

Official Minutes for Webb County  
Commissioners Court Special Meeting  
Thursday, October 22, 2009 at 1:00 p.m.  
(approved on November 9, 2009)

Call to order by Judge Danny Valdez

Let it be remembered that a special meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

Danny Valdez	County Judge
Frank Sciaraffa	Commissioner, Pct. 1
Rosaura "Wawi" Tijerina	Commissioner, Pct. 2
Jerry Garza	Commissioner, Pct. 3
Sergio "Keko" Martinez	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 19<sup>th</sup> of October 2009. Present also were Mrs. Imelda Diaz, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

**Item No. 1. Roll Call by Honorable Margie Ramirez-Ibarra, Webb County Clerk**

**Item No. 2. Pledge of Allegiance**

**Item No. 3. Communications**

Judge Valdez sent his condolences to the family of the Honorable Solomon Casseb.

Mr. Sciaraffa had no items under communications.

Mr. Tijerina had no items under communications.

Mr. Garza had no items under communications.

Mr. Martinez sent his condolences to the family of the Honorable Solomon Casseb.

**Item No. 4. Public Comment - This section provides the public the opportunity to address the Commissioners Court on any items on the Agenda. Members of the public wishing to participate must complete a Witness Card specifying which agenda item they wish to comment on. Each public member will be allowed a total of Three (3) minutes within which to make any/all public comments.**

1<sup>st</sup> witness card – Sylvia Palumbo

Mrs. Palumbo spoke on item #5 wherein she stated that she was representing herself, the District Clerks Office as well as the Facilities Department. She asked the Court to review the petition that had been circulating around Webb county employees where they were asking for the Court to follow the recommendation of the committee to keep Blue Cross Blue Shield.

2<sup>nd</sup> witness card – Judith Gutierrez

Ms. Gutierrez stated that she was there as a taxpayer and would speak in reference to the insurance wherein she asked the Court to be very attentive and stated that the Court should do what was in the best interest of the taxpayers and employees.

3<sup>rd</sup> witness card- Virginia Aranda and Tony De La Vina

Ms. Aranda spoke on item #5 and asked the Court to consider the insurance committee's recommendation. She stated that the consensus of their office was to keep Blue Cross Blue Shield along with close to 500 employees who had signed a petition.

Mr. Tony De La Vina asked if the Court had considered what would happen to those employees with pre-existing conditions.

4<sup>th</sup> witness card – Cornell Mickley

Mr. Mickley spoke on his behalf as well as of his staff asking the Court to keep Blue Cross Blue Shield.

5<sup>th</sup> witness card – Guadalupe Raya

Ms. Raya stated to the Court that she wanted a new Santa Teresita Community Center Director because she was not content with Ms. Puente's actions since it seemed as if she had taken ownership of the center.

6<sup>th</sup> witness card – Luisa Rodriguez

Ms. Rodriguez stated that she was a resident of Las Lomas and that she had already voiced her complaints to Cmr. Tijerina and Judge Valdez was present. She also stated that she had gone before Cmr. Garza and he had recommended submitting the complaints in writing. Ms. Rodriguez stated that the complaints were signed and sent and now she is being harassed from one of the neighbors since Ms. Puente told them about the complaints.

7<sup>th</sup> witness card – Maria Gutierrez

Ms. Gutierrez asked the Court why is it that there is a community center; yet a lot of people are receiving groceries from a local store and not from the center. She asked if the center was not able to be used.

8<sup>th</sup> witness card – Robert Cadena

Mr. Cadena stated that he is an employee under Juanita Puente and that he has personally witnessed what Ms. Puente has done against him and other employees. He stated that several employees and residents were reluctant to come forward for fear of retaliation. Mr. Cadena also stated that he himself has filed a personal grievance against Ms. Puente and is keeping a personal journal.

9<sup>th</sup> witness card – Rosario Cantu

Ms. Cantu stated that she has seen many injustices that have been done to the employees and to her as well as witnessed favoritism. She stated that she witnessed an incident involving two minors and that abuse of authority is present on a day to day basis.

10<sup>th</sup> witness card- Daisy Valdez

Ms. Valdez stated that she thought that Ms. Puente should not be at the center. She explained the incident that occurred with her daughter wherein she was harassed by Ms. Puente for painting a rock.

### **Administrative Services**

Cmr. Tijerina motioned to bring up item #6. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Sciaraffa motioned to go into executive session. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

**(EXECUTIVE SESSION 1:35 P.M. – 2:30 P.M.)**

Judge Valdez stated that no action was taken.

**Item No. 6. Discussion and possible action to evaluate the performance of the following Webb County department head:**

**Juanita Puente – Director, Santa Teresita Community Center**

**Action to be taken by Commissioners Court may include continuation of employment, reassignment, modification of duties, disciplinary action, dismissal, or other actions. The Commissioners Court may take such other action as may be necessary to implement its decisions including, but not limited to, appointment of interim department heads. (Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters).**

Discussion on file at the Webb County Clerks Office under the October 22, 2009 Commissioner's Court Special meeting dvd.

Comr. Tijerina motioned to terminate Ms. Juanita Puente. Comr. Sciaraffa seconded the motion.

Motion died 2-3 with Judge Valdez, Comr. Garza, and Comr. Martinez voting against.

Comr. Martinez motioned to give Ms. Puente an official reprimand due to the problems that have arisen, remove her from slot 2347, reassign her to slot 2469 of which salary is to remain the same, effective Tuesday October 27<sup>th</sup>, and work under Mr. Jose Gutierrez. He added that as a condition Ms. Puente will be obligated to go through sensitivity training and anger management classes within 90 days of the effective day of transfer and direct Ms. Cynthia Mares to verify compliance. Comr. Garza seconded the motion.

Motion carried 3-2 with Comr. Tijerina and Comr. Sciaraffa voting against.

**Item No. 5. Discussion and possible action to evaluate the proposals from the top three Health Insurance Carriers for the Webb County Health & Dental Insurance Program, to include presentations from Blue Cross Blue Shield, AETNA, and Humana Health; with possible action to select a finalist and choose an Insurance Carrier; and any other matters incident thereto; and authorizing the County Judge to sign all relevant documents.**

Discussion and presentations on file at the Webb County Clerks Office under the October 22, 2009 Commissioner's Court Special meeting dvd.

Comr. Garza thanked all employees in making their comments heard and notified the Court that he filed a conflict disclosure statement with the County Clerks Office. He explained that even though the County Attorney advised him that there was no conflict, he did not score anyone during the committee meetings and will be abstaining from voting in this item.

Comr. Martinez motioned to award the insurance coverage from BCBS for one year with a two year renewal option.

Mr. Ken Wethe, Insurance Consultant, recommended that the renewal be presented to the Commissioner's Court with a minimum of sixty (60) days and to go for ninety (90) days prior so that the Court can have an opportunity to evaluate which direction it wants to go.

After discussion, Comr. Martinez included as part of his motion the recommendation from Mr. Wethe. Comr. Sciaraffa seconded the motion.

Motion carried 4-0 with Cmr. Garza not present.

**Item No. 7. Adjourn**

Cmr. Tijerina motioned to adjourn. Cmr. Martinez seconded the motion.

Motion carried 4-0 with Cmr. Garza not present.