

# HEWITT TEXAS

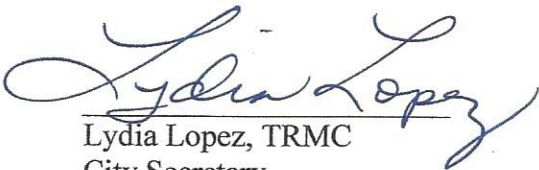
## NOTICE OF MEETING OF THE GOVERNING BODY

Notice is hereby given that a **Special Called** meeting of the governing body of the City of Hewitt will be held on the **14th day of January, 2019, at 7:00 PM in Hewitt City Hall, Council Chambers, 200 Patriot Court**, Hewitt, Texas, at which time the following subjects will be discussed and upon which action may be taken:

1. Call meeting to order
2. Presentation by City Attorney of Report on Employee Complaints, City Organizational Structure, History of How Structure Came About, City Management, Policy Violations, and Results of Investigation of the Foregoing and Related Matters, as well as recommendations.
3. Citizen Comments
4. Adjourn

I, the undersigned authority, do hereby certify that the above notice of meeting of the governing body of the City of Hewitt, Texas was posted on the Public Notice Board located in front of City Hall at 5:00 AM/PM on January 11, 2018.

CITY OF HEWITT

  
Lydia Lopez, TRMC  
City Secretary

# REPORT REGARDING PERSONNEL AND ORGANIZATIONAL MATTERS

The following is an attempt to bring forward to the Council a review of the “Employee Complaints” filed with the City; the process and history leading to those complaints being filed; the legal analysis of such complaints; organizational concerns; and other matters that have seemed to cause turmoil in Hewitt for some time now. This Report covers much more information than what Gannaway was retained to investigate.

Exhibits referred to in this Report are attached as part of Appendix 1; and

Complaint analysis and Complaints are attached hereto as part of Appendix 2.

The need for “transparency” is understood. However, there are time-tested rules and practices generally followed by governments to avoid airing internal matters until some determination has been reached to protect the innocent and to avoid interference in internal investigations. Unfortunately, a former City employee knowing that the City would not comment, used that to carry-out a misinformation campaign in the media. This has caused significant damage to the City’s reputation. In retrospect, doing the right thing was harmful to the City; and the City should have addressed the misinformation so that citizens were not misled. This Report addresses and tries to correct the misinformation spread by the former employee.

However, this report will also address recommendations to the Council. In situations that have become this much of an issue—there is generally enough blame to go around.



Initial Statement. If anything is absorbed from this Report, it should be the following:

1. Prior to May 2018 there had been no complaints against the Mayor or Councilmembers;
2. When the former City Manager learned that his live-in girlfriend's job was mentioned as a possible budget casualty, he solicited, helped create and gathered complaints supposedly alleging gender discrimination; all using City time, resources and employees;
3. The dates of the incidents, the dates the complaints were signed and filed, and the fact that the complaints were filed in clusters mostly in May 2018 show these complaints did not naturally arise;
4. The City Manager did not have the complaints reviewed for substance or whether a violation was stated by any complaint or otherwise have them vetted; rather, the City Manager put out press releases announcing multiple discrimination complaints had been filed against the Mayor and later a councilmember.
5. However, there was a problem. Specifically, the complaints lacked substance and would be picked apart by the press and public. [The Mayor did not say thank you; the Mayor must have meant a comment to be towards me despite talking to a whole room of people, the Mayor said the streets are in bad shape, the Councilman's wife made a Public Information Request I think is for my personnel files, he "forced" me to shake his hand, OR I would not shake his hand and he shrugged his shoulders and that embarrassed me].
6. These complaints did not state any kind of discrimination or hostile work environment claim—but that clearly was not the goal.
7. Research was conducted to argue the complaints were confidential before the Press Release.
8. Requestors were told the complaints were confidential and could not be released.
9. It was announced to the world that multiple discrimination complaints were received without having to disclose the "complaints."
10. The public's imagination ran wild and the individuals who questioned Allgood's position and salary had their reputations tarnished regardless of the veracity of the complaints or whether there was support for any claim of discrimination.

IT WORKED. As expected, the City of Hewitt did not do press releases or comment on pending personnel matters.

A. Background Leading to Complaints.

1. Allgood's Rise in Power and Compensation.

a) Adam Miles (former City Manager, "Miles"), as City Manager in a City Manager-Council city had significant authority, including to create positions and hire/fire employees without approval of the City Council. With that authority, he promoted an employee (Katie Allgood) who had only worked full-time for the City of Hewitt for about 9 months to the purported position of second in command of the City—a position specially created for her.<sup>1</sup> With that authority, he also increased Allgood's compensation by 78% since her start date.

b) February 2015 Katie Allgood, a Baylor student, was hired by the City as a part-time intern.

c) When Allgood graduated from Baylor in May 2015, Miles already had a position waiting for her. She was made "Special Projects Coordinator." This job did not previously exist and was created for Allgood. **See May 2015 email, Exhibit 1.** In an email Allgood wrote to a past co-worker:

"I'm not sure if you know, but I just started working for the City of Hewitt last week (officially) as Special Projects Coordinator. **My position is a little difficult to explain because I actually interned here and then wrote my own job description.** I work **directly for the City Manager** and he is allowing me to do a lot of different things so I can get a feel for how city administration operates."

**See Exhibit 1** (emphasis added). The starting salary was \$44,512.

d) Just 5-6 months later, Allgood became the H.R. Director despite having no experience or credentials in H.R. Again, she was involved in the drafting of the job description. **See Exhibit 2 October 26, 2015 email string.** A strong application was received and was sent by Miles to Allgood. **See Exhibit 3 October 26, 2015 email.** However, by November 30, 2015, Allgood was put over Human Resources. Her salary climbed to \$57,345.<sup>2</sup>

e) Just two-plus months later in February 2016, Allgood was given the title of "Managing Director of Administration"—another position that had not previously existed. **See Exhibit 4, February e-mails.** (Because this "promotion" was during the fiscal year, a salary increase could not occur until October 1, 2016). The position was "created" for Allgood. No one else had an opportunity at the position. Allgood referred to the position as being *like an Assistant City Manager*. **See Exhibit 5** (9/2016 email to bank). And she was involved in the creation of the job description. [In one of the e-mails, [2-22-2016] Allgood informs a vendor that "My title should now be Managing Director of

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<sup>1</sup> Although the actual salary for the position could not be set before October 1, 2016.

<sup>2</sup> The City would later lose an extremely qualified and certified H.R. person in 2018 who everyone reasonably believed was hired as the H.R. Director/Civil Service Director. However, technically she was not the Director even though she had the experience, qualifications and certifications and was doing the work. Rather, Allgood still held the title of H.R. Director. That employee later left, seeing no opportunity for promotion. To date even though being over H.R. Allgood has not obtained available certifications.

Administration.” The re line reads “**Yet another title...**”. She also had business cards made with the title.]

f) October 2016. Allgood’s salary for her new position of “Managing Director of Administration” is \$75,504. **Exhibit 6**.

g) Current salary. \$79,310. **Exhibit 6**. (Although Allgood requested \$84,183.84).

h) The increase in Allgood’s compensation from May 2015 to October 2016 was **69.6%**.

i) The increase in Allgood’s compensation from May 2015 to October 2018 was **78%**.

j) Two positions were created specifically for Allgood, which were her first and current positions. The H.R. Director position existed in the City; however, Allgood did not have the experience and certifications required for most H.R. Director positions in comparable positions around the State.

k) Allgood was allowed to create or participate in the creation of all the job descriptions for her positions.

l) The trajectory of positions and compensation Allgood enjoyed is pretty much unheard of in municipal government and has never been seen in Hewitt city government. **Exhibit 7, Statement of Jim Devlin**.

2. **Controlling the Storyline**. Miles availed himself of the press against his own employer. He did so secure in the knowledge that the City’s officials and employees would be advised not to comment on such matters by its attorneys and even himself. There are a very large number of e-mails from Miles to the Press. Based on a review of those emails, it could be viewed he was actively attempting the undermine the Council (his employer), in the media using city systems and time.

When news of his relationship with Allgood came out in late 2017, Miles, as he had done with employees, told the press that he had disclosed the relationship to the Council “essentially” from the start and that the Council was “ok” with it. **However**, Miles **never** met with this City Council and informed them of the relationship. Indeed, one of his top department heads advised Miles repeatedly to come clean to the Council with no success. **Exhibit 7, Statement of Jim Devlin**. However, because Miles had been allowed to control the storyline, the public/media sentiment was that the Council could not do anything about the relationship after (allegedly) knowingly about it for so long.

The councilmembers are at City Hall sparingly, and employees had it drilled into their heads never to talk to council members, due to Council-Manager form of government. Therefore, this Council learned about the relationship through a November 2017 anonymous letter. Miles did not deny the relationship but indicated the letter was likely from someone he had to fire.

It was represented that this personal relationship with a direct subordinate did not violate the City’s personnel policies. This was misinformation.

The relationship *did* violate the City's Personnel Policies—including, but not limited to, Section 5.1 Ethics; 5.18 Misconduct; and 5.14 Dishonesty. In addition, the same concerns addressed in Section 5.7 Conflict of Interest existed in this relationship. It also violated the City Manager's Code of Ethics. It was contrary to all rules of common sense and created a nightmare for the management of the City. For example, there are many employees working on degrees, or who presumably would like to better their education, but they must do so during other than City business hours because of the need for them to be present during work hours. Yet they observed Allgood taking hours off during the work day to work on her master's degree at Baylor. Allowing Allgood to attend school during City business hours may be perfectly legal and justifiable, but employees who perceived this was unfair needed an outlet to find out why they were treated differently. They could not complain to the City Manager, because he was Allgood's boyfriend. They couldn't complain to the Managing Director of Administration because that was Allgood. They couldn't complain to Human Resources because that was Allgood. And complaining to the Council would get them fired, because that violated the Council-Manager form of government.

B. **Status Quo.** Prior to May 2018 *no complaints* had been filed against the Mayor or any council member.

C. **Numerous Complaints Are Filed**

1. **Questioning Allgood's Position.**

- A Council budget meeting was held on May 7, 2018.
- Thereafter via e-mails and the Mayor's face-to-face meeting with Miles, concern was expressed that several positions did not seem to have a functional value in line with the salaries.
- One of the positions brought up was Allgood's position (which, again, was a position created for her).
- This put Miles in conflict with his bosses, because it appears from the information amassed that he was torn between his duties as City Manager (and to communicate confidentially with his bosses) and his personal relationship with Allgood.
- Members of the Council inquired about Allgood's position for budgeting purposes, and Miles appeared to take it personally.

2. **Stir Up the Discontent.**

- Though Council members believed these to be confidential discussions, Miles immediately informed everyone whose positions had been inquired about by Councilmembers of the conversations. **Exhibit 8, E-mails.**
- An impromptu Department Head meeting was called the day before most of the complaints were filed. **Exhibit 9 e-mail.**
- Obviously there was a plan because on May 16, 2018 Allgood emailed her professor that the City would be in the news soon, and a press release went out on May 17, 2018. **Exhibit 10 e-mail.**
- An equal number of positions held by males were discussed with Miles by Council members.



3. **Cluster of Complaints.**

In mid-May 2018, a cluster of complaints were filed. Most were filed on May 14, 15, and 30. Miles even solicited a complaint from outside the City. **Exhibit 11, e-mails of May 14-15, 2015.**

4. **Miles's Again Controls the Storyline.**

- Many of these complaints can be viewed as generalized statements of “discrimination” without substance and do not show a pattern of mistreatment based on gender towards female employees. Complaints like the Mayor did not say “thank you” for a cup of coffee; Kurt Krakowian’s wife making a public information request for employment records for a specific time-period viewed as “retaliation” against Allgood; being one person in a whole room of people to which a comment was made and concluding it was aimed at the complainant; being asked about when one intended to return to work after having a baby **over a year** before the complaint; “forcing” a handshake, etc.
- Allgood did some research on how to try to argue that the complaints were confidential and sent it to Miles. Exhibit 12 Email. That email was dated May 15, 2018. Thereafter, Miles sent out mass press releases about the complaints filed, *but at the same time was telling media requestors that the complaints were confidential and could not be shown to the press.* The Council did not authorize the issuance of a press release. The press releases were also sent to the local Chamber of Commerce and department heads. **See Exhibit 13.** Two redacted, generalized complaints were included containing just a list of alleged violations of “harassment,” “discrimination,” and “bullying”—with no facts. ***Id.***

The goal of smearing the Council was accomplished in order to protect Allgood’s job. Again, a “press release” citing personnel issues *should not have been issued.* Rather, the appropriate course would have been to review and investigate the complaints; and then proceed with any necessary action. However, it appears that dragging the councilmembers through the mud to protect Allgood’s job, while also causing as much community strife as possible, was the goal.

5. **Credibility.**

When reviewing a complaint, the credibility of a complainant is important.

In an attempt to protect the City from a sexual harassment claim should the relationship between Miles and Allgood sour, Allgood executed an affidavit averring the relationship was consensual. The result was the Affidavit Allgood signed February 1, 2018, which was submitted to the Mayor for the Council. **Exhibit 14.** The Affidavit was reviewed by the Mayor and another councilperson and based thereon and on the City Attorney’s opinion, the Council was satisfied. However, the “approximately April 2016” date given in the Affidavit as the start date of the relationship **does not hold up to examination.**

In speaking to employees and others, the information points to the Miles-Allgood relationship being on-going before the move to the new City Hall in April 2016. Employee statements were recently obtained that would indicate the relationship was going on while the employees were still working at

the old City Hall on Tampico, where Miles' office was also located. At that time Allgood was officed in the new Police Station on Patriot Court. These statements indicate that at the latest, the relationship was going on in the Fall of 2015, possibly as far back as September 2015 or even earlier. It is not possible to make September, October, November and/or even December 2015 comport with the "approximately April 2016" statement in Allgood's Affidavit.

According to the employee statements, Allgood would drive to the old City Hall on Tampico, on Fridays at around 4:30 pm, park her truck, and enter Miles's office from the back. A short time later Allgood and Miles would leave together in Miles's vehicle and leave Allgood's truck parked at the old City Hall where it would stay all weekend. Miles would be observed dropping Allgood off at her truck on Monday mornings or Sunday afternoons.

In addition, Allgood and Miles seemed to spend more time together than would be normal for co-workers, including frequent lunches, outside meetings, etc. They were also both out of the office during the same periods of time frequently. Allgood and Miles were seen out together well after business hours. All of this was back in the Fall 2015 time period---anywhere from September to November, or maybe even before that time.

The very favorable treatment of Allgood throughout 2015 would also indicate the personal relationship began much earlier than April 2016.

As an interesting side-note, the H.R. Director during most of 2015 had at times indicated suspicion that a relationship existed between Miles and Allgood in conversations with other employees. In September 2015, there was a clear blow-up between Allgood and the H.R. Director, as they each refused to ride to the TML Conference in the same vehicle with the other. Not long thereafter the H.R. Director was fired.

The employees were told that the H.R. Director was separated in October 2015, however, although not at work, she remained on the payroll. On November 9, 2015, a formal termination occurred; however, at Miles's direction, the former H.R. Director continued to be paid. Then, on December 4, 2015, Miles asked Finance to cut a \$5,000 check to the former H.R. Director for a settlement.

Finance was told that this was a settlement payment to get her out without her filing any claims. When Miles presented back-up for the \$5,000 check, he only presented one page of an 8-page settlement agreement—which was a resignation signed by the former H.R. Director. Thereafter, it was made clear that employees were not to talk to the former H.R. Director. And this becomes more concerning when paired with Miles's statement to the employees at the front that the former H.R. Director had tried to "blackmail" him. This settlement did not go through the City Council.

6. **Complaints.** See Appendix 2. IMPORTANT NOTE, MOST OF THESE COMPLAINTS ARISE FROM FORMAL MEETINGS WHERE MANY OTHER PERSONS WERE PRESENT.

7. **Reporting Required.** "The City requires immediate reporting of all perceived incidents of discrimination, harassment, and retaliation." See Hewitt Policies and Procedures, Section 8.6 (B)(3). However, many of the "incidents" reported occurred months or even up to a year prior. Thus, the Complainants must not have believed that they had been subjected to "harassment" at that time.

Both Allgood and Muske indicated they filed the complaints because their jobs were in danger. If an employee is being harassed or subjected to hostility, they would be expected to file a complaint whether or not his/her job was in budgetary danger.

#### **8. Untenable Situation Develops.**

City Council members are volunteers. Indeed, it costs them to serve. Miles got along well with the Council until they questioned his live-in girlfriend's position both functionally and financially. Then, he took actions that were against the Council and City's interests:

- Miles refused to hold work sessions because he stated did not want to be around the Council any more than he had to be;
- Miles cancelled a meeting without informing the Mayor;
- Miles went around the workplace calling the Mayor and others, crooks, pieces of shit; and other derogatory terms---and he would do this also at other places;
- Miles remarked about how horrible and dishonorable the Councilmembers were ---he would even do this at meetings outside the workplace---like Rotary;
- Department Head meetings became significantly devoted to Miles talking disrespectfully about the Council and giving updates on where he and Allgood's "fight" with the Council stood, making those meetings inefficient and uncomfortable;
- Miles told employees that he hoped the City would fire him, and then he'd end up owning the City;
- Miles told employees that Allgood was going to make so much off her claims against the City that she would never have to work again;
- Several Department Heads began to dread attending Department Head meetings or talking to Miles in general because Miles would attack the Council; and
- Despite what they want to believe---Miles does not have broad support among employees and Allgood has almost none.

**Even *if* the councilmembers were bad persons---no employee can constantly criticize and vilify his boss and expect to keep his job.**

#### **9. Gannaway Recordings.**

a) In General. First and foremost, Gannaway did not have access to the information that Dixon has had. She was retained to investigate the Allgood and Muske complaints only. Therefore, she really did not have the whole picture.

Second, the complaints were not of "sexual harassment;" rather, they identified perceived incidents of mistreatment from the Mayor and (now former) Councilmember Krakowian because they were women.

Third, the complaints as presented to Gannaway were not made against the City; rather they identified perceived incidents of mistreatment by Mayor Passalugo and (now former) Councilmember Krakowian and were initially in the nature of a "tort" as opposed to a violation of Title VII/Chapter

21 of the Texas Labor Code. Notably, these incidents all occurred in a public setting – either at a City function or publicly noticed Council meeting/work session.

Fourth, the Gannaway recordings were helpful in nailing people down to a story to assist the City in defending itself if/when the two complainants filed a lawsuit.

b) Specific.

Mayor – Harassment/Discrimination

Muske v. Mayor: She felt he lacked respect for women in general and cited several incidents which supported her belief. Two of the individuals supporting every one of her beliefs and observations were Miles and Allgood.

Allgood v. Mayor:

She felt he “almost exclusively demeaned me in public session.” She stated that one-on-one, he was more normal/decent. (Note, the Mayor denied ever talking to her one-on-one). She reported he made remarks about her looking young in public meetings and was demeaning in his tone and how he talked to her. Two of the individuals supporting her beliefs and observations of mistreatment were Miles and Muske. She asserted that it was defamation as to how she is being represented in private conversations and what they are saying in public. She asserted he took pictures of her at a wastewater tour in an effort to intimidate her. Mayor Passalugo showed Gannaway the pictures. Although Allgood was in some of the pictures, it was not obvious that the Mayor was including her in the pictures. The Mayor denied taking pictures of her intentionally or in an effort to target her. Miles supported Allgood’s belief. The others present at the wastewater tour did not notice anything about the picture-taking.

Other individuals’ perceptions regarding the interactions between the Mayor and the two women were fairly evenly split. Some reported being offended when observing the Mayor’s “demeaning, belittling, disrespectful treatment” of Muske, Allgood and other females, and others reported that they thought he was “more curt” and “dismissive” of those two females, when compared to other employees making presentations before Council. However, many other observers, both male and female, said “That is the way Ed is. He treats everyone that way.”

Further, much of this was based on a general level of the Mayor’s attitude because only some employees had knowledge of any of the “complaints,” although each witness was asked about each discrete incident.

Based on the interviews of everyone present, it appeared that the “burger flipper” comment was made to an audience of City employees and it was not aimed at the two females who later complained. All City employees felt that the Mayor’s remark disrespected them and the job they do for the City.

Krakowian:

Muske v. Krakowian: - She felt that his actions in the Council meeting where he was upset were retaliatory. She then looked back and identified incidents (which were set out in the written complaints). Allgood and Miles supported her beliefs as to each complaint. She believed that his

budgetary inquiries to Miles regarding her position implicated her future. She received that information from Miles.

Allgood v. Krakowian – She felt that his actions in the Council meeting where he was upset were retaliatory. She believed that his budgetary inquiries to Miles regarding her position implicated her future. She received that information from Miles. Also, Krakowian’s social media activity referred to her complaints as “fishy” and “shenanigans.”

All witnesses agreed that Krakowian’s emotional outburst in the Council meeting was not acceptable. Further, Krakowian published an op-ed piece in the newspaper trying to explain himself. This was further evidence (to complainants) of retaliation against them.

Allgood - Retaliation allegation against Mayor:

In a June workshop meeting, it was alleged the Mayor “forced” a handshake on an unwilling Allgood. When she refused, he made a face/gestures to those in attendance. Some witnesses to this interaction confirmed that the Mayor did that.

In a June council meeting, the Mayor made a remark about saving a child’s life and that “you can’t put a value on a child’s life, especially considering the other things we’ve talked about.” Several observers considered that a snide remark geared towards the two women, including Miles and Allgood. Others did not make that connection, or even note the remark. The statement is recorded.

c. Conclusions by Gannaway

Gannaway concluded that there was some evidence that these discreet incidents as reported by Muske and Allgood occurred. The issue of whether those actions violated employment laws would be a matter for Allgood and Muske’s counsel to prove, if/when they sued the City.

**10. Contrary Experiences.** Also, of importance is the fact that other females who interact with the Mayor and Councilmembers have not experienced harassment, hostility; or gender discrimination. See **Exhibit 15; Exhibit 16; Exhibit 17; Exhibit 6; and Exhibit 18.**



### Thoughts and Recommendations

Even though the “complaints” appear to have been intended to create unrest and save Allgood’s job, certain lessons can be learned:

1. Interpersonal communication skills are very important. A communication style that is gruff or impatient can be perceived differently depending on the listener’s sensibilities. However, it is almost never the most effective style of communication. Training in this area for the Council is imperative.
2. Specific Rules of Conduct for members of the Council during council meetings should be adopted, along with specific procedures to handle when a councilperson crosses the line. Obviously, it is unusual for there to be a blow up like the one on May 21, 2018; however, in these days and times, the need for a policy is evident.
3. Despite what the Council was being told, when the Council learned of the relationship, the City Manager should have been given an ultimatum that only one could continue employment with the City.
4. More detailed employment policies need to be developed.
5. Allgood’s “title cluster” must be addressed. Under the Incompatibility Doctrine, one cannot hold a position and at the same time hold additional positions that are supervised by the original position. Again, more common sense.

Respectfully submitted,

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# APPENDIX 1

# EXHIBIT 1

**From:** [Katie Allgood](#)  
**To:** [REDACTED]  
**Subject:** Training  
**Date:** Friday, May 29, 2015 2:22:59 PM

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Hey Sarah! I hope everything is going well for y'all. I noticed that Leah went back to school, and y'all have a ton of new people. Also, I talked to Denise a few months ago, and she was telling me how much Mission Services has grown (which is awesome and congrats!).

I'm not sure if you know, but I just started working for the City of Hewitt last week (officially) as Special Projects Coordinator. My position is a little difficult to explain because I actually interned here and then wrote my own job description. I work directly for the City Manager and he is allowing me to do a lot of different things so I can get a feel for how city administration operates. One new thing we are trying to implement is some sort of safety training for our employees (which we have not had up to this point). I remember all too well the monthly Goodwill safety meetings, lol, and I was curious if you had access to any of the curriculum that is used for them to give us a starting point for our own. Obviously, ours would have to be tailored to a city environment (street crews and utility workers vs. retail and production), but I thought it might be helpful to see how y'all's is structured. Any information or assistance you can provide would be amazing! :)

Also, because we are government, our background check process for hiring is fairly restrictive, but if and when we have job openings I will definitely send them your way in case y'all have someone that will fit the criteria! Thanks again, and I hope to see you soon!

**Katie Allgood**  
Special Projects Coordinator  
City of Hewitt  
100 Patriot Court  
Hewitt, TX 76643  
office: (254) 666-6272 x289  
cell: (254) 447-1014



# EXHIBIT 2

**From:** Adam Miles <adammiles@cityofhewitt.com>  
**Sent:** Monday, October 26, 2015 10:46 AM  
**To:** Katie Allgood  
**Subject:** Re: HR Job Description

Thank you.

On Oct 26, 2015, at 10:38 AM, Katie Allgood <[kallgood@cityofhewitt.com](mailto:kallgood@cityofhewitt.com)> wrote:

Here's the Recreation Specialist Description.

**Katie Allgood**  
**Special Projects Coordinator**  
City of Hewitt  
100 Patriot Court  
Hewitt, TX 76643  
office: (254) 296-5689  
cell: (254) 447-1014

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**From:** Adam Miles <[adammiles@cityofhewitt.com](mailto:adammiles@cityofhewitt.com)>  
**Date:** Monday, October 26, 2015 at 10:33 AM  
**To:** Katie Allgood <[kallgood@cityofhewitt.com](mailto:kallgood@cityofhewitt.com)>  
**Subject:** Re: HR Job Description

Hey, can you find a job description (for any position) that was recently updated? Maybe a fire fighter or even the "specialist" position we interviewed for to help the Amphitheater??

On Oct 26, 2015, at 10:14 AM, Katie Allgood <[kallgood@cityofhewitt.com](mailto:kallgood@cityofhewitt.com)> wrote:

**Katie Allgood**  
**Special Projects Coordinator**  
City of Hewitt  
100 Patriot Court  
Hewitt, TX 76643  
office: (254) 296-5689  
cell: (254) 447-1014  
<HR Manager Description.doc>

<Job Description - Recreation & Service Specialist.doc>

## Human Resources Director / Civil Service Director

The City of Hewitt is seeking a qualified candidate to serve as the Human Resources Director / Civil Service Director. Appointed by, and serving under the direction of the City Manager, the ideal candidate will be accomplished human resources professional with a depth, breadth, and diversity of experience in a public agency setting.

### PRIMARY DUTIES AND RESPONSIBILITIES:

Develops and administers various human resources plans and procedures for all city personnel; assists in the development and implementation of personnel policies and procedures; prepares and maintains employee handbook and policies and procedures manual.

Participates in developing department goals, objectives and systems. Establishes and maintains department records and reports. Participates in administrative staff meetings and City Council meetings.

Implements and annually updates salary, benefits, and compensation program; rewrites job descriptions as necessary; conducts annual salary surveys and analyzes employee benefits package; monitors the performance evaluation program and revises as necessary. Finds staff for Interns to do.

Facilitates recruitment effort for all exempt and nonexempt personnel, temporary employees; conducts new-employee orientations; monitors internship program, employee relations counseling, outplacement counseling and exit interviewing; writes and places advertisements.

Maintains compliance with federal and state regulations concerning employment.

Ensures compliance with applicable Civil Service regulations and serves as the City's Civil Service Director. Prepares minutes, agendas, legal notices and attends Civil Service Commission meetings.

Other duties as assigned by the City Manager

[REDACTED]

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**From:** Adam Miles <adammiles@cityofhewitt.com>  
**Sent:** Monday, October 26, 2015 12:58 PM  
**To:** James Barton; Katie Allgood  
**Subject:** Updated HR CS Director Job Description  
**Attachments:** 2015-10 HR CS Dir Job Description.docx; ATT00001.txt

Ok - what do you think? Adam

# HEWITT TEXAS

## City of Hewitt - Job Description

|                             |                                                                          |                                                     |
|-----------------------------|--------------------------------------------------------------------------|-----------------------------------------------------|
| <b>Department:</b>          | Human Resources                                                          |                                                     |
| <b>Location:</b>            | Human Resources                                                          |                                                     |
| <b>Job Title:</b>           | <b>Human Resources Director / Civil Service Director</b>                 |                                                     |
| <b>Bargaining Unit:</b>     | None                                                                     |                                                     |
| <b>Reports to:</b>          | City Manager                                                             |                                                     |
| <b>Date:</b>                | 10/26/2015                                                               | <b>Safety Sensitive Position:</b> Yes No            |
| <b>Grade/Level:</b><br>G18/ | <b>Type of position:</b><br>Full-time<br>Part-time<br>Seasonal<br>Intern | <b>Hours <u>40</u>/week</b><br>Exempt<br>Non-Exempt |

### Job Summary:

The City of Hewitt is seeking a qualified candidate to serve as the Human Resources Director / Civil Service Director. Appointed by, and serving under the direction of the City Manager, the ideal candidate will be an accomplished human resources professional with a depth, breadth, and diversity of experience in a public agency setting.

### Key Responsibilities:

Develops and administers various human resources plans and procedures for all city personnel; assists in the development and implementation of personnel policies and procedures; prepares and maintains employee handbook and policies and procedures manual.

Participates in developing department goals, objectives and systems. Establishes and maintains department records and reports. Participates in administrative staff meetings and City Council meetings.

Implements and annually updates salary, benefits, and compensation program; rewrites job descriptions as necessary; conducts annual salary surveys and analyzes employee benefits package; monitors the performance evaluation program and revises as necessary.

Facilitates recruitment effort for all exempt and nonexempt personnel, temporary employees; conducts new-employee orientations; monitors internship program, employee relations counseling, outplacement counseling and exit interviewing; writes and places advertisements. May supervise employees as needed.

Maintains compliance with federal and state regulations concerning employment including Family Medical Leave Act and the Fair Labor Standards Act.

Ensures compliance with applicable Civil Service regulations and serves as the City's Civil Service Director. Prepares minutes, agendas, legal notices and attends Civil Service Commission meetings.

Other duties as assigned by the City Manager.

**Minimum Qualifications:**



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**REQUIRED:**

1. Bachelor's Degree in Human Resources, Organizational Development, or other directly related field from an accredited college or university OR equivalent years education and experience.
2. Five years directly related experience in training, employee relations, workforce development, or generalist experience.
3. Intermediate to advanced Microsoft Office skills.

**PREFERRED:**

1. Master's Degree in Human Resources, Management, or related field from an accredited college or university.
2. Professional in Human Resources (PHR) Certification
3. Municipal experience.

**Necessary Knowledge, Skills and Abilities:**

- \* Ability to effectively communicate both verbally and in writing;
- \* Intermediate to advanced Microsoft Office skills;
- \* Ability to work independently or in groups;
- \* Ability to prioritize and complete multiple tasks;
- \* Ability to speak in public;
- \* Ability to meet deadlines and work effectively in a fast-paced environment;
- \* Ability to establish successful working relationships;
- \* Ability to work outside of normal 8:00 a.m. until 5:00 p.m. business hours; and
- \* Ability to establish and maintain effective working relationships with employees, supervisors, other agencies, participants, community leaders, elected officials, and the general public.

**Conditions of Employment:**

Must have a valid Texas Driver's License by date of hire.

Applicant must be able to pass a physical, background check, and drug screen.

**Preferences:**

N/A

**Physical Requirements:**

Overall Strength Demands: The following describes the overall strength demand of the functions performed by the incumbent during a typical workday.

Sedentary  
Light  
Medium  
Heavy  
Very Heavy

Physical Demand Codes: The following describes if the incumbent is expected to exert the following physical demands during a typical workday and the overall frequency.

Codes for "how often":

Y = Yes      N = No  
E = extensive  
(100-70%)      M = moderate  
(60-30%)      I = infrequent  
(20-10%)      A = almost never  
(<10%)

| Task        | Code | Task               | Code | Task          | Code | Task              | Code |
|-------------|------|--------------------|------|---------------|------|-------------------|------|
| 1. Standing | M    | 6. Pushing/Pulling | I    | 11. Crawling  | A    | 16. Vision        | Y    |
| 2. Sitting  | E    | 7. Overhead Work   | I    | 12. Bending   | M    | 17. Hearing       | Y    |
| 3. Walking  | M    | 8. Fine Dexterity  | E    | 13. Twisting  | M    | 18. Talking       | Y    |
| 4. Lifting  | I    | 9. Kneeling        | I    | 14. Climbing  | A    | 19. Video Display | Y    |
| 5. Carrying | I    | 10. Crouching      | I    | 15. Balancing | M    | 20. Other:        |      |

The employee must occasionally lift and/or move up to 50 pounds and/or walk on uneven terrain. Specific vision abilities required by this job include close vision, and the ability to adjust focus.

**Additional Information:**

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**Machines, Tools, Equipment and Work Aids:**

Personal/Laptop computers, telephone, copy machine, fax machine, printer, digital camera, overhead projector, TV/DVD systems.

**Environmental Factors:**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee occasionally works in outside weather conditions. The employee is occasionally exposed to wet and/or humid conditions, toxic or caustic chemicals.

The noise level in the work environment is usually quiet while in the office, or moderately loud when in the field.

***This job description is not an employment agreement, contract agreement, or contract. Management has exclusive right to alter this job description at any time without notice.***

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# EXHIBIT 3

[REDACTED]

---

**From:** Adam Miles <adammiles@cityofhewitt.com>  
**Sent:** Wednesday, October 28, 2015 11:21 AM  
**To:** Katie Allgood  
**Subject:** Fwd: Elodias\_Res 8 24 15 rev  
**Attachments:** Elodias\_Res 8 24 15.docx; Untitled attachment 00058.htm

FYI

Begin forwarded message:

**From:** Elodia Vega <[REDACTED]>  
**Subject:** Fwd: Elodias\_Res 8 24 15 rev  
**Date:** October 28, 2015 at 9:25:11 AM CDT  
**To:** <[adammiles@cityofhewitt.com](mailto:adammiles@cityofhewitt.com)>

Good morning,

I have been informed that the City of Hewitt has a position available for an HR Manager. Attached is my resume, please feel free to let me know if you need any additional information or if there are additional steps that I need to take to apply for the position.

Have a great day!  
Elodia Vega  
[REDACTED]

# EXHIBIT 4

**From:** [Katie Allgood](#)  
**To:** [Kim Giles](#)  
**Subject:** Yet another title...  
**Date:** Monday, February 22, 2016 3:41:48 PM

---

My title should now be Managing Director of Administration...hopefully that's it now lol.

**Katie Allgood**  
**Special Projects Coordinator**  
City of Hewitt  
100 Patriot Court  
Hewitt, TX 76643  
office: (254) 296-5689  
cell: (254) 447-1014

---

**From:** Kim Giles <kim@bydesignwaco.com>  
**Sent:** Monday, February 22, 2016 3:47 PM  
**To:** Katie Allgood  
**Subject:** RE: Yet another title...  
**Attachments:** K Allgood biz card.pdf

Here 'tis.

**Kim Giles**  
**By Design**  
**254.420.1880**  
**Bydesignwaco.com**

*The secret to having everything in life is realizing that you already do.*

---

**From:** Katie Allgood [mailto:kallgood@cityofhewitt.com]  
**Sent:** Monday, February 22, 2016 3:42 PM  
**To:** Kim Giles  
**Subject:** Yet another title...

My title should now be Managing Director of Administration...hopefully that's it now lol.

**Katie Allgood**  
**Special Projects Coordinator**  
City of Hewitt  
100 Patriot Court  
Hewitt, TX 76643  
office: (254) 296-5689  
cell: (254) 447-1014





**KATIE ALLGOOD**

Managing Director of Administration

254.296.5689

[kallgood@cityofhewitt.com](mailto:kallgood@cityofhewitt.com)

200 Patriot Court • Hewitt, Texas 76643

**From:** Katie Allgood  
**To:** [Kim Giles](#)  
**Subject:** Business Card Changes  
**Date:** Monday, February 22, 2016 10:10:56 AM

---

Changes to business cards....

**Kevin Reinke** – change title to "Utilities Superintendent"

**Billie Black** – change title to "Deputy Clerk"

**Lydia Lopez** – change name to "Lydia Lopez, TRMC" and change title to "City Secretary"

**Adam Miles** – change name to "Adam Miles, ICMA-CM"

**Cassie Muske** – change name to "Caz R. Muske" and change title to "Administrative Assistant to the Chief of Police" (I know that's long and difficult!!)

**Katie Allgood** – change title to "Managing Director"

Also, do you have a proof for Lance Bracco?

Thanks! :)

**Katie Allgood**  
**Special Projects Coordinator**  
City of Hewitt  
100 Patriot Court  
Hewitt, TX 76643  
office: (254) 296-5689  
cell: (254) 447-1014

# EXHIBIT 5

[REDACTED]

---

**From:** Katie Allgood  
**Sent:** Wednesday, September 28, 2016 9:22 AM  
**To:** Rhonda Blann  
**Subject:** Re: Occupation  
**Attachments:** Managing Director of Administration.docx

Hi Rhonda,

My position is very similar to Assistant City Manager, but I have attached my job description for more information. I hope this helps.

Thank you,

**Katie Allgood**  
**Special Projects Coordinator**  
City of Hewitt  
200 Patriot Court  
Hewitt, TX 76643  
(254) 296-5689

---

**From:** Rhonda Blann <rblann@ibt.com>  
**Date:** Wednesday, September 28, 2016 at 9:13 AM  
**To:** Katie Allgood <kallgood@cityofhewitt.com>  
**Subject:** Occupation

Katie,

Can you give me a description of your occupation. Managing Director of Administration is your title but I need a description of what you do.

Thanks

Rhonda

**Rhonda Blann**  
**Branch Services Manager**  
5401 Bosque Boulevard - Ste. #200  
Waco, TX 76710  
[rblann@ibt.com](mailto:rblann@ibt.com)  
254.399.6366 Phone  
254.399.6399 Fax  
[ibt.com](http://ibt.com)



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**Job Title:** Managing Director of Administration/Civil Service Director

**Department:** Administration

**Location:** City Hall

**Reports to:** City Manager

**Date:** 2/22/2016

|                  |                                                                                                                                                                                         |                                                                                                             |
|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
| <b>Grade:</b> 18 | <b>Type of Position:</b><br><input checked="" type="checkbox"/> Full-Time<br><input type="checkbox"/> Part-Time<br><input type="checkbox"/> Seasonal<br><input type="checkbox"/> Intern | <b>Classification:</b><br><input checked="" type="checkbox"/> Exempt<br><input type="checkbox"/> Non-Exempt |
|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|

**Job Summary:** The Managing Director of Administration assists with the daily operation of city government activities and support services under general supervision of the City Manager. Responsible for assisting the City Manager in developing, planning, and implementing goals and objectives of the City by providing high level administrative direction to City departments.

**Essential Functions:** Assume supervisory and management responsibility for all services and activities for the Human Resources Department, Civil Service, and Risk Management. Supervise staff to include: prioritizing and assigning work; conducting performance evaluations; ensuring staff are trained; ensuring that employees follow policies and procedures; maintaining a healthy and safe working environment; and making hiring, termination, and disciplinary recommendations.

Manage and coordinate complex administrative projects and activities between City departments, public agencies, and private sector representatives. Oversee the coordination of new projects and programs between departments throughout implementation.

Consult with the City Manager and department heads on City needs regarding technology, the development of programs, and the evaluation of department programs. Recommend solutions to address new and ongoing administrative issues within departments. Complete research, reports, agendas, surveys, and other special projects as directed by the City Manager.

Administer Human Resources and Civil Service policies, programs, and practices. Oversee the Human Resources job functions to include, but not limited to: the recruitment and selection process, compensation, benefits administration, employee relations, retention, and training.

Coordinate the Civil Service program and maintain accurate records of Civil Service meetings and files. Prepare and post Civil Service Commission meeting agendas, maintain eligibility lists, administer Civil Service exams, and oversee the day to day operations of Civil Service as required by Chapter 143 of the Texas Local Government Code.

Administer and monitor the departmental budget including allocating resources and approving expenditures. Direct and forecast funds needed for staffing, equipment, materials, and supplies. Review and approve Council agenda items and supplemental materials for presentation at City Council meetings.

Represent the City in meetings with citizens, businesses, elected officials, State and Federal agencies, and outside organizations. Respond to and resolve sensitive and sometimes confidential inquiries, complaints, and issues from both internal and external sources.

Attend City Council meetings and take necessary action regarding Council agenda items. Attend and participate in professional association meetings. Stay abreast of new trends and innovations in the fields of public relations, public administration, governance, and human resources management. Perform other related duties as assigned.

Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

**Competencies:** Ability to communicate effectively with different groups, departments, and organizations. Knowledge of contemporary leadership and management principles and practices. Knowledge of public administration and governmental operations. Knowledge of conflict mediation principles. Highly skilled in researching, writing, and public speaking. Ability to maintain effective working relationships and display a high level of professionalism.

**Required Education, Experience, and Qualifications:** Bachelor's degree in Public Administration, Business Administration, Political Science, or a related field. Two (2) years of supervisory experience, with a minimum of one (1) year of experience in public administration or a related field. Experience in areas of Civil Service, compensation, recruitment, and employee relations are required. Or an equivalent combination of education and experience. Possess a valid Class C Texas Driver's License.

**Preferred Education, Experience, and Qualifications:** Master's degree in Public Administration or a related field.

**Physical Requirements:**

Overall Strength Demands: The following describes the overall strength demand of the functions performed by the incumbent during a typical workday.

|                                       |                                              |                                    |                                   |                                        |
|---------------------------------------|----------------------------------------------|------------------------------------|-----------------------------------|----------------------------------------|
| <input type="checkbox"/><br>Sedentary | <input checked="" type="checkbox"/><br>Light | <input type="checkbox"/><br>Medium | <input type="checkbox"/><br>Heavy | <input type="checkbox"/><br>Very Heavy |
|---------------------------------------|----------------------------------------------|------------------------------------|-----------------------------------|----------------------------------------|

Physical Demand Codes: The following describe if the incumbent is expected to exert the following physical demands during a typical workday and the overall frequency.

Frequent sitting, talking, seeing, hearing, and manual dexterity.

**Machines, Tools, and Equipment:** Personal/Laptop computers, telephone, copy machine, fax machine, printer, digital camera, overhead projector, TV/DVD systems

**Expected Hours of Work:** Days and hours of work are Monday through Friday, 8 a.m. to 5 p.m. Occasional work on special assignments as needed.

**Work Conditions/Environmental Factors:** Work is typically performed in a standard office environment. Occasional travel as required.

***This job description is not an employment agreement, contract agreement, or contract. Management has exclusive right to alter this job description at any time without notice***

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_



# **EXHIBIT 6**

## STATEMENT OF REGINA FOX

My name is Regina Fox. I have worked for the City of Hewitt, Texas for 15 years. I currently serve in the position of Finance Assistant. I am competent to make this Affidavit and unless otherwise expressly qualified, the statements herein are within my personal knowledge and are true and correct.

There was a period that the new Police Department had re-located to 100 Patriot Court, but the City Hall remained in its old location at 105 Tampico. City Hall personnel were not moved into the new City Hall at Patriot Court until April 2016. During that period, Adam Miles officed at the City Hall on Tampico and Katie Allgood officed at the new Police Department at 100 Patriot Court.

During the Fall of 2015, Katie would drive her truck to City Hall about 4:30 p.m. on Fridays. She would park, and then she would enter through the back door to Adam's office. A short time later, Katie and Adam would leave together in Adam's vehicle and would leave her truck parked at City Hall.

I live on Tampico, so I drove past City Hall multiple times over weekends, going to the store, running errands, or otherwise traveling. This would take place at random times of the day. Each time I would drive by City Hall, Katie's truck would still be parked in the parking lot in the same place it was left on Friday. My recollection is that the truck generally would not be moved until Monday mornings. However, on one occasion, I happened to be driving by when Adam was dropping her off at her truck on a Sunday afternoon, so sometimes it may have been Sunday afternoons. Once Katie and Adam left together on Friday, her truck would remain parked at City Hall all weekend.

This was taking place a long time before we moved into the new building in April of 2016. My recollection is that I really started to notice it about the time Adam announced that that Tierny Kruger was separated in October of 2015. Later in 2015, Adam had [REDACTED] for Christmas. Adam pulled up under the awning, and Katie was in the truck with [REDACTED].

Even before seeing these things it was assumed among a lot of employees that a relationship existed between Adam and Katie based on how she was favored and based on them seeming to be together a lot.

A TML Conference was scheduled for September 2015. Katie and Tierny came in separately and said that they would not ride together, although the plan was for employees to ride together to the extent possible. It was not long after that when Tierny was "fired." Adam came to my office in October 2015 to see if I could cut a final payroll check on Tierny Kruger. However, Adam then said to hold up and go ahead and pay her as usual even though she wasn't there. The next payroll-the same thing. Adam said that he had sent some papers to Tierny Kruger and was waiting on signed papers to come back.

The employees were told that Tierny Kruger was separated in October 2015, however, although not at work, she remained on the payroll. On November 9, 2015, a formal termination occurred; however, at Adam's direction, Tierny still continued to be paid. Then, on December 4, 2015, Adam asked that a \$5,000 check be cut to Tierny for a settlement.

We were told that this was a settlement payment to get her out without her filing any claims. When Adam presented back-up for the \$5,000 check, he only presented one page of an 8-page settlement agreement—which was a resignation signed by Tierny. There was talk amongst employees that Tierny was threatening to out Katie and Adam's relationship, and that she was paid hush money. We could not ask Tierny about it as it was made clear that employees were not to talk to her.

The City paid the salary and insurance for a person who was supposedly let go in October 2015 through to December 2015, and then paid her \$5,000 for a settlement based on Adam's direction.

The employees knew about Katie and Adam's relationship, and it was frequently joked about because that is about all you could do at the time. You could not complain to Adam because it was his girlfriend, and it was very clear that no one messed with Katie. After Tierny was fired; Katie took over Human Resources also—so an employee definitely could not go there. And all employees knew that they were not to discuss matters with the City Council. Adam had made that clear.

Based on my observations once I tuned in to the matter, the relationship was going on back in October/November 2015; and others apparently had caught on even earlier. However, even if I had not seen these things, looking at the progression of Katie's positions and salary would indicate favoritism of some sort:

- Started as a part-time intern making \$9.00 and no benefits on February 6, 2015;
- When Katie graduated from Baylor University in May 2015, she became full-time making \$21.40 per hour with benefits, and was given the title "Special Projects Coordinator," which was a new position created for her;
- She received the standard raise on October 1, 2015 which increased her pay to \$22.04 per hour;
- On November 30, 2015, Katie received a raise to \$27.57, as despite having no H.R. credentials and being with the City full-time less than 6 months, Katie was given charge over Human Resources;
- On May 19, 2016, Katie was raised to \$28.12 per hour; and
- On October 1, 2016, the position of "Managing Director of Administration" was funded in the budget. Katie's pay jumped to \$36.30 per hour.

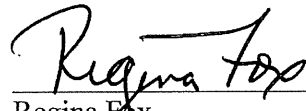
Obviously, many employees talked about how this was unfair. Specifically, that in less than 20 months this young lady fresh out of Baylor had gone from a part-time \$9.00 an hour intern position to acting like she was second in command of the City with a salary of \$75,504.00 and benefits. Katie now makes an annual salary of \$79,310.40.

Katie pretty much had the run of the place from the start, even being allowed to attend department head meetings before she became full-time. As far as things placed in the budget, Adam would say something to the effect of, if they (the Council) pass it without noticing it, it's too late.

When the split between the City Council and Adam became public, there was a lot of concern. It was apparently consuming Adam, as my boss began to dread Department Head meetings because so much of the meeting would be about Adam and Katie's fight with the Council and making derogatory statements about members of the Council.

Adam even talked about cancelling all Council meetings through the end of the year because he did not want to be around the Mayor. He did cancel one. Adam also stopped holding work sessions with the Council.

As to alleged mistreatment of females by the Mayor or any Councilperson, I have not experienced or witnessed any such conduct. In fact, I do not see any of them at City Hall that much except for Council meetings or City functions.

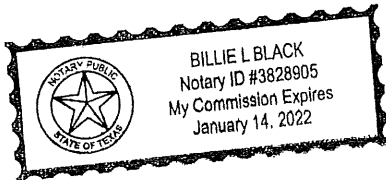
  
Regina Fox

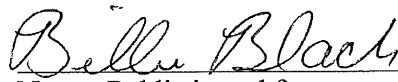
STATE OF TEXAS

§  
§  
§

COUNTY OF McLENNAN

SUBSCRIBED AND SWORN to before me by the said Regina Fox on this the 2 day of January 2019, to certify which witness my hand and seal of office.



  
Notary Public in and for  
the State of Texas

My commission expires: January 14, 2022

# EXHIBIT 7

### Statement of James Devlin

I am the Chief of Police of the City of Hewitt, Texas, and I am currently the acting City Manager. I have personal knowledge of the facts stated herein unless otherwise clearly stated to be based on other sources, and to the best of my knowledge and memory, they are true and correct.

1. As a friend, I told Adam Miles, the City Manager, on several occasions that his relationship with Katie Allgood was poor professional judgment.
2. On several occasions I encouraged him to notify the City Council about his relationship with Ms. Allgood and let them decide how it should be handled organizationally. I also told him that it probably would result in either he or Ms. Allgood leaving the organization. I believed that this had taken place and was told that the City Council was "alright" with the relationship and appeared to allow it to continue. Contrary to this I discovered that the full City Council did not know of the relationship until either the anonymous letter was sent to Council members or for some, possibly later.
3. Mr. Miles's demeanor completely changed after the May 2018 conversation with the Mayor. Mr. Miles spoke to me about the conversation and advised that the Mayor told him that several positions in the City needed to be eliminated, including Katie, Cassie, Jared, and Jeff – there would be no pay raises, and the School Resource Officer position would not be funded. Over the next couple of months Mr. Miles became consumed with the complaints that had been filed as well as verbally attacking members of Council – which were his bosses. During this time Department Head meetings became an issue. Even though many Department Heads were able to speak about City business many of the conversations - and a lot of time - began to become devoted to the complaints that had been filed, and we had to listen to Mr. Miles bad-mouth the Council. At one particular Department Head meeting in October (I was late to the meeting) as I entered the room, Mr. Miles was already talking about the complaints and how shitty some of the Council members were. I had had my fill of talking about these issues for the last several months and I abruptly interrupted Mr. Miles and told him to "STOP"! I told him that we needed to stop talking about all these "frigin" complaints and get back to talking about City business. Mr. Miles switched gears and we got back to working on the true intent of the meeting. Later that day, Mr. Miles came to my office and told me that I was right, and that we needed to quit talking about these issues and focus on the work at hand. Department Heads, including myself, did not look forward to attending these meetings. Even in trying to make casual conversation with Mr. Miles, the conversation would circle back to about how the Mayor and Councilmembers were pieces of shit, and the like.
4. Mr. Miles told me and others that he quit holding council work sessions because he did not want to be around them any more than he had to be. I believe that the Council workshops are an important part of the meeting process. This gives the Council members the opportunity to understand agenda items, pose questions, and ensure the information they are being given is complete and accurate. Council work sessions on big agendas can be very important to educating the council on the matters to be considered and to answer questions.
5. After the Special called meeting concerning the employment of the City Manager, Adam told me that he had "checked-out" and was "done".

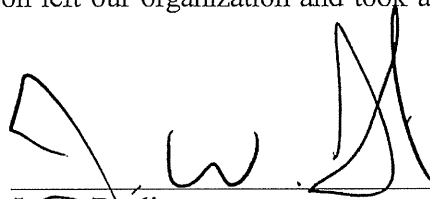
6. The work atmosphere was getting very tense. I and several other department heads were ready for a change, including seeking other employment opportunities with other organizations and cities.

7. During the course of my tenure as Acting City Manager I have had City Hall staff ask me if Ms. Allgood was going to fire them. This continues to be a divisive factor in the workplace.

8. As part of the investigation the veracity of Ms. Allgood's February 1, 2018 Affidavit to the City Council became an issue. This was not an original topic, but conversations kept pointing to a date earlier than April 2016 as the date Adam and Katie's relationship started. After investigation, substantial evidence supported that the date given by Ms. Allgood in her affidavit to the City Council, which is also a government document, did not match the objective facts which indicate a much earlier start date.

9. Ms. Allgood's raises, promotions, and titles were extraordinary unlike I have seen in my almost twenty-four years of Municipal Government experience. No one rises through a municipal organization so quickly—especially when they do not have the required credentials and/or experience needed.

10. In 2018, Stephanie Fenty was what I reasonably believed to be the H.R. Director with a transition into becoming the Civil Service Director. Most people in the organization thought she was the Director. However, in reality Ms. Allgood still held the H.R. Director's spot. Mrs. Fenty had the required H.R. credentials and in H.R. Mrs. Fenty – on one of her last days of employment was visiting me in my office and I questioned her about not being the Human Resources Director. Mrs. Fenty told me during her evaluation period, she approached Ms. Allgood as to how she could become the H.R. Director. Mrs. Fenty was the one doing the line share of the work and she possessed the qualifications and experience for that position. Mrs. Fenty told me that Ms. Allgood told her that a "goal sheet" would be set for her and "we'll see." Stephanie soon left our organization and took a position at Baylor University.

A handwritten signature in black ink, appearing to read 'J. Devlin', written over a horizontal line.

James Devlin  
Chief of Police  
Acting City Manager  
City of Hewitt, Texas

# EXHIBIT 8



**From:** Adam Miles  
**Sent:** Thursday, May 10, 2018 8:03 PM  
**To:** Katie Allgood  
**Subject:** Fwd: City of Hewitt Organizational Chart

fyi

Begin forwarded message:

**From:** Kurt Krakowian <[hewittcouncilmankurt@gmail.com](mailto:hewittcouncilmankurt@gmail.com)>  
**Subject:** Re: City of Hewitt Organizational Chart  
**Date:** May 10, 2018 at 6:12:41 PM CDT  
**To:** Adam Miles <[adammmiles@cityofhewitt.com](mailto:adammmiles@cityofhewitt.com)>

Adam,

Please send me total wages for the following positions including all benefit amounts (sick, vacation, insurance, what we pay in all other taxes and benefit packages)

Assistant Police Chief  
Each of the 3 Criminal Investigation Division  
Library Manager (along with their job description)  
Both Library Supervisors (along with their job description)  
Finance Assistant (1.5)  
Managing Civil Service Dir (along with their job description)  
Parks/Street Superintendent (along with their job description)  
Park & Media Coordinator (along with their job description)

Also please describe the job difference between the 4 Utilities Department Field Assistants & the Park & Streets Field Assistants?

Total about of payroll for everyone for the year including all hourly and salary employees.

If I could have these back by Monday, May 14, 2018 that would be great.

Thanks  
Kurt K.

On Tue, May 8, 2018 at 10:13 AM, Adam Miles <[adammmiles@cityofhewitt.com](mailto:adammmiles@cityofhewitt.com)> wrote:

--

**Kurt F. Krakowian**

Hewitt Councilman At-Large

254-224-1202

[HewittCouncilmanKurtK@gmail.com](mailto:HewittCouncilmanKurtK@gmail.com)

**From:** Adam Miles  
**Sent:** Saturday, May 12, 2018 7:14 AM  
**To:** Directors Group  
**Subject:** Fwd: City of Hewitt Organizational Chart

FYI - I sent this out to all the City Council. I wanted you to be aware of this email.

Begin forwarded message:

**From:** Adam Miles <[adam miles@cityofhewitt.com](mailto:adam miles@cityofhewitt.com)>  
**Subject:** Fwd: City of Hewitt Organizational Chart  
**Date:** May 12, 2018 at 7:13:15 AM CDT  
**To:** Adam Miles <[adam miles@cityofhewitt.com](mailto:adam miles@cityofhewitt.com)>

Honorable Mayor and Council,

In response to Councilman Krakowian's email below, I am forwarding you all the following information. As you know the City is primarily a service, so the majority of City General Fund M&O expenses are personnel costs. This information was compiled with help from Lee Garcia and Katie Allgood. Please let me know if you have additional questions or concerns.

-----  
If you would like to see the sick and vacation amounts allowed per group, I can send you the Employee Handbook. It gets a little complicated. Sick and vacation only becomes an additional expense when you need to have that person (who is out for whatever reason)- when their spot needs to be replaced. This usually happens only in patrol, dispatch & fire - the 24/7 guys. Those amounts are budgeted in overtime.

Assistant Police Chief:

G17/18: \$85,089 Salary + \$2,275 Incentive + \$1,260 Longevity + \$828 Cell phone + \$6,843 Social Security + \$14,308 TMRS + \$6,530 Benefits (insurances expense -same estimate for all employees) = \$117,133.

Each of the 3 Criminal Investigation Division:

32/D: \$62,227 Salary + \$2,275 Incentive + \$960 Longevity + \$5,008 Social Security + \$10,471 TMRS + \$6,530 Benefits = \$87,471

30F: \$46,569 Salary + \$600 Longevity + \$3,608 Social Security + \$7,545 TMRS + \$6,530 Benefits = \$64,852

30F: \$46,569 Salary + \$1,625 Incentive + \$600 Longevity + \$3,733 Social Security + \$7,805 TMRS + \$6,530 Benefits = \$66,862.

Evidence Tech: \$29,598 Salary + \$1,625 Incentive + \$240 Longevity + \$2,407 Social Security + \$5,033 TMRS + \$6,530 Benefits = \$45,433.

Library Manager (along with their job description)

G13/E: \$36,978 Salary + \$1,625 Incentive + \$540 Longevity + \$2994 Social Security + \$6,261 TMRS + \$6,530 Benefits = \$54,928.

Both Library Supervisors (along with their job description)

G11/8: \$34,973 Salary + \$540 Longevity + \$2,717 Social Security + \$5,680 TMRS + \$6,530 Benefits = \$50,440.

G11/2: \$31,054 + \$2,376 Social Security + \$4,967 TMRS + \$6,530 Benefits = \$44,927.

Finance Assistant (1.5) the .5 is a part time intern who earns \$14,404/hr

G13/12: \$46,900 Salary + \$840 Longevity + \$3,652 Social Security + \$7,636 TMRS + \$6,530 Benefits = \$65,558.

Managing Civil Service Dir (along with their job description)

G18/4: \$75,508 Salary + \$180 Longevity + \$5,790 Social Security + \$12,106 TMRS + \$6,530 Benefits = \$100,114.

Parks/Street Superintendent (along with their job description)

G16/1: \$56,786 Salary + \$180 Longevity + \$4,358 Social Security + \$9,112 TMRS + \$6,530 Benefits = \$76,966.

Park & Media Coordinator (along with their job description)

G12/3: \$34,557 Salary + \$120 Longevity + \$2,653 Social Security + \$5,547 TMRS + \$6,530 Benefits = \$49,407.

Also please describe the job difference between the 4 Utilities Department Field Assistants & the Park & Streets Field Assistants?

Note: All job descriptions are posted online on the City's Website. You can access them using the following link.

<http://tx-hewitt4.civicplus.com/595/Job-Descriptions>

Total amount of payroll for everyone for the year including all hourly and salary employees:

For the current year- General Fund, we have budgeted \$5,817,998 for all items relating to personnel. This includes salaries, overtime, part-time, incentives, longevity, allowances, social security, tmrs, benefits (insurance), & worker's comp. General Fund includes 85.5 employees. Average: \$68,047.

For the Drainage Fund, we have budgeted \$251,750 for the same items. This expense is supported by drainage fees. Drainage Fund includes 5 employees. Average: \$50,350.

For the Utility Funds, we have budgeted \$718,986 for the same items. This expense is supported by utility fees. Utility Fund includes 13 employees. Average: \$55,307.

Total Budgeted Employees (FTEs): 103.5

---

Thank you again.

Adam

Begin forwarded message:

**From:** Kurt Krakowian <[hewittcouncilmankurtk@gmail.com](mailto:hewittcouncilmankurtk@gmail.com)>  
**Subject:** Re: City of Hewitt Organizational Chart  
**Date:** May 10, 2018 at 6:12:41 PM CDT  
**To:** Adam Miles <[adammmiles@cityofhewitt.com](mailto:adammmiles@cityofhewitt.com)>

Adam,

Please send me total wages for the following positions including all benefit amounts (sick, vacation, insurance, what we pay in all other taxes and benefit packages)

Assistant Police Chief  
Each of the 3 Criminal Investigation Division  
Library Manager (along with their job description)  
Both Library Supervisors (along with their job description)  
Finance Assistant (1.5)  
Managing Civil Service Dir (along with their job description)  
Parks/Street Superintendent (along with their job description)  
Park & Media Coordinator (along with their job description)

Also please describe the job difference between the 4 Utilities Department Field Assistants & the Park & Streets Field Assistants?

Total about of payroll for everyone for the year including all hourly and salary employees.

If I could have these back by Monday, May 14, 2018 that would be great.

Thanks  
Kurt K.

On Tue, May 8, 2018 at 10:13 AM, Adam Miles <[adammmiles@cityofhewitt.com](mailto:adammmiles@cityofhewitt.com)> wrote:

--

**Kurt F. Krakowian**  
Hewitt Councilman At-Large  
254-224-1202  
[HewittCouncilmanKurtK@gmail.com](mailto:HewittCouncilmanKurtK@gmail.com)

# EXHIBIT 9



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**From:** Adam Miles <adammiles@cityofhewitt.com>  
**Sent:** Monday, May 14, 2018 8:53 AM  
**To:** James Devlin; Lee Garcia; Lydia Lopez; Katie Allgood; Tracy Lankford; Kevin Reinke; Lance Bracco; Waynette Ditto  
**Subject:** Impromptu Directors Meeting - 10 am TODAY

Hello all,

We need to have a quick Directors meeting **this morning at 10:00 AM**. Please make every effort to attend. Thank you.

Adam

# EXHIBIT 10



[REDACTED]

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**From:** Katie Allgood  
**Sent:** Wednesday, May 16, 2018 9:41 AM  
**To:** Flavin, Rebecca  
**Subject:** Re: Final Paper

Hello!

I'm sorry it is taking me so long to get back to you regarding the Community forum date. We are experiencing some difficult issues at work right now, and I haven't had much time to breathe or chat with my City Manager about this. I'm sure you will soon hear about Hewitt in the news...

Thank you for your feedback on my paper! Next semester I am taking Management of Organizational Behavior (in the business school), Presidential Rhetoric, and the PA course with Dr. Nichols. I have confirmed with both Dr. Nichols and Dr. Burns that the topics will be different from the Reading Course this past semester (and also different from the undergrad PA course I had with Dr. Nichols).

I look forward to speaking with you soon, and I will let you know the dates we are available asap!

Thank you,

**Katie Allgood**  
**Managing Director of Administration**  
City of Hewitt  
200 Patriot Court  
Hewitt, TX 76643  
(254) 296-5689

---

**From:** "Flavin, Rebecca" <[REDACTED]>  
**Date:** Friday, May 11, 2018 at 12:33 PM  
**To:** Katie Allgood <kallgood@cityofhewitt.com>  
**Subject:** RE: Final Paper

Dear Katie,

I finally had a chance to sit down and read and learn from your interesting paper. Attached are detailed comments, which appear in the margins, as well as some brief general guidance at the end.

I also had a chance to look over the current stage of the earlier paper, which you're making good progress on (how do you do it all?!). I think the sections you added on Breyer are very, very helpful, and it looks like you've identified the sections that need the most attention moving forward.

Let me know how I can help in the future!

Which classes are you taking in the fall? Do I understand they're offering a PA course? I don't know that it will overlap with what we did, so if there was a question about you doing that after this IS, let me know and I can supply the reading list to Dr. Burns again.

With the hope that the summer provides some respite from your hectic schedule.

Let me know about September and the LWV forum.

All best,  
RF

Rebecca McCumbers Flavin, Ph.D.  
Senior Lecturer, Baylor University Department of Political Science  
Advisor, Baylor Model United Nations  
Mail: One Bear Place #97276 Waco, TX 76798  
Office: 307.2 Burleson, (254) 710-6052  
[REDACTED]

**From:** Katie Allgood <kallgood@cityofhewitt.com>  
**Sent:** Sunday, May 06, 2018 5:18 PM  
**To:** Flavin, Rebecca <[REDACTED]>  
**Subject:** Final Paper

Hello!

I have attached my final paper on Revenue Caps, as well as my current progress on revision of last semester's paper. In that paper, I have highlighted revisions in green, and the areas that still need considerable attention are highlighted in yellow (and haven't changed from before).

Thank you for all your help this semester. Please let me know if you need anything else.

PS...I will get back with you regarding the forum this week.

Thank you,

**Katie Allgood**  
**Managing Director of Administration**  
City of Hewitt  
200 Patriot Court  
Hewitt, TX 76643  
(254) 296-5689

[REDACTED]

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**From:** Katie Allgood  
**Sent:** Thursday, May 10, 2018 10:22 PM  
**To:** Adam Miles  
**Subject:** FW: Survey Monkey ??  
**Attachments:** City of Hewitt Survey.docx

**Katie Allgood**  
**Managing Director of Administration**  
City of Hewitt  
200 Patriot Court  
Hewitt, TX 76643  
(254) 296-5689

**From:** Adam Miles <adammiles@cityofhewitt.com>  
**Date:** Tuesday, October 3, 2017 at 3:06 PM  
**To:** Adam Miles <adammiles@cityofhewitt.com>  
**Subject:** Fwd: Survey Monkey ??

Mayor and Council,

Mayor Pro-Tem sent me this e-mail this morning (see below). I am replying to the entire City Council in case others of you share his concern.

On September 18, after presentations about the idea of a Dog Park and a Splash Pad, the City Council directed city staff to gather additional information about our Park System. The idea was to ask if there were features that the community would like to see. In fact, Mr. Passalugo, referencing the idea of a dog park, specifically suggested that we should seek feedback from the community other than those who were right next to Glaze Park. I understood others shared his concern and position.

Based on input from Mayor Pro-Tem Passalugo and other City Council members, I understood the direction of the Council, on September 18, was for staff to gather citizen input about our parks. We discussed preparing a survey about our parks. We discussed having the survey available at the Dog Days event. We did prepare a 10 question survey (which you can read below) and this survey was promulgated at the Dog Days event this past Saturday. We did receive several responses (which were actually quite interesting).

As you can see, the questions are about park usage and what people like about the parks. As one of the highest rated and most visited parks in McLennan County, the feedback is helpful in ongoing maintenance and operation of our parks. (This is similar to the questionnaire we send out to groups who rent our pavilions.) The feedback can also help us in terms of how we can improve the experience of our citizens. In fact, only one question, the final question, number 10, asked about other amenities in the parks. In designing the survey, I specifically included a Dog Park, a Fountain / Splash Park, and Walking Paths since those were the specific improvements the City Council had discussed and requested community feedback.

Mr. Passalugo is correct, at the October 2 meeting last night, I understand the direction of the City Council was that the City would not do any further work on a dog park or a splash pad at this time. To be sure, we are not

expending any further staff time working on a dog park or splash pad right now. At the same time, I also understood we are still looking to construct new park improvements, specifically a walking path. To that end, I did not take last night's discussion as an end to soliciting feedback from our citizens about our parks or future park improvements.

After discussing the survey with staff and looking at the results from this Saturday, I felt the survey may have been a little skewed due to the crowd at Dog Days. Most people at Dog Days responded to question 10 as being in favor of the idea of a dog park. I felt like dog owners would be more supportive of a dog park than the overall population and in fairness to everyone, we should put this out to more citizens to get better (less skewed) feedback that we could use to improve our parks in the future.

I directed staff to post the survey online to get it out to others citizens and gather more information. I actually thought it was a fun survey and we found most people really like our parks and are happy to share their opinions.

I do not feel asking people about their experiences in our parks or asking what they would like to see in a park in any way circumvents the City Council. Clearly, this is all above board and posted online; there is no hidden agenda or ulterior motive on my part. I certainly did not do this to "circumvent" the City Council. In fact, I felt in fairness to everyone, we should continue to collect this information as we were originally directed by the Council.

All this being said, in an attempt to mitigate the concerns expressed by the Mayor Pro-Tem, I have now removed the Facebook post with the survey. I will provide the City Council with the results at the next meeting and we can further discuss this issue if necessary. Thank you.

Adam

Begin forwarded message:

**From:** Ed Passalugo <[pazzy23125@grandecom.net](mailto:pazzy23125@grandecom.net)>  
**Subject:** FW: Survey Monkey ??  
**Date:** October 3, 2017 at 10:52:09 AM CDT  
**To:** 'Adam Miles' <[adammmiles@cityofhewitt.com](mailto:adammmiles@cityofhewitt.com)>

**Subject:** Survey Monkey ??

Adam after last night meeting where we cut the bond on Parks I was surprised and dismayed to see this survey on the City of Hewitt Facebook. Why would this happen? Who from the City posted this? Who allowed this to be posted. The survey to me is inappropriate after we voted on the bond and I need to know why we would do this? I am very upset and feel that the council leadership is circumvented for the decisions we make for the citizens of Hewitt.

Sad to see this  
Ed Passalugo  
Mayor Pro Tem  
Hewitt TX 76643



### City of Hewitt

· 43 mins ·



:

. WE THINK HEWITT IS GREAT!



:

We hope you do too! Help us gather ideas for improvements to our city by participating in this survey: <https://www.surveymonkey.com/r/KKFCDDVP>

#SHARE #HewittTexas #GreatPlaceToLive



Thank you for helping us  
make Hewitt a great place to  
live!

**1. Are you Hewitt a resident?**

Yes  
No  
OK

**2. What is your age?**

less than 18  
18-24  
25-34  
35-44

45-54  
55-64  
65

**3. Which type of parks do you like visiting? (check all that apply)**

Dog Friendly Parks  
Kid Friendly Parks  
Water or Splash Parks  
State Parks  
National Parks  
Historic

**4. Do you think Parks add value to the community?**

Yes  
No  
Not Sure

**5. How often do you visit Hewitt Park?**

More than once per week  
Once per week  
Occasionally  
Rarely  
Almost

**6. How often do you visit Warren Park?**

More than once per week  
Once per week  
Occasionally  
Rarely  
Almost Never

**7. When visiting the park, I usually... (Check all that apply)**

go alone  
go with my family  
take my dog  
go with my children or grandchildren  
meet or go with friends  
go with my church  
go with my company or coworkers  
go for an event

**8. What park features do you most enjoy? (check all that apply)**

Football/Soccer Fields  
Volleyball Pit  
Basketball Court  
Disc Golf Course  
Walking Trails

Pavilions  
Amphitheater  
Playground  
Green Space (grassy areas)  
Other (please specify)

**9. What would you improve at either Hewitt Park or Warren Park? (check all that apply)**

Cleanliness  
Maintenance  
Customer Service  
More Amenities  
Less Amenities  
Upgraded Amenities  
No Improvements  
Other (please specify)

**10. What new features or amenities would you like to see in our Park System?**

Dog Park  
Fountain or Splash Park  
More Walking Trails  
None  
Other (please specify)





## City of Hewitt

· 43 mins ·

👍👍👍 WE THINK HEWITT IS GREAT! 👍👍👍

We hope you do too! Help us gather ideas for improvements to our city by participating in this survey:  
<https://www.surveymonkey.com/r/KKFCDDVP>

#SHARE #HewittTexas #GreatPlaceToLive

Thank you for helping us  
make Hewitt a great place to  
live!

**1. Are you Hewitt a resident?**

☐ Yes

☐ No

OK

**2. What is your age?**

- ☐ less than 18
- ☐ 18-24
- ☐ 25-34
- ☐ 35-44
- ☐ 45-54
- ☐ 55-64
- ☐ 65

**3. Which type of parks do you like visiting? (check all that apply)**

- ☐ Dog Friendly Parks
- ☐ Kid Friendly Parks
- ☐ Water or Splash Parks
- ☐ State Parks
- ☐ National Parks
- ☐ Historic

**4. Do you think Parks add value to the community?**

- ☐ Yes
- ☐ No
- ☐ Not Sure

**5. How often do you visit Hewitt Park?**

- ☐ More than once per week
- ☐ Once per week
- ☐ Occasionally
- ☐ Rarely
- ☐ Almost

**6. How often do you visit Warren Park?**

- ☐ More than once per week
- ☐ Once per week
- ☐ Occasionally

- ☐ Rarely
- ☐ Almost Never

**7. When visiting the park, I usually... (Check all that apply)**

- ☐ go alone
- ☐ go with my family
- ☐ take my dog
- ☐ go with my children or grandchildren
- ☐ meet or go with friends
- ☐ go with my church
- ☐ go with my company or coworkers
- ☐ go for an event

**8. What park features do you most enjoy? (check all that apply)**

- ☐ Football/Soccer Fields
- ☐ Volleyball Pit
- ☐ Basketball Court
- ☐ Disc Golf Course
- ☐ Walking Trails
- ☐ Pavilions
- ☐ Amphitheater
- ☐ Playground
- ☐ Green Space (grassy areas)
- ☐ Other (please specify)

**9. What would you improve at either Hewitt Park or Warren Park? (check all that apply)**

- ☐ Cleanliness
- ☐ Maintenance
- ☐ Customer Service
- ☐ More Amenities
- ☐ Less Amenities
- ☐ Upgraded Amenities
- ☐ No Improvements

☐ Other (please specify) \_\_\_\_\_

**10. What new features or amenities would you like to see in our Park System?**

☐ Dog Park

☐ Fountain or Splash Park

☐ More Walking Trails

☐ None

☐ Other (please specify)



---

**From:** Adam Miles  
**Sent:** Tuesday, May 22, 2018 6:49 AM  
**To:** Katie Allgood  
**Subject:** DRAFT complaint  
**Attachments:** 2018-05-22 Krakowian Complaint.docx

May 22, 2018

Mayor and City Council  
City of Hewitt

### Formal Complaint

Please accept this as a formal written complaint concerning Councilman Kurt Krakowian.

It is well known that I am a witness to various complaints and claims that have recently been made by Mayor Pro Tem Fortenberry against Ed Passalugo. I have testimony and other evidence of his inappropriate behavior and possibly illegal activity.

It appears those claims now further extend to inappropriate, and possible illegal behavior by Councilman Kurt Krakowian. I look forward to sharing my information with appropriate investigators when that time comes.

However, at this time, I believe I am being unfairly targeted as a witness to Mayor Fortenberry's claims. Kurt Krakowian's words and actions indicate to me he intends to economically harm me as a result of my role in this; this is an attempt to undermine my credibility. I believe his words and actions are an attempt to retaliate against me. I believe Mr. Krakowian is attempting to use his position of power to intimidate me and oppress me.

Further, against the advice of the City Attorney, Mr. Krakowian's comments during the open public meeting held Monday, May 21, 2018 have exacerbated claims of workplace hostility. His public comments were embarrassing and harmful to not only Katie Allgood, but the overall morale of all city employees. He has placed the city into a significantly higher state of liability related to these claims. His words have the effect of re-victimizing an employee who came forward with serious allegations of misconduct.

Thank you for your attention to this matter.

Respectfully,

Adam Miles  
City Manager

State of Texas  
County of McLennan

This instrument was signed before me by \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Notary Public



# **EXHIBIT 11**

#2

## Incident Report

Reported by: Cassie Muske

Date of Report: 5/15/2018

Title/Role: Parks and Media Coordinator at the City of Hewitt

### Incident Information:

Incident Type: Harrassment, work place bullying,  
creation of a hostile work environment

Date of Incident: 9/28/2017

Location: City of Mexia Building City: Mexia

State: Texas Zip Code: 76667

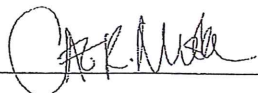
### Incident Description:

On 09/28/2017 I attended a Texas Municipal League Dinner in Mexia, Texas on behalf of the City of Hewitt. Mayor Ed Passalugo sat next to me at our City of Hewitt designated table. He seemed to be in an agitative state. I was 6 months pregnant and he kept asking me personal questions such as if I was coming back to work after maternity leave, how long I was taking for maternity leave and what my husbands occupation was. I felt very uncomfortable as he seemed to be frustrated about something.

### Name/Role/Contact of Witnesses:

1. Lydia Lopez, City Secretary
2. Adam Miles, City Manager
3. Katie Allgood, Managing Director of Adminstration

I, Cassie Muske, confirm the above incident.

Signature:  Date: 5/15/2018



#3

### Incident Report

Reported by: Cassie Muske

Date of Report: 5/15/2018

Title/Role: Parks and Media Coordinator at the City of Hewitt

#### Incident Information:

Incident Type: Work place bullying, hostile work environment, harassment Date of Incident: 4/4/2018

Location: Hewitt City Hall City: Hewitt

State: TX Zip Code: 76643

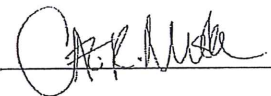
#### Incident Description:

On 4/4/2018 I attended a Cultural internal training - hosted by the City of Hewitt. I wanted a refill of coffee. I went to the workshop room to refill two small Styrofoam cups with coffee. As I was filling the last cup, Mayor Ed Passalugo was coming to get a refill. I apologized for taking the rest of the coffee and he angrily said "it's fine" and aggressively threw his empty cup away on the way out of the workshop room. I knew he was mad at me by his tone, so I felt obligated to make coffee and bring him a cup. When I did, he would not look at me nor thank me for the cup of coffee. He later left the cream and sugars on the table for me to dispose of.

#### Name/Role/Contact of Witnesses:

1. See training attendance attached
2. \_\_\_\_\_
3. \_\_\_\_\_

I, Cassie Muske, confirm the above incident.

Signature:  Date: 5/15/2018

List of attendees  
per Katie

Councilmember  
Bill Fuller jokingly  
referred to me  
bringing ed coffee  
"Unfair"

## Incident Report

Reported by: Cassie Muske

Date of Report: 5/15/2018

Title/Role: Parks and Media Coordinator at the City of Hewitt

### Incident Information:

Incident Type: Harassment, work place bullying, discrimination, creation of a hostile work environment, disruption of public business Date of Incident: 4/4/2018

Location: Hewitt City Hall City: Hewitt

State: TX Zip Code: 76643

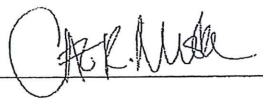
### Incident Description:

On 4/4/2018 I attended a Cultural Training - hosted by the City of Hewitt. During the training, we discussed issues the employees feel the City of Hewitt has and what solutions they would recommend. Mayor Ed Passalugo became angry when he saw the majority of the class voted on money as a City-wide issue. He made comments referring to City employees as "burger flippers" and that to save City funds we should contract the Parks Department out. I am in the Parks Department so I felt personally targeted and feared for my employment.

### Name/Role/Contact of Witnesses:

1. See training attendance attached
2. \_\_\_\_\_
3. \_\_\_\_\_

I, Cassie Muske, confirm the above incident.

Signature:  Date: 5/15/2018

#2

## Incident Report

Reported by: Cassie Muske Date of Report: 5/15/2018

Title/Role: City of Hewitt Parks and Media Coordinator

### Incident Information:

Incident Type: Work place bullying, interference of official duties, disruption of public business Date of Incident: 10/3/2017

Location: Via email City: \_\_\_\_\_

State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

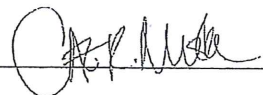
### Incident Description:

On 9/18/2017 I gave a Dog Park presentation - in a Monday Council Meeting - on behalf of the Parks Department and inquiries from the citizens of Hewitt. After the presentation concluded, Mayor Ed Passalugo requested for more research to be done and for the Parks Department to seek more Hewitt public opinions on the Dog Park. I created a Survey Monkey Park Survey and posted it on the City of Hewitt Facebook account on 10/3/2017. Mayor Ed Passalugo, knowing my involvement with all City of Hewitt Media outlets, questioned my actions and recanted his direction discussed prior in the 9/18/2017 by emailing City Manager Adam Miles (see attached). I firmly believe he is aware of the interests of the Hewitt residents but wants to go against their interests. Since I went against his personal agenda, he targeted my actions and put stress on myself and had me fear for my employment - even though I did what I was asked.

### Name/Role/Contact of Witnesses:

1. Adam Miles, Hewitt City Manager
2. City of Hewitt Council
3. \_\_\_\_\_

I, Cassie Muske, confirm the above incident.

Signature:  Date: 5/15/2018



From: Ed Passalugo <pazzy23125@grandecom.net>  
Subject: FW: Survey Monkey ??  
Date: October 3, 2017 at 10:52:09 AM CDT  
To: 'Adam Miles' <adammiles@cityofhewitt.com>

**Subject: Survey Monkey ??**

Adam after last night meeting where we cut the bond on Parks I was surprised and dismayed to see this survey on the City of Hewitt Facebook. Why would this happen? Who from the City posted this? Who allowed this to be posted. The survey to me is inappropriate after we voted on the bond and I need to know why we would do this? I am very upset and feel that the council leadership is circumvented for the decisions we make for the citizens of Hewitt.

Sad to see this

Ed Passalugo

Mayor Pro Tem

Hewitt TX 76643



**City of Hewitt**

• 43 mins •

WE THINK HEWITT IS GREAT!

We hope you do too! Help us gather ideas for improvements to our city by participating in this survey: <https://www.surveymonkey.com/r/KKFCDVD>

#SHARE #HewittTexas #GreatPlaceToLive



Thank you for helping us  
make Hewitt a great place to  
live!

**1. Are you Hewitt a resident?**

Yes

No

OK

**2. What is your age?**

less than 18

18-24

25-34

35-44

45-54

55-64

65

**3. Which type of parks do you like visiting? (check all that apply)**

Dog Friendly Parks

Kid Friendly Parks

Water or Splash Parks

State Parks

National Parks

Historic

**4. Do you think Parks add value to the community?**

Yes

No

Not Sure

**5. How often do you visit Hewitt Park?**

More than once per week

Once per week

Occasionally

Rarely

Almost

**6. How often do you visit Warren Park?**

More than once per week

Once per week

Occasionally

Rarely

Almost Never

**7. When visiting the park, I usually... (Check all that apply)**

go alone

go with my family

take my dog

go with my children or grandchildren

meet or go with friends

go with my church

go with my company or coworkers



go for an event

**8. What park features do you most enjoy? (check all that apply)**

Football/Soccer Fields

Volleyball Pit

Basketball Court

Disc Golf Course

Walking Trails

Pavilions

Amphitheater

Playground

Green Space (grassy areas)

Other (please specify)

**9. What would you improve at either Hewitt Park or Warren Park? (check**

**all that apply)**

Cleanliness

Maintenance

Customer Service

More Amenities

Less Amenities

Upgraded Amenities

No Improvements

Other (please specify)

**10. What new features or amenities would you like to see in our Park**

**System?**

Dog Park

Fountain or Splash Park

More Walking Trails

None

Other (please specify)

## Cassie Muske

---

**From:** Adam Miles  
**Sent:** Tuesday, October 3, 2017 3:07 PM  
**To:** Adam Miles  
**Subject:** Fwd: Survey Monkey ??  
**Attachments:** City of Hewitt Survey.docx

Mayor and Council,

Mayor Pro-Tem sent me this e-mail this morning (see below). I am replying to the entire City Council in case others of you share his concern.

On September 18, after presentations about the idea of a Dog Park and a Splash Pad, the City Council directed city staff to gather additional information about our Park System. The idea was to ask if there were features that the community would like to see. In fact, Mr. Passalugo, referencing the idea of a dog park, specifically suggested that we should seek feedback from the community other than those who were right next to Glaze Park. I understood others shared his concern and position.

Based on input from Mayor Pro-Tem Passalugo and other City Council members, I understood the direction of the Council, on September 18, was for staff to gather citizen input about our parks. We discussed preparing a survey about our parks. We discussed having the survey available at the Dog Days event. We did prepare a 10 question survey (which you can read below) and this survey was promulgated at the Dog Days event this past Saturday. We did receive several responses (which were actually quite interesting).

As you can see, the questions are about park usage and what people like about the parks. As one of the highest rated and most visited parks in McLennan County, the feedback is helpful in ongoing maintenance and operation of our parks. (This is similar to the questionnaire we send out to groups who rent our pavilions.) The feedback can also help us in terms of how we can improve the experience of our citizens. In fact, only one question, the final question, number 10, asked about other amenities in the parks. In designing the survey, I specifically included a Dog Park, a Fountain / Splash Park, and Walking Paths since those were the specific improvements the City Council had discussed and requested community feedback.

Mr. Passalugo is correct, at the October 2 meeting last night, I understand the direction of the City Council was that the City would not do any further work on a dog park or a splash pad at this time. To be sure, we are not expending any further staff time working on a dog park or splash pad right now. At the same time, I also understood we are still looking to construct new park improvements, specifically a walking path. To that end, I did not take last night's discussion as an end to soliciting feedback from our citizens about our parks or future park improvements.

After discussing the survey with staff and looking at the results from this Saturday, I felt the survey may have been a little skewed due to the crowd at Dog Days. Most people at Dog Days responded to question 10 as being in favor of the idea of a dog park. I felt like dog owners would be more supportive of a dog park than the overall population and in fairness to everyone, we should put this out to more citizens to get better (less skewed) feedback that we could use to improve our parks in the future.

I directed staff to post the survey online to get it out to others citizens and gather more information. I actually thought it was a fun survey and we found most people really like our parks and are happy to share their opinions.

I do not feel asking people about their experiences in our parks or asking what they would like to see in a park in any way circumvents the City Council. Clearly, this is all above board and posted online; there is no hidden agenda or ulterior

motive on my part. I certainly did not do this to "circumvent" the City Council. In fact, I felt in fairness to everyone, we should continue to collect this information as we were originally directed by the Council.

All this being said, in an attempt to mitigate the concerns expressed by the Mayor Pro-Tem, I have now removed the Facebook post with the survey. I will provide the City Council with the results at the next meeting and we can further discuss this issue if necessary. Thank you.

Adam

Begin forwarded message:

**From:** Ed Passalugo <[pazzy23125@grandecom.net](mailto:pazzy23125@grandecom.net)>  
**Subject:** FW: Survey Monkey ??  
**Date:** October 3, 2017 at 10:52:09 AM CDT  
**To:** 'Adam Miles' <[adammmiles@cityofhewitt.com](mailto:adammmiles@cityofhewitt.com)>

---

**Subject:** Survey Monkey ??

Adam after last night meeting where we cut the bond on Parks I was surprised and dismayed to see this survey on the City of Hewitt Facebook. Why would this happen? Who from the City posted this? Who allowed this to be posted. The survey to me is inappropriate after we voted on the bond and I need to know why we would do this? I am very upset and feel that the council leadership is circumvented for the decisions we make for the citizens of Hewitt.

Sad to see this

Ed Passalugo

Mayor Pro Tem

Hewitt TX 76643



City of Hewitt

• 43 mins •

## Cassie Muske

---

**From:** Adam Miles  
**Sent:** Wednesday, October 4, 2017 9:32 AM  
**To:** James Devlin; Lance Bracco; Waynette Ditto; Lydia Lopez; Katie Allgood; Cassie Muske  
**Subject:** Fwd: Survey Monkey ??

FYI - Alex's response

Begin forwarded message:

**From:** Jenny Snider <five\_sniders@hotmail.com>  
**Subject:** RE: Survey Monkey ??  
**Date:** October 4, 2017 at 6:44:07 AM CDT  
**To:** Adam Miles <adamsmiles@cityofhewitt.com>

Adam,

I've been typing this e-mail for about 15 minutes without coffee, so I'm sorry if it's disjointed.

Just know that I now fully understand what led up to the on-line posting of the survey. I wasn't concerned about being circumvented, but I was concerned that the survey was posted the day after we decided we weren't going to do those specific two things. I did tell Ed that I didn't think it was appropriate because it looked like data was being collected to purposely change the direction of specific council decisions. However, I had forgotten that we had discussed this very survey on Sep 18, and your thought process in posting it on-line is clear. You didn't want to present a skewed data set to the council, and were looking to broaden the base of the survey.

I sincerely apologize for my misunderstanding. It was just the timing of things that threw me off. Thank you for the quality of work you do for the city, it is greatly appreciated.

Alex

Sent from Mail for Windows 10

---

**From:** Adam Miles  
**Sent:** Tuesday, October 3, 2017 3:06 PM  
**To:** Adam Miles  
**Subject:** Fwd: Survey Monkey ??

Mayor and Council,

Mayor Pro-Tem sent me this e-mail this morning (see below). I am replying to the entire City Council in case others of you share his concern.

On September 18, after presentations about the idea of a Dog Park and a Splash Pad, the City Council directed city staff to gather additional information about our Park System. The idea was to ask if there were features that the community would like to see. In fact, Mr. Passalugo, referencing the idea of a dog park, specifically suggested that we should seek feedback from the community other than those who were right next to Glaze Park. I understood others shared his concern and position.

Based on input from Mayor Pro-Tem Passalugo and other City Council members, I understood the direction of the Council, on September 18, was for staff to gather citizen input about our parks. We discussed preparing a survey about our parks. We discussed having the survey available at the Dog Days event. We did prepare a 10 question survey (which you can read below) and this survey was promulgated at the Dog Days event this past Saturday. We did receive several responses (which were actually quite interesting).

As you can see, the questions are about park usage and what people like about the parks. As one of the highest rated and most visited parks in McLennan County, the feedback is helpful in ongoing maintenance and operation of our parks. (This is similar to the questionnaire we send out to groups who rent our pavilions.) The feedback can also help us in terms of how we can improve the experience of our citizens. In fact, only one question, the final question, number 10, asked about other amenities in the parks. In designing the survey, I specifically included a Dog Park, a Fountain / Splash Park, and Walking Paths since those were the specific improvements the City Council had discussed and requested community feedback.

Mr. Passalugo is correct, at the October 2 meeting last night, I understand the direction of the City Council was that the City would not do any further work on a dog park or a splash pad at this time. To be sure, we are not expending any further staff time working on a dog park or splash pad right now. At the same time, I also understood we are still looking to construct new park improvements, specifically a walking path. To that end, I did not take last night's discussion as an end to soliciting feedback from our citizens about our parks or future park improvements.

After discussing the survey with staff and looking at the results from this Saturday, I felt the survey may have been a little skewed due to the crowd at Dog Days. Most people at Dog Days responded to question 10 as being in favor of the idea of a dog park. I felt like dog owners would be more supportive of a dog park than the overall population and in fairness to everyone, we should put this out to more citizens to get better (less skewed) feedback that we could use to improve our parks in the future.

I directed staff to post the survey online to get it out to others citizens and gather more information. I actually thought it was a fun survey and we found most people really like our parks and are happy to share their opinions.

I do not feel asking people about their experiences in our parks or asking what they would like to see in a park in any way circumvents the City Council. Clearly, this is all above board and posted online; there is no hidden agenda or ulterior motive on my part. I certainly did not do this to "circumvent" the City Council. In fact, I felt in fairness to everyone, we should continue to collect this information as we were originally directed by the Council.

All this being said, in an attempt to mitigate the concerns expressed by the Mayor Pro-Tem, I have now removed the Facebook post with the survey. I will provide the City Council with the results at the next meeting and we can further discuss this issue if necessary. Thank you.

Adam

Begin forwarded message:

#4

## Incident Report

Reported by: Cassie Muske Date of Report: 5/15/2018

Title/Role: Parks and Media Coordinator at the City of Hewitt

### Incident Information:

Incident Type: Work place bullying, creation of a hostile work environment, harassment Date of Incident: 5/7/2018

Location: City Hall City: Hewitt

State: TX Zip Code: 76643

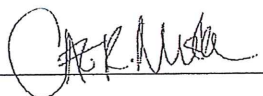
### Incident Description:

On 5/7/2018 I attended the Monday City of Hewitt Workshop and Council Meeting. During the Workshop Meeting, Mayor Ed Passalugo approached me while I was sitting. He stood hovered over me and aggressively threw his hand toward me demanding I shake his hand. I knew he would not leave my presence until I shook him hand so I complied. I felt very uncomfortable, vulnerable and powerless. I knew he was angry with me prior to the coffee incident that occurred on 4/4/2018 at our Culture Training.

### Name/Role/Contact of Witnesses:

1. See Work Shop attendance attached
2. \_\_\_\_\_
3. \_\_\_\_\_

I, Cassie Muske, confirm the above incident.

Signature:  Date: 5/15/2018

**Cassie Muske**

---

**From:** Lydia Lopez  
**Sent:** Tuesday, May 15, 2018 3:48 PM  
**To:** Cassie Muske  
**Subject:** RE: Completed 5/7/2018 Mins

**Here is the attendance info.**

**MINUTES OF A CITY COUNCIL  
WORKSHOP/REGULAR MEETING  
HEWITT CITY HALL – 200 PATRIOT COURT  
May 7, 2018 – 5:30 PM/7:00 PM**

**Members present:** Mayor Travis Bailey, Mayor Pro Tem Ed Passalugo (presiding), Council Members Wilbert “Walky” Wachtendorf, Bill Fuller, James Vidrine, Kurt Krakowian, and Steve Fortenberry

**Staff present:** Assistant City Attorney Kathleen Dow, City Engineer Miles Whitney, City Manager Adam Miles, Police Chief Jim Devlin, Assistant Police Chief Tuck Saunders, Fire Chief Lance Bracco, Community Development Director Tracy Lankford, Managing Director Katie Allgood, Finance Director Lee Garcia, Library Director Waynette Ditto, Utilities Director Kevin Reinke, Community Development Coordinator Jared DeVries, Parks & Media Coordinator Caz Muske, and City Secretary Lydia Lopez

**Staff absent:** City Attorney Charlie Buenger

---

**From:** Cassie Muske  
**Sent:** Tuesday, May 15, 2018 12:40 PM  
**To:** Lydia Lopez <citysecretary@cityofhewitt.com>  
**Subject:** Completed 5/7/2018 Mins

Lydia,

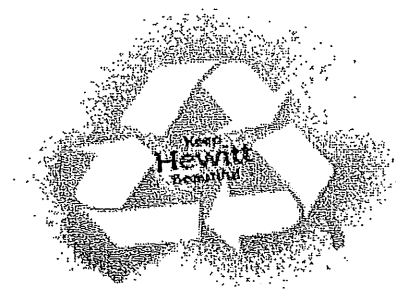
Could you send me the attendance for the 5/7/2018 Workshop and Council Meeting when you get a chance.

Thanks,

*Caz R. Muske*

**City of Hewitt  
Parks and Media Coordinator &  
Parks and Beautification Board Secretary**

(o): 254.296.5698  
(c): 254.749.4119



*"We are what we repeatedly do. Excellence, then, is not an act, but a habit." – Aristotle*



#5

### Incident Report

Reported by: Cassie Muske Date of Report: 5/30/2018

Title/Role: Parks and Media Coordinator at the City of Hewitt

#### Incident Information:

Incident Type: workplace bullying, creation of a hostile work environment, harassment Date of Incident: 5/21/2018

Location: Council Chambers City: Hewitt

State: TX Zip Code: 76643

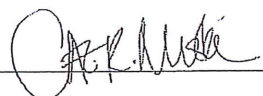
#### Incident Description:

During the formal Council Meeting, Mayor Ed Passalugo referred to Katie and I as "road blocks".  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### Name/Role/Contact of Witnesses:

1. See City of Hewitt Council Meeting on 5/21/2018 Minutes for attendance
2. \_\_\_\_\_
3. \_\_\_\_\_

I, Cassie Muske, confirm the above incident.

Signature:  Date: 5/30/2018



May 14, 2018

To: City of Hewitt  
200 Patriot Court  
Hewitt, TX 76643

Re: Formal Complaint Against Mayor Ed Passalugo

To Whom It May Concern,

I, Cassie Muske, am hereby filing a formal complaint against Mayor Ed Passalugo related to negative actions and treatment against myself.

Mayor Passalugo's repeated actions include: Defamation of Character, Disparate Treatment, Violation of Due Process, Discrimination, Harassment, Workplace Bullying, Creation of Hostile Work Environment, Interference of Official Duties, and Disruption of Public Business.

These numerous occurrences have been documented and witnessed. I now fear that my employment with the City of Hewitt is in jeopardy due to Mayor Passalugo's threats and intimidation.

Please be advised, I have contacted an attorney and will pursue further action against Mayor Passalugo.

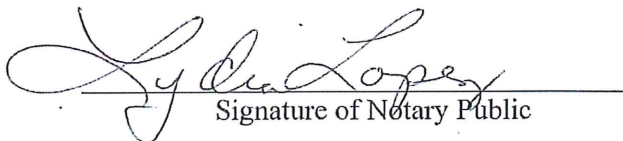
Sincerely,



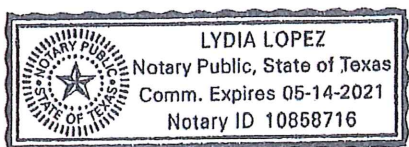
Cassie Muske  
Parks and Media Coordinator

State of Texas  
County of McLennan

This instrument was signed before me by Cassie Muske this 14 day of May 2018.

  
Signature of Notary Public

5-14-2018 9:07 am  
Time & Date



May 14, 2018

To: City of Hewitt  
200 Patriot Court  
Hewitt, TX 76643

Re: Formal Complaint Against Mayor Ed Passalugo

To Whom It May Concern,

I, Katie Allgood, am hereby filing a formal complaint against Mayor Ed Passalugo related to negative actions and treatment against myself.

Mayor Passalugo's repeated actions include: Defamation of Character, Disparate Treatment, Violation of Due Process, Discrimination, Harassment, Workplace Bullying, Creation of Hostile Work Environment, Interference of Official Duties, and Disruption of Public Business.

These numerous occurrences have been documented and witnessed. I now fear that my employment with the City of Hewitt is in jeopardy due to Mayor Passalugo's threats and intimidation.

Please be advised, I have contacted an attorney and will pursue further action against Mayor Passalugo.

Sincerely,

*Katie Allgood*

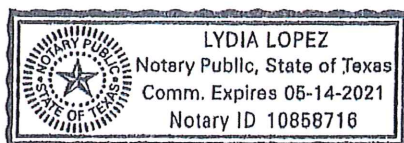
Katie Allgood  
Managing Director of Administration

State of Texas  
County of McLennan

This instrument was signed before me by Katie Allgood this 14 day of May 2018.

*Lydia Lopez*  
Signature of Notary Public

5-14-18 8:53 a.m.  
Time & Date





## Summary by Katie Allgood

### Demeaning comments in public meetings regarding my work & my departments (Witnesses)

NOTE: He almost exclusively degrades and criticizes me publicly in front of others.

- **July 6, 2015 – Budget Workshop Meeting (Witnesses)**
  - “Oh...the hundred-thousand-dollar education Mommy and Daddy paid for?”
- **2017 Private Budget Meeting called by Mr. Passalugo and Mr. Vidrine (Witnesses)**
  - The City Manager, the Finance Director, and Mr. Fortenberry were also in attendance
  - Criticized the Parks & Streets department, said we should produce more work, and asked why we were paying Cassie Muske to “sit on Facebook all day” (implied incompetence – Parks & Streets)
  - Said we were administering benefits wrong and he wanted to take a look at our benefits packages (implied incompetence – HR)
- **July 28, 2017 – AEDC Lunch**
  - Disparaging comment regarding personal picture on my Facebook page
- **September 18, 2017 – Council Workshop (Witnesses)**
  - Cassie and I presented a proposal for a Splash Pad and Dog Park (at the request of Mr. Fortenberry and the Parks Board)
    - The Council directed us to collect citizen interest and input regarding the proposed park developments.
- **September 30, 2017 – Dog Days Event**
  - Earlier in the week I was informed by the City Manager that Passalugo told him (in a private meeting) that Council had decided not to fund the park improvements.
  - However, because of the instructions from the rest of the Council in the public meeting (on September 18<sup>th</sup>) Cassie and I were instructed to promote a generic park survey regarding future developments, current park ratings, and areas for improvement
- **October 2, 2017 – Council Workshop (Witnesses)**
  - Passalugo commented that they shouldn’t fund the improvements because Parks didn’t add anything of value to the City or bring in any revenue. (implied incompetence – Parks)
    - When I pointed out that we had well exceeded the budgeted number he commented “a budget doesn’t mean anything” in an aggressive manner.
  - Dr. Bruce was present and witnessed treatment
- **October 3, 2017**
  - After confirming with the City Manager that the generic survey was still appropriate for circulation, I asked Cassie to post the survey on the City’s Facebook page.
  - That afternoon, an email was sent by Passalugo to the City Manager regarding the survey (Cassie and I were copied on the City Manager’s reply).
    - In the email, Passalugo was notably upset by staff “circumventing” the Council to gather citizen input. (specifically, Cassie and I – since he had already been informed that we were surveying citizens regarding our parks as requested by Council in the September 18<sup>th</sup> meeting.)
  - I subsequently removed the survey from social media and Cassie apologized to me for causing an issue because Passalugo’s harsh email had made her feel like it was her fault. (see text messages)
- **April 4, 2018 – Culture Training (Witnesses)**
  - “Burger flippers shouldn’t get paid any more money”
    - Got visibly upset when I spoke next regarding the licenses, education, and training of City staff

\*\*Throughout this training, my employees consistently voiced their appreciation for my leadership and direction. (Specific statements were made by Stephanie Fenty, Roger Ludwig, and Dustin Rynders.)



- **May 2, 2018 – Culture Training (Witnesses)**
  - Every comment I made in the training received a condescending and belligerent retort from Mr. Passalugo (when I was addressing the group).
  - He was visibly and noticeably upset.
  - It culminated with Mr. Passalugo saying that we should just “contract out the Parks department to save money” (Threats and Retaliation)
    - even though he had also proposed (in the same meeting) that the City should start a television channel
- **May 7, 2018 – Council Workshop (Witnesses)**
  - Commented that myself and Stephanie had completed the salary survey using the wrong cities and he would do it himself (implied incompetence – HR)
  - The City Manager replied by saying that we had lost employees to many of the cities on the survey, I agreed and said that we had for sure lost one to Harker Heights within the last few years.
    - Passalugo replied, “One?!” in a very aggressive manner. I did not respond.
- **May 11, 2018 – Tour of Waco Wastewater Treatment Plant (Witnesses)**
  - All Department Directors and Council Members had been invited to attend
    - Passalugo, Bill Fuller, Steve Fortenberry, Miles Whitney, Adam Miles, Kevin Reinke, Ryan Bell, Tracy Lankford, and myself were in attendance.
      - I was the only woman
  - Passalugo never spoke to me, but he blatantly pointed his phone at me several times and took my picture.
    - I felt as if he was purposely trying to intimidate me and make me feel guilty for being on the tour.
    - This harassment made me extremely uncomfortable.
- **May 21, 2018 – Council Meeting (Please see Additional Evidence regarding actions by Kurt Krakowian)**
- 
- Approached the City Manager and other council members requesting/demanding my termination (along with Cassie)
  - Violation of Article V, Section 5.4 of City of Hewitt Charter
- Circumvented Open Meetings Act and proper posting and notification regarding the discussion of my employment (walking quorum with Jim Vidrine, Kurt Krakowian, and Steve Fortenberry).
  - Statements from Mayor Pro Tem Fortenberry and City Manager Adam Miles
- Questions my competence and qualifications, and circulates false information regarding myself and Cassie.
  - Ongoing – Statement from Adam Miles & Recording
- Treats me considerably different in meetings than other department directors or staff.
  - Possible statements from Adam Miles, Waynette Ditto, Jim Devlin, Lance Bracco, Dr. Erica Bruce
- Ongoing comments about how “our streets are falling apart” and that we can’t properly maintain his *private* drainage ditch. (implied incompetence & negligence – Streets & Drainage)
  - Possible statements from Adam Miles, Jim Devlin, Lance Bracco
- Defamation of Character, Hostile Work Environment/Workplace Bullying, Due Process Violation, Discrimination, Harassment, Disparate Treatment, Interference of Official Duties, and Disruption to Public Business
- Character Statements from the following: City Manager Adam Miles, Chief Jim Devlin, Chief Lance Bracco, Assistant Chief Tuck Saunders, Library Director Waynette Ditto, Parks & Streets Superintendent Ruben Munguia, HR Generalist Stephanie Fenty, Parks & Media Coordinator Caz Muske, Utility Analyst Karen Sexton, Hewitt Chamber Executive Director Alissa Cady, Hewitt Chamber Public Relations Director Laura Beaty, Citizen and Parks Board Vice-Chairman Veronica Molina.

## Julia Gannaway

---

**From:** Katie Allgood <kallgood@cityofhewitt.com>  
**Sent:** Thursday, June 07, 2018 8:28 AM  
**To:** Julia Gannaway  
**Subject:** Incidents - June 4, 2018

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good morning,

I wanted to make you aware of a couple of incidents that occurred at our June 4<sup>th</sup> Council Meeting.

Prior to the start of the City Council Workshop meeting, Passalugo came up to me and attempted to force me to shake his hand and speak to him. After I turned away from him and made it clear that I was uncomfortable with his actions, he gestured to the crowd in a manner that suggested my behavior was inappropriate. I saw this as a continued attempt to harass, embarrass, and shame me in front of other people.

During the meeting, Passalugo made a comment that I felt was directed at me. He said that "You can't put a value on a child's life...especially compared to other things we've talked about." I felt like he was intentionally trying to shame and belittle me in a passive manner.

Once again, both of these incidents were witnessed by others.

Let me know if you have any questions.

Thank you,

Katie Allgood  
Managing Director of Administration  
City of Hewitt  
200 Patriot Court  
Hewitt, TX 76643  
(254) 296-5689





May 21, 2018

To: City of Hewitt  
200 Patriot Court  
Hewitt, TX 76643

Re: Formal Complaint Against Kurt Krakowian

To Whom It May Concern,

I, Katie Allgood, am hereby filing a formal complaint against Kurt Krakowian. Mr. Krakowian has perpetuated negative rhetoric regarding my reputation and integrity on his "official" City Facebook page, as well as spread false rumors regarding my demeanor and behavior toward himself and his wife.

This matter will be presented to my attorney, and further actions will be taken.

Sincerely,

*Katie Allgood*

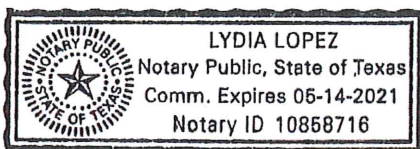
Katie Allgood  
Managing Director of Administration

State of Texas  
County of McLennan

This instrument was signed before me by Katie Allgood this 21 day of May 2018.

*Lydia Lopez*  
\_\_\_\_\_  
Signature of Notary Public

5-21-18 5:40pm.  
Time & Date

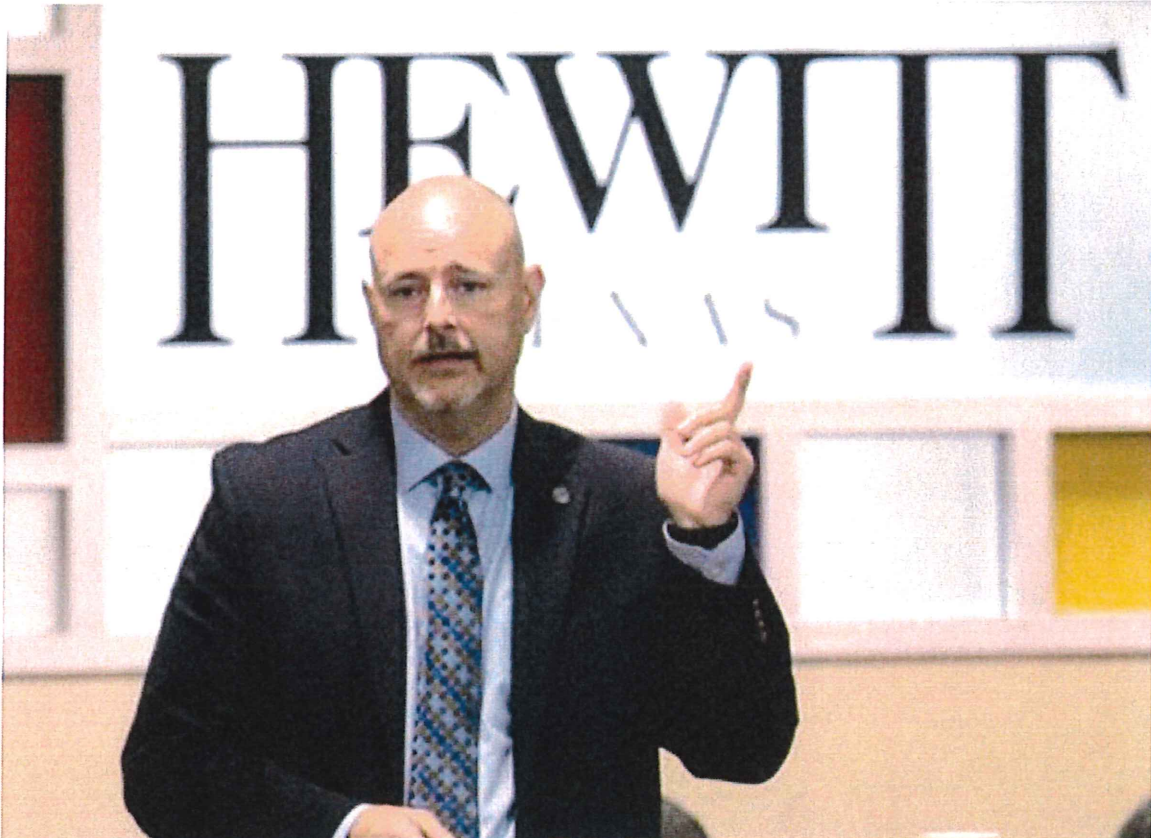




**Hewitt City Councilman Kurt Krakowian** shared a post.



1 hr · 🌐



**Cheryl G. Martin**

4 hrs

If you live in the [City of Hewitt](#) - attend the (now open) meeting tonight to discuss the shenanigans that have been going on regarding "City Manager" Adam Miles, "Managing Director of Admin" Katie Allgood, and fishy charges brought against Mayor Ed Passalugo. 6:30pm tonight at Hewitt City Hall - Council Room.

READ MORE: <https://bit.ly/2rQQ2ox>





Cheryl's Post



Like



Comment



Share



Kurt Krakowian and 9 others

2 shares



Kurt Krakowian

Thank you



1h Like Reply



Cheryl G. Martin

certainly Kurt - this is a bunch of bull-hockey - I'll see you there my friend :)

49m Like Reply



Write a comment...



CONFIDENTIAL

City of Hewitt Mayor and City Council

July 11, 2018

**Formal Complaint**

Please accept this as a formal written complaint of **Official Misconduct, Hostile Work Environment, and Retaliation** concerning Councilman Kurt Krakowian.

Notwithstanding previous civil and criminal complaints and the ongoing investigation relating to these complaints against Ed Passalugo and Kurt Krakowian, the following is a summary of new complaints specifically against Kurt Krakowian.

Since the original claims were brought fourth, Kurt Krakowian has intentionally, deliberately, and repeatedly acted to further discredit and retaliate against me and members of my staff. He has worked to expand a hostile work environment. In fact, these new complaints are specifically related to actions he has made since the City Council received a formal legal briefing from City Attorneys regarding previous claims on June 21, 2018

June 27, 2018 (on or about) **Retaliation** Kurt Krakowian on his "Hewitt City Councilman Kurt Krakowian Campaign" Facebook Page posted select Bible verses which were clearly directed towards me and members of my staff. Rather than an affirmative statement of Christian values, I understood the Bible versus to be a thinly veiled reference to his "enemies" and "those who persecute you" referring to me and members of my staff.

July 3, 2018 (on or about) **Official Misconduct, Hostile Work Environment, and Retaliation** Kurt Krakowian on his (personal) Facebook page sent a Direct Message (DM) to a city employee. In the DM, he again sought to discredit me and members of my staff - as well as members of the Hewitt City Council. He gave an order to the employee to, "Don't always listen to everything you hear". This is a clear violation of the City Charter. Of note, I personally warned Mr. Krakowian to not contact employees directly on Thursday, May 10, 2018. Further, I believe this action demonstrates a clear attempt to be secretive and or deceptive since he sought to use a DM from his personal Facebook page rather than an email.

His actions are a direct affront to me and my duties and responsibilities as the City Manager. This is a clear intent to create and expand a hostile work environment. This is once again, a repeated attempt to retaliate against me and members of my staff and to undermine our authority. Moreover, he placed an employee in a difficult situation. I can see no public purpose this action serves. As a note, Mr. Krakowian's wife had previously submitted an open records request to obtain the names of all city employees on June 4, 2018. City staff has been apprised of the situation. We will continue to work to determine how many other employees may have been targeted.

July 11, 2018 **Retaliation** Mr. Krakowian, now using [nextdoor.com](http://nextdoor.com), in what appears to be an innocuous post he seeks to have conversations with Citizens about, "issues important to you" while at the same time specifically bringing up the investigation. He explains that he did, "share a posting from one of my friends about the meeting. Looking back it may not have been the best thing to do but not enough to leave the City Council". In this statement, Mr. Krakowian is making public statements about the findings of the ongoing investigation while at the same time encouraging further discussion. It appears from the thread that Mr. Krakowian has met with at least one citizen. In this further act of retaliation, Mr. Krakowian minimizes the important claims of a hostile work environment and retaliation, and again, discredits me and members of my staff by dismissing the claims offhandedly.

July 11, 2018 **Retaliation** Mr. Krakowian's wife submitted an open records request (Dated July 6) requesting, "a list of all job postings (internal and external) for the recruitment of potential City employees and the advancement opportunities for City Employees from January 1, 2015 thru December 31, 2016." It is public knowledge (reported in the Waco Trib) that this timeframe specifically targets the period of employment for Katie Allgood. Clearly, this is once again, a deliberate, intentional, and repeated act of retaliation against me and members of my staff. This is the third open records request received from Krakowian's wife since the May 21 meeting. Krakowian himself also has made open records requests specifically targeting me during this same time period.

The **persistent, ongoing, and relentless nature of this misconduct and retaliation** by Krakowian is incredibly distracting and has already proved costly to the city. He has worked deliberately and continuously to expand a hostile work environment for myself and members of the city staff. This is a concerted effort by Mr. Krakowian to discredit me and members of my staff as well as undermine the Hewitt City Council. Moreover, he has acted in a manner that brings significant legal exposure to the City and may result in even more legal costs to the taxpayers.

Mr. Krakowian's actions affect the overall morale of all city employees. He has placed the city into a significantly higher state of liability related to these claims. Moreover, his words have the effect of re-victimizing employees who came forward with serious allegations of misconduct and creation of a hostile work environment.

Thank you for your attention to this matter.

Respectfully,

A handwritten signature in black ink, appearing to read "Adam Miles". The signature is fluid and cursive, with the first name "Adam" and last name "Miles" clearly distinguishable.

Adam Miles  
City Manager

From: **Katie Allgood** kallgood@cityofhewitt.com   
Subject: Kurt Krakowian  
Date: July 3, 2018 at 11:19 PM  
To: Adam Miles adammiles@cityofhewitt.com



Adam,

Please be advised, Roger Ludwig received this message from Mr. Krakowian this evening (see attached screenshot).

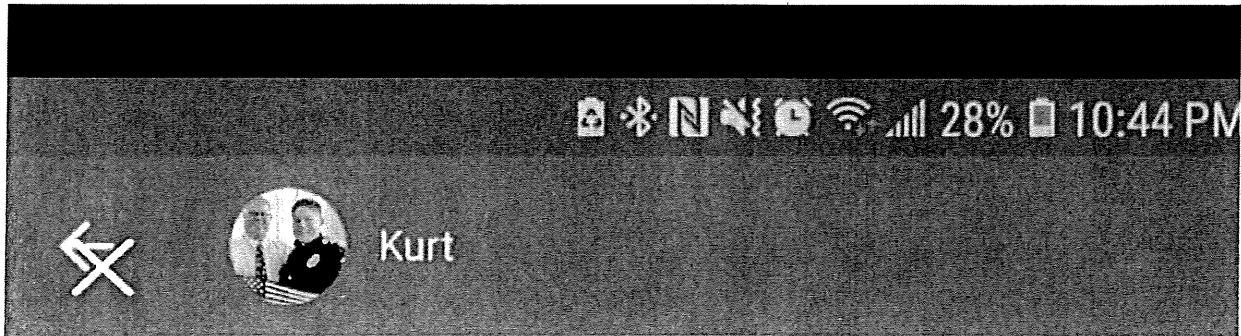
This is extremely concerning for multiple reasons.

One, this is a direct violation of the Council Ethics policy that has been referenced recently. Two, because Krakowian is advising and giving commands to City staff, he is in direct violation of our City Charter. Three, and possibly most concerning, I see this as another direct act of retaliation against me. Krakowian is contacting my employees, violating the chain of command, and attempting to undermine my credibility and authority.

Let me know if you have questions.

Thank you,

Katie





## Kurt Krakowian

21 mutual friends including Gary Lowe and Bill Casey  
Studied at ASU

10:37 PM

Roger, Thank you for your hard work for the city of Hewitt. I will fight for Hewitt staff as yourself along with many other employees to increase your pay. Don't always listen to everything you hear. I want to take care of the working bees what are the backbone of the City. Have a happy 4th of July. Kurt Krakowian Hewitt City Councilman At-Large



Sent from web

DECLINE

ACCEPT

7/4/18



Remo



From: **Katie Allgood** [kallgood@cityofhewitt.com](mailto:kallgood@cityofhewitt.com)  
Subject: Formal Complaint - Krakowian  
Date: July 11, 2018 at 11:43 AM  
To: Adam Miles [adam miles@cityofhewitt.com](mailto:adam miles@cityofhewitt.com)

Adam.

Due to previous actions by the Krakowians, and the fact that the date range requested specifically coincides with my hire date and promotions, I feel this is another attempt at retaliation and targeting.

Please accept this as an additional formal complaint.

Thank you,

Katie

Sent from my iPhone

Begin forwarded message:

From: Lydia Lopez <[citysecretary@cityofhewitt.com](mailto:citysecretary@cityofhewitt.com)>  
Date: July 11, 2018 at 9:54:02 AM EDT  
To: Adam Miles <[adam miles@cityofhewitt.com](mailto:adam miles@cityofhewitt.com)>, Katie Allgood <[kallgood@cityofhewitt.com](mailto:kallgood@cityofhewitt.com)>  
Cc: Charles Buenger <[buengerlawfirm@gmail.com](mailto:buengerlawfirm@gmail.com)>  
Subject: Open Records Request

Please see the attached open records request.

**Lydia Lopez, TRMC/CMC**

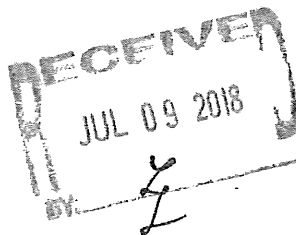
<image001.jpg>

City of Hewitt | City Secretary  
200 Patriot Court | Hewitt, Texas 76643  
(P) 254.296.5602 | (F) 254.666.6014  
[citysecretary@cityofhewitt.com](mailto:citysecretary@cityofhewitt.com) | [www.cityofhewitt.com](http://www.cityofhewitt.com)

<Scan0818.pdf>

July 6, 2018

Kathy M. Krakowian  
804 Pebble Creek Cir  
Hewitt, TX 76643  
May 23, 2018



Lydia Lopez  
City Secretary  
City of Hewitt  
200 Patriot Court  
Hewitt, TX 76643

Dear Ms. Lydia Lopez:

Under the Texas Freedom of Information Act, I would like to request a list of all job postings (internal and external) for the recruitment of potential City employees and the advancement opportunities for City Employees from January 1, 2015 thru December 31, 2016.

As per the Chapter 552 of the Texas Government Code, I will expect this request within the 10 days of receiving my request per Texas law.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Kathy M. Krakowian'.

July 6, 2018

Kathy M. Krakowian

CC: FILE

**From:** [Bruce, Erica](#)  
**To:** [Adam Miles](#)  
**Subject:** RE: Hewitt - Follow up to meeting last week  
**Date:** Tuesday, May 15, 2018 10:48:50 AM

---

Mr. Miles:

Thank you for your email. Yes, when we spoke last week I did mention to you some of the interactions that I have observed in the public workshops that I have been attending over the last year. I mentioned to you one specific incident that sticks out in my mind because it was so offensive to me as a citizen attending a public meeting.

The incident I was mentioning took place in that Oct. 2 workshop session where the council was discussing the Hewitt city parks and the associated revenue from the new amphitheater at Warren Park. As I recall, one of your staff, Katie Allgood was presenting the changes that had been made to the parks, specifically Warren Park and the revenue that the amphitheater had generated since its build. As discussions led into this area, before Ms. Allgood even began to speak, Mr. Passalugo was extremely disparaging about anything that even had to do with the parks discussions to the point that it was clear to me as a public bystander that he was not interested in hearing the discussions. When Ms. Allgood began to share her comments, Mr. Passalugo interrupted her numerous times, would not let her finish her comments, and was talking over her to the point of raising his voice as to intimidate her. I was appalled and offended that an elected official would have the audacity to be so blatantly disrespectful and demeaning to a city employee in any regard, much less in an open public meeting.

As I recall, Ms. Allgood was sharing that the amphitheater had generate revenue beyond that which was anticipated in the initial proposal that was approved by the council. It was clear to me, that in this instance, Mr. Passalugo was not trying to engage in healthy discussion about a situation that needed city attention, rather his actions were disparaging and intended to be demoralizing, and intimidating. What concerns me most is that this is not the only time I have witnessed Mr. Passalugo engage women on your staff in this manner. I can recall at least two additional instances where Mr. Passalugo and also Mr. Vidrine have used similar approaches with two other staff members.

Mr. Passalugo has also engaged another of your staff, I believe the young woman's name is Cassie, in an analogous manner as he addressed Ms. Allgood. As I recall, Cassie was presenting materials on a proposed dog park. She was presenting some slides and other supporting information that had clearly come from hours of effort and work with your parks committee and Hewitt residents. I remember again, Mr. Passalugo's attitude of disdain for "wasting" his time discussing a dog park and that attitude continued after the presentation into his comments towards Cassie. I distinctly remember him saying something like "I don't care if you have everything donated and the costs covered, people don't want a dog park." As Cassie continued to explain additional supporting evidence of the desires of some Hewitt residents for a dog park, he continued to make comments about noise and animal waste. Please don't mistake my comments about this to portray that I am talking with you about this because he "disagreed" with the idea of a dog park, rather it is his repulsive attitude of disrespect and the demeaning nature of his engagement with these women on your staff that is extremely concerning to me. His tone and attitude with this staff member was the



same as that displayed with Ms. Allgood, disrespectful, discriminatory and demeaning.

I recall a workshop that included a discussion prior to your upcoming city audit, when your city accountant (older women, blonde hair), perhaps, I am not sure what her title is but she was presenting some financial metrics prior to the upcoming audit. As the discussions were unfolding, there was some misunderstanding that Mr. Vidrine had with regards to the numbers presented and I remember him asking a series of questions where he was trying to reconcile, I suppose, in his mind what he thought he was understanding. As he asked his questions, and was not able to get the answer he was looking for, his tone began to change and his questions became more aggressive to the point where he said, "Just give me the numbers!" in a very rude, disrespectful and condescending tone. The "numbers" that he was looking for were clearly in the materials presented. His tone and attitude towards this staff member were condescending, distasteful and arrogant to say the least. This attitude is something I have witness from Mr. Vidrine on numerous occasions towards multiple staff members in these workshops. Statements like "I know what people want.", "You're not doing that right, I'll tell you how to do that after the meeting." I hear frequently from Mr. Vidrine in these meetings towards various staff members.

I understand fully that the city council is charged with making decisions that will sustain the city of Hewitt in numerous regards and that those decisions are not always easy nor are they always agreed upon by everyone. I have no problem with healthy discussion of various views of these matters and believe this is what service to the community should be so that the final decision considers the views of our diverse community. However, it is NOT acceptable for an attitude of disrespect, demoralization, and demeaning commentary, specifically towards women on your staff, from elected officials who are supposed to be SERVING the community, to be tolerated. In the absence of mutual respect and cooperation with ALL staff members, from the city council, service to the community of Hewitt is being adulterated by the entitled, discriminatory and demeaning attitudes of these council members.

I appreciate you taking the time to discuss this with me last week. Having taken time out of your day last week and now following up in email with my concerns, I am fully aware that these things don't change without effort. In that regard, please know that my intent is not to just complain, please do let me know if I can help in any way. I appreciate the time, effort, and dedication you and your staff give to the city of Hewitt.

Best Regards,



~~~~~  
Erica D. Bruce, Ph.D.  
Associate Professor and Graduate Program Director  
Department of Environmental Science  
Department of Biology

Institute of Biomedical Studies  
The Institute of Ecological, Earth, and Environmental Science  
Baylor University  
One Bear Place #97266  
Waco, Texas 76798-7266  
PN: (254) 710-4877  
FN: (254) 710-3409  
EM: erica\_bruce@baylor.edu  
[www.youvisit.com/tour/baylor](http://www.youvisit.com/tour/baylor)

~~~~~

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-----Original Message-----

From: Adam Miles [mailto:[adammiles@cityofhewitt.com](mailto:adammiles@cityofhewitt.com)]  
Sent: Monday, May 14, 2018 5:45 PM  
To: Bruce, Erica <[Erica\\_Bruce@baylor.edu](mailto:Erica_Bruce@baylor.edu)>  
Subject: Hewitt - Follow up to meeting last week

Dr. Bruce,

I am writing today as a follow-up to our conversation last Thursday. In our discussion, you said you had observed disrespectful behavior from Ed Passalugo directed to Katie Allgood. I believe you referenced the October 2, 2017 City Council work session where Mayor Pro-Tem Passalugo made remarks to Ms. Allgood concerning parks revenue.

I primarily wanted to confirm you observed this behavior and felt his behavior was inappropriate from an elected official to city staff. Also, if you had any other recollections of inappropriate remarks you observed during any Council meeting that would be helpful to me as well.

Thank you very much for your time and attention. I know you are a very busy person.

Adam

**From:** [Hewitt City Manager](#)  
**To:** [Bruce, Erica](#)  
**Subject:** Hewitt - Follow up to meeting last week  
**Date:** Monday, May 14, 2018 5:45:18 PM

---

Dr. Bruce,

I am writing today as a follow-up to our conversation last Thursday. In our discussion, you said you had observed disrespectful behavior from Ed Passalugo directed to Katie Allgood. I believe you referenced the October 2, 2017 City Council work session where Mayor Pro-Tem Passalugo made remarks to Ms. Allgood concerning parks revenue.

I primarily wanted to confirm you observed this behavior and felt his behavior was inappropriate from an elected official to city staff. Also, if you had any other recollections of inappropriate remarks you observed during any Council meeting that would be helpful to me as well.

Thank you very much for your time and attention. I know you are a very busy person.

Adam



**From:** [Hewitt City Manager](#)  
**To:** [Bruce, Erica](#)  
**Subject:** Re: Hewitt - Follow up to meeting last week  
**Date:** Tuesday, May 15, 2018 10:50:56 AM

---

Dr. Bruce,  
Thank you again for providing this to me. It is helpful and I will do something about this.  
Adam

On May 15, 2018, at 10:48 AM, Bruce, Erica <[Erica\\_Bruce@baylor.edu](mailto:Erica_Bruce@baylor.edu)> wrote:

Mr. Miles:

Thank you for your email. Yes, when we spoke last week I did mention to you some of the interactions that I have observed in the public workshops that I have been attending over the last year. I mentioned to you one specific incident that sticks out in my mind because it was so offensive to me as a citizen attending a public meeting.

The incident I was mentioning took place in that Oct. 2 workshop session where the council was discussing the Hewitt city parks and the associated revenue from the new amphitheater at Warren Park. As I recall, one of your staff, Katie Allgood was presenting the changes that had been made to the parks, specifically Warren Park and the revenue that the amphitheater had generated since its build. As discussions led into this area, before Ms. Allgood even began to speak, Mr. Passalugo was extremely disparaging about anything that even had to do with the parks discussions to the point that it was clear to me as a public bystander that he was not interested in hearing the discussions. When Ms. Allgood began to share her comments, Mr. Passalugo interrupted her numerous times, would not let her finish her comments, and was talking over her to the point of raising his voice as to intimidate her. I was appalled and offended that an elected official would have the audacity to be so blatantly disrespectful and demeaning to a city employee in any regard, much less in an open public meeting.

As I recall, Ms. Allgood was sharing that the amphitheater had generate revenue beyond that which was anticipated in the initial proposal that was approved by the council. It was clear to me, that in this instance, Mr. Passalugo was not trying to engage in healthy discussion about a situation that needed city attention, rather his actions were disparaging and intended to be demoralizing, and intimidating. What concerns me most is that this is not the only time I have witnessed Mr. Passalugo engage women on your staff in this manner. I can recall at least two additional instances where Mr. Passalugo and also Mr. Vidrine have used similar approaches with two other staff members.

Mr. Passalugo has also engaged another of your staff, I believe the young woman's name is Cassie, in an analogous manner as he addressed Ms. Allgood. As I recall, Cassie was presenting materials on a proposed dog park. She was presenting some slides and

other supporting information that had clearly come from hours of effort and work with your parks committee and Hewitt residents. I remember again, Mr. Passalugo's attitude of disdain for "wasting" his time discussing a dog park and that attitude continued after the presentation into his comments towards Cassie. I distinctly remember him saying something like "I don't care if you have everything donated and the costs covered, people don't want a dog park." As Cassie continued to explain additional supporting evidence of the desires of some Hewitt residents for a dog park, he continued to make comments about noise and animal waste. Please don't mistake my comments about this to portray that I am talking with you about this because he "disagreed" with the idea of a dog park, rather it is his repulsive attitude of disrespect and the demeaning nature of his engagement with these women on your staff that is extremely concerning to me. His tone and attitude with this staff member was the same as that displayed with Ms. Allgood, disrespectful, discriminatory and demeaning.

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I appreciate you taking the time to discuss this with me last week. Having taken time out of your day last week and now following up in email with my concerns, I am fully

aware that these things don't change without effort. In that regard, please know that my intent is not to just complain, please do let me know if I can help in any way. I appreciate the time, effort, and dedication you and your staff give to the city of Hewitt.

Best Regards,  
<image003.jpg>

~~~~~  
Erica D. Bruce, Ph.D.  
Associate Professor and Graduate Program Director  
Department of Environmental Science  
Department of Biology  
Institute of Biomedical Studies  
The Institute of Ecological, Earth, and Environmental Science  
Baylor University  
One Bear Place #97266  
Waco, Texas 76798-7266  
PN: (254) 710-4877  
FN: (254) 710-3409  
EM: [erica\\_bruce@baylor.edu](mailto:erica_bruce@baylor.edu)  
[www.youvisit.com/tour/baylor](http://www.youvisit.com/tour/baylor)  
~~~~~

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-----Original Message-----

From: Adam Miles [<mailto:adam miles@cityofhewitt.com>]  
Sent: Monday, May 14, 2018 5:45 PM  
To: Bruce, Erica <[Erica\\_Bruce@baylor.edu](mailto:Erica_Bruce@baylor.edu)>  
Subject: Hewitt - Follow up to meeting last week

Dr. Bruce,

I am writing today as a follow-up to our conversation last Thursday. In our discussion, you said you had observed disrespectful behavior from Ed Passalugo directed to Katie Allgood. I believe you referenced the October 2, 2017 City Council work session where Mayor Pro-Tem Passalugo made remarks to Ms. Allgood concerning parks revenue.

I primarily wanted to confirm you observed this behavior and felt his behavior was inappropriate from an elected official to city staff. Also, if you had any other

recollections of inappropriate remarks you observed during any Council meeting that would be helpful to me as well.

Thank you very much for your time and attention. I know you are a very busy person.

Adam

# EXHIBIT 12





---

**From:** Katie Allgood <kallgood@cityofhewitt.com>  
**Sent:** Tuesday, May 15, 2018 5:39 PM  
**To:** Adam Miles  
**Subject:** Policies

#### 6.6 – Grievances

All information concerning an unlawful discrimination complaint shall be treated as confidential, to the extent permitted by law. However, in no instance can the investigator or the City guarantee confidentiality. No employee will disclose the content of a complaint, whether verbal or written except to parties investigating the complaint, family, or legal counsel.

<http://tx-hewitt4.civicplus.com/DocumentCenter/View/4702/66-Grievances>

#### 8.6 – Harassment Free Workplace

All allegations of conduct covered by this policy will be investigated promptly by the appropriate authorities. All components of such investigations will remain completely confidential to the extent allowed by law.

<http://tx-hewitt4.civicplus.com/DocumentCenter/View/4618/86-Harassment-Free-Workplace>

**Katie Allgood**  
**Managing Director of Administration**  
City of Hewitt  
200 Patriot Court  
Hewitt, TX 76643  
(254) 296-5689

# EXHIBIT 13

**From:** [Hewitt City Manager](#)  
**To:** [News@kcentv.com](#); [info@KWKT.com](#); [news@kwtx.com](#); [News25@kxxv.com](#); [Smith, Cassandra](#)  
**Subject:** City of Hewitt Press Release  
**Date:** Thursday, May 17, 2018 1:39:32 PM  
**Attachments:** [2018-05-17 Press Release Passlugo pdf.pdf](#)

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Press Release  
For Immediate Release

Contact:  
Adam Miles  
City Manager  
200 Patriot Court  
Hewitt, Texas 76643

Phone: (254) 666-6171  
Fax: (254) 666-6014

**Thursday, May 17, 2018. Hewitt, Texas.** The City of Hewitt is in receipt of formal complaints against Mayor Ed Passalugo. Two complaints have been submitted by City Employees and are of a confidential nature. The third complaint is related to Official Misconduct by Mayor Ed Passalugo.

At this time, the Hewitt City Council is scheduled to hold a closed executive session on Monday, May 21, 2018 at 6:30 p.m. to discuss these complaints and claims. On the advice of the City Attorney, an item is posted on the City Council agenda to consider engaging the Law Firm of Lynn, Ross, & Gannaway, LLP to conduct a third party impartial investigation concerning these complaints. This item will be considered during the Regular Business session scheduled at 7:00 p.m. Monday evening.

According to City Manager Adam Miles, "While this situation is complicated and difficult, we are working diligently to address these concerns in an open, transparent, and constructive manner." He went on to say, "This situation is very difficult for some employees. I am proud of their continued efforts to deliver high quality service to Hewitt residents."

The City of Hewitt is dedicated to resolving these issues in a timely and professional manner. According to City Manager Miles, "We appreciate the patience and understanding of the citizens during this difficult time."

XXX

**From:** [Adam Miles](#)  
**To:** [Adam Miles](#)  
**Subject:** Support for City Staff  
**Date:** Thursday, May 17, 2018 1:42:20 PM  
**Attachments:** [2018-05-17 Press Release Passlugo pdf.pdf](#)

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Fellow employees,

As some of you may have heard, we are going through a complicated and difficult time. I am providing you a copy of a press release that I am sending out today concerning formal complaints against Mayor Ed Passalugo. I expect that this will be covered by the Waco Trib and other media outlets today.

I want you to know I am working to make this entire process go as smoothly as possible. Due to new allegations, I am advising you to avoid making any comments about any employee of the City and please be cautious in any communication with a member of the City Council.

I am very proud of the work each one of you do to deliver high quality professional service to our residents. I believe we have significant community support and I believe Hewitt residents appreciate the work you do each and every day.

If any of you need to seek counseling, I want to remind you we do have the EAP (Employee Assistance Program) as a resource for you.

I want to reassure you that I hold each of you in the highest regard. We will work through this difficult time together. The official City Council agenda is going out today. If you have any questions, please let me know.

Please refer any questions pertaining to this issue to me. Thank you.

Adam Miles  
City Manager



Press Release  
For Immediate Release

Contact:  
Adam Miles  
City Manager  
200 Patriot Court  
Hewitt, Texas 76643

Phone: (254) 666-6171  
Fax: (254) 666-6014

**Thursday, May 17, 2018. Hewitt, Texas.** The City of Hewitt is in receipt of formal complaints against Mayor Ed Passalugo. Two complaints have been submitted by City Employees and are of a confidential nature. The third complaint is related to Official Misconduct by Mayor Ed Passalugo.

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The City of Hewitt is dedicated to resolving these issues in a timely and professional manner. According to City Manager Miles, "We appreciate the patience and understanding of the citizens during this difficult time."

XXX

**From:** [Adam Miles](#)  
**To:** [Alissa Cady](#)  
**Subject:** Re: Press Release concerning Hewitt Council agenda  
**Date:** Thursday, May 17, 2018 2:05:25 PM

---

It's actually already posted on KWTX. So....

Sent from my iPhone

On May 17, 2018, at 1:56 PM, Alissa Cady <[alissa@hewittchamber.com](mailto:alissa@hewittchamber.com)> wrote:

Thank you – how would you like this to be shared? Bulletin and headlines, or are you wanting this to be kept internally? I assume shared since it's a press release.

### **Alissa Cady | Executive Director**

Greater Hewitt Chamber

101 Third St. | PO Box 661, Hewitt, TX 76643

o (254) 666-1200 | c (254) 299-7520

[<image001.jpg>](#)

**From:** Adam Miles <[adam miles@cityofhewitt.com](mailto:adam miles@cityofhewitt.com)>

**Sent:** Thursday, May 17, 2018 1:53 PM

**To:** Alissa Cady <[alissa@hewittchamber.com](mailto:alissa@hewittchamber.com)>; Laura Beaty  
<[laura@hewittchamber.com](mailto:laura@hewittchamber.com)>

**Subject:** Press Release concerning Hewitt Council agenda

**From:** [Hewitt City Manager](#)  
**To:** [Alissa Cady](#); [Laura Beaty](#)  
**Subject:** Press Release concerning Hewitt Council agenda  
**Date:** Thursday, May 17, 2018 1:53:15 PM  
**Attachments:** [2018-05-17 Press Release Passlugo pdf.pdf](#)

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Press Release  
For Immediate Release

Contact:  
Adam Miles  
City Manager  
200 Patriot Court  
Hewitt, Texas 76643

Phone: (254) 666-6171  
Fax: (254) 666-6014

**Thursday, May 17, 2018. Hewitt, Texas.** The City of Hewitt is in receipt of formal complaints against Mayor Ed Passalugo. Two complaints have been submitted by City Employees and are of a confidential nature. The third complaint is related to Official Misconduct by Mayor Ed Passalugo.

At this time, the Hewitt City Council is scheduled to hold a closed executive session on Monday, May 21, 2018 at 6:30 p.m. to discuss these complaints and claims. On the advice of the City Attorney, an item is posted on the City Council agenda to consider engaging the Law Firm of Lynn, Ross, & Gannaway, LLP to conduct a third party impartial investigation concerning these complaints. This item will be considered during the Regular Business session scheduled at 7:00 p.m. Monday evening.

According to City Manager Adam Miles, "While this situation is complicated and difficult, we are working diligently to address these concerns in an open, transparent, and constructive manner." He went on to say, "This situation is very difficult for some employees. I am proud of their continued efforts to deliver high quality service to Hewitt residents."

The City of Hewitt is dedicated to resolving these issues in a timely and professional manner. According to City Manager Miles, "We appreciate the patience and understanding of the citizens during this difficult time."

XXX

**From:** [Adam Miles](#)  
**To:** [Matt McGovern](#)  
**Subject:** Re: Hewitt Mayor Press Release  
**Date:** Thursday, May 17, 2018 2:31:44 PM  
**Attachments:** [2018-05-17 Press Release Passlugo pdf.pdf](#)

---

Matt,  
I did not have your email address. This is a copy of the release.  
Thank you.  
Adam

On May 17, 2018, at 2:29 PM, Matt McGovern <[MMcGovern@kwkt.com](mailto:MMcGovern@kwkt.com)> wrote:

Hello, Adam. My name is Matt McGovern and I work for FOX44 News.

I understand you have sent out a press release regarding the situation about Ed Passalugo, and I didn't seem to get one. May I please have a copy for us?

Thank you,

## **Matt McGovern**

**Digital Content Producer**

**KWKT-TV FOX 44 - KYLE-TV Y28 - Estrella TV 44.3 28.3 - HYFN Digital**

**8803 Woodway Drive**

**Waco, TX 76712**

**Email: [mmcgovern@kwkt.com](mailto:mmcgovern@kwkt.com)**

**Office: 254-235-7467, Ext. 242**

**Mobile: 601-498-0854**

**[www.CenTexProud.com](http://www.CenTexProud.com)**

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Press Release  
For Immediate Release

Contact:  
Adam Miles  
City Manager  
200 Patriot Court  
Hewitt, Texas 76643

Phone: (254) 666-6171  
Fax: (254) 666-6014

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XXX

**From:** [Hewitt City Manager](#)  
**To:** [info@KWKT.com](mailto:info@KWKT.com)  
**Subject:** Re-sending  
**Date:** Thursday, May 17, 2018 2:39:03 PM  
**Attachments:** [2018-05-17 Press Release Passlugo pdf.pdf](#)

---

This is a Press Release from the City of Hewitt. I wanted to make sure you received a copy of this release. Adam



Press Release  
For Immediate Release

Contact:  
Adam Miles  
City Manager  
200 Patriot Court  
Hewitt, Texas 76643

Phone: (254) 666-6171  
Fax: (254) 666-6014

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**From:** [Hewitt City Manager](#)  
**To:** [Matt McGovern](#); [info@KWKT.com](mailto:info@KWKT.com); [News@kcentv.com](mailto:News@kcentv.com); [Channel 10](#); [News25@kxxv.com](mailto:News25@kxxv.com)  
**Subject:** Hewitt Press Release Friday, May 18, 2018  
**Date:** Friday, May 18, 2018 11:22:37 AM  
**Attachments:** [2018-05-18 Press Release Passlugo pdf.pdf](#)  
[2018-05-14 Redacted Complaints combined.pdf](#)

---



## Press Release For Immediate Release

Contact:  
Adam Miles  
City Manager  
200 Patriot Court  
Hewitt, Texas 76643

Phone: (254) 666-6171  
Fax: (254) 666-6014

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May 14, 2018

To: City of Hewitt  
200 Patriot Court  
Hewitt, TX 76643

Re: Formal Complaint Against Mayor Ed Passalugo

To Whom It May Concern,

I, [REDACTED] am hereby filing a formal complaint against Mayor Ed Passalugo related to negative actions and treatment against myself.

Mayor Passalugo's repeated actions include: Defamation of Character, Disparate Treatment, Violation of Due Process, Discrimination, Harassment, Workplace Bullying, Creation of Hostile Work Environment, Interference of Official Duties, and Disruption of Public Business.

These numerous occurrences have been documented and witnessed. I now fear that my employment with the City of Hewitt is in jeopardy due to Mayor Passalugo's threats and intimidation.

Please be advised, I have contacted an attorney and will pursue further action against Mayor Passalugo.

Sincerely,

[REDACTED]

State of Texas  
County of McLennan

This instrument was signed before me by [REDACTED]

his 14 day of May 2018.

5-14-18 8:53 a.m.  
Time & Date

[REDACTED]

May 14, 2018

To: City of Hewitt  
200 Patriot Court  
Hewitt, TX 76643

Re: Formal Complaint Against Mayor Ed Passalugo

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Sincerely,

[REDACTED]

State of Texas  
County of McLennan

This instrument was signed before me by [REDACTED]

this 14 day of May 2018.

5-14-2018 9:07am  
Time & Date

[REDACTED]

**From:** [Hewitt City Manager](#)  
**To:** [Matt McGovern](#); [info@KWKT.com](mailto:info@KWKT.com); [News@kcentv.com](mailto:News@kcentv.com); [Channel 10](#); [News25@kxxv.com](mailto:News25@kxxv.com)  
**Subject:** Re: Hewitt Press Release Friday, May 18, 2018  
**Date:** Friday, May 18, 2018 11:23:12 AM

---

Also, just FYI I will be available for comment after 2:00 pm today.

> On May 18, 2018, at 11:22 AM, Hewitt City Manager <[adammiles@cityofhewitt.com](mailto:adammiles@cityofhewitt.com)> wrote:  
>  
>  
>  
>  
> <2018-05-18 Press Release Passlugo pdf.pdf><2018-05-14 Redacted Complaints combined.pdf>

**From:** [Adam Miles](#)  
**To:** [RSummerour@kwkt.com](mailto:RSummerour@kwkt.com)  
**Subject:** Fwd: Hewitt Press Release Friday, May 18, 2018  
**Date:** Friday, May 18, 2018 12:15:50 PM  
**Attachments:** [2018-05-18 Press Release Passlugo pdf.pdf](#)  
[ATT00001.htm](#)  
[2018-05-14 Redacted Complaints combined.pdf](#)  
[ATT00002.htm](#)

---

Here you go. Thank you.

Sent from my iPhone

Begin forwarded message:

**From:** Hewitt City Manager <[adammmiles@cityofhewitt.com](mailto:adammmiles@cityofhewitt.com)>  
**Date:** May 18, 2018 at 11:22:37 AM CDT  
**To:** Matt McGovern <[MMcGovern@kwkt.com](mailto:MMcGovern@kwkt.com)>, [info@KWKT.com](mailto:info@KWKT.com),  
[News@kcentv.com](mailto:News@kcentv.com), Channel 10 <[news@kwtx.com](mailto:news@kwtx.com)>, [News25@kxxv.com](mailto:News25@kxxv.com)  
**Subject:** Hewitt Press Release Friday, May 18, 2018



## Press Release For Immediate Release

Contact:  
Adam Miles  
City Manager  
200 Patriot Court  
Hewitt, Texas 76643

Phone: (254) 666-6171  
Fax: (254) 666-6014

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May 14, 2018

To: City of Hewitt  
200 Patriot Court  
Hewitt, TX 76643

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Please be advised, I have contacted an attorney and will pursue further action against Mayor Passalugo.

Sincerely,

[REDACTED]

State of Texas  
County of McLennan

This instrument was signed before me by [REDACTED]

his 14 day of May 2018.

5-14-18 8:53 a.m.  
Time & Date

[REDACTED]

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County of McLennan

This instrument was signed before me by [REDACTED]

this 14 day of May 2018.

5-14-2018 9:07 am  
Time & Date

[REDACTED]



**From:** [Hewitt City Manager](#)  
**To:** [Directors Group](#)  
**Subject:** Confidential complaints and new press release  
**Date:** Friday, May 18, 2018 10:58:19 AM  
**Attachments:** [2018-05-18 Press Release Passlugo pdf.pdf](#)  
[2018-05-14 Redacted Complaints combined.pdf](#)

---



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Adam Miles  
City Manager  
200 Patriot Court  
Hewitt, Texas 76643

Phone: (254) 666-6171  
Fax: (254) 666-6014

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County of McLennan

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5-14-18 8:53 a.m.  
Time & Date

[REDACTED]

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5-14-2018 9:07am  
Time & Date

[REDACTED]

**From:** [Adam Miles](#)  
**To:** [Laura Beatty](#); [Alissa Cady](#)  
**Subject:** Fwd: Hewitt Press Release Friday, May 18, 2018  
**Date:** Friday, May 18, 2018 12:21:57 PM  
**Attachments:** [2018-05-18 Press Release Passlugo pdf.pdf](#)  
[ATT00001.htm](#)  
[2018-05-14 Redacted Complaints combined.pdf](#)  
[ATT00002.htm](#)

---

Sent from my iPhone

Begin forwarded message:

**From:** Hewitt City Manager <[adammmiles@cityofhewitt.com](mailto:adammmiles@cityofhewitt.com)>  
**Date:** May 18, 2018 at 11:22:37 AM CDT  
**To:** Matt McGovern <[MMcGovern@kwkt.com](mailto:MMcGovern@kwkt.com)>, [info@KWKT.com](mailto:info@KWKT.com),  
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**Subject:** Hewitt Press Release Friday, May 18, 2018



## Press Release For Immediate Release

Contact:  
Adam Miles  
City Manager  
200 Patriot Court  
Hewitt, Texas 76643

Phone: (254) 666-6171  
Fax: (254) 666-6014

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200 Patriot Court  
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State of Texas  
County of McLennan

This instrument was signed before me by

[REDACTED]

his 14 day of May 2018.

[REDACTED]

5-14-18 8:53 a.m.  
Time & Date

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[REDACTED]

State of Texas  
County of McLennan

This instrument was signed before me by [REDACTED]

this 14 day of May 2018.

5-14-2018 9:07 am  
Time & Date

[REDACTED]

**From:** [Adam Miles](#)  
**To:** [Waynette Ditto](#)  
**Subject:** Re: Confidential complaints and new press release  
**Date:** Friday, May 18, 2018 12:38:46 PM

---

If you like

Sent from my iPhone

On May 18, 2018, at 12:34 PM, Waynette Ditto <[wditto@cityofhewitt.com](mailto:wditto@cityofhewitt.com)> wrote:

Should I send to library employees?

Get [Outlook for Android](#)

---

**From:** Adam Miles  
**Sent:** Friday, May 18, 2018 10:58:20 AM  
**To:** Directors Group  
**Subject:** Confidential complaints and new press release

**From:** [Hewitt City Manager](#)  
**To:** [info@KWKT.com](mailto:info@KWKT.com); [Matt McGovern](#); [News@kcentv.com](mailto:News@kcentv.com); [Channel 10](#); [News25@kxxv.com](mailto:News25@kxxv.com); [Smith, Cassandra](#); [khoppa@wacotrib.com](mailto:khoppa@wacotrib.com); [Rissa Shaw](#)  
**Subject:** Media Release: Hewitt - Copy of formal complaint  
**Date:** Monday, May 21, 2018 11:52:31 AM  
**Attachments:** [2018-05-17 Fortenberry Complaint Official.pdf](#)

---

Hello all,

This is a copy of a formal complaint filed by Hewitt's Mayor Pro-Tem Steve Fortenberry against Hewitt Mayor Ed Passalugo.

There is a Hewitt City Council meeting scheduled this evening at 7 pm. A closed executive session is scheduled at 6:30 pm for the City Council to discuss this issue beforehand.

There is no press release from the City at this time.

This complaint was made available to the members of the Hewitt City Council yesterday (Sunday) after Mayor Passalugo's attorney requested a copy.

Thank you.

Adam Miles  
City Manager

May 17, 2018

Report of Official Misconduct by Mayor Ed Passalugo

Please accept this as formal written notice to the Hewitt City Council of alleged Official Misconduct by Mayor Ed Passalugo.

Mayor Passalugo contacted me on Tuesday, May 8, 2018 after speaking with the City Manager about things he wanted to see in the budget. Mayor Passalugo made assertions and statements to me that gave me reason to believe he was acting in a deceptive, subversive, disruptive, and possibly illegal manner.

In this phone conversation, the Mayor told me that he had "Polled other members of the Council and the Council would not vote for a tax rate increase". The Mayor told me that he specifically talked with two other members of the Council concerning these issues.

The Mayor told me that the Council was going to get rid of "The purple haired girl" (Caz Muske, Parks & Media Coordinator) and Katie Allgood, Managing Director of Administration. Other employees were discussed as well. That phone conversation was not long.

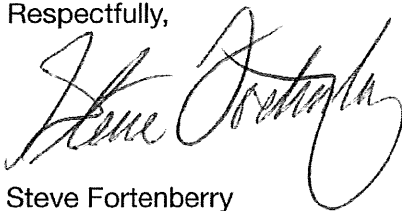
Two days later I spoke with the City Manager and learned the Mayor's actions appeared to be an attempt to circumvent State Law by creating what is known as a "Walking Quorum", which is illegal and against the open meetings act of the State of Texas.

In a subsequent conversation with Mayor Passalugo, on Tuesday, May 15, 2018, I was told by Mayor Passalugo that he had contacted at least one more Hewitt City Councilmember about these specific issues outside of a posted public meeting.

In this phone conversation, Mayor Passalugo reiterated his position that he "polled several members of the Council" and the Council would terminate the employment of certain City Employees. He invited me to a breakfast meeting with him and Councilmember Krakowian to further discuss the tax rate, budget cuts, and specific employees he wanted terminated. I did not accept the invitation to the breakfast. He indicated to me that if I were unable to go then he would attempt to contact another council member to the breakfast meeting. I am highly concerned about other Council members being implicated in Mayor Passalugo's schemes.

I have now reported these conversations, and my records of these conversations, to appropriate agencies, including the City of Hewitt, in order to rectify this situation and bring these allegations to light. I have also reported my concerns of criminal activity to the appropriate law agency. It is my opinion that his actions go against the spirit and intent of the open meetings process.

Respectfully,

A handwritten signature in black ink, appearing to read "Steve Fortenberry", written in a cursive style.

Steve Fortenberry  
Mayor Pro-Tem  
Hewitt City Council

**From:** [adam miles](#)  
**To:** [Adam Miles](#)  
**Subject:** Fw: Friday Developments  
**Date:** Tuesday, June 19, 2018 11:45:17 AM  
**Attachments:** [2018-05-18 Press Release Passlugo pdf.pdf](#)  
[2018-05-14 Redacted Complaints combined.pdf](#)

---

----- Forwarded Message -----

**From:** Adam Miles <adammiles@yahoo.com>  
**To:** "khoppa@wacotrib.com" <khoppa@wacotrib.com>; Smith, Cassandra  
<Cassie.Smith@wacotrib.com>  
**Sent:** Friday, May 18, 2018, 10:27:10 AM CDT  
**Subject:** Friday Developments

Please see attached redacted confidential complaints against Mayor Passalugo and a new press release for today - Friday, Ma8 18..



## Press Release For Immediate Release

Contact:  
Adam Miles  
City Manager  
200 Patriot Court  
Hewitt, Texas 76643

Phone: (254) 666-6171  
Fax: (254) 666-6014

**Friday, May 18, 2018. Hewitt, Texas.** The City of Hewitt is in receipt of formal complaints against Mayor Ed Passalugo. These two confidential complaints have been submitted by City Employees complaining of defamation of character, disparate treatment, violation of due process, discrimination, harassment, workplace bullying, creation of hostile work environment, interference of official duties, and disruption of public business. According to the complainants, "These numerous occurrences have been documented and witnessed." These employees now fear their employment is in jeopardy due to Mayor Passalugo's threats and intimidation.

At the request of Mr. Passalugo's attorney, redacted copies of the complaints have been sent to Mayor Passalugo as well as the rest of the Hewitt City Council. At this time, the complainants have requested for their complaint to be anonymous and is still considered confidential.

The Hewitt City Council is scheduled to consider engaging the Law Firm of Lynn, Ross, & Gannaway, LLP to conduct an impartial third party investigation concerning these and other complaints. This item will be considered during the Regular Business session of the Hewitt City Council scheduled for Monday, May 21 at 7:00 p.m. Monday evening at Hewitt City Hall.

Mr. Passalugo has been asked to refrain from contacting any employees and to not enter City buildings and facilities where City employees are present. According to City Manager Adam Miles, "These employees have brought forward serious allegations that must be investigated." He went on to say, "As an employer, the City of Hewitt has a duty and obligation to take these complaints seriously, investigate these claims, and protect the confidentiality of these complainants."

Miles explained, "This has been very difficult for these employees. Now, other employees have expressed concerns to me that their employment may also be in jeopardy. This entire situation is demoralizing for city employees." Miles stated, "This is a difficult and complex situation. It is rare for a city employee to make allegations of this nature concerning an elected official. It is of paramount importance these claims are investigated in a manner that is thorough and above board."

According to Miles, "I do want to reiterate that while this entire situation is difficult for some employees, I am proud of their continued efforts to deliver high quality service to Hewitt residents."

XXX



May 14, 2018

To: City of Hewitt  
200 Patriot Court  
Hewitt, TX 76643

Re: Formal Complaint Against Mayor Ed Passalugo

To Whom It May Concern,

I, [REDACTED] am hereby filing a formal complaint against Mayor Ed Passalugo related to negative actions and treatment against myself.

Mayor Passalugo's repeated actions include: Defamation of Character, Disparate Treatment, Violation of Due Process, Discrimination, Harassment, Workplace Bullying, Creation of Hostile Work Environment, Interference of Official Duties, and Disruption of Public Business.

These numerous occurrences have been documented and witnessed. I now fear that my employment with the City of Hewitt is in jeopardy due to Mayor Passalugo's threats and intimidation.

Please be advised, I have contacted an attorney and will pursue further action against Mayor Passalugo.

Sincerely,

[REDACTED]

State of Texas  
County of McLennan

This instrument was signed before me by [REDACTED]

his 14 day of May 2018.

5-14-18 8:53 a.m.  
Time & Date

[REDACTED]

May 14, 2018

To: City of Hewitt  
200 Patriot Court  
Hewitt, TX 76643

Re: Formal Complaint Against Mayor Ed Passalugo

To Whom It May Concern,

I, [REDACTED] am hereby filing a formal complaint against Mayor Ed Passalugo related to negative actions and treatment against myself.

Mayor Passalugo's repeated actions include: Defamation of Character, Disparate Treatment, Violation of Due Process, Discrimination, Harassment, Workplace Bullying, Creation of Hostile Work Environment, Interference of Official Duties, and Disruption of Public Business.

These numerous occurrences have been documented and witnessed. I now fear that my employment with the City of Hewitt is in jeopardy due to Mayor Passalugo's threats and intimidation.

Please be advised, I have contacted an attorney and will pursue further action against Mayor Passalugo.

Sincerely,

[REDACTED]

State of Texas  
County of McLennan

This instrument was signed before me by [REDACTED]

this 14 day of May 2018.

5-14-2018 9:07 am.  
Time & Date

[REDACTED]

**From:** [adam miles](#)  
**To:** [Adam Miles](#)  
**Subject:** Fw: 2018-05-17 Press Release Passlugo pdf.pdf  
**Date:** Tuesday, June 19, 2018 11:45:35 AM  
**Attachments:** [2018-05-17 Press Release Passlugo pdf.pdf](#)

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----- Forwarded Message -----

**From:** Adam Miles <adammiles@yahoo.com>  
**To:** "khoppa@wacotrib.com" <khoppa@wacotrib.com>  
**Sent:** Thursday, May 17, 2018, 2:12:16 PM CDT  
**Subject:** 2018-05-17 Press Release Passlugo pdf.pdf

Sent from my iPhone



Press Release  
For Immediate Release

Contact:  
Adam Miles  
City Manager  
200 Patriot Court  
Hewitt, Texas 76643

Phone: (254) 666-6171  
Fax: (254) 666-6014

**Thursday, May 17, 2018. Hewitt, Texas.** The City of Hewitt is in receipt of formal complaints against Mayor Ed Passalugo. Two complaints have been submitted by City Employees and are of a confidential nature. The third complaint is related to Official Misconduct by Mayor Ed Passalugo.

At this time, the Hewitt City Council is scheduled to hold a closed executive session on Monday, May 21, 2018 at 6:30 p.m. to discuss these complaints and claims. On the advice of the City Attorney, an item is posted on the City Council agenda to consider engaging the Law Firm of Lynn, Ross, & Gannaway, LLP to conduct a third party impartial investigation concerning these complaints. This item will be considered during the Regular Business session scheduled at 7:00 p.m. Monday evening.

According to City Manager Adam Miles, "While this situation is complicated and difficult, we are working diligently to address these concerns in an open, transparent, and constructive manner." He went on to say, "This situation is very difficult for some employees. I am proud of their continued efforts to deliver high quality service to Hewitt residents."

The City of Hewitt is dedicated to resolving these issues in a timely and professional manner. According to City Manager Miles, "We appreciate the patience and understanding of the citizens during this difficult time."

XXX

# **EXHIBIT 14**

## AFFIDAVIT OF BELINDA KAY ALLGOOD

Name: Belinda Kay "Katie" Allgood

Occupation: Managing Director of Administration for the City of Hewitt

I, Belinda Kay "Katie" Allgood, swear or affirm:

1. That I have been employed by the City of Hewitt since February 2015 and I am currently the Managing Director of Administration for the City of Hewitt, Texas.
2. That I am currently in a consensual personal relationship with Adam Miles, City Manager, of the City of Hewitt.
3. That I have been in a consensual personal relationship with Adam Miles since approximately April 2016.
4. That I currently reside at 721 Oakmont Dr., Hewitt, Texas 76643 with Adam Miles.
5. That I am not and have not ever been sexually harassed by Adam Miles.
5. That I am not and have not been coerced into a personal relationship in any manner by Adam Miles in exchange for my position with the City.
6. That I have no claim of sexual harassment or coercion in relation to Adam Miles and the City of Hewitt.
7. That I make these statements without coercion or duress and of my own free will.
8. That I have had the opportunity to have this Affidavit reviewed by my personal attorney.

Further affiant saith not.

I SWEAR OR AFFIRM THAT THE ABOVE AND FOREGOING REPRESENTATIONS ARE TRUE AND CORRECT TO THE BEST OF MY INFORMATION, KNOWLEDGE, AND BELIEF.

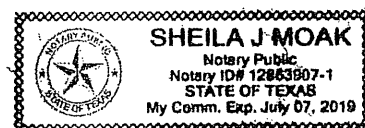
Feb 1, 2018  
DATE

Belinda Kay Allgood  
Belinda Kay "Katie" Allgood

STATE OF TEXAS  
COUNTY OF MCLENNAN

I, the undersigned Notary Public, do hereby affirm that Belinda Kay "Katie" Allgood personally appeared before me on the 1st day of February 2018, and signed the above Affidavit as her free and voluntary act and deed.

Sheila J Moak  
Notary Public, State of Texas



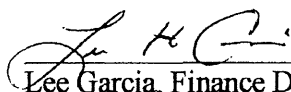
# EXHIBIT 15

### Statement of Lee Garcia

After the disagreements between the former City Manager, Adam Miles, and the City Council became public around May 2018, the City became a very tense working environment. I assumed it was something from his annual April personnel review conducted by the Council since he reacted very badly to it in the department meetings.

Adam customarily held up to two hour department head meetings every Tuesday morning. On any Tuesday mornings that followed a Monday night Council Meeting, he would generally just repeat everything we had already heard in the Monday meeting. As he became more agitated with the council Adam seemed to be focused on the legal filings/ fights with the Council and would frequently curse them, individually and as a whole. He focused the majority of the meeting time on the Employee filings of a particular person who was also present at the Department Head meetings explaining profusely how they had been wronged. This would go on for long periods of time with the other party adding to the discussion. Together they would share the latest information from their sources and how bad the other parties were, what they would like to see happen to them personally, mocking the citizens who spoke at the meeting, and passing around their phones to share inappropriate items. Department Head meetings became, at a minimum, gripe sessions about the Mayor and Council.

I have been around the Mayor and the members of the council both in my office (although very rarely) and at Council meetings/City functions. I have never considered anything that they said as sexist or harassing. I was not aware of any personal confrontations made by the Mayor or any other councilmember toward any city employee.



Lee Garcia, Finance Director



# EXHIBIT 16

Statement of Lydia Lopez

I am the City Secretary of the City of Hewitt, Texas.

In that capacity I would attend Department Head Meetings. Department head meetings were held every Tuesday at 9 AM. The meetings would sometimes last up to two hours. These meetings became substantially non-productive because former City Manager Adam Miles would spend much of the time talking negatively about members of the Council particularly those who had complaints filed against them (Mayor Ed Passalugo, Kurt Krakowian). This included other council members as well. It was also not unusual for him to ridicule citizens who addressed the Council during hearing of visitors. He and Katie would share Facebook post and newspaper headlines regarding their fight with the Council. Department Heads began to feel like their time was being wasted.

Another important point, Adam Miles falsely stated in a formal complaint that the Mayor had me in tears. This was not true. The Mayor had submitted an agenda for a Special Called meeting. In that I worked under the direct supervision of the City Manager, I had to let Adam Miles know of his request. I informed the Mayor of this as well. When I showed Adam the proposed notice, he prolonged the posting and advised that he wanted to add some of his own items as well. In truth, I was upset because I felt like I was in the middle of a controversy that was not mine and that Adam Miles wanted me to make changes. The Mayor and Council have never been hostile or mean to me. I probably had the most interaction with councilmembers of anyone at City Hall. Councilmembers rarely come to City Hall unless they need to pick something up or if there is a formal meeting or function. I don't see how they would even have the opportunity to be around the ladies in administration much.



Lydia Lopez, City Secretary

Date: January 7, 2019

# EXHIBIT 17

## STATEMENT OF PATTY LAXSON

My name is Patty Laxson. I have worked for the City of Hewitt, Texas for 20 years. I currently serve in the position of Court Administrator. I am competent to make this Affidavit and unless otherwise expressly qualified, the statements herein are within my personal knowledge and are true and correct.

It is my understanding that Katie Allgood stated in an affidavit presented to the City Council that her relationship with the former City Manager, Adam Miles, did not start until "approximately April 2016." Based on the observations of myself and others, this is not true.

We were still at the old City Hall on Tampico before we moved to the new City Hall on Patriot Court in April of 2016. The new Police Department had been completed well before the City Hall and Katie officed at the new Police Department. On Fridays, Katie would drive over to the old City Hall on Tampico, park her truck and go through the back to Adam's office. This would occur about 4:30 in the afternoon. Then Adam and Katie would leave in his vehicle while leaving her truck parked at City Hall. Adam would drop her off at her truck after the weekend. I personally saw this occur on a Sunday afternoon, but sometimes it would be Monday morning before the truck moved. The times I would drive by on the weekend, Katie's truck would be sitting in the parking lot in the same place where it had been parked on Friday. This was going on for months before we moved to the new building in April 2016. When Tierny Kruger was fired in October 2015 I was already aware that there was a relationship going on between Adam and Katie.

I recall Adam explaining why Tierny was fired. He said that Tierny was spreading lies about him and tried to blackmail him. But for whatever reason, the City paid several weeks of pay and insurance and a settlement payment to get rid of her; so that appeared a little suspect to me and other employees. We were all told not to talk to Tierny.

Katie and Adam generally had lunch together and sometimes would just disappear at the same time. When we did finally move into the new building; Katie's office was right by Adam's office instead of down by the City Secretary. At the Grand Opening, Adam's mother brought both Adam and Katie flowers.

Other employees and I knew about this relationship long before the move to the new City Hall; however, there was no one to report it to without risking retaliation.

At one point after an organizational meeting Adam came to me and asked me to draft an e-mail to Katie thanking her for standing up for the employees. Billie Black was present and heard this request. I really struggled with this because I felt that Katie as one of the City's biggest problems. A day or two later when I had still not sent Katie the e-mail, Adam came back by to remind me. I felt that the best thing to protect my job was to do what Adam asked.

The Mayor and the City Council members are rarely at City hall for other than formal meetings or functions, and when they are it is usually to pick something up. Their interaction would normally be with Lydia Lopez, Billie Black, and/or myself. I do not recall ever feeling harassed or treated badly due to my gender by the Mayor or members of the Council.

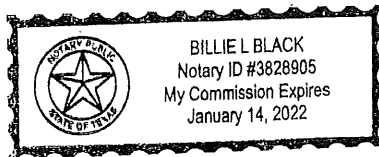
  
Patty Laxson

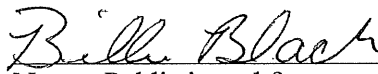
STATE OF TEXAS

§  
§  
§

COUNTY OF McLENNAN

SUBSCRIBED AND SWORN to before me by the said Patty Laxson on this the 2 day of January 2019, to certify which witness my hand and seal of office.



  
Notary Public in and for  
the State of Texas

My commission expires: January 14, 2022

# EXHIBIT 18

### STATEMENT OF BILLIE BLACK

My name is Billie Black. I have worked for the City of Hewitt, Texas for 17 years. I currently serve in the position of Municipal Court Clerk. I am competent to make this Affidavit and unless otherwise expressly qualified, the statements herein are within my personal knowledge and are true and correct.

The relationship between the City Manager, Adam Miles, and Katie Allgood was not very well hidden. She went from an intern to second in command of the City with a large salary and benefits after only 20 months of full-time employment. That is not the norm in Hewitt. People usually work years in a position before even having a promotional opportunity. However, beyond this, it became very clear that something was going on between them from my point of view when Katie started coming over to the City Hall on Tampico, would park her truck, go around to a back entrance and then leave with Adam at around 4:30 p.m. on Fridays. Katie's truck would be left at City Hall over the weekend.

This was going on well before we moved to the new City Hall in April 2016. I can remember it going on while Tierny Kruger was the H.R. Director. It was learned that Tierny was no longer employed with the City in October of 2015 because of an e-mail that Adam sent out about it to department heads and others and the talk that followed including that we were not to talk to Tierny so, I know it had been going on before then. Most, if not all, employees knew about the relationship. It was often brought up in conversations.

I can honestly say that any statement that Adam and Katie's relationship did not start until approximately April 2016 is false. It was going on well before we ever moved to the new building in April 2016. And, I know from what I observed that it was going on well before Tierny was fired, so that could put it in September 2015 or earlier. Also, Adam and Katie were often gone at the same time and were always going to places together and this was going on for a long time before the April 2016 move. In addition, I would see them out together after work hours. I would drive to the rest home in the evenings from time to time, and several times I would see Katie and Adam at a stoplight together in the same vehicle well after work hours. This also started well before we changed buildings. Using Tierny's termination as a reference point, I knew that the relationship was going on no later September/October 2015.

Adam would often come into our area and let off steam. For whatever reason, he felt comfortable saying things to me and Patty. For example, when the whole matter with Tierny occurred, Adam told us that Tierny tried to blackmail him. At the time this seemed dramatic, but after later learning that Tierny received pay for not working and then was paid a settlement, it made me wonder since the workplace rumor was that Tierny was going to tell about Katie and Adam's relationship and was paid money to keep quiet.

Adam would come in and say that he hoped the Council would fire him so he could sue, and that Katie was going to make so much money off of the City in a lawsuit that she would never have to work again. He even talked about trying to find ways to sue the Mayor and Kurt Krakowian individually, and do it in a way that would cause them to lose their homes. It seemed like Adam was spewing pure hate at times.

Adam told us that the Mayor was not allowed on the premises except for Council meetings and was not to attend any City functions.

Adam said that he was no longer going to hold work sessions for the City Council because he did not want to be around the Council and could not stand them.

During these rants Adam generally did not talk about anything else but how sorry and crooked the Mayor was, and how the councilmembers were sorry and needed to be replaced in May. He would call them liars and pieces of shit.

I have never had an issue with being harassed by or feeling hostility from the Mayor or any Councilpersons. They are very seldom even at City Hall, and if they are it is to pick something up from Lydia Lopez the City Secretary, or to attend a formal meeting or function. Patty Laxson, Lydia Lopez and I likely had the most contact with members of the Council.

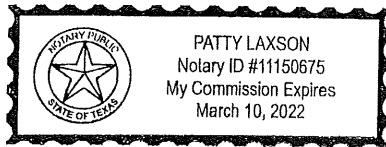
Billie Black  
Billie Black

STATE OF TEXAS

§  
§  
§

COUNTY OF McLENNAN

SUBSCRIBED AND SWORN to before me by the said Billie Black on this the 2 day of January 2019, to certify which witness my hand and seal of office.



Patty Laxson  
Notary Public in and for  
the State of Texas

My commission expires: March 10, 2022



# APPENDIX 2

## APPENDIX 2

### MS. MUSKE

| Complaints/ Statements to City                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Incident Report dated <b>5/15/2018</b> relating to <b>9/28/2017</b> incident.</p> <p>“On 09/28/2017 I attended a Texas Municipal League Dinner in Mexia, Texas on behalf of the City of Hewitt. Mayor Ed Passalugo sat next to me at our City of Hewitt designated table. He seemed to be in an agitative state. I was 6 months pregnant and he kept asking me personal questions such as if I was coming back to work after maternity leave, how long I was taking for maternity leave and what my husband’s occupation was. I felt very uncomfortable as he seemed to be frustrated about something.”</p> <p><b>SEE EX. 1</b></p>                                                                                                                                                            | <ul style="list-style-type: none"> <li>• Refers to a 2017 incident;</li> <li>• Was not reported when occurred as is required by City Policy</li> <li>• Does not state a violation on its face</li> </ul>                                                                    |
| <p>Incident Report <b>5/15/2018</b></p> <p>Incident Occurrence: 4/4/2018</p> <p>“On 4/4/2018 I attended a Cultural internal training – hosted by the City of Hewitt. I wanted a refill of coffee. I went to the workshop room to refill two small Styrofoam cups with coffee. As I was filling the last cup, Mayor Ed Passalugo was coming to get a refill. I apologized for taking the rest of the coffee and he angrily said “it’s fine” and aggressively threw his empty cup away on the way out of the workshop room. I knew he was mad at me by his tone, so I felt obligated to make coffee and bring him a cup. When I did, he would not look at me nor thank me for the cup of coffee. He later left the cream and sugars on the table for me to dispose of.”</p> <p><b>SEE EX. 2</b></p> | <ul style="list-style-type: none"> <li>• The Mayor did not say thank you—bad manners, not gender discrimination.</li> <li>• Refers to an incident over a month earlier</li> <li>• Not reported per policy;</li> <li>• Does not state how this is gender-related.</li> </ul> |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Incident Report <b>5/15/2018</b></p> <p>Incident Occurrence: 4/4/2018</p> <p>“On 4/4/2018 I attended a Cultural Training—hosted by the City of Hewitt. During the training, we discussed issues the employees feel the City of Hewitt has and what solutions they would recommend. Mayor Ed Passalugo became angry when he saw the majority of the class voted on money as a City-wide issue. He made comments referring to City employees as “burger flippers” and that to save City funds we should contract the Parks Department out. I am in the Parks Department so I felt personally targeted and feared for my employment.”</p> <p><b>SEE EX. 3</b></p>                                                                                                                                                                                                                                                                                | <ul style="list-style-type: none"> <li>• The comment was directed city-wide, Many in attendance took offense. Not directed at Ms. Muske personally.</li> <li>• Outsourcing some of the mowing had been discussed for quite some time.</li> <li>• Not based on gender; no violation on its face</li> </ul>                                                                                                                                                                                  |
| <p>Incident Report: <b>5/15/2018</b></p> <p>Incident Occurrence: <b>9/18/2017</b></p> <p>References to Mayor should be to Mayor Pro-Tem, since Passalugo was Mayor Pro Tem at this time</p> <p>“On 9/18/2017 I gave a Dog Park presentation—in a Monday Council Meeting—on behalf of the Parks Department and inquiries from the citizens of Hewitt. After the presentation concluded, Mayor Ed Passalugo requested for more research to be done and for the Parks Department to seek more Hewitt public opinions on the Dog Park. I created a Survey Monkey Park Survey and posted it on the City of Hewitt Facebook account on 10/3/2017. Mayor Ed Passalugo, knowing my involvement with all City of Hewitt Media outlets, questioned my actions and recanted his direction discussed prior in the 9/18/2017 by emailing Adam Miles (see attached). I firmly believe he is aware of the interests of the Hewitt residents but wants to go</p> | <ul style="list-style-type: none"> <li>• Ms. Muske would not have known of the Mayor’s comment as to the survey, and his frustration over it had Miles not inappropriately forwarded or provided her with an e-mail between him and a member of the City Council. This email was not communicated to her by the then Mayor Pro-Tem.</li> <li>• A disagreement expressed to the City Manager regarding whether a survey was authorized does not constitute gender discrimination</li> </ul> |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>against their interests. Since I went against his personal agenda, he targeted my actions and put stress on myself and had me fear for my employment—even though I did what I was asked.”</p> <p><b>SEE EX. 4</b></p>                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p>“Harassment”</p> <p>Incident Report: 5/15/2018</p> <p>Incident Occurrence: 5/7/2018</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p>“On 5/7/2018 I attended the Monday City of Hewitt Workshop and Council Meeting. During the Workshop Meeting, Mayor Ed Passalugo approached me while I was sitting. He stood hovered over me and aggressively threw his hand toward me demanding I shake his hand. I knew he would not leave my presence until I shook him hand so I complied. I felt very uncomfortable, vulnerable and powerless. I knew he was angry with me prior to the coffee incident that occurred on 4/4/2018 at our Culture Training.”</p> <p><b>SEE EX. 5</b></p> | <ul style="list-style-type: none"> <li>• The Mayor’s habit of coming in and shaking hands with staff and others is well known and not intended to be threatening. This is a regular practice that can be verified by many witnesses.</li> <li>• This WAS BEFORE any of the complaints were filed.</li> <li>• To conclude the Mayor was upset about coffee, which happened a month before, was unreasonable.</li> <li>• Not based on gender</li> </ul> |
| <p>Incident Report: <b>5/30/2018</b></p> <p>Incident Occurrence: 5/21/2018</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p>During the formal Council Meeting, Mayor Ed Passalugo referred to Katie and I as “road blocks.”</p> <p><b>SEE EX. 6</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                 | <ul style="list-style-type: none"> <li>• Neither Muske nor Allgood were called road blocks; they (and a few others) inferred the statement was directed to them</li> <li>• A recording of the meeting is available.</li> <li>• Discussion on SRO (school resource officer)—Mayor said child’s safety/life more important than other things had discussed.</li> </ul>                                                                                  |
| <p>5/14/2018—Conclusory allegation of law violations</p> <p><b>SEE EX. 7</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <ul style="list-style-type: none"> <li>• No substantive statements of facts; formulaic legal recitations</li> </ul>                                                                                                                                                                                                                                                                                                                                   |

MS. ALLGOOD

|                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Complaint                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Exhibit 8<br>Conclusory allegations of law violations | <ul style="list-style-type: none"><li>• No substantive statements of facts; formulaic legal recitations</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Exhibits 9 and 10<br>Allgood Narrative of Events      | <ul style="list-style-type: none"><li>• Many are restatements of Muske Complaints, and the same responses apply.</li><li>• Many are generalized assertions of not being “valued” or having competence questioned, or not being validated or recognized, or being “retaliated against” or treated badly, without specific instances stated. Many are time-barred</li><li>• Council workshop of 10/2/2017: the remark was made and some said the Mayor was rude; others thought Allgood acted improperly because she interrupted the Council discussion; not gender based on its face</li><li>• Trip to water plant: The photos were reviewed---and at some point any number of people might be background in a picture of the plant or equipment. No one else on the tour noticed any such “harassment” other than Miles.</li><li>• Not every inconsiderate or rude comment is gender- based discrimination. In addition, criticism is not automatically gender discrimination.</li><li>• May 21, 2018 Krakowian conduct in City Council meeting.</li></ul> |

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <p>Krakowian was given a complaint shortly before the meeting started likely for the purpose of causing him to blow up.</p> <p>However, this does not excuse his conduct, which was unprofessional and out of order.</p> <p>Neither the Mayor nor the City Attorney intervened.</p> <p>A councilperson should not act in this manner---if need be, have the councilmember removed.</p> <p>Although nothing but Krakowian exercising better self-control could have stopped this incident--the incident could have been substantially shortened by an effective response.</p> <p>Mr. Krakowian resigned and is not a council member.</p> <ul style="list-style-type: none"> <li>• The Mayor has emphasized street repairs; it is one of his focuses for the City. There was no evidence that the Mayor asked the City to maintain his private property.</li> <li>• Generalities regarding questioning her job knowledge: it is the City Council's purview, through its budget authority, to determine the number of employees and the compensation/benefits. It is not a violation of law for an elected official to question a City</li> </ul> |
|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                  | <p>Manager regarding an employee's skill set when it appears there may be favoritism or a lack of work experience. This isn't a gender issue, it is a common-sense issue.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p>Exhibit 11</p> <p>Additional Complaint of Allgood-Forced Handshake—Rejected</p> <p>Says that Mayor tried to shake her hand at a meeting, she refused, and he looked up and shrugged as if playing to those in attendance.</p> | <ul style="list-style-type: none"> <li>• The Mayor's habit of coming in and shaking hands with staff and others is well known and not intended to be threatening. This is a regular practice that can be verified by many witnesses. He shakes hands with men and women.</li> <li>• However, some people did think that the shrug was theatrical, and was a little bit of a snipe at Allgood.</li> <li>• It was childish and/or boorish. But there is no tie to gender. It is not apparent how this was an adverse action taken against her. It could be argued that it would have been professional to shake hands and go on. Business people almost daily are faced with shaking the hand of someone they do not like or trust.</li> <li>• The Mayor should have just moved on and not done the "shrugging" thing---but again, an incident demonstrating bad manners, rudeness, or boorishness does not state a discrimination or retaliation claim when isolated or infrequent. In this matter, there was almost no interaction except at Council meetings or events.</li> </ul> |

|                                                  |                                                                                                                                                                                                    |
|--------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Exhibit 12 Krakowian Facebook Posts              | <p>Social media post that refers to an “opinion” about a proceeding. Council members need to be careful about their social media posts.</p> <p>Also congratulates an employee.</p>                 |
| Krakowian’s wife makes personnel records request | <p>It is a lawful use of the Public Information Act. A right. And the request did not even specifically relate to Allgood—it requested a date range, which Allgood determined to be about her.</p> |



#2

## Incident Report

Reported by: Cassie Muske

Date of Report: 5/15/2018

Title/Role: Parks and Media Coordinator at the City of Hewitt

### Incident Information:

Incident Type: Harrassment, work place bullying,  
creation of a hostile work environment

Date of Incident: 9/28/2017

Location: City of Mexia Building City: Mexia

State: Texas Zip Code: 76667

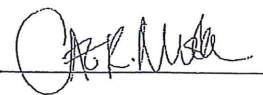
### Incident Description:

On 09/28/2017 I attended a Texas Municipal League Dinner in Mexia, Texas on behalf of the City of Hewitt. Mayor Ed Passalugo sat next to me at our City of Hewitt designated table. He seemed to be in an agitative state. I was 6 months pregnant and he kept asking me personal questions such as if I was coming back to work after maternity leave, how long I was taking for maternity leave and what my husbands occupation was. I felt very uncomfortable as he seemed to be frustrated about something.

### Name/Role/Contact of Witnesses:

1. Lydia Lopez, City Secretary
2. Adam Miles, City Manager
3. Katie Allgood, Managing Director of Adminstration

I, Cassie Muske, confirm the above incident.

Signature:  Date: 5/15/2018



#3

### Incident Report

Reported by: Cassie Muske

Date of Report: 5/15/2018

Title/Role: Parks and Media Coordinator at the City of Hewitt

#### Incident Information:

Incident Type: Work place bullying, hostile work environment  
harassment

Date of Incident: 4/4/2018

Location: Hewitt City Hall City: Hewitt

State: TX Zip Code: 76643

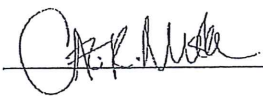
#### Incident Description:

On 4/4/2018 I attended a Cultural internal training - hosted by the City of Hewitt. I wanted a refill of coffee. I went to the workshop room to refill two small Styrofoam cups with coffee. As I was filling the last cup, Mayor Ed Passalugo was coming to get a refill. I apologized for taking the rest of the coffee and he angrily said "it's fine" and aggressively threw his empty cup away on the way out of the workshop room. I knew he was mad at me by his tone, so I felt obligated to make coffee and bring him a cup. When I did, he would not look at me nor thank me for the cup of coffee. He later left the cream and sugars on the table for me to dispose of.

#### Name/Role/Contact of Witnesses:

1. See training attendance attached
2. \_\_\_\_\_
3. \_\_\_\_\_

I, Cassie Muske, confirm the above incident.

Signature: 

Date: 5/15/2018

List of attendees  
per Katie

Councilmember  
Bill Fuller jokingly  
referred to me  
bringing ed coffee  
"Unfair"



## Incident Report

Reported by: Cassie Muske

Date of Report: 5/15/2018

Title/Role: Parks and Media Coordinator at the City of Hewitt

### Incident Information:

Incident Type: Harassment, work place bullying, discrimination, creation of a hostile work environment, disruption of public business Date of Incident: 4/4/2018

Location: Hewitt City Hall City: Hewitt

State: TX Zip Code: 76643

### Incident Description:

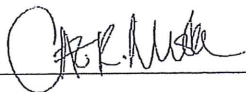
On 4/4/2018 I attended a Cultural Training - hosted by the City of Hewitt. During the training, we discussed issues the employees feel the City of Hewitt has and what solutions they would recommend. Mayor Ed Passalugo became angry when he saw the majority of the class voted on money as a City-wide issue. He made comments referring to City employees as "burger flippers" and that to save City funds we should contract the Parks Department out. I am in the Parks Department so I felt personally targeted and feared for my employment.

### Name/Role/Contact of Witnesses:

1. See training attendance attached
2. \_\_\_\_\_
3. \_\_\_\_\_

I, Cassie Muske, confirm the above incident.

Signature: \_\_\_\_\_



Date: 5/15/2018



#2

### Incident Report

Reported by: Cassie Muske

Date of Report: 5/15/2018

Title/Role: City of Hewitt Parks and Media Coordinator

#### Incident Information:

Incident Type: Work place bullying, interference of official duties, disruption of public business

Date of Incident: 10/3/2017

Location: Via email City: \_\_\_\_\_

State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

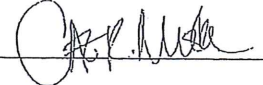
#### Incident Description:

On 9/18/2017 I gave a Dog Park presentation - in a Monday Council Meeting - on behalf of the Parks Department and inquiries from the citizens of Hewitt. After the presentation concluded, Mayor Ed Passalugo requested for more research to be done and for the Parks Department to seek more Hewitt public opinions on the Dog Park. I created a Survey Monkey Park Survey and posted it on the City of Hewitt Facebook account on 10/3/2017. Mayor Ed Passalugo, knowing my involvement with all City of Hewitt Media outlets, questioned my actions and recanted his direction discussed prior in the 9/18/2017 by emailing City Manager Adam Miles (see attached). I firmly believe he is aware of the interests of the Hewitt residents but wants to go against their interests. Since I went against his personal agenda, he targeted my actions and put stress on myself and had me fear for my employment - even though I did what I was asked.

#### Name/Role/Contact of Witnesses:

1. Adam Miles, Hewitt City Manager
2. City of Hewitt Council
3. \_\_\_\_\_

I, Cassie Muske, confirm the above incident.

Signature:  Date: 5/15/2018



From: Ed Passalugo <bazzy23125@grandecom.net>

Subject: FW: Survey Monkey ??

Date: October 3, 2017 at 10:52:09 AM CDT

To: 'Adam Miles' <adammiles@cityofhewitt.com>

Subject: Survey Monkey ??

Adam after last night meeting where we cut the bond on Parks I was surprised and dismayed to see this survey on the City of Hewitt Facebook. Why would this happen? Who from the City posted this? Who allowed this to be posted. The survey to me is inappropriate after we voted on the bond and I need to know why we would do this? I am very upset and feel that the council leadership is circumvented for the decisions we make for the citizens of Hewitt.

Sad to see this

Ed Passalugo

Mayor Pro Tem

Hewitt TX 76643



City of Hewitt

• 43 mins •



WE THINK HEWITT IS GREAT!



We hope you do too! Help us gather ideas for improvements to our city by participating in this survey: <https://www.surveymonkey.com/r/KKFCDV>

#SHARE #HewittTexas #GreatPlaceToLive



Thank you for helping us  
make Hewitt a great place to  
live!

1. Are you Hewitt a resident?

Yes

No

OK

2. What is your age?

less than 18

18-24

25-34  
35-44  
45-54  
55-64

65

**3. Which type of parks do you like visiting? (check all that apply)**

Dog Friendly Parks  
Kid Friendly Parks  
Water or Splash Parks  
State Parks  
National Parks

Historic

**4. Do you think Parks add value to the community?**

Yes  
No

Not Sure

**5. How often do you visit Hewitt Park?**

More than once per week  
Once per week  
Occasionally  
Rarely

Almost

**6. How often do you visit Warren Park?**

More than once per week  
Once per week  
Occasionally  
Rarely

Almost Never

**7. When visiting the park, I usually... (Check all that apply)**

go alone  
go with my family  
take my dog  
go with my children or grandchildren  
meet or go with friends  
go with my church  
go with my company or coworkers

go for an event

**8. What park features do you most enjoy? (check all that apply)**

Football/Soccer Fields  
Volleyball Pit  
Basketball Court  
Disc Golf Course  
Walking Trails  
Pavilions  
Amphitheater  
Playground  
Green Space (grassy areas)

Other (please specify)

**9. What would you improve at either Hewitt Park or Warren Park? (check**

**all that apply)**

Cleanliness  
Maintenance  
Customer Service  
More Amenities  
Less Amenities  
Upgraded Amenities  
No Improvements  
Other (please specify)

**10. What new features or amenities would you like to see in our Park**

**System?**

☒ Dog Park

☒ Fountain or Splash Park

☐ More Walking Trails

☐ None

Other (please specify)



**Cassie Muske**

**From:** Adam Miles  
**Sent:** Tuesday, October 3, 2017 3:07 PM  
**To:** Adam Miles  
**Subject:** Fwd: Survey Monkey ??  
**Attachments:** City of Hewitt Survey.docx

Mayor and Council,

Mayor Pro-Tem sent me this e-mail this morning (see below). I am replying to the entire City Council in case others of you share his concern.

On September 18, after presentations about the idea of a Dog Park and a Splash Pad, the City Council directed city staff to gather additional information about our Park System. The idea was to ask if there were features that the community would like to see. In fact, Mr. Passalugo, referencing the idea of a dog park, specifically suggested that we should seek feedback from the community other than those who were right next to Glaze Park. I understood others shared his concern and position.

Based on input from Mayor Pro-Tem Passalugo and other City Council members, I understood the direction of the Council, on September 18, was for staff to gather citizen input about our parks. We discussed preparing a survey about our parks. We discussed having the survey available at the Dog Days event. We did prepare a 10 question survey (which you can read below) and this survey was promulgated at the Dog Days event this past Saturday. We did receive several responses (which were actually quite interesting).

As you can see, the questions are about park usage and what people like about the parks. As one of the highest rated and most visited parks in McLennan County, the feedback is helpful in ongoing maintenance and operation of our parks. (This is similar to the questionnaire we send out to groups who rent our pavilions.) The feedback can also help us in terms of how we can improve the experience of our citizens. In fact, only one question, the final question, number 10, asked about other amenities in the parks. In designing the survey, I specifically included a Dog Park, a Fountain / Splash Park, and Walking Paths since those were the specific improvements the City Council had discussed and requested community feedback.

Mr. Passalugo is correct, at the October 2 meeting last night, I understand the direction of the City Council was that the City would not do any further work on a dog park or a splash pad at this time. To be sure, we are not expending any further staff time working on a dog park or splash pad right now. At the same time, I also understood we are still looking to construct new park improvements, specifically a walking path. To that end, I did not take last night's discussion as an end to soliciting feedback from our citizens about our parks or future park improvements.

After discussing the survey with staff and looking at the results from this Saturday, I felt the survey may have been a little skewed due to the crowd at Dog Days. Most people at Dog Days responded to question 10 as being in favor of the idea of a dog park. I felt like dog owners would be more supportive of a dog park than the overall population and in fairness to everyone, we should put this out to more citizens to get better (less skewed) feedback that we could use to improve our parks in the future.

I directed staff to post the survey online to get it out to others citizens and gather more information. I actually thought it was a fun survey and we found most people really like our parks and are happy to share their opinions.

I do not feel asking people about their experiences in our parks or asking what they would like to see in a park in any way circumvents the City Council. Clearly, this is all above board and posted online; there is no hidden agenda or ulterior

motive on my part. I certainly did not do this to "circumvent" the City Council. In fact, I felt in fairness to everyone, we should continue to collect this information as we were originally directed by the Council.

All this being said, in an attempt to mitigate the concerns expressed by the Mayor Pro-Tem, I have now removed the Facebook post with the survey. I will provide the City Council with the results at the next meeting and we can further discuss this issue if necessary. Thank you.

Adam

Begin forwarded message:

From: Ed Passalugo <[pazzy23125@grandecom.net](mailto:pazzy23125@grandecom.net)>  
Subject: FW: Survey Monkey ??  
Date: October 3, 2017 at 10:52:09 AM CDT  
To: 'Adam Miles' <[adammmiles@cityofhewitt.com](mailto:adammmiles@cityofhewitt.com)>

---

Subject: Survey Monkey ??

Adam after last night meeting where we cut the bond on Parks I was surprised and dismayed to see this survey on the City of Hewitt Facebook. Why would this happen? Who from the City posted this? Who allowed this to be posted. The survey to me is inappropriate after we voted on the bond and I need to know why we would do this? I am very upset and feel that the council leadership is circumvented for the decisions we make for the citizens of Hewitt.

Sad to see this

Ed Passalugo

Mayor Pro Tem

Hewitt TX 76643



City of Hewitt

• 43 mins •

## Cassie Muske

**From:** Adam Miles  
**Sent:** Wednesday, October 4, 2017 9:32 AM  
**To:** James Devlin; Lance Bracco; Waynette Ditto; Lydia Lopez; Katie Allgood; Cassie Muske  
**Subject:** Fwd: Survey Monkey ??

FYI: Alex's response

Begin forwarded message:

**From:** Jenny Snider <[five\\_sniders@hotmail.com](mailto:five_sniders@hotmail.com)>  
**Subject:** RE: Survey Monkey ??  
**Date:** October 4, 2017 at 6:44:07 AM CDT  
**To:** Adam Miles <[adammmiles@cityofhewitt.com](mailto:adammmiles@cityofhewitt.com)>

Adam,

I've been typing this e-mail for about 15 minutes without coffee, so I'm sorry if it's disjointed.

Just know that I now fully understand what led up to the on-line posting of the survey. I wasn't concerned about being circumvented, but I was concerned that the survey was posted the day after we decided we weren't going to do those specific two things. I did tell Ed that I didn't think it was appropriate because it looked like data was being collected to purposely change the direction of specific council decisions. However, I had forgotten that we had discussed this very survey on Sep. 18, and your thought process in posting it on-line is clear. You didn't want to present a skewed data set to the council, and were looking to broaden the base of the survey.

I sincerely apologize for my misunderstanding. It was just the timing of things that threw me off. Thank you for the quality of work you do for the city, it is greatly appreciated.

Alex

Sent from Mail for Windows 10

**From:** Adam Miles  
**Sent:** Tuesday, October 3, 2017 3:06 PM  
**To:** Adam Miles  
**Subject:** Fwd: Survey Monkey ??

Mayor and Council,

Mayor Pro-Tem sent me this e-mail this morning (see below). I am replying to the entire City Council in case others of you share his concern.

On September 18, after presentations about the idea of a Dog Park and a Splash Pad, the City Council directed city staff to gather additional information about our Park System. The idea was to ask if there were features that the community would like to see. In fact, Mr. Passalugo, referencing the idea of a dog park, specifically suggested that we should seek feedback from the community other than those who were right next to Glaze Park. I understood others shared his concern and position.

Based on input from Mayor Pro-Tem Passalugo and other City Council members, I understood the direction of the Council, on September 18, was for staff to gather citizen input about our parks. We discussed preparing a survey about our parks. We discussed having the survey available at the Dog Days event. We did prepare a 10 question survey (which you can read below) and this survey was promulgated at the Dog Days event this past Saturday. We did receive several responses (which were actually quite interesting).

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Mr. Passalugo is correct, at the October 2 meeting last night, I understand the direction of the City Council was that the City would not do any further work on a dog park or a splash pad at this time. To be sure, we are not expending any further staff time working on a dog park or splash pad right now. At the same time, I also understood we are still looking to construct new park improvements, specifically a walking path. To that end, I did not take last night's discussion as an end to soliciting feedback from our citizens about our parks or future park improvements.

After discussing the survey with staff and looking at the results from this Saturday, I felt the survey may have been a little skewed due to the crowd at Dog Days. Most people at Dog Days responded to question 10 as being in favor of the idea of a dog park. I felt like dog owners would be more supportive of a dog park than the overall population and in fairness to everyone, we should put this out to more citizens to get better (less skewed) feedback that we could use to improve our parks in the future.

I directed staff to post the survey online to get it out to others citizens and gather more information. I actually thought it was a fun survey and we found most people really like our parks and are happy to share their opinions.

I do not feel asking people about their experiences in our parks or asking what they would like to see in a park in any way circumvents the City Council. Clearly, this is all above board and posted online; there is no hidden agenda or ulterior motive on my part. I certainly did not do this to "circumvent" the City Council. In fact, I felt in fairness to everyone, we should continue to collect this information as we were originally directed by the Council.

All this being said, in an attempt to mitigate the concerns expressed by the Mayor Pro-Tem, I have now removed the Facebook post with the survey. I will provide the City Council with the results at the next meeting and we can further discuss this issue if necessary. Thank you.

Adam

Begin forwarded message:

#4

### Incident Report

Reported by: Cassie Muske Date of Report: 5/15/2018

Title/Role: Parks and Media Coordinator at the City of Hewitt

#### Incident Information:

Incident Type: Work place bullying, creation of a hostile work environment, harassment Date of Incident: 5/7/2018

Location: City Hall City: Hewitt

State: TX Zip Code: 76643

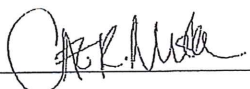
#### Incident Description:

On 5/7/2018 I attended the Monday City of Hewitt Workshop and Council Meeting. During the Workshop Meeting, Mayor Ed Passalugo approached me while I was sitting. He stood hovered over me and aggressively threw his hand toward me demanding I shake his hand. I knew he would not leave my presence until I shook his hand so I complied. I felt very uncomfortable, vulnerable and powerless. I knew he was angry with me prior to the coffee incident that occurred on 4/4/2018 at our Culture Training.

#### Name/Role/Contact of Witnesses:

1. See Work Shop attendance attached
2. \_\_\_\_\_
3. \_\_\_\_\_

I, Cassie Muske, confirm the above incident.

Signature:  Date: 5/15/2018



---

**Cassie Muske**

---

**From:** Lydia Lopez  
**Sent:** Tuesday, May 15, 2018 3:48 PM  
**To:** Cassie Muske  
**Subject:** RE: Completed 5/7/2018 Mins

Here is the attendance info.

**MINUTES OF A CITY COUNCIL  
WORKSHOP/REGULAR MEETING  
HEWITT CITY HALL – 200 PATRIOT COURT  
May 7, 2018 – 5:30 PM/7:00 PM**

**Members present:** Mayor Travis Bailey, Mayor Pro Tem Ed Passalugo (presiding), Council Members Wilbert “Walky” Wachtendorf, Bill Fuller, James Vidrine, Kurt Krakowian, and Steve Fortenberry

**Staff present:** Assistant City Attorney Kathleen Dow, City Engineer Miles Whitney, City Manager Adam Miles, Police Chief Jim Devlin, Assistant Police Chief Tuck Saunders; Fire Chief Lance Bracco, Community Development Director Tracy Lankford, Managing Director Katie Allgood, Finance Director Lee Garcia, Library Director Waynette Ditto, Utilities Director Kevin Reinke, Community Development Coordinator Jared DeVries, Parks & Media Coordinator Caz Muske, and City Secretary Lydia Lopez

**Staff absent:** City Attorney Charlie Buenger

---

**From:** Cassie Muske  
**Sent:** Tuesday, May 15, 2018 12:40 PM  
**To:** Lydia Lopez <citysecretary@cityofhewitt.com>  
**Subject:** Completed 5/7/2018 Mins

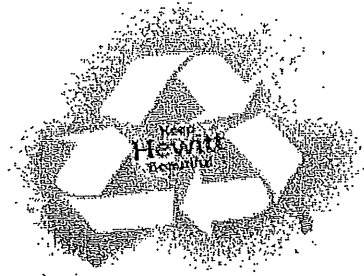
Lydia,

Could you send me the attendance for the 5/7/2018 Workshop and Council Meeting when you get a chance.

Thanks,

*Caz R. Muske*

**City of Hewitt  
Parks and Media Coordinator &  
Parks and Beautification Board Secretary**  
(o): 254.296.5698  
(c): 254.749.4119



*"We are what we repeatedly do. Excellence, then, is not an act, but a habit." – Aristotle*

#5

### Incident Report

Reported by: Cassie Muske Date of Report: 5/30/2018

Title/Role: Parks and Media Coordinator at the City of Hewitt

#### Incident Information:

Incident Type: workplace bullying, creation of a hostile work environment, harassment Date of Incident: 5/21/2018

Location: Council Chambers City: Hewitt

State: TX Zip Code: 76643

#### Incident Description:

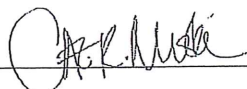
During the formal Council Meeting, Mayor Ed Passalugo referred to Katie and I as "road blocks".

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### Name/Role/Contact of Witnesses:

1. See City of Hewitt Council Meeting on 5/21/2018 Minutes for attendance
2. \_\_\_\_\_
3. \_\_\_\_\_

I, Cassie Muske, confirm the above incident.

Signature:  Date: 5/30/2018





May 14, 2018

To: City of Hewitt  
200 Patriot Court  
Hewitt, TX 76643

Re: Formal Complaint Against Mayor Ed Passalugo

To Whom It May Concern,

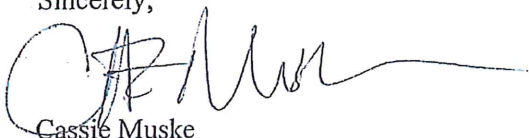
I, Cassie Muske, am hereby filing a formal complaint against Mayor Ed Passalugo related to negative actions and treatment against myself.

Mayor Passalugo's repeated actions include: Defamation of Character, Disparate Treatment, Violation of Due Process, Discrimination, Harassment, Workplace Bullying, Creation of Hostile Work Environment, Interference of Official Duties, and Disruption of Public Business.

These numerous occurrences have been documented and witnessed. I now fear that my employment with the City of Hewitt is in jeopardy due to Mayor Passalugo's threats and intimidation.

Please be advised, I have contacted an attorney and will pursue further action against Mayor Passalugo.

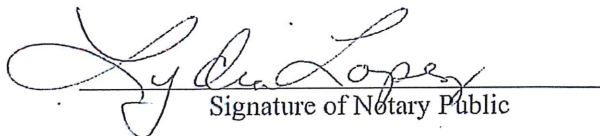
Sincerely,



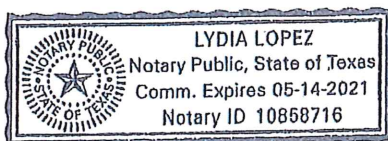
Cassie Muske  
Parks and Media Coordinator

State of Texas  
County of McLennan

This instrument was signed before me by Cassie Muske this 14 day of May 2018.

  
Signature of Notary Public

5-14-2018 9:07am  
Time & Date



May 14, 2018

To: City of Hewitt  
200 Patriot Court  
Hewitt, TX 76643

Re: Formal Complaint Against Mayor Ed Passalugo

To Whom It May Concern,

I, Katie Allgood, am hereby filing a formal complaint against Mayor Ed Passalugo related to negative actions and treatment against myself.

Mayor Passalugo's repeated actions include: Defamation of Character, Disparate Treatment, Violation of Due Process, Discrimination, Harassment, Workplace Bullying, Creation of Hostile Work Environment, Interference of Official Duties, and Disruption of Public Business.

These numerous occurrences have been documented and witnessed. I now fear that my employment with the City of Hewitt is in jeopardy due to Mayor Passalugo's threats and intimidation.

Please be advised, I have contacted an attorney and will pursue further action against Mayor Passalugo.

Sincerely,

*Katie Allgood*

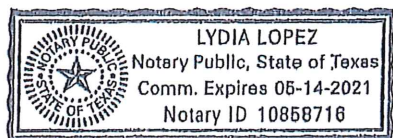
Katie Allgood  
Managing Director of Administration

State of Texas  
County of McLennan

This instrument was signed before me by Katie Allgood this 14 day of May 2018.

*Lydia Lopez*  
Signature of Notary Public

5-14-18 8:53 a.m.  
Time & Date



## Summary by Katie Allgood

### Demeaning comments in public meetings regarding my work & my departments (Witnesses)

NOTE: He almost exclusively degrades and criticizes me publicly in front of others.

- **July 6, 2015 – Budget Workshop Meeting (Witnesses)**
  - “Oh...the hundred-thousand-dollar education Mommy and Daddy paid for?”
- **2017 Private Budget Meeting called by Mr. Passalugo and Mr. Vidrine (Witnesses)**
  - The City Manager, the Finance Director, and Mr. Fortenberry were also in attendance
  - Criticized the Parks & Streets department, said we should produce more work, and asked why we were paying Cassie Muske to “sit on Facebook all day” (implied incompetence – Parks & Streets)
  - Said we were administering benefits wrong and he wanted to take a look at our benefits packages (implied incompetence – HR)
- **July 28, 2017 – AEDC Lunch**
  - Disparaging comment regarding personal picture on my Facebook page
- **September 18, 2017 – Council Workshop (Witnesses)**
  - Cassie and I presented a proposal for a Splash Pad and Dog Park (at the request of Mr. Fortenberry and the Parks Board)
    - The Council directed us to collect citizen interest and input regarding the proposed park developments.
- **September 30, 2017 – Dog Days Event**
  - Earlier in the week I was informed by the City Manager that Passalugo told him (in a private meeting) that Council had decided not to fund the park improvements.
  - However, because of the instructions from the rest of the Council in the public meeting (on September 18<sup>th</sup>) Cassie and I were instructed to promote a generic park survey regarding future developments, current park ratings, and areas for improvement
- **October 2, 2017 – Council Workshop (Witnesses)**
  - Passalugo commented that they shouldn’t fund the improvements because Parks didn’t add anything of value to the City or bring in any revenue. (implied incompetence – Parks)
    - When I pointed out that we had well exceeded the budgeted number he commented “a budget doesn’t mean anything” in an aggressive manner.
  - Dr. Bruce was present and witnessed treatment
- **October 3, 2017**
  - After confirming with the City Manager that the generic survey was still appropriate for circulation, I asked Cassie to post the survey on the City’s Facebook page.
  - That afternoon, an email was sent by Passalugo to the City Manager regarding the survey (Cassie and I were copied on the City Manager’s reply).
    - In the email, Passalugo was notably upset by staff “circumventing” the Council to gather citizen input. (specifically, Cassie and I – since he had already been informed that we were surveying citizens regarding our parks as requested by Council in the September 18<sup>th</sup> meeting.)
  - I subsequently removed the survey from social media and Cassie apologized to me for causing an issue because Passalugo’s harsh email had made her feel like it was her fault. (see text messages)
- **April 4, 2018 – Culture Training (Witnesses)**
  - “Burger flippers shouldn’t get paid any more money”
    - Got visibly upset when I spoke next regarding the licenses, education, and training of City staff

\*\*Throughout this training, my employees consistently voiced their appreciation for my leadership and direction. (Specific statements were made by Stephanie Fenty, Roger Ludwig, and Dustin Rynders.)





- **May 2, 2018 – Culture Training (Witnesses)**
  - Every comment I made in the training received a condescending and belligerent retort from Mr. Passalugo (when I was addressing the group).
  - He was visibly and noticeably upset.
  - It culminated with Mr. Passalugo saying that we should just “contract out the Parks department to save money” (Threats and Retaliation)
    - even though he had also proposed (in the same meeting) that the City should start a television channel
- **May 7, 2018 – Council Workshop (Witnesses)**
  - Commented that myself and Stephanie had completed the salary survey using the wrong cities and he would do it himself (implied incompetence – HR)
  - The City Manager replied by saying that we had lost employees to many of the cities on the survey, I agreed and said that we had for sure lost one to Harker Heights within the last few years.
    - Passalugo replied, “One?!” in a very aggressive manner. I did not respond.
- **May 11, 2018 – Tour of Waco Wastewater Treatment Plant (Witnesses)**
  - All Department Directors and Council Members had been invited to attend
    - Passalugo, Bill Fuller, Steve Fortenberry, Miles Whitney, Adam Miles, Kevin Reinke, Ryan Bell, Tracy Lankford, and myself were in attendance.
      - I was the only woman
  - Passalugo never spoke to me, but he blatantly pointed his phone at me several times and took my picture.
    - I felt as if he was purposely trying to intimidate me and make me feel guilty for being on the tour.
    - This harassment made me extremely uncomfortable.
- **May 21, 2018 – Council Meeting (Please see Additional Evidence regarding actions by Kurt Krakowian)**
- 
- Approached the City Manager and other council members requesting/demanding my termination (along with Cassie)
  - Violation of Article V, Section 5.4 of City of Hewitt Charter
- Circumvented Open Meetings Act and proper posting and notification regarding the discussion of my employment (walking quorum with Jim Vidrine, Kurt Krakowian, and Steve Fortenberry).
  - Statements from Mayor Pro Tem Fortenberry and City Manager Adam Miles
- Questions my competence and qualifications, and circulates false information regarding myself and Cassie.
  - Ongoing – Statement from Adam Miles & Recording
- Treats me considerably different in meetings than other department directors or staff.
  - Possible statements from Adam Miles, Waynette Ditto, Jim Devlin, Lance Bracco, Dr. Erica Bruce
- Ongoing comments about how “our streets are falling apart” and that we can’t properly maintain his *private* drainage ditch. (implied incompetence & negligence – Streets & Drainage)
  - Possible statements from Adam Miles, Jim Devlin, Lance Bracco
- Defamation of Character, Hostile Work Environment/Workplace Bullying, Due Process Violation, Discrimination, Harassment, Disparate Treatment, Interference of Official Duties, and Disruption to Public Business
- Character Statements from the following: City Manager Adam Miles, Chief Jim Devlin, Chief Lance Bracco, Assistant Chief Tuck Saunders, Library Director Waynette Ditto, Parks & Streets Superintendent Ruben Munguia, HR Generalist Stephanie Fenty, Parks & Media Coordinator Caz Muske, Utility Analyst Karen Sexton, Hewitt Chamber Executive Director Alissa Cady, Hewitt Chamber Public Relations Director Laura Beaty, Citizen and Parks Board Vice-Chairman Veronica Molina.

## **Julia Gannaway**

---

**From:** Katie Allgood <kallgood@cityofhewitt.com>  
**Sent:** Thursday, June 07, 2018 8:28 AM  
**To:** Julia Gannaway  
**Subject:** Incidents - June 4, 2018

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good morning,

I wanted to make you aware of a couple of incidents that occurred at our June 4<sup>th</sup> Council Meeting.

Prior to the start of the City Council Workshop meeting, Passalugo came up to me and attempted to force me to shake his hand and speak to him. After I turned away from him and made it clear that I was uncomfortable with his actions, he gestured to the crowd in a manner that suggested my behavior was inappropriate. I saw this as a continued attempt to harass, embarrass, and shame me in front of other people.

During the meeting, Passalugo made a comment that I felt was directed at me. He said that "You can't put a value on a child's life...especially compared to other things we've talked about." I felt like he was intentionally trying to shame and belittle me in a passive manner.

Once again, both of these incidents were witnessed by others.

Let me know if you have any questions.

Thank you,

Katie Allgood  
Managing Director of Administration  
City of Hewitt  
200 Patriot Court  
Hewitt, TX 76643  
(254) 296-5689



May 21, 2018

To: City of Hewitt  
200 Patriot Court  
Hewitt, TX 76643

Re: Formal Complaint Against Kurt Krakowian

To Whom It May Concern,

I, Katie Allgood, am hereby filing a formal complaint against Kurt Krakowian. Mr. Krakowian has perpetuated negative rhetoric regarding my reputation and integrity on his "official" City Facebook page, as well as spread false rumors regarding my demeanor and behavior toward himself and his wife.

This matter will be presented to my attorney, and further actions will be taken.

Sincerely,

*Katie Allgood*

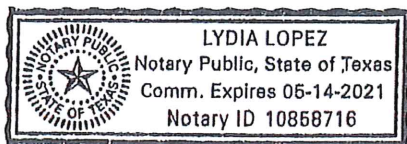
Katie Allgood  
Managing Director of Administration

State of Texas  
County of McLennan

This instrument was signed before me by Katie Allgood this 21 day of May 2018.

*Lydia Lopez*  
\_\_\_\_\_  
Signature of Notary Public

5-21-18 5:40pm  
Time & Date

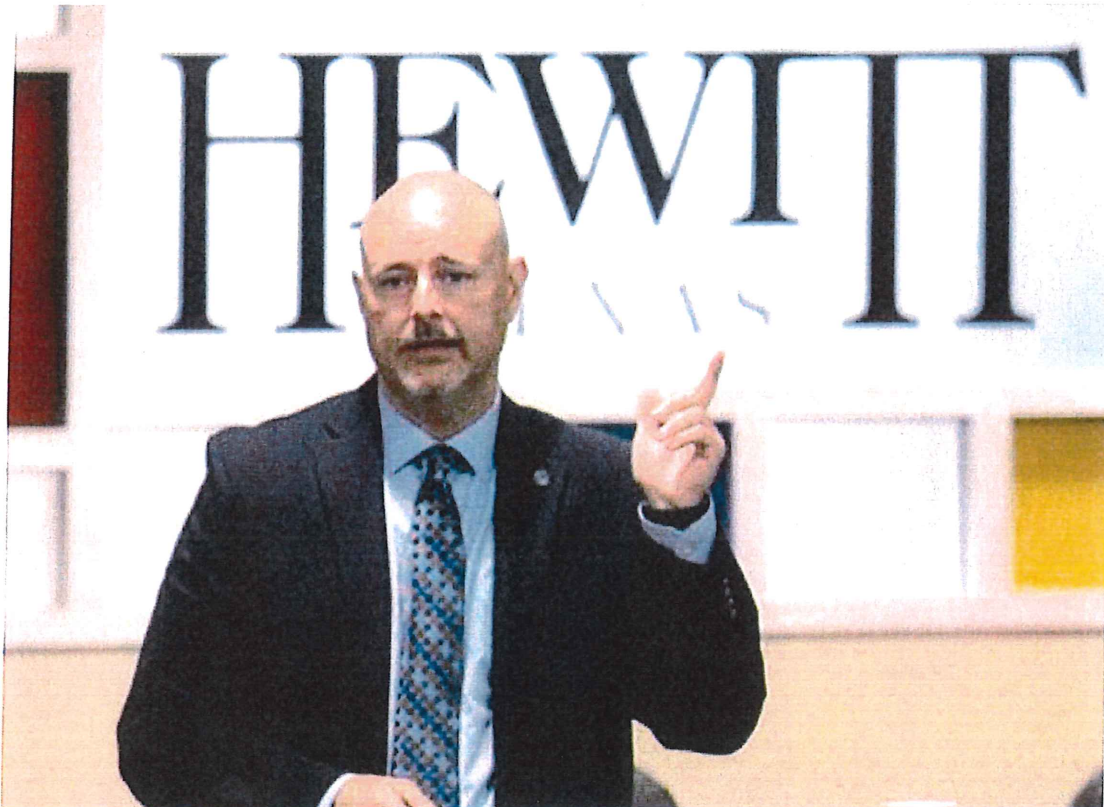






**Hewitt City Councilman Kurt Krakowian** shared a post. ...

1 hr · 🌐



**Cheryl G. Martin**

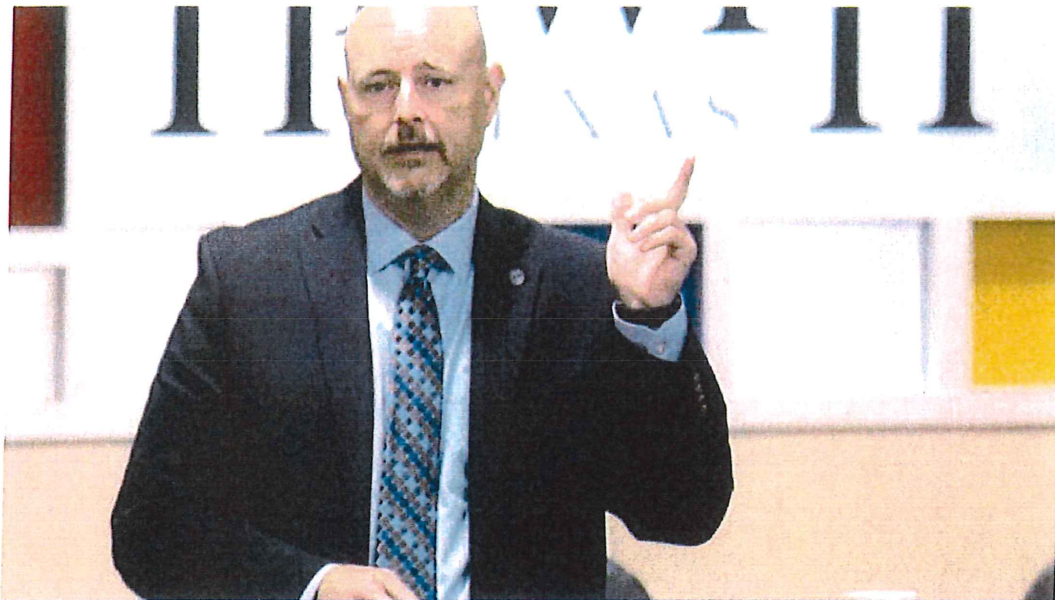
4 hrs

If you live in the **City of Hewitt** - attend the (now open) meeting tonight to discuss the shenanigans that have been going on regarding "City Manager" Adam Miles, "Managing Director of Admin" Katie Allgood, and fishy charges brought against Mayor Ed Passalugo. 6:30pm tonight at Hewitt City Hall - Council Room.

READ MORE: <https://bit.ly/2rQQ2ox>



Cheryl's Post



Like



Comment



Share



Kurt Krakowian and 9 others

2 shares



Kurt Krakowian

Thank you  1

1h Like Reply



Cheryl G. Martin

certainly Kurt - this is a bunch of bull-hockey - I'll see you there my friend :)

49m Like Reply



Write a comment...





CONFIDENTIAL

City of Hewitt Mayor and City Council

July 11, 2018

**Formal Complaint**

Please accept this as a formal written complaint of **Official Misconduct, Hostile Work Environment, and Retaliation** concerning Councilman Kurt Krakowian.

Notwithstanding previous civil and criminal complaints and the ongoing investigation relating to these complaints against Ed Passalugo and Kurt Krakowian, the following is a summary of new complaints specifically against Kurt Krakowian.

Since the original claims were brought fourth, Kurt Krakowian has intentionally, deliberately, and repeatedly acted to further discredit and retaliate against me and members of my staff. He has worked to expand a hostile work environment. In fact, these new complaints are specifically related to actions he has made since the City Council received a formal legal briefing from City Attorneys regarding previous claims on June 21, 2018

June 27, 2018 (on or about) **Retaliation** Kurt Krakowian on his "Hewitt City Councilman Kurt Krakowian Campaign" Facebook Page posted select Bible verses which were clearly directed towards me and members of my staff. Rather than an affirmative statement of Christian values, I understood the Bible versus to be a thinly veiled reference to his "enemies" and "those who persecute you" referring to me and members of my staff.

July 3, 2018 (on or about) **Official Misconduct, Hostile Work Environment, and Retaliation** Kurt Krakowian on his (personal) Facebook page sent a Direct Message (DM) to a city employee. In the DM, he again sought to discredit me and members of my staff - as well as members of the Hewitt City Council. He gave an order to the employee to, "Don't always listen to everything you hear". This is a clear violation of the City Charter. Of note, I personally warned Mr. Krakowian to not contact employees directly on Thursday, May 10, 2018. Further, I believe this action demonstrates a clear attempt to be secretive and or deceptive since he sought to use a DM from his personal Facebook page rather than an email.

His actions are a direct affront to me and my duties and responsibilities as the City Manager. This is a clear intent to create and expand a hostile work environment. This is once again, a repeated attempt to retaliate against me and members of my staff and to undermine our authority. Moreover, he placed an employee in a difficult situation. I can see no public purpose this action serves. As a note, Mr. Krakowian's wife had previously submitted an open records request to obtain the names of all city employees on June 4, 2018. City staff has been apprised of the situation. We will continue to work to determine how many other employees may have been targeted.

July 11, 2018 **Retaliation** Mr. Krakowian, now using [nextdoor.com](http://nextdoor.com), in what appears to be an innocuous post he seeks to have conversations with Citizens about, "issues important to you" while at the same time specifically bringing up the investigation. He explains that he did, "share a posting from one of my friends about the meeting. Looking back it may not have been the best thing to do but not enough to leave the City Council". In this statement, Mr. Krakowian is making public statements about the findings of the ongoing investigation while at the same time encouraging further discussion. It appears from the thread that Mr. Krakowian has met with at least one citizen. In this further act of retaliation, Mr. Krakowian minimizes the important claims of a hostile work environment and retaliation, and again, discredits me and members of my staff by dismissing the claims offhandedly.

July 11, 2018 **Retaliation** Mr. Krakowian's wife submitted an open records request (Dated July 6) requesting, "a list of all job postings (internal and external) for the recruitment of potential City employees and the advancement opportunities for City Employees from January 1, 2015 thru December 31, 2016." It is public knowledge (reported in the Waco Trib) that this timeframe specifically targets the period of employment for Katie Allgood. Clearly, this is once again, a deliberate, intentional, and repeated act of retaliation against me and members of my staff. This is the third open records request received from Krakowian's wife since the May 21 meeting. Krakowian himself also has made open records requests specifically targeting me during this same time period.

The **persistent, ongoing, and relentless nature of this misconduct and retaliation** by Krakowian is incredibly distracting and has already proved costly to the city. He has worked deliberately and continuously to expand a hostile work environment for myself and members of the city staff. This is a concerted effort by Mr. Krakowian to discredit me and members of my staff as well as undermine the Hewitt City Council. Moreover, he has acted in a manner that brings significant legal exposure to the City and may result in even more legal costs to the taxpayers.

Mr. Krakowian's actions affect the overall morale of all city employees. He has placed the city into a significantly higher state of liability related to these claims. Moreover, his words have the effect of re-victimizing employees who came forward with serious allegations of misconduct and creation of a hostile work environment.

Thank you for your attention to this matter.

Respectfully,

A handwritten signature in black ink, appearing to read "Adam Miles". The signature is fluid and cursive, with the first name "Adam" and last name "Miles" clearly distinguishable.

Adam Miles  
City Manager

From: **Katie Allgood** kallgood@cityofhewitt.com   
Subject: Kurt Krakowian  
Date: July 3, 2018 at 11:19 PM  
To: Adam Miles adam miles@cityofhewitt.com



Adam,

Please be advised, Roger Ludwig received this message from Mr. Krakowian this evening (see attached screenshot).

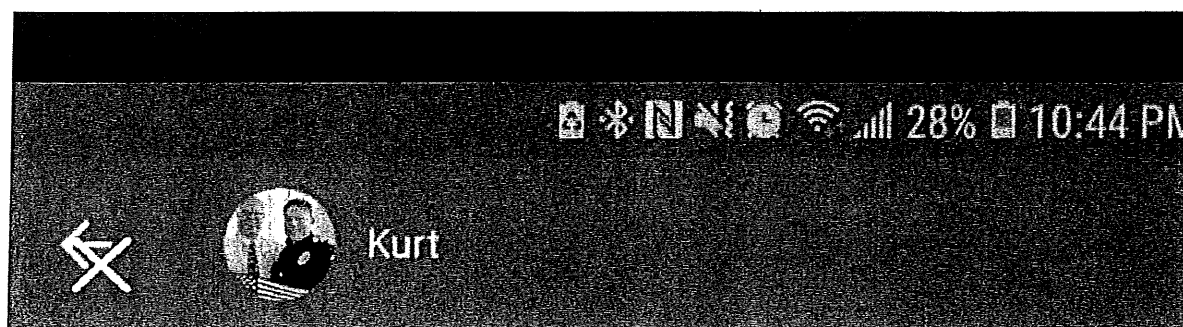
This is extremely concerning for multiple reasons.

One, this is a direct violation of the Council Ethics policy that has been referenced recently. Two, because Krakowian is advising and giving commands to City staff, he is in direct violation of our City Charter. Three, and possibly most concerning, I see this as another direct act of retaliation against me. Krakowian is contacting my employees, violating the chain of command, and attempting to undermine my credibility and authority.

Let me know if you have questions.

Thank you,

Katie





## Kurt Krakowian

21 mutual friends including Gary Lowe and Bill Casey  
Studied at ASU

10:37 PM

Roger, Thank you for your hard work for the city of Hewitt. I will fight for Hewitt staff as yourself along with many other employees to increase your pay. Don't always listen to everything you hear. I want to take care of the working bees what are the backbone of the City. Have a happy 4th of July. Kurt Krakowian Hewitt City Councilman At-Large



Sent from web

DECLINE

ACCEPT

10:37 PM



10:37 PM

Sent from my iPhone

From: Katie Allgood kallgood@cityofhewitt.com  
Subject: Formal Complaint - Krakowian  
Date: July 11, 2018 at 11:43 AM  
To: Adam Miles adammiles@cityofhewitt.com

Adam,

Due to previous actions by the Krakowians, and the fact that the date range requested specifically coincides with my hire date and promotions, I feel this is another attempt at retaliation and targeting.

Please accept this as an additional formal complaint.

Thank you,

Katie

Sent from my iPhone

Begin forwarded message:

From: Lydia Lopez <citysecretary@cityofhewitt.com>  
Date: July 11, 2018 at 9:54:02 AM EDT  
To: Adam Miles <adammiles@cityofhewitt.com>, Katie Allgood <kallgood@cityofhewitt.com>  
Cc: Charles Buenger <buengerlawfirm@gmail.com>  
Subject: Open Records Request

Please see the attached open records request.

**Lydia Lopez, TRMC/CMC**

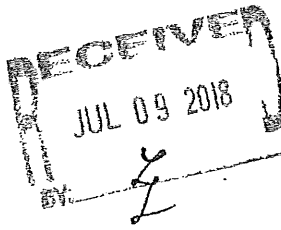
<image001.jpg>

City of Hewitt | City Secretary  
200 Patriot Court | Hewitt, Texas 76643  
(P) 254.296.5602 | (F) 254.666.6014  
[citysecretary@cityofhewitt.com](mailto:citysecretary@cityofhewitt.com) | [www.cityofhewitt.com](http://www.cityofhewitt.com)

<Scan0818.pdf>

July 6, 2018

Kathy M. Krakowian  
804 Pebble Creek Cir  
Hewitt, TX 76643  
May 23, 2018



Lydia Lopez  
City Secretary  
City of Hewitt  
200 Patriot Court  
Hewitt, TX 76643

Dear Ms. Lydia Lopez:

Under the Texas Freedom of Information Act, I would like to request a list of all job postings (internal and external) for the recruitment of potential City employees and the advancement opportunities for City Employees from January 1, 2015 thru December 31, 2016.

As per the Chapter 552 of the Texas Government Code, I will expect this request within the 10 days of receiving my request per Texas law.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Kathy M. Krakowian'.

July 6, 2018

Kathy M. Krakowian

CC: FILE

**From:** [Hewitt City Manager](#)  
**To:** [Bruce, Erica](#)  
**Subject:** Hewitt - Follow up to meeting last week  
**Date:** Monday, May 14, 2018 5:45:18 PM

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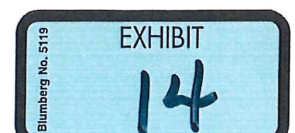
Dr. Bruce,

I am writing today as a follow-up to our conversation last Thursday. In our discussion, you said you had observed disrespectful behavior from Ed Passalugo directed to Katie Allgood. I believe you referenced the October 2, 2017 City Council work session where Mayor Pro-Tem Passalugo made remarks to Ms. Allgood concerning parks revenue.

I primarily wanted to confirm you observed this behavior and felt his behavior was inappropriate from an elected official to city staff. Also, if you had any other recollections of inappropriate remarks you observed during any Council meeting that would be helpful to me as well.

Thank you very much for your time and attention. I know you are a very busy person.

Adam





**From:** [Bruce, Erica](#)  
**To:** [Adam Miles](#)  
**Subject:** RE: Hewitt - Follow up to meeting last week  
**Date:** Tuesday, May 15, 2018 10:48:50 AM

---

Mr. Miles:

Thank you for your email. Yes, when we spoke last week I did mention to you some of the interactions that I have observed in the public workshops that I have been attending over the last year. I mentioned to you one specific incident that sticks out in my mind because it was so offensive to me as a citizen attending a public meeting.

The incident I was mentioning took place in that Oct. 2 workshop session where the council was discussing the Hewitt city parks and the associated revenue from the new amphitheater at Warren Park. As I recall, one of your staff, Katie Allgood was presenting the changes that had been made to the parks, specifically Warren Park and the revenue that the amphitheater had generated since its build. As discussions led into this area, before Ms. Allgood even began to speak, Mr. Passalugo was extremely disparaging about anything that even had to do with the parks discussions to the point that it was clear to me as a public bystander that he was not interested in hearing the discussions. When Ms. Allgood began to share her comments, Mr. Passalugo interrupted her numerous times, would not let her finish her comments, and was talking over her to the point of raising his voice as to intimidate her. I was appalled and offended that an elected official would have the audacity to be so blatantly disrespectful and demeaning to a city employee in any regard, much less in an open public meeting.

As I recall, Ms. Allgood was sharing that the amphitheater had generate revenue beyond that which was anticipated in the initial proposal that was approved by the council. It was clear to me, that in this instance, Mr. Passalugo was not trying to engage in healthy discussion about a situation that needed city attention, rather his actions were disparaging and intended to be demoralizing, and intimidating. What concerns me most is that this is not the only time I have witnessed Mr. Passalugo engage women on your staff in this manner. I can recall at least two additional instances where Mr. Passalugo and also Mr. Vidrine have used similar approaches with two other staff members.

Mr. Passalugo has also engaged another of your staff, I believe the young woman's name is Cassie, in an analogous manner as he addressed Ms. Allgood. As I recall, Cassie was presenting materials on a proposed dog park. She was presenting some slides and other supporting information that had clearly come from hours of effort and work with your parks committee and Hewitt residents. I remember again, Mr. Passalugo's attitude of disdain for "wasting" his time discussing a dog park and that attitude continued after the presentation into his comments towards Cassie. I distinctly remember him saying something like "I don't care if you have everything donated and the costs covered, people don't want a dog park." As Cassie continued to explain additional supporting evidence of the desires of some Hewitt residents for a dog park, he continued to make comments about noise and animal waste. Please don't mistake my comments about this to portray that I am talking with you about this because he "disagreed" with the idea of a dog park, rather it is his repulsive attitude of disrespect and the demeaning nature of his engagement with these women on your staff that is extremely concerning to me. His tone and attitude with this staff member was the



same as that displayed with Ms. Allgood, disrespectful, discriminatory and demeaning.

I recall a workshop that included a discussion prior to your upcoming city audit, when your city accountant (older women, blonde hair), perhaps, I am not sure what her title is but she was presenting some financial metrics prior to the upcoming audit. As the discussions were unfolding, there was some misunderstanding that Mr. Vidrine had with regards to the numbers presented and I remember him asking a series of questions where he was trying to reconcile, I suppose, in his mind what he thought he was understanding. As he asked his questions, and was not able to get the answer he was looking for, his tone began to change and his questions became more aggressive to the point where he said, "Just give me the numbers!" in a very rude, disrespectful and condescending tone. The "numbers" that he was looking for were clearly in the materials presented. His tone and attitude towards this staff member were condescending, distasteful and arrogant to say the least. This attitude is something I have witness from Mr. Vidrine on numerous occasions towards multiple staff members in these workshops. Statements like "I know what people want.", "You're not doing that right, I'll tell you how to do that after the meeting." I hear frequently from Mr. Vidrine in these meetings towards various staff members.

I understand fully that the city council is charged with making decisions that will sustain the city of Hewitt in numerous regards and that those decisions are not always easy nor are they always agreed upon by everyone. I have no problem with healthy discussion of various views of these matters and believe this is what service to the community should be so that the final decision considers the views of our diverse community. However, it is NOT acceptable for an attitude of disrespect, demoralization, and demeaning commentary, specifically towards women on your staff, from elected officials who are supposed to be SERVING the community, to be tolerated. In the absence of mutual respect and cooperation with ALL staff members, from the city council, service to the community of Hewitt is being adulterated by the entitled, discriminatory and demeaning attitudes of these council members.

I appreciate you taking the time to discuss this with me last week. Having taken time out of your day last week and now following up in email with my concerns, I am fully aware that these things don't change without effort. In that regard, please know that my intent is not to just complain, please do let me know if I can help in any way. I appreciate the time, effort, and dedication you and your staff give to the city of Hewitt.

Best Regards,



~~~~~  
Erica D. Bruce, Ph.D.  
Associate Professor and Graduate Program Director  
Department of Environmental Science  
Department of Biology

Institute of Biomedical Studies  
The Institute of Ecological, Earth, and Environmental Science  
Baylor University  
One Bear Place #97266  
Waco, Texas 76798-7266  
PN: (254) 710-4877  
FN: (254) 710-3409  
EM: erica\_bruce@baylor.edu  
[www.youvisit.com/tour/baylor](http://www.youvisit.com/tour/baylor)

~~~~~

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

-----Original Message-----

From: Adam Miles [mailto:[adammiles@cityofhewitt.com](mailto:adammiles@cityofhewitt.com)]  
Sent: Monday, May 14, 2018 5:45 PM  
To: Bruce, Erica <[Erica\\_Bruce@baylor.edu](mailto:Erica_Bruce@baylor.edu)>  
Subject: Hewitt - Follow up to meeting last week

Dr. Bruce,

I am writing today as a follow-up to our conversation last Thursday. In our discussion, you said you had observed disrespectful behavior from Ed Passalugo directed to Katie Allgood. I believe you referenced the October 2, 2017 City Council work session where Mayor Pro-Tem Passalugo made remarks to Ms. Allgood concerning parks revenue.

I primarily wanted to confirm you observed this behavior and felt his behavior was inappropriate from an elected official to city staff. Also, if you had any other recollections of inappropriate remarks you observed during any Council meeting that would be helpful to me as well.

Thank you very much for your time and attention. I know you are a very busy person.

Adam

**From:** [Hewitt City Manager](#)  
**To:** [Bruce, Erica](#)  
**Subject:** Re: Hewitt - Follow up to meeting last week  
**Date:** Tuesday, May 15, 2018 10:50:56 AM

---

Dr. Bruce,  
Thank you again for providing this to me. It is helpful and I will do something about this.  
Adam

On May 15, 2018, at 10:48 AM, Bruce, Erica <[Erica\\_Bruce@baylor.edu](mailto:Erica_Bruce@baylor.edu)> wrote:

Mr. Miles:

Thank you for your email. Yes, when we spoke last week I did mention to you some of the interactions that I have observed in the public workshops that I have been attending over the last year. I mentioned to you one specific incident that sticks out in my mind because it was so offensive to me as a citizen attending a public meeting.

The incident I was mentioning took place in that Oct. 2 workshop session where the council was discussing the Hewitt city parks and the associated revenue from the new amphitheater at Warren Park. As I recall, one of your staff, Katie Allgood was presenting the changes that had been made to the parks, specifically Warren Park and the revenue that the amphitheater had generated since its build. As discussions led into this area, before Ms. Allgood even began to speak, Mr. Passalugo was extremely disparaging about anything that even had to do with the parks discussions to the point that it was clear to me as a public bystander that he was not interested in hearing the discussions. When Ms. Allgood began to share her comments, Mr. Passalugo interrupted her numerous times, would not let her finish her comments, and was talking over her to the point of raising his voice as to intimidate her. I was appalled and offended that an elected official would have the audacity to be so blatantly disrespectful and demeaning to a city employee in any regard, much less in an open public meeting.

As I recall, Ms. Allgood was sharing that the amphitheater had generate revenue beyond that which was anticipated in the initial proposal that was approved by the council. It was clear to me, that in this instance, Mr. Passalugo was not trying to engage in healthy discussion about a situation that needed city attention, rather his actions were disparaging and intended to be demoralizing, and intimidating. What concerns me most is that this is not the only time I have witnessed Mr. Passalugo engage women on your staff in this manner. I can recall at least two additional instances where Mr. Passalugo and also Mr. Vidrine have used similar approaches with two other staff members.

Mr. Passalugo has also engaged another of your staff, I believe the young woman's name is Cassie, in an analogous manner as he addressed Ms. Allgood. As I recall, Cassie was presenting materials on a proposed dog park. She was presenting some slides and

other supporting information that had clearly come from hours of effort and work with your parks committee and Hewitt residents. I remember again, Mr. Passalugo's attitude of disdain for "wasting" his time discussing a dog park and that attitude continued after the presentation into his comments towards Cassie. I distinctly remember him saying something like "I don't care if you have everything donated and the costs covered, people don't want a dog park." As Cassie continued to explain additional supporting evidence of the desires of some Hewitt residents for a dog park, he continued to make comments about noise and animal waste. Please don't mistake my comments about this to portray that I am talking with you about this because he "disagreed" with the idea of a dog park, rather it is his repulsive attitude of disrespect and the demeaning nature of his engagement with these women on your staff that is extremely concerning to me. His tone and attitude with this staff member was the same as that displayed with Ms. Allgood, disrespectful, discriminatory and demeaning.

I recall a workshop that included a discussion prior to your upcoming city audit, when your city accountant (older women, blonde hair), perhaps, I am not sure what her title is but she was presenting some financial metrics prior to the upcoming audit. As the discussions were unfolding, there was some misunderstanding that Mr. Vidrine had with regards to the numbers presented and I remember him asking a series of questions where he was trying to reconcile, I suppose, in his mind what he thought he was understanding. As he asked his questions, and was not able to get the answer he was looking for, his tone began to change and his questions became more aggressive to the point where he said, "Just give me the numbers!" in a very rude, disrespectful and condescending tone. The "numbers" that he was looking for were clearly in the materials presented. His tone and attitude towards this staff member were condescending, distasteful and arrogant to say the least. This attitude is something I have witness from Mr. Vidrine on numerous occasions towards multiple staff members in these workshops. Statements like "I know what people want.", "You're not doing that right, I'll tell you how to do that after the meeting." I hear frequently from Mr. Vidrine in these meetings towards various staff members.

I understand fully that the city council is charged with making decisions that will sustain the city of Hewitt in numerous regards and that those decisions are not always easy nor are they always agreed upon by everyone. I have no problem with healthy discussion of various views of these matters and believe this is what service to the community should be so that the final decision considers the views of our diverse community. However, it is NOT acceptable for an attitude of disrespect, demoralization, and demeaning commentary, specifically towards women on your staff, from elected officials who are supposed to be SERVING the community, to be tolerated. In the absence of mutual respect and cooperation with ALL staff members, from the city council, service to the community of Hewitt is being adulterated by the entitled, discriminatory and demeaning attitudes of these council members.

I appreciate you taking the time to discuss this with me last week. Having taken time out of your day last week and now following up in email with my concerns, I am fully

aware that these things don't change without effort. In that regard, please know that my intent is not to just complain, please do let me know if I can help in any way. I appreciate the time, effort, and dedication you and your staff give to the city of Hewitt.

Best Regards,  
<image003.jpg>

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-----Original Message-----

From: Adam Miles [<mailto:adam miles@cityofhewitt.com>]  
Sent: Monday, May 14, 2018 5:45 PM  
To: Bruce, Erica <[Erica\\_Bruce@baylor.edu](mailto:Erica_Bruce@baylor.edu)>  
Subject: Hewitt - Follow up to meeting last week

Dr. Bruce,

I am writing today as a follow-up to our conversation last Thursday. In our discussion, you said you had observed disrespectful behavior from Ed Passalugo directed to Katie Allgood. I believe you referenced the October 2, 2017 City Council work session where Mayor Pro-Tem Passalugo made remarks to Ms. Allgood concerning parks revenue.

I primarily wanted to confirm you observed this behavior and felt his behavior was inappropriate from an elected official to city staff. Also, if you had any other

recollections of inappropriate remarks you observed during any Council meeting that would be helpful to me as well.

Thank you very much for your time and attention. I know you are a very busy person.

Adam