

April 8, 2026

Via Email:

Hon. Carolyn Vaughn

Hon. Roland Barrera

Hon. Mark Scott

Hon. Everett Roy

Hon. Sylvia Campos

Hon. Eric Cantu

Hon. Kaylynn Paxson

Hon. Gil Hernandez

cc: Rebecca L. Huerta, City Secretary

Re: City Charter Art. II, Section 11 Removal Hearing Procedures

Dear Members of the City Council:

This letter is being sent to you on behalf of Mayor Paulette Guajardo who has engaged my legal services in connection with any proposed action against her under Article II, Section 11.

Going forward with the consideration of any procedures under Article II, Section 11, presents the City Council with a critical decision. Although the City Charter provides for this process, State law and the U.S. Constitution impose certain requirements that must be followed. Those requirements, when applied to this situation, mandate that the City Council reconsider its decision to move forward with any proceeding under Section 11.

Since the Petition for Removal was filed on August 20, 2025, this City Council has thoroughly investigated the claims made with outside legal counsel and outside investigators. In each case, the legal analysis and the investigators have confirmed that insufficient evidence exists to say that any type of wrongdoing took place, and the outside legal analysis confirmed that Mayor Guajardo's conduct conformed to the requirements of the law and the City's Code of Ethics.

As the initial claims in the Petition for Removal filed last August were addressed, the petitioners filed on March 10, 2026, "Articles of Impeachment" raising additional claims that are based solely on speculation. Those claims also can be addressed with facts confirming that no wrongdoing took place by Mayor Guajardo. While it is true that a hearing would provide a formal opportunity to debunk these new claims, the City's current pressing needs to address water and other issues and State legal requirements concerning these types of hearings should convince each of you that proceeding in this manner would be pointless.

Hon. Carolyn Vaughn
Hon. Roland Barrera
Hon. Mark Scott
Hon. Everett Roy
April 8, 2026
Page 2

Hon. Sylvia Campos
Hon. Eric Cantu
Hon. Kaylynn Paxson
Hon. Gil Hernandez

The attached Brief outlines legal limitations imposed by State law on hearings and any action under Article II, Section 11 and further addresses the factual rebuttal of each of the allegations in the Petition for Removal and the so-called Articles of Impeachment. These issues need to be carefully considered at your meeting on April 14 because proceeding with any type of hearing, or action without hearing, would subject the City to unnecessary litigation. Voting to proceed in a pointless exercise further could subject you to charges of taking the type of arbitrary and capricious action that the Texas Supreme Court specifically has stated as being the basis for setting aside any such action taken. When there is no legal basis for proceeding in this manner, the only basis left to support it must be political.

The City Council should stop this process and consider its legal alternatives in addressing any matters that you determine need to be addressed. Your legal counsel can confirm the clear requirements of the Texas Supreme Court that must be met for removal or suspension hearings and the inescapable conclusion that they cannot be satisfied in this situation. The law provides four other options to this type of inquiry, two of which remain available to the City Council. Proceeding any further with a removal hearing or any other action under Section 11 will not only be a wasted effort but will further subject Corpus Christi to negative publicity highlighting the fact that it cannot comply with the basic requirements of State and Federal law.

I will be available at your meeting on April 14 to respond to any questions or discuss any of these matters further. This letter is being provided to you in advance so your legal counsel will be prepared to confirm the legal limitations imposed on this process.

Very truly yours,

JOHN T. FLOOD, L.L.P.



John T. Flood

BRIEF CONCERNING REMOVAL HEARING FOR MAYOR PAULETTE GUAJARDO

The following Brief addresses the legal issues concerning the Art. II, Section 11 procedures and the City Council's alternatives as well as each of the allegations in both the Petition for Review and the more recently-filed Articles of Impeachment. While the rulings of the Texas Supreme Court make it clear that this City Council may not proceed under Section 11, other alternatives still exist for the City Council. Nevertheless, each of the allegations are addressed so that there should be no basis for proceeding further concerning any of these claims.

Options for Addressing Wrongdoing by Public Officials

Five different options are provided in Corpus Christi for addressing possible wrongdoing by City officials. The first involves use of the Corpus Christi Ethics Commission which specifically was established in the 1990's as an alternative to a petition for removal proceeding. Clear rules were established in the Code of Ethics concerning the requirements, and the Ethics Commission provides a separate body to investigate and consider any claims.

The Code of Ethics, however, requires that any claims of misconduct be presented within six months of the particular event in order to be considered. These claims were not presented until a year and a half after the City Council meetings in February and April of 2024. The petitioners waited until after the City Council elections in late 2024 and eight months later presented their claims concerning alterations to a depiction of a FEMA website in a PowerPoint slide in February 2024. The alteration shown in the slide was thoroughly discussed at the City Council meeting on April 23, 2024. The Chairman of the Type B Corporation Board testified that any changes in the FEMA flood maps specifically were rejected as being the basis for consideration of an incentive because that would open the door to awarding Type B funds to any project in Corpus Christi that had an issue with FEMA flood map changes. A majority of the City Council approved the incentive based on the need for downtown revitalization after considering specifically the fact that an altered FEMA website screenshot had initially been presented in a PowerPoint slide.

All of these facts were discussed publicly at the April 23, 2024, City Council meeting and well known. A complaint could have been made within six months, and the Ethics Commission could have been engaged to address the issue. Since no complaint was filed in the required time, though, the Ethics Commission no longer has any jurisdiction under the Code of Ethics to consider the matter.

The second option available is the filing of a petition for a hearing under Article II, Section 11. This provision in the City Charter is similar to State law provisions for general law cities and appears in many home-rule city charters. The other members of the city council form the tribunal that considers the claims warranting discipline and makes the final decision after conducting a hearing.

Fundamental due process under the U.S. and Texas Constitutions requires, among other things, that these hearings provide for a clear statement of the accusations, the opportunity to be represented by legal counsel, the opportunity to call witnesses, and the opportunity to present a defense. It's not too difficult to develop a set of procedures that comply with those requirements

and afford a reasonable time for the accused public official to prepare a defense. I assume that such procedures will be presented to you for consideration on April 14.

The Texas Supreme Court, however, noted a fundamental requirement applicable to these types of proceedings in the case of Bradley v. State ex rel. White, 990 S.W.2d 245 (Tex. 1999).¹ City Council members who were witnesses to the claimed wrongdoing cannot participate as part of the tribunal making the decision if discipline is warranted. Texas Rule of Evidence 605 states the long-standing rule that “The judge presiding at a trial may not testify in that trial as a witness.” Federal Rule of Evidence 605 is identical. A person who is a fact witness to the incident cannot serve as judge or on a jury since he is not impartial and cannot fairly weigh the evidence presented by different witnesses in a proceeding. Judges and juries must come to a trial without any previous experience in the matter before them. That rule is fundamental in due process.

In this case, four of you were on the City Council in 2024 and were present at both the first reading on February 20, 2024, and the second reading on April 23, 2024. While two of you voted for the incentive on April 23, one voted against and another abstained, at the first reading on February 20, 2024, three of you voted for the incentive and one abstained. What each member of the City Council in 2024 knew about the justification for the incentive, how it was debated and discussed and how it was approved finally on second reading are critical fact issues in this case. The four city council members who were present at the meetings in 2024 cannot serve on the tribunal to consider the evidence whether or not Mayor Guajardo should be removed or suspended from office based on what transpired then. Each of them will be witnesses in any such hearing, and the Texas Supreme Court has made it clear that if any councilmembers who were witnesses participate in a decision under this type of proceeding, the decision is void.

Section 11 in the City Charter makes it very clear that any final decision to remove or suspend a member shall be by the majority vote of all council members holding office, with the exception of the challenged member. Any decision to remove or suspend a council member must be approved by at least five votes. In this situation, only four members of the city council will be eligible to participate in any decision. Even if they were unanimous in their decision to remove or suspend, the required five votes could not be obtained. Any attempted action by the four council members would be void. The hearing would be pointless and a colossal waste of time for a city council with other pressing needs.

Mayor Guajardo is entitled to a hearing before being suspended by fellow council members, as required by both constitutional and statutory provisions. The Texas Constitution guarantees that “[n]o citizen of this State shall be deprived of life, liberty, property, privileges or immunities, or in any manner disfranchised, except by the due course of the law of the land.” Texas Constitution, Art. 1, §19. This constitutional protection establishes the baseline requirement for procedural due process in any suspension proceeding.

A mayor’s or council member’s “interest in [their] elected position, though not ‘property’ in the conventional sense, is a recognizable interest for purposes of procedural due process analysis.” *Tarrant County v. Ashmore*, 635 S.W.2d 417, 422 (Tex. 1982). In this instance, a

¹ A courtesy copy of the Bradley case, including its concurrence by then Justice Greg Abbott, is attached for your convenience.

suspension due to the pending “charges for removal” without a hearing would violate due process because a suspension related to such charges would require a resolution of what are called “adjudicative facts” – i.e., questions of “who did what, where, when, how, why, with what motive or intent.” *Id. at 423*, citing K. Davis, *Administrative Law Treatise*, §§ 12:1-12:8 (2d ed. 1979). A fundamental element of due process is a hearing where the mayor has counsel and an opportunity to confront her accusers and all other incidents of due process as are ordinarily available in such proceedings. Courts have found inadequate process where officials were suspended without a pre-deprivation hearing. To the extent the City Charter’s Art. II, § 11 can be read to provide for a suspension of a council member without any hearing at all, it is constitutionally void.

Three other options exist for removal of a city council member. The City Charter provides for recall elections to remove a council member. That would require the submission of petitions signed by 10% of the registered voters, and the Charter specifies that a recall election cannot be scheduled within six months of a regular city council election.

Another option is specifically referenced in Section 11 in subsection (d) where it says “Commission of any of the violations specified in subparagraphs (1) through (5) above shall additionally be grounds for forfeiture of office in proceedings pursuant to state law.”² State law provides for removal of a public official in what is called a “*quo warranto*” proceeding in District Court that may be filed by a county attorney, a district attorney, or the attorney general. The claims presented in the petition and articles of impeachment could be considered by a judge and jury in a trial in which none of the decisionmakers were witnesses to the city council proceedings in 2024. This option specifically is provided as an alternative procedure in Section 11 and remains available to the City Council if it wants to refer the matter to one of the attorneys who can file it. The Texas Supreme Court has made it clear that a city council cannot act in any proceeding of this nature when one or more members of the city council will be witnesses, but another alternative specifically is provided for this type of situation.

The fourth option is a profoundly democratic one – the regular elections of the City Council in November 2026. The next election is a little over six months away, and the voters will be able to decide whether or not anyone should be removed from the City Council.

In any event, the present City Council cannot proceed with any removal or suspension proceedings of Mayor Guajardo under Article II, Section 11 of the City Charter. Four of you are witnesses to the meetings in February and April 2024 and will no doubt have different recollections and perspectives on what transpired. As witnesses in the proceedings, you cannot participate in any decision at the hearing. And in the absence of having a decision by a majority of the eight other members of the City Council, a hearing under Section 11 would be void and pointless. Any attempt to suspend the mayor without a hearing or proceed with a removal hearing would result in a lawsuit enjoining the proceedings and each of you from proceeding with any attempt to remove the duly-elected Mayor of Corpus Christi.

² The Charter deletes item (6) for absences from three consecutive regular council meetings from the state law removal procedures.

Rebuttal of Issues Raised in Petition for Removal

The Petition for Removal raised six issues relating to the City Council meeting on April 23, 2024:

- Phillip Ramirez altered a screen shot of a page on the FEMA website to delete a date reference when new flood maps had become available.
- Mayor Guajardo had been told by Peter Zanoni prior to the 4/23/24 meeting that the “FEMA/federal document” had been altered.
- Mayor Guajardo was told on 4/16/2024 by Ajit David that the screen shot had been altered.
- Mayor Guajardo was told again by Ajit David on 4/23/24 that the screen shot had been altered.
- Other information confirms that Mayor Guajardo had been told prior to 4/23/24 that the screen shot had been altered.
- “With full knowledge” of the wrongful acts of Phillip Ramirez, Mayor Guajardo directed Peter Zanoni to put the matter on the city council agenda for 4/23/2024 and participated in and aided in the approval of the \$2 million incentive agreement.

The only claimed wrongdoing by Mayor Guajardo allegedly was in putting the matter on the City Council agenda for consideration on April 23, 2024, even though she was aware of the alteration of the FEMA webpage. That claim fails for two reasons. First, Mayor Guajardo did not direct that the item be placed on the agenda for consideration on second reading on April 23, 2024. According to the deposition of Peter Zanoni, other city council members also were requesting that the item be placed on the agenda for April 23, 2024, and in fact the evidence will confirm that several city council members at that time were talking to the city manager about putting the matter back on the agenda for a public discussion and vote.

Secondly, it cannot be wrongful to put an item on an agenda for public consideration and debate. In fact, it is fundamental to open government that issues of public concern be brought up as a duly-posted agenda item in a public meeting and debated. Each City Council member then can cast a vote on the matter that is a public record. In this case, the first reading was approved by a vote of 7-1-1 and the second reading was approved by a vote of 5-3-1. Michael Hunter was the only City Council member consistently to vote nay.

Further, in the 2024 Mayor’s race, Phillip Ramirez was a contributor to the Michael Hunter campaign and not the Paulette Guajardo campaign. In no event, though, does receiving campaign contributions from a party in an election render any subsequent vote by a public official wrongful or any ethical violation. Texas laws strictly limit the use of campaign donations to political advertising and prohibit any personal use or benefit. Just because a person appearing before the City Council has made campaign contributions to one or more City Council members does not mean that none of them can vote on the matter before them.

No basis in law or in fact supports the removal of Mayor Guajardo due to the allegations in the Petition for Removal. They have been thoroughly investigated by numerous law enforcement agencies³ and outside attorneys retained by the City for an independent review. Regardless of whether or not the actions by Phillip Ramirez were wrongful or even criminal, the entire issue was discussed at the April 23 City Council meeting. It was clear that the reason for support of the incentive by the Type B Corporation had nothing to do with FEMA flood map changes, and a majority of the City Council approved the incentive on the same basis. Mayor Guajardo cannot be singled out for being one of five votes that supported the incentive on second reading. That would be an action based purely on political reasons which the law does not allow.

Rebuttal of Issues Raised in Articles of Impeachment

Under the City Charter and basic rules of procedure, the articles of impeachment would need to follow and be limited to the issues raised in the Petition for Removal. They would not be permitted to raise additional allegations not initially made in the Petition for Removal. In this case, the Articles of Impeachment raise five new allegations that never were mentioned in the original Petition for Removal. Procedurally, those would have to be treated the same as a new Petition for Removal and start the process over, but they will be addressed now in order clear the issues.

Article One: Fraud; Aiding and Abetting Fraud states:

- There was a “crime” (the word used by City Manager Peter Zanoni, as early as April 2024);
- Mayor Paulette Guajardo was informed of the “crime” or fraud;
- In Texas, the elements of “fraud” are: (1) a person makes a material, false representation (the false narrative and/or false FEMA writing); the (person making the false representation acted knowingly or recklessly (Philip and Mayor acted knowingly or recklessly); (3) the person intended another to act in some way upon the representation (Philip and Mayor intended others to vote for Ordinance 24-0256; and (4) others justifiably relied upon the representation which caused a detriment (Type B members, and City Council members (2/20/24), relied upon Philip’s/Mayor’s representations to the detriment of City (\$2,000,000 of taxpayer money paid based upon false narrative/false writing); and
- The Mayor knowingly, recklessly advocated/promoted the fraud.

Response:

1. The statement by Peter Zanoni has been rebutted by all law enforcement agencies who have investigated this matter and by independent legal experts obtained by the City Council to investigate the matter. Peter Zanoni’s statement of something being a “crime” does not make it so in the face of all other evidence.

³ The Federal Bureau of Investigation, the Texas Rangers division of the Texas Department of Public Safety, Corpus Christi Police Department, and the Office of the Nueces County District Attorney.

2. The uncontroverted evidence is that Mayor Guajardo (along with all other members of the City Council and the City staff in 2024) was informed of the false portrayal of the FEMA website page on 2/27/2024 after first reading approval of the Ordinance on 2/20/2024. Absolutely no evidence exists or is claimed to exist that Mayor Guajardo knew about the discrepancy between the slide presentation and the FEMA website prior to 2/27/2024. As a result, no fraud could have occurred by Mayor Guajardo concerning the action at the meeting on 2/20/2024 or the prior approval by the Type B Board. In fact, Leah Olivarri, the Chairman of the Type B Corporation Board testified at the 4/23/2024 City Council meeting that justifying the incentive by changes in the FEMA flood maps was specifically rejected by the Type B Board. It was a non-starter and the reference to FEMA never should have been presented to the City Council in the first place. The incentive was recommended to support a transformational project for that part of Downtown.
3. The sole party who could have committed fraud prior to the Type B Board initial approval and the City Council action on 2/20/2024 would be Phillip Ramirez, and he was not charged by law enforcement. All of the deposition testimony by all parties in the lawsuit confirm that no other person at City Hall was aware of the discrepancy until after the City Council approval on 2/20/2024.
4. The allegation that the characterization by Peter Zanoni that the conduct of Phillip Ramirez was a “crime” was “as early as April 2024” could in no way be evidence that Mayor Guajardo knew of the misrepresentation on 2/20/2024.
5. Mayor Guajardo cannot have committed any fraud since she had no knowledge of the falsity of the representation of the FEMA information on 2/20/2024 and the approval on 4/23/2024 was for completely different reasons. No person can be responsible for “aiding and abetting fraud” based on knowledge obtained after the misrepresentation occurred. Further, Mayor Guajardo’s support of the incentive on second reading was no different from the support expressed by four other City Council members who voted to approve it as well.

Article Two: Perjury is “Misconduct” states:

- There was a “crime” (the word used by City Manager Peter Zanoni, as early as April 2024);
- Mayor, despite having been told of the “crime”/fraud by Peter Zanoni, Ajit David (twice in-person, and twice in writing), Miles Risley, and undoubtedly by Philip Ramirez and Deven Bhaka (sic), perjured herself by denying knowledge of the fraud/wrongful conduct – thereby impugning her own integrity and the integrity of the office of Mayor.

Response:

1. This allegation is most similar to the allegations in the original Petition for Removal but adds that somehow Mayor Guajardo committed perjury in her testimony in a deposition more than a year after the events. She did not. Mayor Guajardo acknowledged that she was aware of issues related to the screen shot of the FEMA webpage after the first reading of the Ordinance on 2/20/2024. That was the reason for the delay in consideration for eight

weeks. What she denied in her deposition was being informed specifically that any federal crime occurred.

2. All law enforcement officials that have examined the facts in this case have concluded that there is insufficient evidence to determine that any crime was committed. The City Manager's characterization of something as a "crime" in a deposition more than a year after the fact does not make it so.
3. The clear sequence of events in the approval of the incentive are as follows:

12/11/2023 Type B Corporation Board unanimously approved an incentive application for \$2 million. In discussion, the justification based on FEMA flood map changes was a "non-starter" and not an acceptable reason as it would open Type B funding to fix flood issues all over City. The reason was based on it being a transformative project for Downtown.

1/22/2024 The Type B Corporation Board unanimously approved an incentive agreement for \$2 million in funding. Nothing in the agreement said anything about FEMA flood maps.

2/20/2024 City Council considered the approval of the incentive agreement and funding of \$2 million in the first reading of an Ordinance required under state law and the City Charter. Nothing in the body of the Ordinance (including Whereas clauses) or in the agreement references FEMA funding. The same slide deck was presented to the City Council, and the caption at the top of the Ordinance mentioned FEMA flood maps. The City Council approved the Ordinance on 7-1-1 vote with Michael Hunter voting nay and Sylvia Campos abstaining.

2/27/2024 Second reading of Ordinance is withdrawn due to comments made by Ajit David noting the alteration of the FEMA website page by covering the larger date when the FEMA flood maps had become available.

During the ensuing 8 weeks, much discussion is had by various City staff with Mr. David and others about the slide with the alteration. Ajit David claims that the incentive is being obtained by fraud, that a forgery of a "federal document" has occurred and the incentive should be rejected.

4/23/2024 City Council considered Ordinance on second reading. The caption was changed to delete the reference to the FEMA flood maps, but otherwise the entire text of the Ordinance and the Incentive Agreement were unchanged.

Type B Corporation Board Chair Leah Olivarri testified that the FEMA flood map justification was a "non-starter" and rejected by the Type B Corporation Board as a reason for awarding the \$2 million incentive. The project was

recommended because of its transformative nature for that part of Downtown that had been vacant for many years.

Mike Culbertson of the CCREDC testified that the slide with the FEMA information should not have been included in the first City Council presentation because that was not the basis for the Type B Corporation's approval. The original slide presentation at the 2/20/2024 meeting and the caption for the original Ordinance was inaccurate for including reference to the FEMA flood maps since that was rejected as the basis for the Type B Board's recommendation.

4. Absolutely no evidence of perjury exists in that nothing confirms that anyone at the City knew about the discrepancy between the FEMA document and the presentation being made on 2/20/2024. When the matter was brought up for second reading and approval on April 23, 2024, the justification was on completely independent grounds without regard to FEMA flood map issues.

Article Three: Breach of Confidentiality is "Malfeasance" states:

- CCREDC held a confidential meeting to discuss Elevate QOF LLC project's request for an incentive award to 'pay for unanticipated costs arising from recent FEMA Flood Map changes' (the false narrative); yet
- Mayor breached confidentiality by: (1) revealing details of CCREDC's internal processes by texting Elevate QOF LLC (Deven) while the CCREDC meeting was in-progress; and (2) further disclosing details of CCREDC's internal processes by phone call(s) with Elevate QOF LLC (Deven) immediately after the CCREDC confidential meeting.

Response:

1. This accusation is entirely based on speculation in the absence of any facts. Texting a party with an action pending before a private corporation such as the CCREDC to state that the person is looking out for their interests at the meeting or requesting additional information is not a breach of any confidential information.
2. The existence of a phone call after the meeting to state that the item was recommended is not evidence of any breach of confidential information.
3. All actions relating to CCREDC meetings are not actions relating to the City of Corpus Christi. Nothing indicates any breach of confidentiality contrary to the Bylaws and rules of the CCREDC, but such would be a matter for the CCREDC to handle.

Article Four: Deletion of Public Information is "Misconduct" states:

- Mayor instructed City employees to delete Agenda Memo, original Ordinance No 24-0256 (version 1), FEMA Flood Maps, Exhibit A and the original "altered, fraudulent

Presentation” from Legistar for the 2/20/2024 meeting and update it with the information presented for the second reading on 4/23/2024.

Response:

1. Mayor Guajardo did not instruct any employees to delete any information from Legistar, and absolutely no evidence exists that any such instruction took place. It simply is not true, and nothing in the claim provides any evidence that it is true. Mayor Guajardo has no authority over what is retained in Legistar or how it is managed. That solely is a City staff function based on how the Legistar system works.
2. The Legistar system utilizes a database of documents uploaded by City staff which are then referenced by links for the file including the documents to each agenda item. When City staff uploaded a new Agenda Memo, presentation materials and Ordinance for the meeting on April 23, 2024, those documents took the place of the original documents in the file on the database. Whenever City staff corrects errors in a document or provides new information, the new documents automatically replace the prior documents. That simply is the way the Legistar database system works. When the referenced documents are changed for one agenda item, they automatically are updated for the prior reading since both readings are linked to the same file in the database.
3. In fact, based on the City Council’s recent instruction to include the original documents from February 20, 2024, if a person looks at Legistar today, the links for both the February 20, 2024 Agenda and the April 23, 2024 Agenda go to the same file which includes both versions of the Agenda Memo, the Ordinance and the presentation materials for each date. Both Agenda items link to the same 10 documents.⁴
4. None of the claimed actions changed or destroyed any permanent City records. The City retained throughout this process the initial submission of the slide deck presentation, the original Agenda Memo and the version of the Ordinance approved on first reading.
5. When information is updated or corrected for second reading, it actually is helpful that the Legistar record is corrected for the first reading in order to avoid confusion. Since over 99% of Ordinances are approved at second reading in the same form as originally submitted, many people reviewing the Legistar record of a first reading assume that the second reading approval was the same. In any event, the changes to the Legistar documents were made simply because that is the way the database is designed to function and not based on any instruction by Mayor Guajardo.

Conclusion

Neither the original Petition for Removal nor the Articles of Impeachment set out any real facts that would warrant a hearing concerning Mayor Paulette Guajardo. A City Council member cannot be removed from office or suspended for voting with four other City Council members to approve a particular action. A Mayor cannot be removed from office or suspended for assuring

⁴ A screenshot of updated Legistar link for Agenda items on 2/20/2024 and 4/23/2024 is attached.

transparency in decision-making by having an issue discussed at a duly-called public meeting, debated and voted up or down. That is the job of the City Council.

Something is not a “crime” because an attorney in a deposition can get a city manager to agree to a characterization after the fact, even though several law enforcement agencies have concluded that insufficient evidence exists to establish any criminal conduct. And it’s not perjury to disagree with a lawyer’s characterization of something in a deposition. In any event, this City Council may not proceed with any type of hearing under Section 11 in the City Charter.

When each of you took office, you swore that you would, “to the best of [your] ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help [you] God.” If you attempt to convene a removal hearing of Mayor Guajardo under Section 11 in the City Charter, or suspend her without hearing, it will be a knowing violation of your oath, the requirements established by the Texas Supreme Court, and Paulette Guajardo’s Constitutional rights.

Attachments:

Bradley v. State ex rel. White, 990 S.W.2d 245 (Tex. 1999).
Legistar screenshot of link items for 2/20/2024 Agenda item and 4/23/2024 Agenda item.