

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
SPECIAL CITY COUNCIL MEETING
THURSDAY, JUNE 12, 2014
7:00 P.M.**

BE IT REMEMBERED that, on the above date, the City Council of the City of Alvin, Texas, met in special called session at 7:00 P.M. in the Council Chambers at City Hall, with the following members present: Mayor Gary Appelt, Mayor Pro-tem Scott Reed, and Councilmember's Keith Thompson, Adam Arendell, Brad Richards, Terry Droege, Gabe Adame and Roger Stuksa. Also present were Terry Lucas, City Manager and Bobbi Kacz, City Attorney.

CALL TO ORDER

Mayor Appelt called the meeting to order at 7:00 p.m.

INVOCATION

Ms. Judy Zavala led the invocation.

PLEDGE OF ALLEGIANCE

Mayor Appelt led the Pledge of Allegiance.

CLOSED EXECUTIVE SESSION: THE CITY COUNCIL WILL CONVENE INTO A CLOSED EXECUTIVE MEETING IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, PURSUANT TO THE AUTHORITY CONTAINED IN:

- A. Section 551.071 (2) – Attorney consultation to receive attorney advice and counsel on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.
- B. Section 551.074 – Deliberation on the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing request a public hearing.
 - a. Discuss the City Manager's resignation and terms of termination of employment with the City of Alvin.

Mayor Appelt stated that Mr. Lucas has submitted a letter to Council that he is invoking his right for this meeting to be held in public and not behind closed doors.

Mayor Appelt stated that he received numerous phone calls since prom night stating that there were at least 4 minors served alcohol in the home of Mr. Lucas on the night of prom. Disciplinary action was taken by Alvin ISD.

Mr. Lucas stated that this shouldn't be addressed by City Council. There are elements of what was said that are not completely factual. This is school business dealing with kids; administrative actions were taken; the information being discussed should be privileged confidential information. How this information was learned will be subject to an investigation by the Texas Education Agency. Mr. Lucas asked that Council go into executive session to consult with the attorney and then proceed forward.

Mayor Appelt stated that when members of the community bring forth this type of information, we owe it to the citizens to look into whether or not this information is factual. This is what we are here to do tonight.

Mr. Lucas stated that the information presented this evening really surrounds what occurred at school. This city, nor the mayor or council should be involved in an administrative matter that happened at school. This creates concerns for him as well as the other 10 parents that were involved; all of which were acutely aware and sanctioned any of the activities that took place at his house. The information presented this evening is not entirely accurate. This is a school matter and should remain in that context. He understands that there are people within the community that have aired a thought process of what they thought took place that evening. The children that were involved were punished and have done what was asked of them.

Mayor Appelt stated that through these allegations we have a city manager that is responsible and we have a police department that is responsible for issuing citations; to ensure that the laws are obeyed. This seems like a double standard.

Mr. Lucas stated this was again inaccurate information.

Mayor Appelt closed the meeting to Executive Session at 7:08 p.m.

ACTION ITEMS FROM EXECUTIVE SESSION

Mayor Appelt reconvened the meeting to open session at 8:00 p.m.

Discuss taking action in accordance with executive sessions.

On motion by Councilmember Adame second by Councilmember Arendell with all members present voting "aye" that no further investigation is made by City Council in regards to Mr. Lucas and that staff is directed to negotiate a separation agreement with Mr. Lucas.

Consider possible appointment of an interim City Manager.

On motion by Councilmember Reed second by Councilmember Arendell with all members present voting "aye" to consider the appointment of an interim city manager effective immediately upon agreement, Junru Roland, current Chief Financial Officer, with an increase in salary to \$55.00 per hour, with the expectation that from now until the separation agreement has been approved, that Mr. Lucas and Mr. Roland work together to make a smooth transition.

OPEN MEETINGS ACT RESOLUTION

Consider Resolution No. OMA-R-14-06-12., a resolution confirming compliance with the provisions of the Open Meetings Act.

On motion by Councilmember Arendell second by Councilmember Richards with all members present voting “aye” to approve Resolution No. OMA-R-04-06-12 confirming compliance with the provisions of the Open Meetings Act.

ADJOURNMENT

On motion by Councilmember Adame second by Councilmember Arendell with all members present voting “aye” the meeting adjourned at 8:01 p.m.

These minutes read and approved this _____ day of _____, 2014.

Gary Appelt, Mayor

Dixie Roberts, City Clerk