

10/17/12

Public Statement From Randi Shade

I have complied fully with the Travis County Attorney's investigation that began in February of 2011 regarding whether the Austin City Council committed violations of the Texas Open Meetings Act in 2010. I have spent tens of thousands of dollars on a personal defense attorney. The City of Austin has spent hundreds of thousands of public dollars in response to this investigation. The County has done the same.

I never knowingly conspired to circumvent the Texas Open Meetings Act, and over this past summer I entered into an agreement for deferred prosecution in an effort to put the investigation behind me.

The practice of Council Members meeting with one another on a regular basis was a matter of routine for many years before my term of service on the Austin City Council began in the summer of 2008. In November of 2008, to promote transparency and open government, I was proud to be the first Council Member to post my meeting schedule on the City's public website for anyone to view easily and without incurring costs associated with open records requests. I never hid meetings from the public, including meetings I had with Council colleagues and City staff, and never refused a meeting with anyone. My communication with Council colleagues, City staff, and citizens was to stimulate critical thinking and gain the broadest perspective possible on a subject matter, not to conspire to circumvent the Texas Open Meetings Act or hide anything from the public.

Each of the admissions and affirmations included in the deferred prosecution agreement relate to topics that were heavily debated in public, on the dais and in the media, before votes were taken. The items under consideration were posted well in advance of any votes taken, specifically to provide citizens with more time to communicate about issues with Council Members than what is required by state law. Multiple votes related to the same subject matter often took place, and as time passed Council Member positions on these subjects understandably would become increasingly predictable and widely known by Council colleagues and Council watchers alike. That is what happens when an elected official assumes the duty of office; it is called a voting record. To suggest that the public was kept in the dark about these votes seems far-fetched.

Nevertheless, there is always room for improvement when it comes to communication, compliance, records retention, and information management, especially with the advent of technology not even imagined by the authors of the Texas Open Meetings Act. In response to this investigation, the City has carefully reviewed its policies and procedures and made several improvements that are to be applauded.

Austin has been my home for more than 25 years. I am raising my children here and hope to grow old here. I have always been an active community volunteer, whether I was a student, state employee, business owner, or nonprofit executive. Although I was not someone who ever spent any time at City Hall prior to becoming a Council Member, I am thankful to have had the opportunity to serve as an elected official in this community, too. I am forever committed to making Austin the best place it can be.