

**THE STATE OF TEXAS  
COUNTY OF ZAPATA**

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

Be it remembered, that on this the 14<sup>th</sup> day of May, A.D., 2018, 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
Paco Mendoza	Commissioner, Precinct No. 1
Olga M. Elizondo	Commissioner, Precinct No. 2
Eddie Martinez	Commissioner, Precinct No. 3
Norberto Garza	Commissioner, Precinct No. 4
Mary Jayne Villarreal-Bonoan	County Clerk and Ex-Officio Clerk of the Commissioners Court

**VISITORS:** Monica Alaniz, Nellie R. Treviño, Daniel D. Arriaga, Gabriela I. Gonzalez, Victor Villarreal, Roger Miller, Jose F. Mendoza, Ricardo Guevara, Luis Guevara, Ramiro Hernandez, and Manuel Gonzalez, 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 AND  
EX-OFFICIO CLERK OF THE COMMISSIONERS COURT  
INVOCATION BY REV. ROGER MILLER  
PLEDGE OF ALLEGIANCE**

**COMMUNICATIONS**

Judge Rathmell and Commissioner Elizondo attended the Border Region event. It was very nice and there was a very good turnout. Judge Rathmell added that there were several successful fund raisers.

Commissioner Elizondo also attended a Lupus event that was also very successful.

Commissioner Martinez commented that CVS Pharmacy held its grand opening.

Judge Rathmell met with TxDOT and discussed the extended divided highway. Also discussed was the Veleño Bridge, demolition of the old bridge is on hold until the swallows leave.

Commissioner Mendoza stated that TxDOT is trying to get rid of the concrete barriers and are selling them for \$300 each. Judge Rathmell added that TxDOT donated concrete blocks which are stored behind the animal shelter.

**REPORT BY RAMIRO HERNANDEZ ON ZAPATA COUNTY FEEDING PROGRAM  
(Under Communications, Item not on the Agenda.)**

Ramiro Hernandez reported on the close out of the Zapata County Feeding Program. The last meal has been ordered to go through the end of May. Reimbursement will arrive by mid-June. There will be a surplus of \$5,000 which will be used for employee taxes. The pavilion will be moved to a central area in Medina addition, possibly a church. Every site has its own kitchen. The Food Pantry stores food for the Nutrition Center and for the Food Pantry. Mr. Hernandez is seeking an alternate place for food storage. USDA is asking for Zapata County's 2017 audit.

### **ORDER APPROVING INVOICES**

Motion was made by Commissioner Mendoza, seconded by Commissioner Garza, to approve invoices 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 Mendoza, seconded by Commissioner Garza, 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 Martinez, seconded by Commissioner Mendoza, 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.

### **TAX / ASSESSOR COLLECTOR'S REPORT**

Tax Assessor/Collector's office reported Hotel-Motel tax collections in the amount of \$11,589.03 for year-to-date collections in an amount of \$57,713.46 and tax collections in the amount of \$214,833.55.

### **ORDER APPOINTING TRIUNFO GONZALEZ AS PROJECT ADMINISTRATOR FOR TEXAS DEPARTMENT OF AGRICULTURE CDBG CONTRACT NO. 7217511**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve Triunfo Gonzalez as project administrator for the Texas Department of Agriculture CDBG Contract No. 7217511 as requested by Hon. Joe Rathmell, County Judge. Engineers will be appointed as needed. Mr. Triunfo Gonzalez has taken the necessary courses and will be able to solicit bids in-house for the County.

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

### **ORDER APPROVING PROPOSAL FROM DAMPCO LLC TO COMPLETE JOINT SEALANT REMOVAL AND REPLACEMENT OF EXTERIOR COURTHOUSE ENTRANCES**

Motion was made by Commissioner Martinez, seconded by Commissioner Mendoza, to approve proposal, in the amount of \$2,975.00, from Dampco LLC, to complete joint sealant removal and replacement of exterior courthouse entrances 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 REP & P FOR WORK DONE AT ZAPATA COUNTY COMMUNITY CENTER FOR SECURITY SYSTEM**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve payment, in the amount of \$7,420.00, to REP & P for work done at the Zapata County Community Center for security system updates 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 OF OUTSTANDING INVOICES FROM ZAPATA COUNTY CHAMBER OF COMMERCE BASS CHAMP TOURNAMENT TRAIL - SOUTH EVENT**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve payment of outstanding invoices from the Zapata County Chamber of Commerce Bass Champ Tournament Trail - South Event in the amount of \$10,500.00, to be paid out of Royalty Fund, as requested by Hon. Joe Rathmell, County Judge.

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

**ORDER APPROVING A COMMITMENT OF \$15,000 TO TEXAS TOURNAMENT ZONE EVENT**

Motion was made by Commissioner Garza, seconded by Commissioner Mendoza, to approve a commitment of \$15,000 to the Texas Tournament Zone Event, out of Hotel-Motel Tax Fund, if monies are available, or the Royalty Fund, if funds are not available in Hotel-Motel Tax Fund, to take place possibly in September 2018 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 ZAPATA COUNTY REPRESENTATIVE TO TEXAS DEPARTMENT OF AGRICULTURE REGIONAL REVIEW COMMITTEE**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to appoint Commissioner Mendoza as Zapata County Representative to the Texas Department of Agriculture Regional Review Committee requested by Hon. Joe Rathmell, County Judge. Mr. Romeo Salinas is already a representative.

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

**ORDER APPROVING PAYMENT OF INVOICE TO LAW OFFICES OF FRANCISCO J. SALDAÑA, JR. FOR LEGAL SERVICES**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve payment of an invoice to the Law Offices of Francisco J. Saldana, Jr., for legal services 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 TABLE REQUEST BY COMMISSIONER OLGA M. ELIZONDO  
REGARDING REQUEST TO RENAME AGUILARES ROAD**

Motion was made by Commissioner Garza, seconded by Commissioner Mendoza, to table request by Commissioner Olga M. Elizondo, regarding request to rename Aguilares Road off FM 3169 in Precinct 2 to Bruni Road.

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

**ORDER APPROVING REQUEST BY COMMISSIONER MARTINEZ  
TO FILL VACANT POSITIONS**

Motion was made by Commissioner Mendoza, seconded by Commissioner Garza, to fill the following vacant positions 15-013 slot #2 with Raul Ontiveros as CDL Driver at \$11.26 per hour effective May 7, 2018 and 15-013 slot #5 with Martin Arredondo, maintenance/labor at \$9.00 per hour effective April 30, 2018 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 TO HIRE COMMUNITY DEVELOPMENT  
MANAGEMENT COMPANY FOR CONSULTING SERVICES**

Motion was made by Commissioner Garza, seconded by Commissioner Mendoza, to approve to hire Community Development Management Company for consulting services on TxCDBG Contract 72165111, also known as Colonia Medina 3<sup>rd</sup>, 4<sup>th</sup>, and 7<sup>th</sup> Street on behalf of Zapata County, at a cost not to exceed \$43,000, 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 APPOINTING CDBG ADMINISTRATOR TRIUNFO GONALEZ  
TO SELF ADMINISTER TXCDBG CONTRACT 7216511**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to appoint CDBG administrator Triunfo Gonzalez to self-administer TXCDBG Contract 7216511, also known as Colonia Medina 3<sup>rd</sup>, 4<sup>th</sup>, and 7<sup>th</sup> Street on behalf of Zapata County 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 TO ENTER INTO CONTRACT WITH SCS ENGINEERS FOR  
CLOSURE ASSISTANCE FOR TYPE IV LANDFILL PERMIT NO. 1528**

Motion was made by Commissioner Mendoza, seconded by Commissioner Martinez, to enter into contract with SCS Engineers for the closure assistance for the Type IV landfill, Permit No. 1528 at a cost of \$18,100.00. TCEQ requires a closure certification prior to releasing the financial assurance for this site as requested 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 TO HIRE VANESSA MEDINA AT ZAPATA COUNTY TAX OFFICE**

Motion was made by Commissioner Mendoza, seconded by Commissioner Martinez, to approve to hire Vanessa Medina at the Zapata County Tax Office effective May 3, 2018 as requested by Hon. Luis L. Gonzalez, Tax Assessor.

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

**ORDER APPROVING INVOICE FOR ZAPATA COUNTY  
WASTEWATER TREATMENT PLANT AND PROGRESS REPORT**

Motion was made by Commissioner Garza, seconded by Commissioner Mendoza, to approve invoice in the amount of \$804,431.50 payable to ACP/EJCDC and an invoice for the amount of \$14,079.76 payable to Premier Engineering for the Zapata County Wastewater Treatment Plant as requested by Manuel Gonzalez, Premier Engineering. ACP has delivered supplies and materials and construction is 60% completed and on schedule.

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

**ORDER APPROVING INVOICE FOR 11<sup>TH</sup> AVENUE AND LOZANO STREET  
IMPROVEMENTS AND PROGRESS REPORT**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve invoice in the amount of \$1,590.00 payable to Premier Engineering for the 11<sup>th</sup> Avenue and Lozano Street improvements and progress report as requested by Manuel Gonzalez, Premier Engineering. A concrete bump was reset and compacted with milling.

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

**PUBLIC COMMENT**

Mr. De Leon the Owner/Operator of McDonald's addressed the Court. He said that there had been a recent incident at his establishment. Food safety is their main concern. The local store will be remodeled in the next three months.

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

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve the installation of a security light at the following location:

- a. 256 Lozano Road (Lot 1, Falcon Shores Unit 1A, Block 6)
- 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.

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve the installation of a speed bump at the following location:

- a. 911 Diaz Street
- as requested by 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 LINE ITEM TRANSFERS**

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

	DEPARTMENT	LINE ITEM	FUND	AMOUNT
<b>FROM</b>	Non-Department	10-409-444	Electricity	\$1,370.79
<b>TO</b>	Non-Department	10-409-420	Telephone	\$1,370.79

as requested by Bobbie Meza, Auditor’s Office.

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 the following line item transfer:

	DEPARTMENT	LINE ITEM	FUND	AMOUNT
<b>FUND</b>	Constable #1	10-550-330	Fuel	\$305.95
<b>TO</b>	Constable #1	10-550-427	Travel	\$305.95

as requested by Hon. Mario Garcia, Constable Pct. 1.

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

**ORDER APPROVING RESOLUTION TO OPPOSE CITIZENSHIP QUESTION ON 2020 CENSUS FORM**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve a resolution to oppose citizenship question on 2020 census form as requested by Rolando Rios & Associates, PLLC.

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 MENDOZA,  
SECONDED BY COMMISSIONER MARTINEZ,  
TO RETURN TO REGULAR SESSION**

**NO ACTION WAS TAKEN ON ANY OF THE ITEMS DISCUSSED IN  
EXECUTIVE SESSION**

25./36. To review and possible action on RSL Garbage contract with Zapata County as requested by Hon. Joe Rathmell, County Judge.

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

26./37. Consultation with attorney on status of litigation against Zapata County as requested by Nellie R. Treviño, Personnel Director.

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

27./38. Consultation with attorney regarding personnel matters at the Zapata County Fire Department and take possible action on said matter as requested by Nellie R. Treviño, Personnel Director.

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

28./39. Updates on Zapata County Waterworks/RSL Trash Collection transition as requested by Luis Guevara, RSL Waste Management, LLC.

*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 Mendoza, 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