

**THE STATE OF TEXAS  
COUNTY OF ZAPATA**

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

Be it remembered, that on this the 27<sup>th</sup> day of April A. D., 2015, 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
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

**VISITORS:** Triunfo Gonzalez, Romeo Salinas, Auddy M. Hernandez, Nellie R. Treviño, Brian Martinez, Maria I. Gutierrez, Roger Miller, Guillermo Saenz, Alma D. Rodriguez, Teodora Berton, Dellanira Prado, Laura Chapa, Cristina Chapa, Teresa Hein, Rogelio N. Gonzalez, Dorothy Pizana, Sally Williams, Vicki Anderson, Mathew Davidson, Mamie N. Finger, Michael Finger, Jeff Neves, Eric Briones, Roberto Peña, Jr., Luis L. Gonzalez, Cristina S. Canales, Candelario Castillo, Adriana Sanchez, Mario Gonzalez-Davis, 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**

**INVOCATION BY REV. ROGER MILLER**

**PLEDGE OF ALLEGIANCE**

**COMMUNICATIONS**

Commissioner Elizondo advised the Court that she would be holding a town meeting in San Ygnacio on May 5, 2015 at 5:30 p.m. at the Henry Martinez Civic Center.

Texas Department of Health will be providing free immunizations.

Dellanira Prado and other Siesta Shores residents approached the Court with a petition of 170 signatures requesting that Zapata County take over the Siesta Shores Water District.

Commissioner Martinez commented that the connection of a water line will expedite the process of annexation.

Commissioner Vela also commented that if approved, it would have to be done in phases.

Ramiro Hernandez volunteered to do an assessment of the Siesta Shores water plant to see how it is operated.

Commissioner Martinez asked to be placed on the agenda for the next Siesta Shores Water District Board Meeting.

#### **REPORT BY RAMIRO HERNANDEZ ON BOYS AND GIRLS CLUB**

Ramiro Hernandez reported on the closure of 2014-2015 year. He also commented on the kitchen expansion at the Boys and Girls Club and is seeking the possibility of temporary housing at the old Western Auto building while the expansion takes place. Grants have been applied for to assist with said expansion. Life guards will be provided and in place for the summer. Little League starts on April 27. Some of the fields are being used by adults who will be having tournaments; however, Little League should have priority.

#### **ORDER APPROVING INVOICES**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve invoices as presented by Triunfo Gonzalez, Zapata County Auditor. Commissioner Vela commented on travel expenses paid to District Clerk's Office from Auditor's line item. Commissioner Vela stated that this was not supposed to be paid out of the Auditor's budget.

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

#### **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 Commissioner Garza, Martinez, and Elizondo. Commissioner Vela voted against. Motion carried.

#### **REPORT ON COMMUNITY ACTION COUNCIL OF SOUTH TEXAS' CESSATION OF OPERATIONS**

Judge Rathmell reported on the Community Action Council of South Texas' cessation of operations effective May 31, 2015 and Zapata County's pursuit of other providers to avoid interruption of services. Rainbow buses provided approximately 3,000 rides per month to participants. Current options are Webb County, the Valley, or Zapata County to have its own transit authority. The Judge will meet with Webb County and the Valley to discuss options. Zapata County is allotted \$85,000 per year. Counties being affected are Starr, Jim Hogg, Zapata, and Duval.

#### **PRESENTATION ON WIND FARM DEVELOPMENT**

Robert Peña, Jr., with Texas Energy/Duke Energy, gave a presentation on wind farm development project in Zapata County. Presentation attached for the record.

**ORDER APPROVING PREPARATION OF DRAFT PROPOSAL  
BETWEEN ZAPATA COUNTY INDEPENDENT SCHOOL DISTRICT AND  
ZAPATA COUNTY FOR MANAGEMENT AND USE OF  
ZAPATA COUNTY TECHNICAL AND ADVANCED CENTER**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve preparation of draft proposal between Zapata County Independent School District and Zapata County for management and use of the Zapata County Technical and Advanced Education Center and authorize a committee of Commissioner Martinez and County Attorney Figueroa to negotiate. Zapata County will have access to the building as long as there is no scheduling conflict with the school 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 THE FOLLOWING ITEM**

To approve payment of \$4,711.12 to Juventino Zapata, Jr., for parts and repairs to a Zapata County Waste Water vehicle.

**ORDER APPROVING FEE FOR PRIVATE PARTIES USING WATER SLIDES  
AT PUBLIC PARKS**

Motion was made by Commissioner Martinez, seconded by Commissioner Elizondo, to approve the fee of \$100.00 per water slide for use of water at public parks for private parties using water slides. Commissioner Martinez will change spigots on faucets at the Bravo Park as requested by Hon. Olga M. Elizondo, Commissioner Pct. 2.

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

**ORDER APPROVING TO CONTINUE LETTER OF CREDIT TO ESTABLISH  
STAND BY TRUST FUND FOR FINANCIAL ASSURANCE FOR CLOSURE AND  
POST CLOSURE OF SAN YGNACIO LANDFILL NO. 738**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve letter of credit to establish stand by trust fund for the financial assurance for the closure and post closure of San Ygnacio Landfill No. 783 in the amount of \$529,526.00 and closed Landfill No. 1528 in the amount of \$266,610.00 as requested by TCED, Debra Wisenski, Financial Analyst, 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 PARTICIPATION IN TEXAS ASSOCIATION OF  
COUNTIES HEALTH AND EMPLOYEE BENEFITS POOL,  
AFFORDABLE CARE ACT (ACA), REPORTING AND TRACKING  
SERVICES (ARTS) PROGRAM**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve the participation in the Texas Association of Counties Health and Employee Benefits

Pool, Affordable Care Act (ACA), Reporting and Tracking Services (ARTS) program 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 PURCHASE OF NEW ENGINE FOR UNIT 127**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve the purchase of a new engine for Unit 127 in the amount of \$18,600.00 with a 2 year warranty to be paid out of the Tobacco Fund as requested by Fire Chief Juan J. Meza, Fire Department.

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

**ORDER APPROVING RENEWAL OF CONTACT FOR STERICYCLE FOR REMAINING CONTRACT FROM \$1,950.00 PER MONTH TO \$316.00 PER MONTH**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve the renewal of the contract for Stericycle for the remainder of the contract from \$1,950.00 per month to \$316.00 per month as requested by Fire Chief Juan J. Meza, Fire Department.

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

**ORDER APPROVING PAYMENT TO BEAR GRAPHICS FROM COUNTY CLERK'S RECORDS MANAGEMENT AND PRESERVATION FUND**

Motion was made by Commissioner Garza, seconded by Commissioner Elizondo, to approve the payment of the following invoices to Bear Graphics to be paid from County Clerk's Records Management and Preservation Fund:

1. Invoice #0708096 in the amount of \$2,441.81 for the purchase of Official Record binders.
2. Invoice #0710173 in the amount of \$532.72 for the purchase of County Court Minute binders.
3. Invoice #071056 in the amount of \$1,072.87 for the purchase of bank note paper for birth records.

as requested by Hon. Mary Jayne Villarreal-Bonoan, Zapata County Clerk.

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

**ORDER APPROVING NEW APPLICATION AND PROCESS OF OBTAINING AN ARM PERMIT**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve the new application and process of obtaining an Amusement Redemption Machine (ARM) permit as requested by Brian Martinez, Judge'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 ENTER INTO EXECUTIVE SESSION**

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

**ORDER APPROVING AUDITED HOURS FOR ROAD AND BRIDGE  
EMPLOYEES AS PER AUDIT PERFORMED**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve the audited hours for Road and Bridge employees as per audit performed by the Zapata County Auditor's Office 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 USE OF ZAPATA COUNTY CLINIC FOR VACCINATIONS**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve the use of the Zapata County Clinic for administering vaccinations on May 2, 2015 by the Department of Human Services Immunization Department as requested by Lupita Garza, Indigent Care Director.

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

**ORDER APPROVING ENGINEERING AND ADMINISTRATION  
SERVICE FOR CDBG NO. 7214095**

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to approve engineering and administration services for CDBG No. 7214095. Proposal requested December 16, 2014 and scored on January 9, 2015, award of service contract delayed due to award of CDBG contract and County audit 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 SIGNATORIES FOR CDBG NO. 7214095**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve the Authorized Signatories for CDBG No. 7214095

- a. Joseph Rathmell, County Judge
- b. Romeo Salinas, County Treasurer
- c. Triunfo Gonzalez, County Auditor

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 DESIGNATION OF MARIO GONZALEZ-DAVIS TO COMPLETE ENVIRONMENTAL ASSESSMENT FOR CDBG NO. 7214095**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve designation of Mario Gonzalez-Davis to complete the Environmental Assessment for CDBG No. 7214095 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 VARIOUS REQUIREMENTS FOR CDBG NO. 7214095**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve the following requirements for CDBG No. 7214095:

- a. Fair Housing Proclamation and Statement
- b. Excessive Force Resolution
- c. Designation of Civil Rights Officer
- d. Notice of Non-Discrimination
- e. Resolution designating a Standards Office for Sec. 504 Equal and Fair Housing Officer
- f. Adoption and Implementation of Sec. 3 Policy
- g. Resolution adopting a Local Opportunity Plan
- h. Adoption Equal Opportunity Guidelines for Construction Contractors
- i. Adopting Sec. 504 Grievance Procedure

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 SIESTA SHORES WCID BOARD AND MANUEL GONZALEZ REGARDING CONSTRUCTION OF WATER LINE TO CONNECT ZAPATA AND SIESTA SHORES WCID**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to table request by Manuel Gonzalez, Premier Engineering, regarding construction of a water line to connect Zapata and Siesta Shores WCID. Siesta Shores WCID would purchase all materials and Zapata County would provide labor and equipment.

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

**ORDER APPROVING USE OF ZAPATA COUNTY PAVILION FOR ZCISD STUDENT REGISTRATION**

Motion was made by Commissioner Elizondo, seconded by Commissioner Martinez, to approve the use of the Zapata County Pavilion from May 4 – 8, 2015 for the Zapata County Independent School District student registrations as requested by Rogelio Gonzalez, Zapata County Independent School District.

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:

	<b>Department</b>	<b>Line Item</b>	<b>Fund</b>	<b>Amount</b>
<b>From:</b>	49 <sup>th</sup> District Court	10-435-400	Criminal	\$3,000.00
<b>To:</b>	49 <sup>th</sup> District Court	10-435-462	Equipment Rental	\$3,000.00

as requested by Monica Bautista, 49<sup>th</sup> District Court.

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

**ORDER APPROVING RESOLUTION IN OPPOSITION OF APPLICATION FOR RENEWAL OF COMMERCIAL SURFACE DISPOSAL FACILITY PERMIT TO US LIQUIDS OF LA, L.P. FOR THEIR SOUTH TEXAS DISPOSAL FACILITY**

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve a resolution in opposition of an Application for Renewal of a Commercial Surface Disposal Facility Permit to US Liquids of LA, L.P. for their South Texas Disposal Facility STF-006 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 RESOLUTION FOR TCPN**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve a resolution for TCPN (Texas Cooperative Purchasing Network) 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 PROCLAMATION TO DECLARE WEEK OF APRIL 26 – MAY 3, 2015 AS SOIL AND WATER STEWARDSHIP WEEK**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve a proclamation to declare the week of April 26 – May 3, 2015 Soil and Water Stewardship Week as requested by Jose Oscar Dodier, Zapata County Soil and Water Conservation District.

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 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.

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JOSEPH RATHMELL, 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