  
APRIL 14, 2009 AND APRIL , 29, 2009**

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve the Minutes of **April 14, 2009 and April 29, 2009**, 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.

**ORDER APPROVING PROFESSIONAL SERVICE OF GARCIA & WRIGHT CONSULTING ENGINEERS, INC. FOR SOLID WASTE PLANNING FEASIBILITY STUDY**

Motion was made by Commissioner Vela, seconded by Commissioner Garza to approve professional services of Garcia & Wright Consulting Engineers, Inc. for Solid Waste Planning Feasibility Study for an amount not to exceed \$20,000.00 as requested by Mario Gonzalez-Davis.

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

**ORDER APPROVING RESOLUTION FOR ZAPATA COUNTY BOAT RAMP PROJECT CONSTRUCTION BUDGET IN AMOUNT OF \$977,088.00**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve resolution for the Zapata County Boat Ramp Project construction budget in the amount of \$977,088.00 and amendment to total construction cost as requested by Mario Gonzalez-Davis.

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 RAUL GARCIA, GARCIA & WRIGHT CONSULTING ENGINEERS, INC., ON FINANCIAL ASSURANCES FOR LANDFILL OPERATIONS AND OTHER LANDFILL ISSUES**

**ORDER APPROVING AFFILIATION AGREEMENT BETWEEN ZAPATA COUNTY AND LAREDO MEDICAL CENTER**

Motion was made by Commissioner Garza, seconded by Commissioner Rathmell, to approve Affiliation Agreement between Zapata County and Laredo Medical Center pending review by Said Alfonso Figueroa, County Attorney. Agreement is for a two (2) year term, renewable in one (1) year terms. The objective of the Affiliation Agreement is to enter into a collaborative, whereby LMC and Zapata will conduct an assessment that will seek to identify ways to improve the delivery of care to patients in Zapata County as requested by Carlos Zaffirini, Jr., CEO, Adelanto Health Care Ventures, L.L.C.

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

**ORDER APPROVING INSTALLATION OF "NO PARKING" SIGNS ON SOUTHWEST CORNER OF INTERSECTION OF U.S. HWY 83 AND FM 496**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve installation of "No Parking" signs on the Southwest corner of the intersection of U.S. Hwy. 83 and FM 496 as requested by Eddie Gracia, TXDOT.

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

**ORDER APPROVING TEMPORARY HIRING OF ENEDINA TREVIÑO IN PLACE OF SYBIL SINGLETON**

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve the temporary hiring of Enedina Treviño in place of Sybil Singleton at minimum wage as requested by Aida Garcia, Librarian.

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 LOPEZ, JR. FOR SALARY ADJUSTMENT FOR FELIPE GONZALEZ FROM RECYCLING DEPARTMENT AT A RATE OF OTHER CREW LEADERS**

**ORDER APPROVING USE OF OSWALDO AND JUANITA RAMIREZ SHOWBARN AS SITE FOR 4-H ANIMAL VENDORS**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve to use the Oswaldo and Juanita Ramirez Showbarn as a site for 4-H animal vendors as requested by Commissioner Norberto Garza, Pct. 4.

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

**ORDER APPROVING ADVERTISING FOR POSITION OF LICENSED WASTEWATER OPERATOR FOR SEWER PLANT**

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve advertising for the position of a licensed Wastewater Operator for the sewer plant as requested by Carlos Treviño, Jr., Water/Waste Water Director.

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

**ORDER APPOINTING ZARAGOZA RODRIGUEZ AS INTERIM DIRECTOR TO CODE ENFORCEMENT DEPARTMENT**

Motion was made by Commissioner Garza, seconded by Commissioner Rathmell, to approve the appointment of Zaragoza Rodriguez as interim director to the Code Enforcement Department fund #10 Code Department 596 as requested by Commissioner Joseph Rathmell, Pct. 3.

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

**ORDER ALLOWING NEW FIELD EXPLORATION TO CROSS OLD U.S. HWY 83 OFF OF MESA-SALINAS ROAD FOR INSTALLATION OF NEW PIPELINE**

Motion was made by Commissioner Rathmell, seconded by Commissioner Garza, to allow new field exploration to cross old U.S. Hwy 83 off of Mesa-Salinas Road for the installation of a new pipeline for a fee of \$500.00, caliche will be replaced, as requested by Commissioner Joseph Rathmell, Pct. 3.

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

**ORDER APPROVING ADMINISTRATIVE PLAN TO START OPERATIONS AT MARTINEZ SWIMMING POOL COMPLEX EFFECTIVE JUNE 1, 2009**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve administrative plan to start operations at the Martinez Swimming Pool Complex effective June 1<sup>st</sup>. 2009 as requested by Commissioner Jose Emilio Vela, Pct. 1.

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 COMMISSIONER JOSE EMILIO VELA, PCT. 1 TO AWARD BID PROPOSAL TO INSTALL SECURITY FENCE ON COMPLETED FLORES PARK SITE AS PER SPECIFICATIONS PREPARED BY NEGRETE & KOLAR ARCHITECTS**

**ORDER APPROVING USE OF ZAPATA COUNTY COMMUNITY CENTER FOR OPERATION LOAN STAR**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve to use the Zapata County Community Center for Operation Lone Star the first week of August (August 3-7, 2009) as a host site as requested by County Judge Rosalva Guerra.

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

**ORDER APPROVING REQUEST BY ZAPATA COUNTY CHAMBER OF COMMERCE TO ADOPT PLAZA FOR BEAUTIFICATION, SEASONAL DECORATIONS AND SPONSORSHIP OF SPECIAL ACTIVITIES**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve request by the Zapata County Chamber of Commerce to adopt the Plaza for beautification, seasonal decorations and sponsorship of special activities.

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

**ORDER APPROVING INDEPENDENT AUDITOR'S REPORT FOR FISCAL YEAR 2007-2008 PRESENTED BY JORGE FLORES OF FLORES & FLORES PLLC**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve Independent Auditor's Report for Fiscal Year 2007-2008 as presented by Jorge Flores of Flores & Flores PLLC as requested by Ramiro V. Martinez, County Consultant. (Audit attached for the record.)

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

**ORDER APPROVING ASSIGNMENT OF CLEANING AREAS IN COMMUNITY CENTER**

Motion was made by Commissioner Garza, seconded by Commissioner Rathmell, to approve assignment of cleaning areas in community center. Mirta Medina will remain as is. Rolando Villarreal's crew will clean South wing, public restrooms and hallways. All other departments will be responsible for cleaning their areas as requested by County Judge Rosalva Guerra.

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 Vela, seconded by Commissioner Villarreal, to approve line item transfer as follows:

From: Special Road & Bridge      10-014-595      Caliche      \$15,000.00  
 To: Special Road & Bridge      10-014-554      Road Construction      \$15,000.00  
 to meet budget requirements as requested by Commissioner Norberto Garza, Pct. 4.

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 Vela, seconded by Commissioner Villarreal, to approve line item transfer as follows:

From: Special Road & Bridge      10-013-590      Caliche      \$10,000.00  
 To: Special Road & Bridge      10-013-554      Road Construction      \$10,000.00  
 From: Commissioner, Pct. 3      10-003-590      Bravo Park      \$10,000.00  
 To: Commissioner, Pct. 3      10-003-394      Parks & Buildings      \$10,000.00

to meet budget requirements as requested by Commissioner Joseph Rathmell, 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 Vela, seconded by Commissioner Villarreal, to approve line item transfer as follows:

From: County Auditor      10-495-310      Office Supplies      \$2,500.00  
 To: County Auditor      10-495-427      Workshops/Travel      \$2,500.00

to meet budget requirements as requested by Doroteo N. Garza, County Auditor.

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 Vela, seconded by Commissioner Villarreal, to approve line item transfer as follows:

From: Commissioner, Pct. 2      10-002-398      Feed/Supplies      \$8,000.00  
 To: Commissioner, Pct. 2      10-002-392      Parks, Pct. 2      \$8,000.00

to meet budget requirements as requested by Commissioner Gabriel Villarreal, Pct. 2.

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 Vela, seconded by Commissioner Villarreal, to approve line item transfer as follows:

From: Public Library      10-650-427      Workshops/Travel      \$1,000.00  
 To: Public Library      10-650-462      Repairs/Maintenance      \$1,000.00

to meet budget requirements as requested by Aida R. Garcia, Librarian.

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

**ORDER APPROVING 4-WAY STOPS**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve two (2) 4-way stops at the following street intersections:

- A. Intersection of Glenn Street and 4<sup>th</sup> Avenue (Zapata townsite)
  - B. Intersection of Senisa Drive and Retama Street (Falcon Lake Estates East)
- as requested by Commissioner Jose Emilio Vela, Pct. 1.

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

#### **ORDER APPROVING SPEED HUMP**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve speed hump at 2<sup>nd</sup> Street in Flores Addition and installation of a caution handicap sign in the same vicinity as requested by Commissioner Jose Emilio Vela, Pct. 1.

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

#### **ORDER APPROVING SECURITY LIGHTS**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve security lights at 505 West 20<sup>th</sup> Avenue and 1605 Bravo Street in the town of Zapata as requested by Commissioner Gabriel Villarreal, Pct. 2.

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

#### **ORDER APPROVING INSTALLATION OF SECURITY LIGHT AND SPEED HUMP**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve installation of a security light at 2403 Elm Street in Zapata, and a speed hump at 1204 Falcon Street also in the town of Zapata as requested by Commissioner Gabriel Villarreal, Pct. 2.

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

#### **ORDER APPROVING STREET LIGHTS**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve street lights at the following locations:

- A. Between 13<sup>th</sup> & 16<sup>th</sup> Street.
- B. 1407 Villa Street
- C. 1007 Pine Avenue

as requested by Commissioner Norberto Garza, Pct. 4.

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

#### **ORDER APPROVING SPEED HUMP**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve installation of a speed hump on 7<sup>th</sup> Street and Hwy 16 as requested by Commissioner Norberto Garza, Pct. 4.

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

#### **ORDER PROCLAIMING MAY AS MENTAL HEALTH AWARENESS MONTH**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to proclaim May as Mental Health Awareness Month as requested by Border Region MHMR.

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

**ORDER APPROVING ORDER PROHIBITING OUTDOOR BURNING RESOLUTION  
AND APPROVING ORDER PROHIBITING CERTAIN FIREWORKS IN  
UNINCORPORATED AREAS OF ZAPATA COUNTY RESOLUTION**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve the Order Prohibiting Outdoor Burning Resolution and to approve the Order Prohibiting Certain Fireworks in Unincorporated Areas of Zapata County Resolution as recommended by the Texas Forest Service as requested by Juan Jose Meza, Fire Chief.

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

**ORDER APPROVING RESOLUTION FOR ZAPATA COUNTY'S NOMINATION  
TO TEXAS DEPARTMENT OF AGRICULTURE'S 2009 HARDWORKING  
RURAL COMMUNITY AWARDS**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve resolution for Zapata County's nomination to the Texas Department of Agriculture's 2009 Hardworking Rural Community Awards as requested by County Judge Rosalva Guerra.

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

**ORDER APPROVING ZAPATA COUNTY CRIMINAL JUSTICE  
PROGRESS GRANT RESOLUTION**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve the Zapata County Criminal Justice Progress Grant Resolution as requested by Roger Miller, Probation Office.

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 COMMISSIONER JOSE EMILIO VELA,  
PCT. 1 FOR REPORT BY FALCON COMMUNITY OFFICERS REGARDING  
BUILDING RESTRICTION WITHIN RESIDENTIAL AREA AND CLARIFY  
EXISTING POLICY FOR FALCON COMMUNITY CEMETERY**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to table request by Commissioner Jose Emilio Vela, Pct. 1 for report by Falcon Community Officers regarding building restrictions within the residential area and clarify existing policy for the Falcon Community Cemetery.

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

**REPORT BY JEFF SNOWDEN OF CAPEX CONSULTING ON WATERWORKS  
OFFICE BILLING SYSTEMS ANALYSIS**

Jeff Snowden of Capex Consulting, reported on Waterworks office billing systems analysis. Mr. Snowden stated that billing issues were worked through, there have been over billings. A system was established to troubleshoot billing. Staff will now be able to flag accounts to check meter reads.

**NO ACTION WAS TAKEN ON REQUEST BY GUILLERMO M. SAENZ,  
INTERIM DIRECTOR ENVIRONMENTAL DEPARTMENT TO CHANGE AND  
APPROVE HOURS OF OPERATIONS AT ZAPATA COUNTY LANDFILL**

**PRESENTATION ON PATENT: PIPELINE MARKER AND SAFETY**

A presentation was made by Mario J. Garza and Amada V. Garza on Pipeline Marker and Safety Patent. Pipeline markers will indicate the location and depth of gas pipelines and other buried utility services. (Copy attached for the record.)

**REPORT ON REVIEW BY FITCH RATINGS, NEW YORK ON BONDS OF  
LOANS BY TEXAS WATER DEVELOPMENT SYSTEMS**

Mr. Ramiro V. Martinez gave a report on the review by Fitch Ratings, New York, on the bonds of the loans by the Texas Water development System. (Copy attached for the record.)

**MONTHLY ZAPATA COUNTY ECONOMIC DEVELOPMENT CENTER  
BUSINESS REPORT**

Peggy Umphres, Zapata County Economic Development Center, presented Commissioners' Court a written Monthly Zapata County Economic Development Center Business Report. Ms. Umphres reported that she has spoken to Dr. Patel, he is requesting proposal for long term lease and is seeking a low interest loan for 40% of 1.4 million construction cost.

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

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

**ORDER APPROVING PAYMENT ON UNSETTLED AND DISPUTED DEBTS PRIOR  
TO RE-ORGANIZATION OF ZAPATA COUNTY CHAMBER OF COMMERCE**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve payment of \$9,362.83, of unsettled and disputed debts prior to the re-organization of the Zapata County Chamber of Commerce as requested by Zapata County Chamber of Commerce. Payment is to be made out of hotel/motel tax and budget is to be amended to reflect change.

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 SAID ALFONSO FIGUEROA,  
COUNTY ATTORNEY ON CONSULTATION WITH COUNTY ATTORNEY  
TO ADDRESS CONCERNS RAISED BY DR. SANDS REGARDING  
ZAPATA COUNTY MEDICAL CLINIC**



**ORDER APPROVING REIMBURSEMENT IN AN AMOUNT OF \$1,500 TO  
VICTOR GUERRA FOR FEED EXPENSE DURING FENCE INSTALLATION  
AT COUNTY LANDFILL**

Motion was made by Commissioner Villarreal, seconded by Commissioner Vela, to approve reimbursement in an amount of \$1,500 to Victor Guerra for feed expense during fence installation at county landfill as requested by Commissioner Jose Emilio Vela, Pct. 1.

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 Garza, seconded by Commissioner Vela, 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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ROSALVA GUERRA, 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