

Official Minutes for Webb County
Commissioners Court Special Meeting
Friday, January 15, 2010 at 10:00 a.m.
(approved on February 8, 2010)

Call to order by Judge Danny Valdez

Let it be remembered that a special meeting of the Webb County Commissioners Court was held at 10:00 a.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 12th of January 2010. 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

Comr. Martinez welcomed everyone and advised that applications are now being taken for the water and sewer connection at Penitas West. He advised everyone to feel free and call if they had any questions.

Comr. Garza advised that a while back his office had applied for a grant and would hire a Case Worker who would work with this particular grant. He stated that this was important since whoever was to get the position of CAA Director would be working a lot with his office.

Comr. Tijerina welcomed everyone present and wished good luck to all three applicants. She sent her condolences to Ms. Maria Elena Morales on the passing of her father.

Comr. Sciaraffa welcomed everyone and sent his condolences to Ms. Maria Elena Morales on the passing of her father.

Judge Valdez welcomed everyone and sent his condolences to Ms. Maria Elena Morales on the passing of her father. He also congratulated Ms. Cynthia Mares and her staff on a successful safety fair.

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.

1st witness card – Carlos Blanco Jr.

Mr. Blanco wished everyone a Happy New Year and sent his condolences to Ms. Maria Elena Morales on the passing of her father. He stated that he was there to speak on behalf of Mr. Javier Martinez. Mr. Blanco stated that the department needed stability and leadership of which he stated that Javier Martinez is the right leader and best candidate.

2nd witness card- Jesus Sanchez

Mr. Sanchez stated that he is in support of one candidate for the CAA Director which was Mr. Javier Martinez. He stated that he was heading the Community Action Agency in the right direction. Mr. Sanchez advised the Court that if they let someone else in this position, this would delay a lot of programs.

Judge Valdez motioned to bring up item 6. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

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

Motion carried 5-0 by unanimous consent.

(EXECUTIVE SESSION 10:13 am - 10:34 a.m.)

Commissioner's Court

Item No. 6 Discussion and possible action to authorize final payment for legal services rendered by attorney Murray Malakoff for Patricia Barrera in her individual capacity in Civil Action No 5:08-cv-00128; Cynthia Alcalá, et. al. vs. Webb County, Texas, et al.; In the United States District Court for the Southern District of Texas, Laredo Division. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].

Discussion on file at the Webb County Clerks Office under the January 15, 2010 Commissioner's Court Special meeting dvd.

Cmr. Martinez stated for the record that the Court had followed the recommendation from the prior County Attorney wherein they were led to believe that the Commissioner's Court had to allow the office holder, elected official, or department head who was being sued to choose the counsel that they wanted to represent them.

Cmr. Martinez motioned to approve final payment to Mr. Murray Malakoff in the amount of \$30,000.

Motion died for lack of second.

Administrative Services

Item No. 5 Discussion and possible action to interview and select the Webb County CAA Director from among the final applicants, set salary thereof, and any other matters incident thereto. [The Commissioner's Court may meet in executive session to interview the applicants and to deliberate the appointment thereof pursuant to the Texas Open Meetings Act - § 551.074 (Personnel Matters)]

Cmr. Sciaraffa motioned to go into executive session at 10:58 a.m. Cmr. Martinez seconded the motion.

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

After discussion, Cmr. Sciaraffa motioned to withdraw his motion to go into executive session. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Interview for Mr. Javier Martinez on file at the Webb County Clerks Office under the January 15, 2010 Commissioner's Court Special Meeting.

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

Motion carried 3-0 with Cmr. Sciaraffa and Cmr. Martinez not present.

(Executive Session 11:30 a.m. – 12:43 p.m.)

Judge Valdez stated that no action was taken in executive session.

Cmr. Martinez motioned to retain the services of Javier Martinez as the Community Action Agency Director with the salary of \$80,900 effective immediately at 1:00 p.m. January 15, 2010. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Garza motioned to bring up item 6. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 6 Discussion and possible action to authorize final payment for legal services rendered by attorney Murray Malakoff for Patricia Barrera in her individual capacity in Civil Action No 5:08-cv-00128; Cynthia Alcala, et. al. vs. Webb County, Texas, et al.; In the United States District Court for the Southern District of Texas, Laredo Division. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].

Discussion on file at the Webb County Clerks Office under the January 15, 2010 Commissioner's Court Special meeting dvd.

Cmr. Martinez motioned to accept the offer of full and final payment of \$30,000 to Murray Malakoff. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Judge Valdez motioned to adjourn. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.