DNRBH-Z
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Memorandum

To: Mayor Ruben Gomez and the City Council, City of Hearne

From: DENTON NAVARRO ROCHA BERNAL HYDE & ZECH, PC

Issued by: George Hyde, Managing Partner, Austin

Date: December 28, 2016

Re: Letter of Resignation and Withdrawal

Mayor/City Council,

When our office agreed to accept the unanimous appointment of the City Council to serve as City Attorney and agreed to represent the City and its officials in the Stem litigation, we recognized the strong diversity in opinions held by the various councilmembers and offered to provide our now almost 27 years of experience as a Firm to assist the City and its officials with competent, creative, timely, valuable and effective legal services. We did so with the intent to provide legal direction to facilitate compromise and help the Council set aside their individual differences and personal agendas in order to act in the best interest of the community. We have been effective in doing just that across this great State; however, our efforts in this troubled and controversial community have not been successful.

We have not been effective in reducing the combative, unprofessional and inconsistent treatment of city issues; have not reduced the personal attacks made during council meetings; and have not been able to facilitate compromise by providing the City Council with the rule of law, which in fact, is often disputed or ignored. Considering the fact that the City Council in many instances are unable to even garner a majority vote to approve the minutes of a prior meeting, it does not appear that continuing our attempts to provide legal support and direction will be effective to tip the routine stalemate votes that prevent progress and take the city nowhere.

Continuing to serve under such conditions is incompatible with our Firm's mission to help aid a municipality in effective governance and administration of services to the public. Such partisanship and behavior materially interferes with our ability to provide effective legal representation to the City, as directed by its City Charter.

Therefore, with great regret, and on behalf of the Firm, this memorandum is presented as our immediate resignation as both special counsel in the Stem litigation pending approval of the Court,

and as City Attorney for the City of Hearne. We will submit our final invoices in January for all work completed as of the date of this memo, and respectfully request prompt payment.

In the event the City Council would like to discuss our assistance in the interim while new counsel is retained, please contact me. If in the future, when this or a new City Council can find a means to come together to act in the best interest of the community and serve the citizens' needs, we will be happy to consider re-engaging our services to support its efforts to serve the community.

Attached is a confidential summary of the status of ongoing legal projects. Electronic files for the referenced legal projects shall be provided to City Administration no later than January 15, 2016. The Stem matter will be turned over to the attorney of your choice, upon the Court approving our withdrawal.

If you have any questions regarding this matter, please call my office to arrange a conference call.

Sincerely,

George E. Hyde
Attorney & Counselor at Law
Managing Partner - Austin
Denton Navarro Rocha Bernal Hyde & Zech, P.C.

CC: John Naron, City Manager
Hazel Embra, Municipal Court Judge w/o attachment