



To: Lyle Lombard; Police Chief

From: Michael Kovacs, City Manager: 

Date: November 18, 2025

Re: Notice of Investigation and Complaint

In compliance with TEX. GOV'T CODE §614.021-023, you are being presented with this complaint which alleges violations of the City of Fate Personnel Policies and Procedures Manual, and which, if sustained, may subject you to discipline up and including termination. This document serves as a formal notice of a pending administrative investigation regarding an allegation of misconduct in violation of City policy.

Specifically, you are being investigated for violations of the City of Fate Personnel Policies and Procedures Manual, including but not limited to:

Section 6.2 – Employee Conduct & Work Rules

Employee Accountability. Each City employee is held to a high standard. This standard starts with respect and integrity in all that we do. Each employee is expected to be accountable, show quality and detailed work, and complete tasks promptly and accurately. Many of the standards required of employees are set out in various City policies and procedures, its Code of Ethics, and in each employee's Job Description and Performance and Development Review. Employees are also required to perform their job duties and conduct themselves in a way that reflects positively on the City.

Unacceptable Conduct. The following are examples of patterns of conduct which are deficient based upon the level of responsibility for a department director.

- Poor communication
 - Detectives reorganization created confusion and morale issues.
 - DPS pay plan rollout mishandled; staff believed raises had been promised.
 - Lack of early conflict identification and proactive mitigation.
 - Delay in addressing a sex offender residency issue and failure to seek legal advice contributed to public controversy.
- Judgment and decision making
 - Uncoordinated decisions have created confusion and unnecessary risk. (property acquisition and facility development)
 - Failed to maintain trust with executive team leaders by not maintaining confidentiality of discussions and subsequent failure to repair relationship(s)



- Communications with elected officials regarding official town business and failed to disclose communications to management
- Made public presentation regarding ongoing sex offender registration matter which included identifiable photographs of minors and disclosed sensitive information regarding city property

Sustained violations of the City of Fate or police department policies may result in discipline, up to and including termination. Employees are required to abide by all local, state and federal laws.

While this matter is pending, you are directed as abide by the following orders:

1. **CONFIDENTIALITY ORDER:** This administrative investigation is considered confidential in order to preserve the integrity of the investigation. It should only be discussed with those who have a right to know. Those who have a right to know include your immediate family, legal counsel, and those notified by the City. Should you discuss this matter with your immediate family, they are to be advised of this expectation.
2. **GARRITY WARNING:** You are ordered to completely and thoroughly answer all questions as a condition of your employment. Failure or refusal to answer any questions or to take any test or to be photographed constitutes ground for disciplinary action, including dismissal from the City, as conduct prejudicial to good order and insubordination. However, the information and evidence obtained in this administrative investigation cannot be used against you in a criminal proceeding.
3. **RETALIATION PROHIBITED:** The City of Fate prohibits retaliation against employees who make a good faith charge or report of prohibited conduct or who assist in a complaint investigation. Acts of retaliation, if confirmed, will subject you to discipline up to and including termination under the City's policies. If you believe you experience acts of retaliation related to your participation in this investigation, you are directed to contact me as soon as practical.



Notice of Administrative Leave

While the investigation of your conduct is undertaken, you are assigned to administrative leave with pay. As the City of Fate will be compensating you, you are required to follow the conditions listed below:

1. You are required to be available by telephone from 8:00AM to 5:00PM, Monday through Friday. You must also be available to respond to the work site within a reasonable period if requested by me (reasonable is 60 minutes).
2. You are restricted to "public-access" areas of City facilities; and restricted from "non-public access" areas (areas where the general citizenry is not allowed because of safety issues, privacy issues, etc.)
3. You may not act as an employee on behalf of the City of Fate. Further, you are directed to turn over your City identification, including any badge, keys or other equipment belonging to the City and/or other City property. You are not authorized to contact other
4. City employees regarding work related matters or to discuss this administrative investigation. If you feel there is a need to discuss work-related issues or the status of the investigation, you are required to contact me.
5. Failure to comply with any of these conditions may result in immediate dismissal.

Notice of Pre-Disciplinary Conference

You are directed to attend a pre-disciplinary conference on November 20, 2025 at 9:30 ^{am} p.m. in my office.

Failure to comply with any of these conditions may result in immediate dismissal.

Received:


Employee

11-18-2025 1426 AM/PM
Date Time

To: Michael Kovacs, City Manager

From: Lyle Lombard, Director of Public Safety



Date: November 19, 2025

Reference: Complaint Appeal

Most of the items within this complaint were within my semi-annual employee review. During the discussion of the review and the written comments, it appeared that we would be able to work on these items and move forward. Please accept this correspondence as my appeal to the following allegations of misconduct:

Poor communication

- The Detective Supervisor reorganization. I had discussed this with the Lieutenant that was in the position multiple times over the years. It had always been my goal to rotate officers and supervisors through the Detective Division to help them gain experience to become better well-rounded officers. I had spoken with the previous supervisor about it because he brought up the topic from his training he was taking at the Center for American and International Law. Numerous detectives (Officer grade) had rotated in and out of the division over the years without confusion or hurting morale. I had several personnel tell me they appreciated the change. There are not many opportunities that the staff have to change up their job duties.
- DPS Pay Plan rollout. There was no official notice or promise of a specific increase. I do try to keep in touch with other fire and police job postings to keep current on the market. It is always desirable to maintain the highest possible pay for the appreciation of employees, retention, and recruitment. To demonstrate the lack of evidence, two different percentage amounts have been stated during my evaluation process and the executive session meeting.
- Lack of early conflict identification and proactive mitigation. This complaint is not clear on anything specific. If it is the pay plan conflict, I went to HR multiple times to work on salary position that I felt needed adjusting. The largest complaint was about the lack of step increases. Several personnel had been reduced in the step plan. It is intended to be a pathway forward for the next allotted years in the plan for officers to see a progressive path for them. I had spoke with HR about it several times and advised you that this is unable to be resolved to officers satisfaction and they might want to discuss it with you or HR directly.
- Delay in addressing the sex offender residency. When it became knowledge, the person convicted of the offense would be released from jail, Lt. Smith started looking into the residency restriction ordinance. He consulted with me on his interpretation and upon review I agreed. During the CID Supervisor transition, Lt. Guerrica reviewed the ordinance also and came to the same conclusion. After the City Attorney reviewed the ordinance, she replied with comments that the

affirmative defense is confusing. Interim City Attorney David Overcash also reviewed the ordinance and it seems he thinks it may not be that clear. Our personnel interpret ordinances and laws daily and it doesn't seem practical to consult with the city attorney in all the instances.

Judgement

- Uncoordinated decisions. The original concept was a multi-use building integrating several aspects to be used by fire and police personnel, such as training rooms, locker rooms, and fitness gym. This concept was rejected after the land was purchased, prior to the bond election. During the planning phase of the police building there was a discussion between a single story or two story building. The single story design saves money and the two story saves land. The architect firm stated there would not be enough land even with a two story building for a fire station in the future. During these discussions, it was noted that the land next to the property was for sale. It was set for a discussion with city council to consider purchasing the land. If not all of the land was used it could be sold later in desired. I do not see how this was uncoordinated.
- Failed to maintain trust. Possible allegation of discussing the situation where I was told to write a social media post in support of the Mayor on things he had stated on social media. I feel this is the start of where the politics started getting more prevalent. I didn't like being asked to do this and wanted to stay out of it. I did tell Mr. Downs I didn't like the situation I was being put in. I have recently worked with Mr. Downs on the police and fire buildings projects and traveled to other cities to visit. I thought we were working well together on this and have talked about various things very well. I had not directly apologized to him for a specific incident, because until the executive session I didn't know what the issue was I had said. I appreciate Mr. Downs in the way he brings humor in on a regular basis.
- Communications with elected officials. I feel that this is presented larger that it really is. There has been some communication with all of them at some point or another, but it is initiated by the elected official in most if not all of the instances.
- Public Presentation. The presentation that was conducted did not disclose anything that was not public information. The photos of the people including juveniles was published on the suspects Facebook that was set to public viewing. The city property mentioned is open to the public view daily and is not part of any covert operation. The Fate Police Division does not have an undercover or covert operation. In my past experience, undercover vehicles are not driven to the police building and are registered using alias information.