

# City Council Special Meeting

## Meeting Minutes

May 28, 2026, 6:00 PM

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### 1. Call to Order & Establish of Quorum

The Mayor called the Regular Session of the Trinidad City Council to order on Thursday, May 28, 2026, at 6:00 PM at Trinidad City Hall, 100 Park Street, Trinidad, Texas. Notice of a possible quorum of the EDC in attendance was acknowledged.

**Present:** Velma Womack, Leah Melton, Marie Bannister, Chandra Sutton **Absent:** None noted. One council seat remains vacant.

### 2. Invocation

The invocation was led by the Mayor.

### 3. Pledge of Allegiance and Texas Pledge

The Pledge of Allegiance and Texas Pledge were recited.

### 4. VISITORS/CITIZENS INQUIRY

Thirteen members of the public addressed the Council during the citizens inquiry period, with remarks limited to five minutes per person. The following themes dominated public comment:

Several speakers raised concerns about the recent arrests of two individuals — Jennifer Combs and a citizen activist known as "Otto" — for activities they characterized as constitutionally protected First Amendment conduct. Speakers asserted that Police Chief Charles Gregory and officers Robert McCumsey and Derek H. were responsible for what they described as unlawful arrests, and called for Chief Gregory's resignation.

Multiple speakers cited Title 18 U.S.C. § 242 and 42 U.S.C. § 1983 as applicable federal statutes.

Multiple speakers addressed the termination of former City Administrator Lindsey Patterson, arguing it was retaliatory and that it followed her efforts to improve financial oversight and third-party auditing. Lindsey Patterson herself addressed the Council, warning of mounting taxpayer liability from ongoing and anticipated litigation, and urged the public to consider the character of those holding elected office.

Attorneys CJ Grisham and Ryan F. appeared on behalf of municipal Judge Shellena Bivens. Attorney Ryan F. formally placed on the record Judge Bivens' request for an open public hearing on any proposed termination, noting that Texas Government Code § 551 mandates an open deliberation when a public officer so requests. He further cautioned the Council that terminating the judge in response to a cease-and-desist letter from her attorney would constitute textbook First Amendment retaliation, and that removing a judge for a judicial ruling — specifically the dismissal of the Winston Knowles case — would constitute judicial interference. Attorney Grisham provided a broader civics-oriented address, citing what he characterized as the unlawful terminations of Lindsey Patterson, Colby Reyes, and Alex Estrada, and calling on Chief Gregory and City Administrator Cynthia Dozier to resign.

Additional speakers called for completion of outstanding audits, transparency in city finances, infrastructure improvements addressing the city's persistent water quality issues, and the filling of the vacant council seat. One speaker noted that the city had received grant funding for water infrastructure and questioned where those funds had been directed. Several residents and out-of-town attendees expressed general alarm at the direction of city governance and urged the Council to refocus on the basic needs of residents.

## **5. EXECUTIVE SESSION Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code**

Following citizens inquiry, the Mayor stated on the record that the agenda — which combined consultation with the city attorney and personnel matters regarding Judge

Bivens into a single executive session item — was procedurally improper, as Judge Bivens had invoked her right to an open hearing and the two matters had not been bifurcated as separate agenda items. Attorney Grisham concurred that any decisions made in executive session under this item would be unlawful under Chapter 551. City Attorney Clayton Gaddis agreed the safest course was to table the executive session entirely, and further noted that the agenda itself appeared to violate the Council's own rules of procedure by having been prepared without the Mayor's involvement. The Council did not adjourn into executive session.

## **6. RECONVENE INTO THE SPECIAL SESSION**

This item was not applicable, as the Council did not enter executive session. The Mayor noted this was in any event a regular session, and the item was passed over.

## **7. Discuss and possibly take action concerning the dismissal or termination of Shellena Bivens**

The Mayor read aloud the statutory grounds for removal of a municipal judge under Texas Government Code § 30.00085 and Local Government Code § 21.025, which limit removal to incompetency, official misconduct, or intoxication on duty. He noted that none of those grounds had been articulated against Judge Bivens. Judge Bivens briefly addressed the Council, stating she had served honorably for sixteen years without complaint, and documented that her court office had been closed, her email access suspended, and public court records interfered with — which she characterized as judicial interference. Her attorney reiterated that the termination vote would be retaliatory and void as a matter of law.

The Mayor strongly recommended the Council table the item, noting the city already faced multiple pending lawsuits. Attorney Gaddis concurred. Mayor Pro Tem Bannister moved to proceed with termination nonetheless, without articulating grounds under the applicable statute.

A motion to remove Judge Shellena Bivens from the appointment of municipal judge was made by Mayor Pro Tem Marie Bannister and seconded by Council Member Leah Melton.

**Roll Call Vote:** Velma Womack — No; Leah Melton — Yes; Marie Bannister — Yes; Chandra Sutton — Yes. **Motion carried 3–1.**

Attorney Grisham immediately stated on the record that the vote was void as a matter of law for failure to comply with statutory removal procedures, and that Judge Bivens remained the lawful municipal judge.

## **8. Discuss and possibly take action to approve a professional services agreement with Flowers Davis PLLC to provide outside legal counsel regarding any and all litigation matters for the City, and authorizing the Mayor Pro Tem to execute the contract**

Attorney José Castañet of Flowers Davis PLLC appeared and explained that the firm had been contacted by City Administrator Cynthia Dozier and Police Chief Charles Gregory to explore representation for pending and anticipated litigation, in the event TML did not assign counsel. He clarified that the firm's engagement would be in tandem with a city attorney, not as a replacement.

Attorney Grisham advised the Council that TML attorneys had in fact already contacted him that morning, indicating the city was already represented. He cautioned that approving a separate outside firm would result in costs paid from taxpayer funds rather than through the city's risk pool. The Mayor questioned the process by which outside counsel had been solicited without the knowledge or involvement of the city's attorney of record.

A motion to approve a professional services agreement with Flowers Davis PLLC to provide outside legal counsel for litigation matters, and to authorize the Mayor

Pro Tem to execute the contract, was made by Mayor Pro Tem Marie Bannister and seconded by Council Member Leah Melton.

**Vote:** Aye — Leah Melton, Marie Bannister, Chandra Sutton; No — Velma Womack. **Motion carried 3–1.**

## **9. Discuss and possibly take action to terminate the legal services agreement with Clayton B. Gaddis PLLC, and directing the City Administrator Cynthia Dozier to notify the firm and take all necessary steps to protect the City's legal interests**

City Administrator Dozier stated that Mr. Gaddis had been hired under the incorrect procurement code — as an employee rather than as a contractor — and that the purpose of this item was to terminate that agreement and reopen the position for bids. She indicated she expected Mr. Gaddis could reapply. Attorney Grisham argued that this reasoning did not justify termination, as the procedural defect could have been corrected without displacing the attorney. Multiple speakers from the public characterized the action as retaliatory, noting that Flowers Davis had already been presented as a de facto replacement at the same meeting. Attorney Gaddis declined to comment on the item.

A motion to terminate the legal services agreement with Clayton B. Gaddis PLLC and to direct City Administrator Cynthia Dozier to take all necessary steps to protect the City's legal interests was made by Mayor Pro Tem Marie Bannister and seconded by Council Member Chandra Sutton.

**Roll Call Vote:** Velma Womack — No; Leah Melton — Yes; Marie Bannister — Yes; Chandra Sutton — Yes. **Motion carried 3–1.**

## 10. Only if dismissal or termination results from action item number 7., discuss and possibly take action regarding the appointment of Susan Carver as municipal judge

Attorney Grisham raised a point of order, arguing that because the vote under Item 7 was void as a matter of law, no dismissal or termination had legally occurred, and Item 10 was therefore inapplicable. City Attorney Gaddis agreed the item was at minimum avoidable on those grounds and advised the Council to refrain from acting. Lindsey Patterson also addressed the Council, noting that the proposed replacement judge, Susan Carver, had previously worked alongside Chief Gregory at another municipality and suggesting the connection warranted scrutiny. The Mayor acknowledged the legal concerns on the record.

A motion to appoint Susan Carver as municipal judge was made by Mayor Pro Tem Marie Bannister and seconded by Council Member Leah Melton.

**Roll Call Vote:** Velma Womack — No; Leah Melton — Yes; Marie Bannister — Yes; Chandra Sutton — Yes. **Motion carried 3–1.**

## 11. COUNCIL MEMBER INQUIRY TIME

The Mayor requested that the next agenda include action items related to water infrastructure improvements and the filling of the vacant council seat, noting that Steven Sterman had submitted an email expressing interest in the appointment. Council Member Womack requested that alleyway conditions be placed on a future agenda as well.

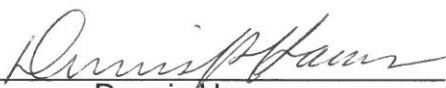
## 12. Adjourn

A motion to adjourn was made by Mayor Pro Tem Marie Bannister and seconded by Council Member Leah Melton. The motion carried unanimously.

The meeting was adjourned.



Approved on 10/20/26

Mayor:   
Dennis Haws