

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

Be it remembered, that on this the 15th day of October 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
Saíd Alfonso Figueroa	County Attorney
Mary Jayne Villarreal-Bonoan	County Clerk

VISITORS: Triunfo Gonzalez, Brian J. Martinez, Juan J. Meza, Maria I. Gutierrez, Joyce Currington, Luis Lauro Gonzalez, Roger Miller, Nellie R. Treviño, Jose F. Mendoza, Diana Cuellar Villarreal, Elva Gonzalez, Rosalinda Gonzalez, Daniel D. Arriaga, Jorge D. Oyervides, Magdalena Amesquita, Myron Harriman, John Jaeger, Robert Brownell, Xavier Villarreal, Manuel Garcia, Mildred Johnson, Floyd Johnson, North and Mesquite 4-H Club, Manuel Gonzalez, Ana M. Silva, and Raymundo Del Bosque, 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 REV. ROGER MILLER

PLEDGE OF ALLEGIANCE

**ORDER APPROVING MINUTES OF SEPTEMBER 9, 2013
AND SEPTEMBER 23, 2013**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve the Minutes of September 9, and September 23, 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.

MONTHLY REPORT OF ZAPATA FAMILY MEDICAL CLINIC

Mrs. Elva Gonzalez of Laredo Medical Center gave the monthly report for September 2013. Mrs. Gonzalez stated that September numbers are up and are expected to continue to increase with the colder months ahead.

COMMUNICATIONS

Commissioner Vela informed the Court that the Lopeño Learning Center will receive seven new computers through a grant.

Jim, a resident of Sunshine Lane in 4 Seasons, addressed the Court regarding the sewer system problems. Winter Texans will be arriving in a couple of months and the sewer problems persist. They are here as a group to see what is going on. Commissioner Martinez stated that there were problems with the engineer taking care of the project. Manuel Gonzalez and Jeff Puig addressed the Court and stated that updates have been completed and request permission to proceed with submission for funding.

Ramiro Hernandez reported on the Boys and Girls Club. He submitted the summer report and Profit / Loss Report for September. He stated that the summer pool was a very successful project and will soon start planning for the next season. Power house has also proven to be successful, children are assisted with homework. A \$10,000 grant was received from Texas Alliance. SMART Moves program gives \$50 per child. The program uses a team approach involving Club staff, peer leaders, parents and community representatives to provide services to the children. Approximately 9,825 meals were provided in Zapata and San Ygnacio.

Mr. Hernandez stated that utilities have been reduced.

The Boys and Girls Club will have a Halloween Festival on October 31.

Marissa Ramirez with TXDot addressed the Court regarding some arroyo erosions on the highway. TXDot crew will be addressing the problem this week. She also requested to borrow caliche that was given to the County.

MONTHLY REPORT BY ZAPATA COUNTY TAX ASSESSOR/COLLECTOR

Luis Lauro Gonzalez, Zapata County Tax Assessor/Collector, reported Hotel/Motel Tax in the amount of \$15,019.05 with a total of \$154,163.52 for 2012-2013. Tax collections were \$78,047.84.

REPORT ON HELPING HANDS FOOD PANTRY BENEFIT DANCE

Romeo Salinas reported on Helping Hands Food Pantry Benefit Dance. They received income in the amount of \$7,913.00; expenses were \$5,298.00 for a total profit of \$2,615.00.

ORDER APPROVING INVOICES

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve invoices as presented by Triunfo Gonzalez, County Auditor. Approval will include P.O. #1369462 in an amount of \$12,794.63 for John Deere (excavator for landfill.)

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. Approval will include P.O. #1369462 in an amount of \$12,794.63 for John Deere (excavator for landfill.)

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 Villarreal, seconded by Commissioner Martinez, 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.

ORDER APPROVING PROCLAMATION COMMEMORATING 4-H WEEK IN ZAPATA COUNTY

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve proclamation commemorating National 4-H Week in Zapata County.

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 COUTY JUDGE REGARDING CONSTRUCTION OF A SHOW BARN ADJACENT TO THE OSWALDO H. AND JUANITA RAMIREZ EXHIBIT HALL

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to table request by Judge Rathmell regarding a commitment to provide funding of \$250,000.00 (unnamed donor) for the construction of a Show Barn adjacent to the Oswaldo H. and Juanita Ramirez Exhibit Hall with the County providing in-kind services of site preparation 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.

NO ACTION ON REQUEST BY JUDGE RATHMELL REGARDING REVIEW AND POSSIBLE ACTION ON AGREEMENT WITH FIRST FINANCIAL GROUP OF AMERICA

Mr. Salinas presented the Court with First Financial Group’s contract and questioned certain criteria. A representative from First Financial Group stated that TPA services are not free and First Financial Group offers extended services. The agency pays fees and no fees are passed to the County other than the 2% for COBRA which is a Federal requirement. (No action was taken by the Court.)

ORDER APPROVING DESIGNATED LOCATION OF BURIAL OF ZAPATA RISING TIME CAPSULE

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve the West side of the Courthouse next to the existing veterans monument, as the designated location for the burial of the Zapata Rising Time Capsule.

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

**ORDER APPROVING TRANSFER FROM ROYALTIES TO CAPITAL OUTLAY
Z.T.E.C. INFRASTRUCTURE IN AN AMOUNT OF \$20,000.00**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve a line item transfer from Royalties 10-370-901 to the Capital Outlay 10-695-693 Z.T.E.C. Infrastructure in the amount of \$20,000.00 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 AMEND LINE ITEM 10-455-226 FROM GENERAL FUND – JUSTICE OF
THE PEACE CAR ALLOWANCE PCT. 2 FROM \$0 TO \$2,400**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to amend line item 10-455-226 from General Fund - Justice of the Peace Car Allowance, Pct. 2 from ZERO dollars (\$0.00) to TWO THOUSAND FOUR HUNDRED (\$2,400.00) 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.

**NO ACTION WAS TAKEN ON REQUEST BY COMMISSIONER VELA REGARDING
DISCUSSION AND POSSIBLE ACTION TO ADDRESS THE RECENT NEWSPAPER
LETTER WRITTEN BY CITY OF LAREDO UTILITIES DIRECTOR, MR. TOMAS
RODRIGUEZ, REGARDING REGION M WATER PLANNING COMMITTEE'S
APPROVAL AND POSSIBLE FEDERAL FUNDING (FRRA) OF A PROPOSED LOW
WATER WEIR PROJECT FOR WEBB COUNTY**

**ORDER AUTHORIZING COUNTY ATTORNEY TO CREATE
GUIDELINES AND WRITTEN POLICY REGARDING
ZAPATA COUNTY CEMETERY BURIAL PLOTS**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to authorize County Attorney to get together with County Treasurer and create guidelines and written policies regarding available plot reservations, purchases, improvements, and general maintenance of burial plots at Zapata County Cemetery 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.

PRESENTATION BY REPRESENTATIVE OF BUCKNER FOUNDATION

A presentation was made by a representative of the Buckner Foundation. He stated that the Buckner Foundation delivers aid and humanitarian help to needy families. They work with schools and deliver jackets, heaters, shoes, etc. Sixty percent of funds go to Zapata County. The program is an alliance of organizations of volunteer groups. They urge the Honor Society and UIL to involve children in the community to help. Ms. Zamora was unable to attend Commissioners Court today.

ORDER TO AMEND FUND 15, SPECIAL ROAD AND BRIDGE PCT. 3, SLOT #5

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to amend Fund 15 of Special Road and Bridge, Pct. 3 (page of the General Order), Slot #5 to change the hourly rate from \$9.00 per hour to \$12.59 per hour due to error 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 TO AMEND FUND 10, PARK BUILDINGS, PCT 3, SLOT 3

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to amend Fund 10, Park Buildings, Pct. 3 (page 4 of the General Order), Slot #3 from Labor/Maintenance to CDL Driver and change the hourly rate from \$8.25 per hour to \$9.00 per hour 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 TO TRANSFER JOSE HOMERO GONZALEZ

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to transfer Jose Homero Gonzalez to vacant slot #12, Fund 15, Special Road and Bridge at \$8.25 per hour as requested by Jose Francisco Mendoza, County Shop Supervisor.

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

ORDER APPROVING BID FOR REPAIRS OF LOPEÑO CIVIC CENTER

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve a bid of \$10,872.00 by Eli Alaniz, being the lowest bidder, for repairs to the Lopeño Civic Center as requested by Nellie R. Treviño, Personnel Director.

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

ORDER APPROVING BID FOR REPAIRS TO ZAPATA COUNTY LIBRARY

Motion was made by Commissioner Martinez, seconded by Commissioner Villarreal, to approve a bid of \$2,800.00 by Eli Alaniz, being the lowest bidder, for repairs to the Zapata County Library as requested by Nellie R. Treviño, Personnel Director.

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

**ORDER APPROVING BID FOR REPAIRS TO ZAPATA COUNTY
FIRE DEPARTMENT**

Motion was made by Commissioner Martinez, seconded by Commissioner Villarreal, to approve a bid of \$7,733.10, by Paul Garza Roofing, being the lowest bidder, for repairs to the Zapata County Fire Department as requested by Nellie R. Treviño, Personnel Director.

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

**ORDER ACCEPTING RESIGNATION OF GERARDO GARZA AND ALLOWING
FIRE CHIEF TO HIRE FIRE FIGHTER/E.M.T.**

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to accept the resignation of Gerardo Garza and allow the Fire Chief to hire a Fire Fighter/E.M.T. for slot #14 at \$10.60 per hour as requested by Juan J. 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 PAY INCREASE FOR EMPLOYEES THAT SUCCESSFULLY
COMPLETED CERTIFIED FIRE FIGHTER REQUIREMENTS**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve a pay increase for the employees that have successfully completed all course requirements to become certified Fire Fighters as requested by Juan J. Meza, Fire Chief.

- a. Jose Luis Resendez from \$12.39 per hour to \$12.60 an hour (\$.21)
- b. Jorge A. Gutierrez from \$10.29 per hour to \$10.54 per hour (\$.25)

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

**ORDER APPROVING PAY INCREASE TO EMPLOYEES THAT SUCCESSFULLY
COMPLETED FIRE INVESTIGATOR REQUIREMENTS**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve a pay increase to employees that have successfully complete all course requirements to become Fire Investigators as requested by Juan J. Meza, Fire Chief.

- a. Jose Oyervides, from \$13.25 per hour to \$13.40 per hour (\$.15)
- b. Daniel Arriaga, from \$10.54 per hour to \$10.69 per hour (\$.15)
- c. William Butterfield, from \$10.60 per hour to \$10.85 per hour (\$.15)

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

**ORDER APPROVING PAY INCREASE FOR ISRAEL GUTIERREZ FOR
PROMOTION TO LIEUTENANT AND VICTOR VILLARREAL**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve a pay increase for Israel Gutierrez of \$2.13 per hour from \$10.86 per hour to \$12.99 per hour due to his promotion as Lieutenant and an increase of \$.15 to Victor Villarreal as requested by Juan J. Meza, Fire Chief.

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 RENE SALINAS AND NORA BENAVIDES, EVENT
REPRESENTATIVES, FOR USE OF ZAPATA COUNTY PAVILION FREE OF
CHARGE ON OCTOBER 31, 2013 FOR HALLOWEEN HAUNTED HOUSE TO
BENEFIT ZAPATA HIGH SCHOOL CLASS OF 2015 AND U.I.L. ONE ACT PLAY**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to table request by Rene Salinas and Nora Benavides, Event Representatives, for use of the Zapata County Pavilion, free of charge, on October 31, 2013 for a Halloween Haunted House to benefit the Zapata High School Class of 2015 and U.I.L. One Act.

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

ORDER APPROVING REQUEST FOR CONTINUED USE OF OFFICE SPACE AND UTILITIES BASED ON PAST AGREEMENT

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve request by Magdalena Amesquita of SCAN, on request for continued use of the office space and utilities based on past agreement through (SCAN) Serving Children and Adults in Need and Zapata County).

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

ORDER APPROVING DEVELOPMENT OF MUSEUM GROUNDS ACCORDING TO MASTER PLAN AND DEDICATION OF JOHNNY RATHMELL PLAZA

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve in-kind funding for the development of the museum grounds according to the master plan and dedication of Johnny Rathmell Plaza as requested by Dr. Hildegardo Flores, Ed. D., Director of Zapata County Museum of History.

Discussion: There is a quote for \$40,000 to construct the kiosk plus an additional \$10,000 for the picket fence. Eddie Martinez will donate \$1,000.00 from his personal business and the Rathmell Family will donate \$10,000.00.

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

ORDER APPROVING A CONTRACT WITH MLD ARCHITECTS, INC., TO PERFORM ARCHITECTURAL AND ROOF CONSULTING SERVICES

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve a contract with MLD Architects, Inc. to perform architectural and roof consulting services, not to exceed EIGHTY NINE THOUSAND NINE HUNDRED SIXTY DOLLARS (\$89,960.00), and any other matters incident thereto; and to authorize the County Judge to execute all relevant documents as requested by Fortunato Paredes, Attorney at Law, J. Cruz and Associates.

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

ORDER APPROVING ENGINEERING CONTRACT WITH EDGAR STACY AND ASSOCIATE4S TO ADDRESS HVAC SYSTEM, SPINKLER SYSTEM, AND PLUMBING ISSUES IN ZAPATA COUNTY COURTHOUSE

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve to enter in a professional engineering contract with Edgar Stacy and Associates to address HVAC System (maintenance of positive air pressure), sprinkler system, and plumbing issues in the Zapata County Courthouse, not to exceed TWENTY ONE THOUSAND EIGHT HUNDRED DOLLARS (\$21,800.00), and any other matters incident thereto; and to authorize County Judge to execute all relevant documents as requested by Fortunato Paredes, Attorney at Law, J. Cruz and Associates.

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 KARRAN WESTERMAN WITH THE CONVENTION AND VISITORS BUREAU REGARDING USE OF OSWALDO H. AND JUANITA RAMIREZ EXHIBIT HALL ON OCTOBER 26, 2013 FOR WRESTLING FUNDRAISING EVENT TO BENEFIT TOYS FOR TOTS

ORDER APPROVING RESOLUTION AUTHORIZING GRANT OF \$637.75 FROM ZAPATA COUNTY TO ZAPATA COUNTY NUTRITION PROGRAM FOR TEXAS DEPARTMENT OF AGRICULTURE TEXAS FEEDING TEXAS HOME DELIVERED MEALS GRANT PROGRAM

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve a Resolution authorizing a grant of \$637.75 from Zapata County to the Zapata County Nutrition Program for the Texas Department of Agriculture Texas Feeding Texas Home Delivered Meals Grant Program as requested by Rosalinda Gonzalez, Nutrition Center Director.

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 Martinez, seconded by Commissioner Garza, to approve the following line-item transfer:

	DEPARTMENT	LINE ITEM	FUND	AMOUNT
FROM	Nutrition Center	38-648-427	Travel	\$528.00
TO	Information & Asst.	37-645-427	Travel	\$528.00

as requested by Rosalinda Gonzalez, Nutrition Center Director.

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

ORDER APPROVING STREET LIGHTS AND SPEED HUMPS

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

- a. 1407 Glenn Street (Zapata)

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 street lights at the following address:

- a. 302 Miraflores (Zapata)
- b. 204 Garza Ave. in San Ygnacio
- c. Guerrero Street (between Uribe and Mina Ave.) in San Ygnacio
- d. 2212 Brazos (Zapata)
- e. 2006 Alamo (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 a speed hump at Hidalgo Street (between 25th and 26th Ave. 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 street lights at the following address:

- a. 3708 Eagle St.
- b. 5321 Pascual Lane
- c. On dead end of Peña Lane
- d. 5411 Grande Lane
- e. 5003 Laredo Lane
- f. 5412 Monterey & McAllen Lane
- g. 5010 Pharr & Siesta 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.

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve a speed hump at Siesta Lane & Monterrey 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.

ADJOURN

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