

SPECIAL MEETING
MARCH 11, 2010

The Special Meeting of the City Commission was called to order at 5:15 p.m. in the Commission Chambers by Mayor Jeff Bearden, and a quorum was declared present.

Present: Mayor Jeff Bearden

Commissioners: Jimmy Dennis, Russell Brownlow, Travis Taylor and Phil McCuiston

Staff Present: City Manager Mitch Grant, City Attorney Trish Byars, Police Chief Tom Wilson, and City Secretary Linda Byers.

Commissioner Dennis led the group in the pledge to the U.S. and Texas flags and the invocation.

Mayor Bearden asked unanimous consent from the City Commission that they conduct the appeal to prior termination from Heather Gomez in public. Hearing no objection, the Mayor declared that the appeal would be conducted in public.

Mayor Bearden noted that the commission had received written submittals from both Ms. Gomez and the City Manager as requested. He asked who would be speaking for Ms. Gomez. Attorney Rick Bunch stated that he would be giving an overview and then allowing Ms. Gomez to speak for herself. Mayor Bearden asked if he would be calling other witnesses; Mr. Bunch responded that he would. Mayor Bearden noted that the other witnesses should be germane to the issues in the case.

Attorney Rick Bunch thanked the Commission for an opportunity to have a public hearing to clear Ms. Gomez name and hopefully get her job back. Mr. Bunch detailed a consensual mutual affair between Ms. Gomez and a Lieutenant in the Police Department which ended in December, 2008 at Ms. Gomez's request. Mr. Bunch claimed that she was terminated for circumstantial evidence, and her position was sabotaged. He stated that their position is that she did nothing wrong.

Heather Gomez stated that she ended a relationship with Lieutenant and after that she had a harsh work environment. She was written up and reprimanded on several occasions. As they stated, she did not send in the TRN (a copy of the subjects' fingerprints, and detailed information). She detailed the steps she goes through to complete the process of sending in the TRN. She detailed her complaint issues concerning harsh treatment by supervisors. She stated that she did not trust the City Secretary or the City Manager to handle her complaints appropriately, so she took her complaints to a commissioner.

Mayor Bearden asked her to clarify a part of her statement. Heather stated that she did send in the TRN.

Mike Owen stated that he did not know that there was anything going on between Heather and the Lieutenant until there was a security breach at the police department, and he (Mr. Owen) detailed the situation, and stated he advised Ms. Gomez to talk to either Linda or Mitch or the City Attorney or the County Attorney. The next day Ms. Gomez informed him that she had talked to a commissioner.

Attorney Rick Bunch stated that it appears that Ms. Gomez was fired because the TRN did not reach Austin. They believe that she was fired because the Lieutenant did not like the relationship that was going on and the Chief was faced with firing the Lieutenant or her. He claimed it was retaliation or sabotage because other people had access to her office, and she was fired because of her relationship with the Lieutenant.

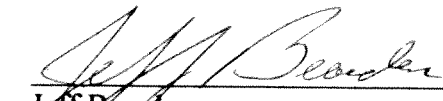
Mayor Bearden asked the City Attorney if she had anything to add or witnesses to call. She responded no. He asked if the Commissioners had any questions. There was no response.

Mayor Bearden asked for a motion to approve all or part of the appeal request from Heather Gomez to be exonerated of all of the violations for which she was accused, be reinstated with full back pay and benefits, and have her TCLEOSE records cleared.

There was no motion made.

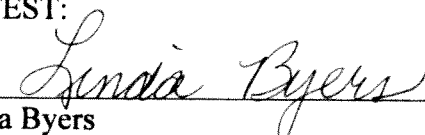
There being no motion to approve the appeal, the appeal is not approved.

There being no other business, the meeting was declared adjourned at 5:35 pm.



Jeff Bearden
Mayor

ATTEST:



Linda Byers
City Secretary