

March 30, 2023

TML Legal Department
Mr. Ted Cleaves
Legal Counsel
Texas Municipal League
1821 Rutherford Lane, Suite 400
Austin, Texas 78754

RE: Kemah Texas Government

Dear Mr. Cleaves:

I formerly served as Mayor of Kemah from 2015 through 2019. I was re-elected Mayor in May 2021. The race for Mayor was brutal and the five members of Kemah City Council supported other candidates. I notified your office September 13, 2021 of the problems that I was having with the Council members. (See attached #1)

In April of 2021 before the election, the City Council passed an ordinance #1186 which removed the statutory duties of the Mayor and assigned those duties to themselves and the Mayor. Then they pass motions to run the City by themselves and exclude the Mayor. (See attached #2) Kemah is a Type "A" general law strong mayor form of government. The City Council would not let me sign checks for the City, they give the City Council agenda's to a private citizen before publicly posting and they post the City Council agenda's before I have read and approved the agenda's for public posting. Council among other actions have refused to let me meet with city staff, developers and citizen's. Council has refused to let me hold strategic planning meetings with the citizen's, or generally conduct the business of Mayor unless it is recorded. They also bragged about their efforts on social media. (See attached #3)

I received an email on September 16, 2023 from you responding to my letter for assistance. At that time, you advised me that TML did not get involved in intra-council or staff-council disputes. You advised that the City Attorney is the legal advisor to the City. (See attached #4)

I also met with the FBI about the current situation at Kemah City Hall that fall. To date, they have not helped either.

I am writing today to just inform you on the fact that Kemah's City Government is a mess and I firmly believe we need state intervention. Our Type "A" general law strong mayor form of government is, in actuality a City Council/City Attorney form of government. The citizens did not vote for a change and there is no form of government in Texas like this that I am aware of.

The City Attorney Dick Gregg III is no help to me as Mayor. In fact, he advises them on how

to hurt me. He stated to me that he worked for City Council and the citizen's, not me. I have been forced to pay for an outside attorney out of my own pocket to protect myself. They have recently replaced Dick Gregg III as City Attorney. My Attorney, Marc Schneider of Waldron & Schneider has sent a letter to our City Attorney describing the problems at Kemah City Hall for me not being able to do the job the citizen's elected me to do. (See attached #5)

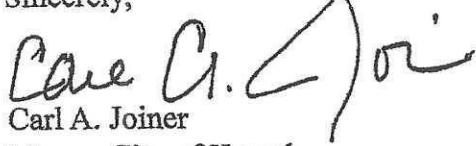
Council has publicly accused me of criminal activity with the City Hall addition and renovation in 2017 and hired outside legal firm, Lewis & Brisbois to investigate me and the contractor. To date, public records indicate Council has paid attorney's fees using City money of over \$71,000.00 on baseless accusations. Mr. Bill Helfand has represented the City to investigate these allegations that were orchestrated by City Councilman Doug Meisinger. Councilman Meisinger made a motion to make himself the liaison with Lewis & Brisbois in June 2021, right after I was elected. It should be noted that Councilman Doug Meisinger orchestrated City Council to fire Lewis & Brisbois before they had finished their reports. Council continues to publicly accuse me of crimes related to those projects and then refuse to release it to the public. The City of Kemah has spent thousands of public funds investigating this political stunt and the citizen's are not allowed to see the results of their investigation. I have had to file a lawsuit demanding that the Lewis & Brisbois reports be made public. (See attached #6)

The City of Kemah is in several other lawsuits because of their actions. Mr. Helfand came to a recent executive session to lecture City Council on how their actions were putting the City at financial risk and legal risk by their actions. He stated how the TML risk pool would not be involved in several of the lawsuits. Mr. Helfand can verify everything that I am telling you.

Their most recent action was to make a motion January 18, 2023 that I am not allowed to speak until after the Mayoral election in June. (See attached #7) They then took off Mayor comments from all of our City agenda's. They always refuse to discuss any agenda item that I have placed on the agenda. They also have recently deleted my code to get in to City Hall! Councilman Meisinger has secret meetings with the City Administrator and Chief of Police at his place of business. (See Attached #8) Council routinely violates the Open Meetings Act.

I recently decided not to seek re-election. This situation is hostile, toxic and hateful. I have 1 month remaining as Mayor and I am determined to expose what is going on at City Hall. The citizen's of Kemah deserve better. I would like for you to advise me on where I go next. Do I report this to the Attorney General?

Sincerely,


Carl A. Joiner

Mayor, City of Kemah