

Stanislaus County Civil Grand Jury
Dennis France, Foreperson,

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APR 19 2010

CGJ

Let this be my official response to Report #010-04C

I will only address the allegations as they pertain to me.

It was alleged that I violated the Brown Act by sending a serial email. I do accept the responsibility for this mistake but again, as I stated before, I sent this email in the manor that I felt was explained to me by the City Attorney. I feel that this is cause for additional training and nothing more, and that removal or recall is excessive.

It was alleged that I was part of an "orchestrated" attempt to fire the city employees. I did have conversation with one council member about what I perceived as poor work performance by senior staff and I did not at any time "direct" the City Manager to "fire" anyone. I did on that evening evaluate the City Manager's performance in relation to supervision and made "suggestions" on how he may improve that. We were advised that evening that as a council we do not have the authority to "fire" any employee, with the exception of the City Manager, we could only give "direction" and the City Manager had all the rights to disregard those recommendations, as he did. I also did not take part in any orchestrated attempt to fire the City Manager. Each of the council had different concerns with our City Manager and took the actions that a council is allowed to take. In closing I do not feel that it is appropriate to make the statement that "The Civil Grand Jury finds that the City Council's decision, with a three-to-two vote to direct the city manager to fire the City Engineer and City Clerk and the subsequent attempt to fire the City Manager was likely the result of a prearranged plan by City Councilmen A, B, C. I had no prearranged plans nor did I at anytime vote to "direct" the City Manager to do anything, and the statement in the report is very misleading as it uses the term, likely. So I say likely, no most assuredly, THAT DID NOT HAPPEN!

It was alleged that I was promoting my own agenda against the best interests of the citizens of Hughson. This allegation I will not dignify with a response.

Lastly there is a statement that although it does not come with an allegation of wrong doing does seem to cast the appearance of wrong, that is "A January 23, 2009 email from Councilmen B requesting the City Manager to call a special meeting on behalf of Councilmen A, B, C" it would make one think that there is also a violation of the Brown Act. I would appreciate if the following statement was added for clarity. "it is allowed for one councilmen to contact two or more council members for the purpose of setting a special meeting. Special meetings may only be called by the mayor or a majority of the council."

Thank You,
Doug Humphreys
Hughson City Council

