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Mayor cleared of secret dealings
Open Meetings Act probe followed ouster of city manager.

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Mayor Ed Garza has been cleared of violating the state Open Meetings Act as he and City Council members discussed the fate of then-City Manager Terry Brechtel in late August.

In a letter Monday to Garza's attorney, District Attorney Susan Reed said a Texas Rangers investigation turned up "insufficient evidence" of any violation.

Still, she said the steps Garza took were unusual.

After a series of phone conversations with council members, the mayor called Brechtel to a late-night meeting at City Hall on Aug. 25 and asked her to resign, noting that a council majority supported her ouster.

Councilwoman Patti Radle suspected Garza of polling members on their support for the move - which would have been a rule violation - and she asked Reed to investigate.

The probe drew on sworn statements from all 10 council members and numerous subpoenaed documents. Reed said that Garza communicated with investigators through his attorney, Patrick Hancock.

From the controversy's start, Garza maintained that his actions didn't run afoul of state open meetings rules.

"It was a process that certainly was an inconvenience," Garza said of the investigation. "But it hasn't affected my relationship with Councilwoman Radle."

Radle on Tuesday expressed no regrets about seeking the investigation.

"I hope that the results of the actions taken around this incident will serve this council ... to be very cautious in the manner in which we discuss issues," Radle said in a written statement.

"It is my hope that this series of events will help us to be ever more open in all our procedures."

Reed asked the Texas Rangers to look into the allegations after receiving Radle's request Aug. 30.

In the letter to Garza, which was also addressed to Radle, Reed said she contacted the Rangers rather than the special crimes division of the San Antonio Police Department to avoid the appearance of a conflict of interest.

An Open Meetings Act violation is a Class C misdemeanor that carries a maximum fine of \$500.

Brechtel stepped down Oct. 1 after determining in a marathon meeting Aug. 31 that a majority of

council members had lost faith in her performance.

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