

CITY COUNCIL MINUTES
AUGUST 22, 2013 SPECIAL CALLED MEETING

1. CALL TO ORDER

Mayor Barna called the meeting to order at 7:15 p.m.

2. ROLL CALL & CERTIFICATION OF A QUORUM

City Secretary, Kristi Gilbert, certified a quorum with the following Councilmembers present:

Mayor Eric Barna
Mayor Pro Tem Owais Siddiqui
Deputy Mayor Pro Tem Ben St. Clair
Councilmember Scott Bradley
Councilmember Betty Nichols Spraggins
Councilmember Bernard Grant
Councilmember Rob Thomas

Councilmembers absent: None

3. EXECUTIVE SESSION

The City Council convened into Executive Session at 7:16 p.m. pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, in accordance with the authority contained in:

§551.071 Consultation with the City Attorney and special 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 the Texas Open Meetings Act regarding contemplated or pending litigation or matters where legal advice is requested of the City Attorney on personnel matters regarding the City Manager.

§551.074 Deliberations regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager or to hear a complaint or charge against the City Manager.

4. RECONVENE INTO REGULAR SESSION

The City Council reconvened into Open Session at 8:23 p.m. pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, in accordance with the authority contained in:

§551.071 Consultation with the City Attorney and special 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 the Texas Open Meetings Act regarding contemplated or pending litigation or matters where legal advice is requested of the City Attorney on personnel matters regarding the City Manager.

§551.074 Deliberations regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager or to hear a complaint or charge against the City Manager.

A. Consider and act upon any executive session items.

COUNCIL ACTION (4.A.):

No action was taken as a result of Item 4.A.

- B. Consider and act upon results of an impartial investigation of complaint or charge against the City Manager.

Monica Valasquez introduced herself as an attorney practicing in Frisco, Texas and made the following statement:

“As you know, in late July Ms. Rheannon Boe filed a complaint against the City Manager. Under the City’s home rule charter the Council had the authority and was tasked with investigating the complaint against the City Manager. Council selected me as a third party investigator for this matter. I have conducted the investigation. The investigation has now been concluded. The allegations in the complaint against the City Manager were not substantiated. Therefore, the investigation is now closed.”

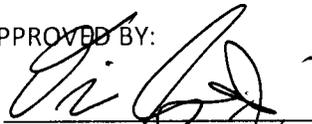
COUNCIL ACTION (4.B.):

Mayor Pro Tem Siddiqui moved to adopt the findings of the independent investigator that the allegations are unsubstantiated and to have both the City Manager and the Executive Assistant to the City Manager report to work tomorrow. Councilmember St. Clair seconded the motion. For: Unanimous. The motion carried by a vote of 7 to 0.

5. ADJOURNMENT

With no further business, the meeting was adjourned at 8:25 p.m.

APPROVED BY:


Owais Siddiqui, Mayor Pro Tem

ATTEST:


Kristi Gilbert, City Secretary

