



CITY OF CORPUS CHRISTI

AGENDA MEMORANDUM

Action Item for the City Council Meeting May 19, 2026

DATE: May 7, 2026
TO: Mayor and Council
FROM: Rebecca Huerta, City Secretary
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Pretrial Hearing for Removal Proceedings of the Mayor

CAPTION:

Pretrial Hearing for the Removal Action of the Mayor, with discussion and possible action regarding preliminary and procedural matters for removal proceedings, including motions, witness lists, issuance of subpoenas, appointment of special counsel, and all other related matters for the Removal Action, and scheduling of additional pretrial hearings and the Hearing for the Removal Action of the Mayor.

SUMMARY:

This agenda item is to discuss and act on the Pretrial Hearing for the Removal Action of the Mayor. In this matter, the City Council will serve in a quasi-judicial capacity. Merriam-Webster defines quasi-judicial as “serving in a partly judicial character by possession of the right to hold hearings on and conduct investigations into disputed claims and alleged infractions of rules and regulations and to make decisions in the general manner of courts.”

The types of decisions the Council may make today include:

1. Rule on motions filed by the parties [petitioners and the challenged member (Mayor)]
2. Accept witness lists
3. Issue requested subpoenas
4. Appointment of Terry Shamsie as Special Counsel for the Removal Proceedings to advise on procedural, admissibility, or evidentiary issues
5. Setting a hearing date and time (30 days' notice would provide the minimum notice required for due process)

BACKGROUND AND FINDINGS:

Article II, Section 11 of the City Charter states the following:

Sec. 11. Removal.

(a) A council member shall be subject to removal by the council or by any other means authorized by law for:

- (1) Willful violation of any code of ethics or conflicts of interest provision under state or

federal law or city ordinance.

(2) Willful violation of any express prohibition of this Charter.

(3) Misconduct, malfeasance, incompetence, inability, or willful neglect in the performance of official duties.

(4) Conviction of any felony, or any misdemeanor involving moral turpitude.

(5) Failing to maintain any residency requirement provided by law.

(6) Absence from three consecutive regular council meetings without leave of absence first had, except due to circumstances over which the council member had no control.

(b) A removal action by the council may be instituted on its own initiative, or shall be instituted upon petition by five or more registered voters, and

- any final decision to remove a member shall be by the majority vote of all council members holding office, with the exception of the challenged member.
- The council may provide by ordinance for the referral of any disciplinary matter involving a council member to the ethics commission for recommendation.
- The challenged member shall have the right to written articles of impeachment, an opportunity to be heard, to be represented by counsel, to summon witnesses who shall be required to give testimony, and to reasonable advance notice of the hearing.
- The burden of proof shall be on those bringing the charges.
- The hearing shall be open to the public, and the conclusions and findings of the council shall be final. If the member is removed, a complete statement of the reasons therefor shall be filed with the city secretary.
- The council shall additionally have the authority to reprimand or suspend a member for a period of not more than thirty days if removal is not warranted.

(c) Pending charges for removal, the council may suspend the challenged member from office for a period not exceeding thirty days by the majority vote of all council members holding office, with the exception of the challenged member.

(d) Commission of any of the violations specified in subparagraphs (1) through (5) above shall additionally be grounds for forfeiture of office in proceedings pursuant to state law.

(e) A member who is removed from office, whether pursuant to this section, by recall or other legal proceeding, or who resigns after any such proceedings have been initiated, shall not be eligible to be appointed to or run as a candidate for city office for two years from the date of removal, recall, or resignation.

ALTERNATIVES:

1. Request staff to prepare an ordinance to refer to the Ethics Commission
2. Cancel or reschedule Pretrial Hearing
3. Deny Removal Action
4. No Action
5. Reprimand

SUPPORTING DOCUMENTS:

- Petitioners' Articles of Impeachment of Mayor Paulette Guajardo
- Resolution scheduling a pretrial hearing on May 19, 2026, to entertain motions, witness lists, requests for summonses, and all other related matters for the Removal Action of the Mayor; and adopting Rules of Procedure for City Council Hearing for Removal Action
- Mayor Guajardo's verified motion for recusal and disqualification
- Any other filings received by the City Secretary