

Randi Shade

From: Randi Shade [REDACTED]
Sent: Wednesday, May 19, 2010 8:39 AM
To: 'Morrison, Laura'; 'MReed4@ [REDACTED]'
Cc: 'rshade@ [REDACTED]'; 'randi.shade@ci.austin.tx.us'; 'marioncimbala@ [REDACTED]'; 'brooke_bailey@ [REDACTED]'; 'Seals@ [REDACTED]'; 'lauraporcaro@ [REDACTED]'
Subject: RE: Hoping you can help

Yes, I am on this one already.

From: Morrison, Laura [mailto:Laura.Morrison@ci.austin.tx.us]
Sent: Wednesday, May 19, 2010 7:00 AM
To: MReed4@ [REDACTED]
Cc: rshade@ [REDACTED]; randi.shade@ci.austin.tx.us; marioncimbala@ [REDACTED]; brooke_bailey@ [REDACTED]; Seals@ [REDACTED]; lauraporcaro@ [REDACTED]
Subject: Re: Hoping you can help

Mary - thanks for raising this problem. We'll touch base with Randi's office today and get some answers.
Laura

Sent from my iPhone

On May 19, 2010, at 6:07 AM, "MReed4@ [REDACTED]" wrote:

Hi Randi and Laura:

I am sure you have already heard from upset neighborhood people about the status of the water projects in West Austin Park and Mary Baylor Park, but I want to join the chorus on behalf of the CCDC. The people who have been involved in helping make the projects happen on the neighborhood end had been led to believe by the City that everything was right on schedule and the projects would be completed in early June. Although I think all of us thought this schedule was a bit optimistic, it was the message that the city consistently provided and it was what I have been communicating to Clarksville parents.

Now, about a week before the start of June, we learn that the City has not yet even obtained the essential permits needed for the projects to move forward (!) despite the fact that the projects have been in the works for months. Why were requests for the permits not made earlier? Why were the parks representatives led to believe, despite weekly communications with Aquatics, that the projects were on schedule? What can be done to expedite the permitting process for both projects, and what is a REALISTIC completion date for each project? We would like more than a "we'll let you know" from the City.

Thanks for any help you can provide on this.

Mary

Mary Reed
Mary Reed Public Relations (MR•PR)
1101 Charlotte Street
Austin, Texas 78703
www.get-your-message-out.com
512 441 5212
Mreed4@ [REDACTED]
mrpraustin@ [REDACTED]

Randi Shade

From: Shade, Randi [Randi.Shade@ci.austin.tx.us]
Sent: Thursday, August 26, 2010 9:26 AM
To: Randi Shade
Subject: FW: Seaholm Wall

From: Morrison, Laura
Sent: Thursday, August 26, 2010 9:11 AM
To: Shade, Randi
Subject: FW: Seaholm Wall

----- Forwarded message -----

From: Irene Roderick [REDACTED]
Date: Thu, Aug 26, 2010 at 8:10 AM
Subject: Seaholm Wall [REDACTED]
To: randishade@ci.austin.tx.us [REDACTED]
Cc: Laura.Morrison@ci.austin.tx.us [REDACTED]

Good morning Randi,

Thank you for your interest in the Seaholm Wall Project. I want to begin by stressing that the Arts in Public Places Panel and the Arts Commission are disconcerted that all the hard work we have performed on the project to this point is being so cavalierly dismissed on a (seemingly) whim of one Council member. Also, please be aware that the AIPP consists of 4 members who hold higher degrees in art (Masters of Fine Arts), 2 members who are practicing architects and 1 member who is a professional graphic designer with expertise in lighting and sound.

The process so far:

The AIPP spent hours determining the wording for the RFQ so that it specifically reflected the importance of the project and would attract artists of the highest level.

The AIPP requested that we be allowed to serve on the selection committee because we felt the project so important to the City that we did not want to entrust it to an outside committee (the normal procedure for selection of artists for public projects). This request was approved by the Arts Commission and the Council.

The selection committee consisted of all of the members of the AIPP, two representatives from Austin Energy and at least two engineers who work for the city.

To begin with, each member of the selection committee "graded" each of the 24 proposals on at least 10 points that determined the artists' ability to perform the work necessary to such a large project. These criteria were mostly technical and to assure that they had assembled a team of professionals (engineers, landscape designers, lighting experts, architects), that the teams had considered the site, the "Austin" experience, and were available to complete the project on budget and on schedule. None of the original proposals included any aesthetic materials and we were asked not to base any of our scores on aesthetics at that time. We were also placed under an oath of silence. We were told to not discuss this with each other or anyone else.

The selection committee met (for 8 hours at City Hall) and the scores were averaged to determine the ranking of the

applicants. The top three were then invited to present their proposals to the committee.

It was not until the presentations that the selection committee was introduced to former projects of the "teams." Please be aware that, for this project, the artists were not to bring us a specific proposal for the Seaholm Wall, but to present us with former completed projects so that we could judge the quality and suitability of their work.

Each selection panel member scored the presentations based on specific criteria and specific questions that the panel had composed. These scores were then averaged together with the first scores and the finalists then determined.

To our surprise at the end of the day, the rankings were unanimous.

It is only at this point that the artists are requested to bring specific proposals for the Seaholm Wall to the selection committee. The process consists of several meetings during which the designs are fully fleshed out. The selection committee and the Arts Commission make suggestions to the artist who are then sent "back to the drawing board." It is during this process that we can request that greenery be part of the final design. We can suggest changes in materials and design. It is not until all members approve the final design that the wall will move forward. I suggest that if any of the Council members have specific concerns that they attend these sessions or send their concerns to their Arts Commissioners so that they can be addressed.

I hope this helps in your determination. I would greatly appreciate your assistance in communicating to other Council members the dedication of the citizens who serve on City panels and commissions. AIPP has spent innumerable hours on perfecting the selection of public art for the City. It is disappointing at best that our work is being so undermined. We are all Arts professionals and take our "mission" very seriously.

If you need any more information, I am in my office and feel free to call this morning - 471-3390.

Best,
Irene Roderick
Liaison to AIPP from the Arts Commission

Irene Roderick
Executive Assistant
Department of Art and Art History
The University of Texas at Austin
phone: 512-471-3390
fax: 512-471-7801

Randi Shade

From: Randi Shade [REDACTED]
Sent: Friday, October 15, 2010 10:27 AM
To: marc.ott@ci.austin.tx.us
Subject: FW: youtube of Council Member Joel Burns

I am guessing you may have heard about this, but if not -- when you have a moment (and a tissue) you should see Joel Burn's comments from this past week's Ft. Worth Council Meeting.

From: marti. [REDACTED]
Sent: Friday, October 15, 2010 7:37 AM
To: Randi Shade
Subject: youtube of Council Member Joel Burns

Randi

Did you see this yet? http://www.youtube.com/watch?v=x96cghOnY4&feature=player_embedded
Get your Kleenex ready.

M

--

"In the end, we will remember not the words of our enemies, but the silence of our friends."

- Martin Luther King Jr., "The Trumpet of Conscience", 1967

Randi Shade

From: Randi Shade [REDACTED]
Sent: Saturday, October 16, 2010 11:30 AM
To: 'Ott, Marc'
Subject: RE: youtube of Council Member Joel Burns

Thanks. I thought you'd find it of interest especially given the ages of your kids. Hope you have a good weekend.

Sheryl Cole and I have schedule a meeting for late afternoon on Friday Oct. 29th to have the Waller Conservancy folks (Tom Merideth, Melba Watley, and Melanie Barnes) along with the CEO of Brackenridge Hospital (Greg Hartman) and Pat Club from UT, along with Martha Smiley and hopefully James Huffines to see what the State Facilities folks are thinking about re: re-development of Capitol Complex near Waller Creek area. Should be a good meeting. It is on Robert G and Sue's calendar, but it looks like you'll be in Little Rock that week:-)

Have a good trip this week, too.

From: Ott, Marc [<mailto:Marc.Ott@ci.austin.tx.us>]
Sent: Saturday, October 16, 2010 10:19 AM
To: Randi Shade
Subject: Re: youtube of Council Member Joel Burns

I had heard about it.

Very sad, very powerful and very reassuring. It must have touched your heart as it did mine.

Thanks for sharing it with me.

Marc

Sent from my iPhone

On Oct 15, 2010, at 10:27 AM, "Randi Shade" [REDACTED] wrote:

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From: marti. [REDACTED]
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Randi

Did you see this yet?

http://www.youtube.com/watch?v=ax96cghOnY4&feature=player_embedded

Get your Kleenex ready.

Randi Shade

From: Shade, Randi [Randi.Shade@ci.austin.tx.us]
Sent: Wednesday, October 20, 2010 3:41 PM
To: randi@
Subject: FW: MoPac Managed lanes and 5th and 6th streets

Randi Shade
Austin City Council
Council Member Place 3
(512) 974-2255 (phone)
(512) 974-1888 (fax)
<http://www.ci.austin.tx.us/council/shade.htm>

-----Original Message-----

From: Sarah Eckhardt [<mailto:Sarah.Eckhardt@co.travis.tx.us>]
Sent: Wednesday, October 20, 2010 11:38 AM
To: Morrison, Laura; Shade, Randi
Cc: Joe Hon; Peter Einhorn
Subject: MoPac Managed lanes and 5th and 6th streets

Ladies:

At some point can we put our heads together on the Managed Lanes and how they will impact W5th and 6th streets? The issue is that CTRMA is reserving the possibility that ingress/egress from the managed lane could be on 5th and 6th as well as Cesar Chavez. Neighborhood folks quake in fear that Managed lane traffic will exacerbate the bottlenecks on 5th and 6th and thwart efforts to realize "great streets" potential for those two corridors. Let me know when a phoner or a coffee meet might work for y'all. Medici is always good.

- SE

Randi Shade

From: Shade, Randi [Randi.Shade@ci.austin.tx.us]
Sent: Wednesday, October 20, 2010 3:41 PM
To: Diaz, Elaine
Cc: Joe Hon; Peter Einhorn; Sarah Eckhardt; Morrison, Laura
Subject: RE: MoPac Managed lanes and 5th and 6th streets

Yes, I'd like for us to put our heads together.

Elaine -- please work with Joe in Sarah's office and Grace (am assuming Laura will want to meet, too) to get something scheduled.

Thanks!

Randi Shade
Austin City Council
Council Member Place 3
(512) 974-2255 (phone)
(512) 974-1888 (fax)
<http://www.ci.austin.tx.us/council/shade.htm>

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Cc: Joe Hon; Peter Einhorn
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- SE

Randi Shade

From: Randi Shade [REDACTED]
Sent: Monday, December 06, 2010 10:48 AM
To: 'randi.shade@ci.austin.tx.us'
Subject: FW: City of Austin pension system

-----Original Message-----

From: Terrell Blodgett [REDACTED]
Sent: Sunday, December 05, 2010 9:49 PM
To: Sheryl.Cole@ci.austin.tx.us
Cc: Randi@ci.austin.tx.us, William.spelman@ci.austin.tx.us
Subject: City of Austin pension system

This is kind of a follow up to a call I had from Bill Spelman several months ago.

The stories keep coming - Sunday NYT on state and local fiscal crisis in general but also pinpointing tremendous pension liabilities. I really think the Council needs to get someone to take an outside, objective look at the whole City system - and probably fire and police even worse, but if necessary from a political standpoint, could look at city system first. I know that Council has approved some changes to go to the Legislature but I think we need again - an objective, outside look at investments, benefits - the whole smear. I am not at all sure that the changes that are being proposed are broad enough or deep enough.

I am not qualified nor interested and have no one in mind except a possible sponsor and that would be the Austin Area Research Organization (AARO). They do not have the staff but would be a good sponsor ---- you could add some "community" names if you think necessary to give it a broader base.

I think Betty Dunkerley and probably Barney Knight, the Pension Board's attorney, think that sufficient steps have been taken and are planned - I don't think you can afford to not have an OUTSIDE study.

If you are satisfied that the City can afford what has been proposed and feel that you have had the kind of objective counsel that leaves no doubt in your mind as to the future, then I withdraw this suggestion but I, myself, have continuing concerns.

Randi Shade

From: Randi Shade [REDACTED]
Sent: Friday, December 10, 2010 10:10 AM
To: 'Ott, Marc'
Subject: FW: KVUE & KXAN below...The paramedic/emt fiasco should never have happened. It's an embarrassment to the City. But it did shine a light on major problems not just in EMS, but also in AFD., and on the City's relationship with the County.

I am guessing you're on this email distribution list, too, but I just hate to see Chief Kerr brought into this, too....

From: Michael Levy [REDACTED]
Sent: Friday, December 10, 2010 8:57 AM
To: undisclosed-recipients:
Subject: KVUE & KXAN below...The paramedic/emt fiasco should never have happened. It's an embarrassment to the City. But it did shine a light on major problems not just in EMS, but also in AFD., and on the City's relationship with the County.

This paramedic/EMT fiasco should never have happened. It's an embarrassment to the City.

But it did shine a light on major problems not just in EMS, but also AFD, and on the City's relationship with the County.

The current EMS chief and AFD chief should never have been hired by the city manager, because they are not true leaders which are essential if labor intensive organizations are to be successful.

The assistant city manager over Austin's public safety agencies had assured the public safety task force, the predecessor to the current public safety commission, that there would be a national search for a new EMS director. In fact, he did it three times, with then Council members Martinez (the chair). Dunkerley and Leffingwell on the dais, and it's on tape. But when the new manager was barely in the door, the ACM conned the manager into giving the acting chief the permanent appointment, in the spirit of the previous city manager who wanted as department heads only puppets for whom she would be the puppeteer. The result: The continuation of the City's tradition of departmental cultures against dissent and with retaliation the order of the day in EMS and AFD.

The manager and the ACM have had the EMS chief and assistant chief stonewalling Austin/Travis County EMS Employees Association president Steve Stewart on everything, not just this issue, just as they do fire association president Bob Nicks. Rarely if ever does the EMS chief agree to meet with Stewart about anything, and when he does it's usually on a perfunctory basis. This is NOT good labor relations. At TEXAS MONTHLY, everything was collaborative. I valued dissent because it insured getting the right answer. The manager, the ACM over public safety, the EMS chief and his chief deputy, the AFD chief and her chief deputy each hate the idea of collaboration and dissent. Why? They are scared of it, compounded by sheer arrogance. That's why they keep making such really bad decisions, with management malignancies throughout their departments. And Steve and the EMS association are much more concerned about insuring that EMS is a great program serving the community in an excellent manner than they are bread & butter issues. Ditto Bob Nicks at the fire association. If the manager and his chief deputy, the ACM over public safety, the EMS chief and his chief deputy, and the AFD chief and her chief deputy were even minimally savvy about the need to take advantage of the quality of the people in their organizations, they would see the advantage of having Steve and Bob as partners in any decision-making process, if for no other reason than Steve and Bob are very, very smart and very, very honest, committed to the sciences of pre-hospital care and of fire prevention and fire suppression and to serving our community as well as possible.

And please note the paragraph below about the City's relationship with the County. Because the manager, the ACM and the EMS chief and his chief deputy refuse to treat the County as a partner, the County is about to walk away from the unified system, and the result will be catastrophic. the result of stupidity and arrogance.

Levy

From: Michael Levy [REDACTED]
Sent: Tuesday, December 07, 2010 22:48
To: undisclosed-recipients
Subject: KVUE & KXAN

<http://www.kvue.com/news/EMS-considers-staffing-changes-but-is-your-safety-at-risk--111481144.html>

<http://www.kxan.com/dpp/news/local/staffing-changes-on-austin-ambulances>

From: Michael Levy
Sent: Monday, December 06, 2010 10:24 PM
To: James Shamard
Cc: Aman Bandali [REDACTED]; Michael Lauderdale (home); Michael Lauderdale [REDACTED]; Mike Levy [REDACTED]; Moses Saldana Sr. [REDACTED]; Ramey Ko [REDACTED]; Sam Holt; Kim Rossmo [REDACTED]; harry.evans@ci.austin.tx.us; Marc Ott (Marc.Ott@ci.austin.tx.us); Michael McDonald; Danny Hobby; Steve Stewart (Assoc) [REDACTED]; Bob Nicks [REDACTED]; Paul Hinchey (A/TCEMS); Ernesto Rodriguez (work); David Carter
Subject: Today's (Monday's) Austin Public Safety Commission meeting.
Importance: High

Chief Shamard:

In today's public safety meeting, in your capacity as chief of staff of A/TCEMS you said rather emphatically that the discussions and the planning process regarding a possible new operating model for the Austin/Travis County EMS program were just beginning. Yet I understand that A/TCEMS has between 30 and 40 vacancies in its paramedic ranks of 300 positions because management is already operating under the assumption that the change is a done deal, and that the positions will be filled by EMT's. To keep the system operating with these vacancies is costing an enormous amount of overtime.

Is this true?

I think it is important to re-emphasize some points of discussion in today's Austin Public Safety Commission meeting:

First, the Council will be looking to our Commission, and not to the staff, for a recommendation as to whether the proposed change in the current A/TCEMS operating model, from 2 paramedic staffing on each EMS unit to one paramedic and one EMT, is a good one for patient care, or just an expedient way to save money while compromising significantly patient care and the likelihood for positive outcomes for medical and trauma patients.

I believe my colleagues on the Commission believe that it is essential that Austin/Travis County Employees Association, which represents all of the field paramedics, have a meaningful, and not just merely a symbolic role, at the table for the consideration. developing and planning of any change, because it will be fall on the backs of the field paramedics to make sure their patients actually benefit from any change, have their outcomes compromised by it. (The president of the association, Steve Stewart, testified in today's meeting that he heard

about this planning process only via rumors, and has been able to meet with the A/TCEMS chief for only a very limited amount of time in an attempt to get at least some information on the proposal.)

Management casebooks are filled with horror stories of what happens when arrogant upper management makes decisions in a vacuum without the involvement, the buy in, of their rank and file employees who work in a very real world rather than one of management theory on chalk boards.

Mr. Shamard, your saying that your "Employee Satisfaction" committee will provide the input simply will not be adequate, as EMS management appoints the people on this committee, they are not true representatives of the field paramedics, and one would assume that they might be beholden to management and thus just rubberstamp a plan. Speaking only for myself, unless the EMS employee association president assures the Commission that a representative group of the association's field paramedics, selected by the association, have been fully involved in the process, and believe that the final plan is a good one, I will not be able to vote that the Commission recommend it to the Council.

I also expect that the County be treated as a full partner in this process. (You'll note that Danny Hobby from the County is being cc'd on this e-mail.) Even though A/TCEMS is supposed to be an operating partnership between the City and the County, an example of great inter-governmental cooperation to insure a single standard of care and a more efficient system on a larger operational base so as to be able to spread fix costs, and even though the County continues to contribute an enormous percentage of the program's operating costs, the City continues marginalize the County's ability to participate in important decision-making processes such as this one. EMS management has been increasingly unresponsive to the County's requests for information, basically saying "Give us your money, we know what's best, now go away until it's time for you to give us more money." Because of the distance/time factor, having paramedic/EMT staffed ambulances in the County raises even harder questions as to the wisdom and viability of management's proposal, so the County must be a full player. Why is this important to our commission? Because if the County finally gets fed up with being treated as the lowest of castes and pulls away from the partnership, every citizen in Austin and Travis County will pay a horrible price for the City's arrogance.

(It has been increasingly obvious that A/TCEMS upper management considers both the County and the A/TCEMS Employees Associations as nuisances, the EMS chief granting an audience to the head of the employee association as infrequently as possible, and refusing to comply in a timely manner to the County's requests for even minimal management information. Hopefully, either the arrogant and dangerous attitude or the management will change sooner rather than later.)

The bottom line: I hope you did not walk away from today's meeting thinking that this subject will never again be on the agenda on the Public Safety Commission. James, please trust me when I say that it most assuredly will, until the Commission believes it is in a position to make a recommendation to the Council with respect to whether any proposed change of the A/TCEMS program's operating model will be good for the community.

Finally, when I again raised the question of fire apparatus being dispatched inappropriately with EMS, Chief Evans and you responded by telling the Commission that the two of you have finally (after six months!!!) decided how to reduce EMS responses on box alarms. James, both Chief Evans and you knew I had never raised this as an issue. I knew and you knew that you were trying a silly diversion effort. You may find this hard to believe, but I really can spot such an obvious flim-flam, stonewalling of the highest order. It is clear that we must send two AFD units to collisions on high speed arteries (IH-35, MoPac, Ed Bluestien, etc), with one unit serving in a "blocker" capacity to provide safety for civilians and emergency personnel. But AFD Communications has taken the easy way, allowing its CAD to send 2 units to ALL collisions, even on secondary and tertiary side streets. Firefighters and paramedics alike say: "Stupid. Stupid. Stupid." Ditto having AFD sending a unit on medical calls that are not Priority 1 or Priority 2. Please understand that this is not a "sudden concern" of mine. The previous EMS medical director increasingly added AFD to EMS response

protocols, usually without any logic or reason given, and ignoring the fact that AFD is rarely if ever needed on non-Priority 1 and 2 calls.

Let me repeat for about the 4th time: 1) Risk is always attendant with any Code 3 call. If a fire apparatus and a civilian vehicle are in collision, laws of physics say the fire apparatus will always win. Big time. So it is irresponsible to impose this risk unnecessarily on civilians and firefighters. 2) Getting a fire unit out of service unnecessarily in its first alarm territory makes it unavailable to respond to a significant medical or fire emergency 3) Less important: Unnecessary wear & tear on a fire unit, and a huge waste of gas. I repeat: Cost is the least of these concerns, not a primary concern.

Routinely dispatching two pieces of fire apparatus to collisions at locations other than high speed thoroughfares must stop. Sending a piece of fire apparatus on medical calls other than ones that are Priority 1 or Priority 2 must stop. I trust that Chief Evans and you will decide to stop stone-walling on this, and at our February meeting tell us it has happened. Please.

Sincerely,

Michael R. Levy
Vice Chair
Austin Public Safety Commission

Michael R. Levy
Post Office Box 146
Austin, Texas 78767-0146
direct dial: (512)-450-5101
main: (512)-450-5100
Fax: (512) 499-8533

Executive Assistant: Pam Keller (512)-450-5102

Randi Shade

From: Randi Shade [REDACTED]
Sent: Monday, December 13, 2010 7:34 AM
To: 'Mike Martinez'
Cc: 'Lee Leffingwell'; 'Mark Nathan'
Subject: RE: local Yellow Pages law

Yes -- will ask Marti to research when I see her later today.

-----Original Message-----

From: Mike Martinez [REDACTED]
Sent: Monday, December 13, 2010 7:29 AM
To: Randi Shade
Cc: 'Lee Leffingwell'; 'Mark Nathan'
Subject: Re: local Yellow Pages law

let's at least look into it

On Dec 13, 2010, at 7:15 AM, Randi Shade wrote:

> I hate them, too; mine goes directly into the recycling bin. I don't
> know how the City can outlaw deliveries like that, though -- aren't
> those books like big flyers, advertisements, etc. Seems we'd have to
> outlaw them all and not just single out fake yellow pages books. Also
> need to remember that those operations employ some folks who probably
> appreciate the work. I can have Marti look into it if you like.

> -----Original Message-----

> **From:** Mike Martinez [REDACTED]
> **Sent:** Monday, December 13, 2010 6:43 AM
> **To:** Randi Shade; Lee Leffingwell; Mark Nathan
> **Subject:** local Yellow Pages law

> can we adopt an ord that says you can't get yellow pages delivered to
> your door unless you specifically ask for it?

> I hate those damn books. I know you can "opt" out of getting them but
> hardly anyone does that. Let's make you have to opt in to get them.

> thoughts?

> Also, we are going to propose a resolution support Naishtat's
> legislation for a moratorium on the death penalty. The human rights
> commish passed a res last year calling for us to take a stand on
> banning the death penalty. I have held them off saying that it really
> isn't a "local" issue, but I think support Elliot's bill will make them happy....for now.

> MM

Randi Shade

From: Randi Shade [REDACTED]
Sent: Wednesday, January 19, 2011 11:24 AM
To: 'Martinez, Mike [Council Member]'; 'Tim League'
Subject: RE: Somewhat urgent question - Echo and the city council meeting for tomorrow

I look forward to this discussion -- and Tim -- we need to be sure to get ECHO in to the April Social Services Planning RFP...that's a ready source of money designed for the work ECHO does/wants to do.

From: Martinez, Mike [Council Member] [<mailto:Mike.Martinez@ci.austin.tx.us>]
Sent: Wednesday, January 19, 2011 11:05 AM
To: Tim League
Cc: randi@ [REDACTED]
Subject: RE: Somewhat urgent question - Echo and the city council meeting for tomorrow

Tim, I'm glad to help however I can. But I agree with Randi that it's difficult to come up with a number to plug in at this stage.

Let me discuss it more with Randi and others to see what we can do.

Mike

Mayor Pro Tem Mike Martinez

310 W. 2nd Street
Austin, Texas
512.974.2264

From: timalamo@ [REDACTED] On Behalf Of Tim League
Sent: Wednesday, January 19, 2011 9:41 AM
To: McDonald, Stephanie; Riley, Chris; Martinez, Mike [Council Member]; Cole, Sheryl; Shade, Randi
Subject: Somewhat urgent question - Echo and the city council meeting for tomorrow

Hey guys,

Echo is making an ask to city council on Thursday to help fund a PR campaign for PSH. As part of this effort, we would like to hire an executive director to help the organization get rooted and really drive the agenda on PSH and related topics. We feel Echo can be a very important organization as we develop our direction for addressing the homeless epidemic in Austin. Attached is the letter we would like to present, but there is one missing whole. The dollar figure for the ask of the city. Before we finalize that number, can you give me a sense of what dollar figure range you think would be acceptable to council?

You can email or call anytime (512) 507-3361. If possible, I'd like to get an answer back today.

Thanks!

Cheers,

Tim



From: Randi Shade [REDACTED]
To: Lee Leffingwell <lee.leff@[REDACTED]>
Date: 01/25/2011 01:01 PM
Subject: Fwd: tonight's vote

FYI.

 Randi Shade
 512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

Begin forwarded message:

From: "Shade, Randi" <Randi.Shade@ci.austin.tx.us>
Date: January 13, 2011 10:25:15 PM CST
To: "Amon Burton" [REDACTED]
Cc: "Jimmy Nassour" [REDACTED], "Sylvia Dudney" [REDACTED], <Emily@ci.austin.tx.us>, <lee@ci.austin.tx.us>, <lwspeck@ci.austin.tx.us>
Subject: tonight's vote

Amon,

I know you have to be disappointed in my vote, and I am truly sorry about that. I didn't know what would happen tonight until it happened. I sincerely hope the house or some portion of the house can and will be saved and restored. The question of how to get to a place where that can even be discussed is something I've been struggling with for weeks, months, years, really.

I understand and seriously considered your notion, that without historic zoning, there would be no way for that discussion to happen. The conclusion I came to, however, was that as much as I might want that discussion to happen, if the house didn't meet the criteria, then I couldn't support HZ as a means to force that discussion to happen. Furthermore, without HZ imposed against her will, there could be an equally compelling argument that Sylvia would be more open to give and take, since from her perspective, the playing field would be more level once she controlled the destiny of the property rather than the community controlling it entirely.

I have become increasingly judicious in my decisions about HZ cases. It isn't about the abatement as was implied by several comments made tonight. For me it has been about the dilution of the credibility of our preservation program in recent years, especially when considering historical associations and architectural style and integrity. It is one thing when we're looking at neoclassical style of the Governor's Mansion or the Pease Mansion; it seems like an entirely different thing when we're looking at this house. A year ago the Hyde Park Local Historic District wasn't in place as it is now; so even on the neighborhood preservation front, I struggled with this case in terms of its meeting of the HZ criteria as outlined in the code. The reason I brought up the Heritage Society letter tonight, in fact, was because I thought it odd that in the earlier letter from HSA there was a strong statement about the house meeting the criteria and a complete absence of that statement in the subsequent letter. I didn't notice that shift until I was reviewing my file earlier today. All this to say – I struggled a lot on the criteria question, but came to the difficult decision that this house didn't meet it.

It is pretty clear that there will most likely not be enough votes to overcome the property owner's valid petition. If the votes stay the same as they did tonight, then it will take all 3 readings to get there, but I hope that starting now, we can end the painful dialogue between neighbors and start moving in a new direction. Without the pressure of the HZ case, I have encouraged Sylvia to

consider other options rather than what she was originally contemplating, and she said she would. Jimmy is creative and understands very well what the opportunities for this property could be as well as what it takes to get a site plan through the City's challenging process especially in Hyde Park. In looking over my notes from our mediation discussions, I even found some of the work that Ron Thrower did regarding NCCD limitations, variances needed, etc. There is a lot to weigh. And obviously, what Emily presented during our mediation sessions could be further explored. What Emily did with the Blacksmith Shop at the base of the Austonian should serve as inspiration about how old and new can work well together, and what she has accomplished with the Byrne-Reed House can also be instructive.

Clearly, there is a lot of opportunity with respect to this property, and I stand ready to help in any way I can to encourage a better situation than we are in tonight.

Again, I am sorry to have disappointed you. This was a very difficult vote for me.

All the best,
Randi

Randi Shade

Austin City Council
Council Member Place 3
(512) 974-2255 (phone)
(512) 974-1888 (fax)
<http://www.ci.austin.tx.us/council/shade.htm>





From: Randi Shade [REDACTED]
Glen Coleman [REDACTED] Marti Bier
[REDACTED] Mark Nathan
To: [REDACTED] Mike Martinez
[REDACTED] nexmikeaustin@ [REDACTED] Andrew Moore
[REDACTED] Bobby Garza
Date: 01/24/2011 04:03 PM
Subject: Fwd: Vote Here: Help us Rename Our Department

Check this out. I am guessing Andy Moore would have some good suggestions!!

Who needs non-binding referendums when we have survey monkey??

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

Begin forwarded message:

From: austinnotes@ci.austin.tx.us
Date: January 24, 2011 2:24:04 PM CST
To: [randi@ \[REDACTED\].com](mailto:randi@ [REDACTED].com)
Subject: Vote Here: Help us Rename Our Department



You have received this e-mail because you have signed up for Austin Notes, the City of Austin, Texas' e-newsletter service.

Solid Waste Services

Vote Here: Help us Rename Our Department

The City of Austin is renaming the Solid Waste Services Department and we want your opinion. The new name should better reflect the services the Department provides, including recycling, garbage collection, yard trimmings pick-up, street sweeping, litter abatement, household hazardous waste disposal, storm debris clean-up, Zero Waste initiatives and community outreach & education.

Vote for your favorite name! The deadline to vote and comment is February 10, 2011 at midnight. Stay tuned: a new department name will be announced in late April.

The City of Austin is renaming the Solid Waste Services Department and we want your opinion. The new name should better reflect the services the Department provides, including recycling, garbage collection, yard trimmings pick-up, street sweeping, litter abatement, household hazardous waste disposal, storm debris clean-up, Zero Waste initiatives and community outreach & education.

Vote for your favorite name! The deadline to vote and comment is February 10, 2011 at midnight. Stay tuned: a new department name will be announced in late April.

News release:

What's your favorite new name for Solid Waste Services? Online voting closes Feb. 10

The City of Austin is renaming the Solid Waste Services Department and wants input from the Austin community.

The new name should better reflect services the Department provides including recycling, garbage collection, yard trimmings pickup, street sweeping, litter abatement and litter control, household hazardous waste disposal, storm debris cleanup, Zero Waste initiatives, and community outreach and education. Additionally, the new name should reflect the Department's Zero Waste goal of achieving a 90 percent reduction in the amount of waste sent to landfills by 2040.

"We are at an important fork in the road. Do we keep a name that focuses on landfilling and disposal, or do we choose a name that really represents what we do and where we are going?" said Solid Waste Services Director Bob Gedert. "Our mission has changed, and with that changed mission, we need to present a different message to the public. Our department name can present a new image."

The City collected feedback from focus groups and invites the public to weigh in by voting online. Austinites may suggest a new name or vote on three name finalists developed by focus group participants:

- Austin Resource Collection & Recovery Utility
- Austin Recycling & Waste Reduction Department (RWRD = "Reward")
- Austin Resource Recovery Utility

Vote and learn more about Zero Waste at www.austinrecycles.com. The deadline to vote and comment is midnight Thursday, Feb.10. A new department name will be announced in late April.

If you did not sign up to receive this newsletter, or would like to unsubscribe from receiving e-mails under this category, please [click here to unsubscribe](#).





From: Randi Shade [REDACTED]
To: Mike Martinez [REDACTED]
Cc: Mark Nathan [REDACTED] Chris Riley
<chris1310@[REDACTED]> lee Lettingwell <lee.leeff@[REDACTED]>
Date: 01/23/2011 11:20 AM
Subject: Re: Molly Ivins tribute

I am definitely still interested in supporting a City tribute for Molly. Besides the Zach show, the 4 year anniversary of her death is coming up on Jan 31st. I remember when the bench in Stacy park was dedicated in 2008. Seems like we ought to talk to folks close to Molly about what the right tribute should be. South Congress Ave. doesn't seem right fit to me, but I am no expert.

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

On Jan 23, 2011, at 10:56 AM, Mike Martinez [REDACTED] wrote:

> So, since we discussed this and haven't really done anything about it yet I thought we should revive the discussion and get this done now that the play is in town through March 13th.
>
> My original idea was naming the new Twin Oaks Library the Molly Ivins Twin Oaks Library....but staff pushed back and I just dropped it. I still think its a fitting tribute and we could easily raise private funds to add her name to the signage.
>
> Another idea is to name South Congress after her like we did Willie. And honorary naming.
>
> Whatever we decide, I think the timing is right to do it now and maximize the pub for the play at Zach Scott. We could do a presser at City Hall and have part of the play done down in the Atrium, a proc and then whatever else we decide to do.
>
> Thoughts?





From: Randi Shade [REDACTED]
To: Mike Martinez [REDACTED]
Cc: Mark Nathan [REDACTED] Lee Leffingwell
<lee.leff@ [REDACTED]>
Date: 01/08/2011 09:28 AM
Subject: Re: In case you missed it...

Video not posted at the moment but here is link to CBS news story I think mark meant to send; below the link I pasted the text:

http://m.cbsnews.com/iph_storysynopsis.rbml?catid=7224063&feed_id=0&videofeed=36

Austin, Texas Leads the Nation in Job Growth

January 07, 2011

by CBNews.com

The Brookings Institution just looked at how well cities had emerged from the recession. The rankings are based largely on job creating and housing.

Five of the top 10 are in Texas, with the state capital Austin leading the list. CBS News senior business correspondent Anthony Mason reports.

Every time the Austin, Texas company "Bazaarvoice" adds a new employee they bang a gong.

The gong rang 240 times last year at Bazaarvoice. The 5-year-old company hosts and analyzes website customer feedback for clients like Best Buy and Macy's.

Kelly Grey was the latest hire this week, after moving to Austin from Connecticut with her husband and two kids.

"The economy is doing better here," Grey said. It took Grey just a month to find a job as a client manager.

According to a recent survey, Austin weathered the recession better than any other place in the country, and now leads the nation in job growth.

Welcome to Jobstown, USA

Projects like Samsung's \$3 billion expansion of its Austin plant have added hundreds of jobs. Austin's unemployment rate (7.1 percent) is more than two full points below the rest of the country.

Bazaarvoice CEO Brett Hurt thinks Austin's doing something different.

"There's an amazing creative energy here," said Hurt.

Thousands of talented graduates pour out of the University of Texas every year. The state has no income tax, and Austin has low taxes and house prices and a rich cultural scene.

Dave Porter's job at the Chamber of Commerce is to entice companies from more expensive states like California.

"We are very aggressively recruiting," he said. California has a "bulls eye right on it."

California-based SunPower is not leaving the state, but the solar company is opening an operations center in Austin after the city offered up to \$900,000 in hiring incentives. SunPower plans 450 hires.

About 80 percent of jobs created in Austin come from local companies. At the Austin Technology Incubator at the University of Texas, Isaac Barchas gives very young companies office space and helps them find funding.

For Austin, nurturing new companies is paying off in jobs.

"It's really like taking shots on goal," Barchas said. "You want to have as many shots as you can, because you never know which ones going to put the ball in the back of the net.

"When you score the benefit is huge," Mason said.

"When you score the benefit can be another Dell or another Google or another Intel."

Austin's entrepreneurs say there's no secret to their success. It's just an entire community committed to job creation.

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

On Jan 8, 2011, at 7:25 AM, Mike Martinez <[REDACTED]> wrote:

I guess I missed it. And am still missing it.

Sent via iPhone. But not while driving!!

On Jan 7, 2011, at 9:24 PM, Mark Nathan <[mark@\[REDACTED\]](mailto:mark@[REDACTED])> wrote:

Story starts at about the 3:00 minute mark...





From: Randi Shade [REDACTED]
To: Lee Leffingwell [REDACTED] Mike Martinez
Date: 12/14/2010 03:33 PM
Subject: Fwd: Email from Sylvia

I got this email since our meeting today. See below.

This case has been going on for 2+ years. It has been heard in public several times, even in front of the city council - pre-Spelman and Riley, but both are familiar with the case. The rationale/need for n'hood postponement is weak, and although it is usually the Council practice to grant postponements on first ask -- the Applicant is HLC not Hyde Park NA, and the property owner is the opposition.

It is a strange deal. If HLC asked for pponement (and I am sure they would if HPNA asked them to do so) -- maybe it would make more sense, but this is like that Mary Ingle situation with that couple from Dallas. It just seems outrageous that a N'hood Association has this kind of power against a fellow resident --- a resident that in this case has lived in Hyde Park longer than anyone in their membership.

I will let Sylvia know that the Council custom is to grant a postponement like HPNA requested, but I sure hope y'all keep this in mind when we finally get to the January meeting.

Sylvia needs and truly seems to deserve a win at the end of this horrible experience.

Thanks for letting me vent.

-Randi

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

Begin forwarded message:

From: "O'Rourke, Liam" <Liam.O'Rourke@ci.austin.tx.us>
Date: December 14, 2010 3:07:57 PM CST
To: "Shade, Randi" <Randi.Shade@ci.austin.tx.us>
Cc: "Diaz, Elaine" <Elaine.Diaz@ci.austin.tx.us>, "Bier, Marti" <Marti.Bier@ci.austin.tx.us>, "Bojo, Leah" <Leah.Bojo@ci.austin.tx.us>
Subject: Email from Sylvia

I caught this email. I don't understand the issue, but it seems important. It was received today at 11:30.

Let me know if I can do anything.

Thanks,
Liam

Liam O'Rourke

Intern, Place 3
Office of Council Member Randi Shade

Liam.ROrourke@ci.austin.tx.us
www.cityofaustin.org

-----Original Message-----

From: [sdudney@](#)
Sent: Tuesday, December 14, 2010 11:33 AM
To: Shade, Randi
Subject: Submitted from CM Shade's Website -

Date/Time Submitted: Tuesday, 12/14/10, 1132 hours
From: Sylvia Dudney
E-mail address: [sdudney@](#)

Category: neighborhood_concerns

Comments:

Dear Randi,

Could you please call me at 689-6222. It is my understanding that the HPNA is trying to delay our case. I am close to the edge, Randi. John was diagnosed with cancer in October and has had a rough time with surgery and chemo and radiation treatments both of which will continue for another 5 weeks. My mother had a heart attack last Sunday and had to be hospitalized for 5 days. So any effort by these people to postpone this is really more than I can take at this time. PLEASE HELP. Sylvia



WorldClient



From: Randi Shade <randi@[REDACTED]>
To: Lee Leffingwell <lee.leff@[REDACTED]>, Mike Martinez
[REDACTED], Mark Nathan
Date: 11/21/2010 09:35 AM
Subject: Funny --- Sara C correction

[http://mo.statesman.com/news/local/correction-for-11-20-10-1061092.html?
cxttype=rss_ece_frontpage](http://mo.statesman.com/news/local/correction-for-11-20-10-1061092.html?cxttype=rss_ece_frontpage)

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>



Austin, TX
H: 87° L: 67°
Forecast | Set Location | Feels Like: 85°

October 19, 2010
10:42 AM CST

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Today's deal: Half Off Austin Zoo Admission!

Home > Local News

Correction for 11.20.10

LATEST LOCAL NEWS »

Amendments shift funding in budget bill: Updated 2:56 p.m.

Judge refuses to invalidate Texas' new execution procedures: 9:39 p.m. Friday

Doctor's nomination to LCRA board withdrawn: 9:30 p.m. Friday

Noted psychologist Pinker to give free lecture: 10:32 p.m. Friday

Central Texas Digest: Man found dead in Southeast Austin, free rabies vaccinations for pets today: 8:52 p.m. Friday

Latest local news and last 7 days of headlines

MORE ON STATESMAN.COM »

What's new at the zoo? A savannah in Dallas, a reptile museum in Fort Worth

For history and recreation, drive to Conroe and Montgomery

Palm Springs' modern world

Travel Matters: Schitterbahn, Moody Gardens prepare new attractions

Hot Properties: Escape at Barton Creek home is 'thoroughbred' of design

Two homes: Architect Jay Hargrave remodeled, lived in for sale

Stars n.p. Wolves, close in on playoffs

More

Published: 8:34 p.m. Friday, Nov. 19, 2010

Post a Comment | E-mail | Print | Share | Larger Type

A story on Page B1 Wednesday incorrectly described Austin City Council Member Laura Morrison's stance on the city's historic landmark program, which provides tax breaks for historical buildings. Earlier this year, Morrison voted against asking a committee to study and suggest changes to the program. Before the vote, she had proposed narrowing the scope of the committee's work to focus on the tax breaks and how they are structured. That proposal did not get enough support from other council members.

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Nov 19, 2010 8:34 p.m.

1 Tip for a tiny belly :

Cut down a bit
of your belly
everyday by
following this
1 weird old tip.



Tip

LATEST NEWS GALLERIES »



13th Annual
Mighty Texas
Dog Walk,
04.02.11



Photos of the
Day, April
2011



House debates
state budget,
04.01.11

MOST POPULAR

Amendments shift funding in budget bill

Those pianos popping up downtown have a purpose

Reagan band's SXSW surprise, sharing stage with Kanye

Hitters pick up Jungmann as UT tops Missouri

LATEST AP TEXAS NEWS »

UConn's Maya Moore is AP player of the year: 2:48 p.m.
















Remembering the 'Goliad Massacre': 2:33 p.m.

Cardinal start chase for 1st NCAA title since '92: 2:33 p.m.

AP NEWS: Texas | Nation | World | Sports | Business | Entertainment

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[ACAP | ENABLED](#)The logo for Cox Media, featuring the word "COX" in a bold, sans-serif font, followed by "MEDIA" in a smaller, all-caps, sans-serif font. A stylized, curved line or swoosh is positioned below the word "MEDIA".



From: Randi Shade [REDACTED]
To: Lee Leffingwell [REDACTED]
Cc: Mark Nathan [REDACTED] Mike Martinez
Date: 11/20/2010 02:47 PM
Subject: Re: Is this guy serious?

Funny thing is I was just thinking of that quote about billboards yesterday; I was seated with Billy Reagan at the SafePlace luncheon. He made a point to tell me "lesson learned" re: Billboard on S Lamar near Lady Bird Lake. We settled that case 11 months ago this week. I hadn't seen Billy since then.

As for this suit -- Macgowan looks like a flake who likes the legal system:

<http://www.emiracleworker.com/court/filings/petition%20to%20show%20cause%201273.doc>

<http://www.hfacts.com/company.htm>

<http://www.taxexemptworld.com/organization.asp?tn=1174600>

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

On Nov 20, 2010, at 6:40 AM, Lee Leffingwell [REDACTED] wrote:

I'm not so sure it's frivolous. It is filed in federal court as a "civil rights" case. Probably he will argue free speech violation, and in my opinion as a non-lawyer, he may be able to make a good case. Private property, written words, etc...

The Council may have to make a policy decision on whether to grant the requested variances, or to fight it in court. Nasty political decision. Of course I'm looking at the worst case scenario, (only prudent). At any rate, when you're looking at a \$21 million downside risk, I think you should.

"Two kinds of Council Members: those who have been burned by billboards, and those who will be..."

LL

----- Forwarded message -----

From: Whellan, Michael [REDACTED]
Date: Fri, Nov 19, 2010 at 9:07 PM
Subject: FW: Is this guy serious?
To: "lee.leff@ [REDACTED]"

Our paralegal sent it to me this morning; I just assumed you knew about it.

Looks frivolous and will, in all likelihood, be dismissed.

MJW.

From: Houston, Lisa P.
Sent: Friday, November 19, 2010 9:17 AM
To: Whellan, Michael
Subject: Is this guy serious?

Michael L. Macgowan, Jr.
v.
Mayor Lee Leffingwell for the City
of Austin; Mayor Julian Castro for
the City of San Antonio; Mayor
George W. Russell for the City of
Marble Falls
11/18/2010 1:10-cv-00882

Action seeking an order that the defendants grant
variance permits to the plaintiff for desired billboard
locations in Marble Falls, Austin and San Antonio. In the
alternative to variance permits, the plaintiff seeks just
compensation of \$21,000,000 and for the court to vacate
the prohibitive ordinances in those cities.

[Paid download](#)

Pro se

Lisa Houston

Litigation Paralegal

512.480.5664 (direct phone)

512.480.5864 (direct fax)

<image001.gif>

401 Congress Avenue, Suite 2200

Austin, Texas 78701

Phone: 512.480.5600

www.gdhn.com

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--

Lee Leffingwell
4516 Balcones Drive
Austin, TX 78731
[REDACTED]





From: Randi Shade [REDACTED]
To: Mike Martinez [REDACTED]
Cc: Lee Leffingwell [REDACTED] Mark Nathan [REDACTED]
Date: 11/17/2010 07:27 AM
Subject: Re: Statesman editorial on WTP4

I agree with Mike.

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

On Nov 17, 2010, at 7:02 AM, Mike Martinez [REDACTED] wrote:

Tread lightly my friend. Cole is crazy enough to switch her WTP4 vote if she thinks you are messing with her.

The 200K deal is fine. Should have been handled better but I trust Randi and will not make an issue and vote for it unless she tells me otherwise.

MM

Departed iPhone

On Nov 17, 2010, at 6:14 AM, Lee Leffingwell <lee.leff@[REDACTED]> wrote:

I'm planning on pulling the \$200K Texas Facilities item off consent - for discussion later in the day.
LL

On Tue, Nov 16, 2010 at 8:46 PM, Randi Shade [REDACTED] wrote:
I won't support postponement either and we are all working on Sheryl.

Now is also the time to call Spelman on his line about political grandstanding and his promise to play the role of on-time and on-budget guy not SOS Fundraising Chmn.

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

On Nov 16, 2010, at 8:02 PM, Lee Leffingwell [REDACTED] wrote:

Sheryl leaning to support Spelman last ditch effort to postpone. I will not support that postponement. Ya Basta.
But the editorial is great - couldn't be better.

LL

On Tue, Nov 16, 2010 at 7:43 PM, Randi Shade [REDACTED] wrote:

Excellent. Just sent link to Sheryl.

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

On Nov 16, 2010, at 7:21 PM, Mark Nathan
[REDACTED] wrote:

<http://www.statesman.com/opinion/city-council-should-put-austins-water-needs-first-1052762.html>

--
Lee Leffingwell
4516 Balcones Drive
Austin, TX 78731
[REDACTED]

--
Lee Leffingwell
4516 Balcones Drive
Austin, TX 78731
[REDACTED]





From: Randi Shade [REDACTED]
To: Sheryl Cole <Sheryl.Cole@ci.austin.tx.us>
Date: 11/10/2010 01:50 PM
Subject: Fwd: City Council Resolution

Here it is again.

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

Begin forwarded message:

From: "Shade, Randi" <Randi.Shade@ci.austin.tx.us>
Date: November 10, 2010 12:59:17 PM CST
To: "Sheryl Cole" [REDACTED]
Subject: FW: City Council Resolution

Sheryl - I figured Greg would have concerns about "medical school." I shared that comment with you last time I saw a draft of this. I also worry about "urban rail."

I appreciated that you sent this to other folks for input, but I need to let you know I was still caught a bit off guard; I got the heads up that this was coming from from you and from Glen via Stephanie, but I am still seeing the draft at the same time you're sharing it with the others. It doesn't appear to have changed since the earlier version, and I guess I thought you and I would discuss it before you started the process of posting, drafting, etc. You're telling me that I am your co-sponsor, you're not asking me to be part of drafting the resolution or more importantly creating the strategy behind it. Maybe I am crazy, but this doesn't feel collaborative. I am 100% behind you and behind this project, but you seem to be 10 steps ahead of me. I still don't understand your rationale for this resolution.

Here are my immediate questions -- I expect others would have similar questions. Whether they do or don't, can you help me understand:

Where is the \$200K going to come from? How does this factor in to the \$300K matching grant you've talked about with the Conservancy folks? Does this resolution seem confusing to those of us who are trying to stay focused on the 90-day window we're in now for Conservancy relationship with City staff? What is the Facilities Commission going to kick-in? Do they have a similar resolution in the works? What is the hurry? What does the City gain from passage of this resolution? Why wouldn't we let the Working Group recommend this type of thing rather than forcing it before the Working Group meets? It feels like Pat Club from UT says sure -- go forward with this resolution -- why wouldn't she say that? But, once we've kicked in the money, why would she bother? Same for Seton, County, etc.? In short, my three questions --- What is the point of this resolution? What does it get us? At what cost?

Randi

P.S. I swear I am not trying to be difficult -- I am trying to understand what you're thinking so I can help.

Randi Shade

Austin City Council
Council Member Place 3
(512) 974-2255 (phone)
(512) 974-1888 (fax)
<http://www.ci.austin.tx.us/council/shade.htm>

From: Hartman, Gregory W. [REDACTED]
Sent: Wednesday, November 10, 2010 10:04 AM
To: Cole, Sheryl
Cc: Shade, Randi; Riley, Chris
Subject: RE: City Council Resolution
Importance: High

Sheryl

Just a couple of minor edits, but I think they are important. Call my mobile if you have any questions. Thanks.

Greg Hartman

President and CEO

University Medical Center

Brackenridge;

and Network Communications,

Marketing and Planning

Phone: (512) 324-5833

**Seton Family of Hospitals Administration Offices
1345 Philomena St., Suite 300 | Austin, Texas 78723**

-

[REDACTED] www.seton.net

From: Cole, Sheryl [mailto:Sheryl.Cole@ci.austin.tx.us]

Sent: Tuesday, November 09, 2010 2:23 PM

To: Hartman, Gregory W.; sarah.eckhardt@co.travis.tx.us; Clubb, Patricia L; Amy Shaw Thomas; terry.keel@tfc.state.tx.us; Aundre.Dukes@tfc.state.tx.us

Cc: Goode, Robert; Edwards, Sue; Riley, Chris; Shade, Randi; McDonald, Stephanie

Subject: City Council Resolution

I have enjoyed meeting with all of you as the Texas Facilities Commission prepares preliminary planning for the redevelopment of its Capitol Complex. Thank you for bringing your energy and joining us in our working group. I am enthusiastic about what we can accomplish together for our city. November 18, I am bringing forward a resolution together with Council Members Shade and Riley where the City of Austin commits resources in a masterplaning effort with the Texas Facilities Commission and want to make sure you are aware. Please let me know as soon as possible if you have any concerns with the language in the attached resolution. Under our agenda posting rule, we must post the resolution by 5 p.m. Wednesday, November 10.

We look forward to continued collaboration with you.

Sheryl Cole

Austin City Council

Council Member Place 6

(512) 974-2266 (phone)

(512) 974-1890 (fax)

<http://www.ci.austin.tx.us/council/cole.htm>

[2.2] File: [ATT00005.bin](#) Size: 17k Content Type: application/octet-stream





From: Randi Shade [REDACTED]
To: Sheryl Cole <Sheryl.Cole@ci.austin.tx.us>
Date: 11/09/2010 01:57 PM
Subject: Fwd: Sierra Club Mtg On Water Challenges Tonight ~ WTP4 Mtg Tomorrow

Sheryl - please let me know if you have any questions and/or concerns re: WTP4 issue described below. It will be in front of Council 11/18 and in front of Water Commission tomorrow. Would be great if you give your Water Commissioner the heads up. Contact info below, too. This will be last WTP4 vote (other than Ch 26 hearing in December for parkland use) until summer of 2011 (ie after next spring election cycle is over). Again, pls call me with any questions and/or worries. Thanks.

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

Begin forwarded message:

From: "Coleman, Glen" <Glen.Coleman@ci.austin.tx.us>
Date: November 5, 2010 2:46:22 PM CDT
To: "Shade, Randi" <Randi.Shade@ci.austin.tx.us>
Subject: W & WW Wednesday

Info for Cole, it won't happen without her.

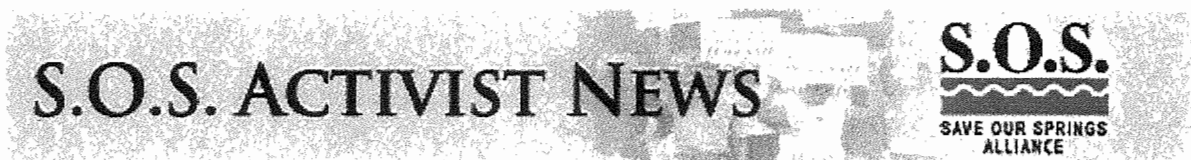
Gwendolyn Webb, Vice Chair
Contact Phone: (512) 472-9990
E-mail Address: [REDACTED]
Nominated by: Council Member Sheryl Cole

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

Begin forwarded message:

From: Save Our Springs Alliance <actionalerts@sosalliance.org>
Date: November 9, 2010 1:36:22 PM CST
To: randi [REDACTED]
Subject: Sierra Club Mtg On Water Challenges Tonight ~ WTP4 Mtg Tomorrow
Reply-To: actionalerts@sosalliance.org

View email as [webpage](#)



Dear Randi,

Austin Sierra Club Meeting On Hill Country Water Challenges Tonight!!

Tonight at Scholz' Garden, 1607 San Jacinto, the Austin Group of the Sierra Club's monthly meeting will feature a talk by retired USGS hydro-geologist Raymond Slade speaking on "Hill Country Water Challenges." Socializing starts at 6; the program is at 7. Go here for a few more details <http://www.texas.sierraclub.org/austin/genmeetings.html>

City Pulls Fast One On the Billion Dollar Mistake on the Lake

For some time the Austin Water Utility has told the community that the largest contracts for building the billion dollar Water Treatment Plant No. 4 would not go to city council until the early part of next year. Last Friday AWU announced a reversal: they are now asking the council to approve the entire \$359,000 million (not counting interest) for construction at the November 18th City Council meeting.

More immediately, tomorrow, Wednesday night, the Water Utility will ask the Water and Wastewater Commission to recommend blanket approval for the \$359,000 million. The Commission meeting begins at 6:00 p.m. at the 625 East 10th (Waller Creek Plaza, on the west side of I-35). Come out and object to this blank check approach to cramming the plant through when STILL required environmental and groundwater studies remain uncompleted. (How honest can those studies be if the decision to build the plant and its 10 miles of eight- to ten- foot diameter tunnels through endangered species habitats has already been funded?)

Meanwhile, the federal lawsuit by SOS Alliance, Environment Texas, and U.T. biology professor Dr. Mark Kirkpatrick remains pending in federal court. An emergency petition to list the Jollyville Plateau salamander as endangered filed by the SOS Alliance and the Center for Biological Diversity also remains pending.

SOS Holiday Party Coming Soon!!



December 10th, 6pm - midnight

Mercury Hall (615 Cardinal Ln)

Go to SOSAlliance.org for more information.

Support SOS Alliance and help Save Barton Springs! Make your tax deductible donation TODAY online by [clicking here](#) or mail to P.O. Box 684881, Austin, TX 78768.

Visit our NEW WEBSITE SOSALLIANCE.ORG.

SOS now on Twitter and Facebook

Follow us on [TWITTER](#)

Become a fan on [FACEBOOK](#)

[Forward email](#)

✉ **SafeUnsubscribe®**

This email was sent to randi@actionalerts@sosalliance.org
[Update Profile/Email Address](#) | Instant removal with

Email Marketing
by

[SafeUnsubscribe™](#) | [Privacy Policy](#).



Save Our Springs Alliance | 221 E. 9th Street, Suite 300 | Austin | TX | 78701





From: Randi Shade [REDACTED]
To: Mike Martinez [REDACTED]
Cc: "lee.leff@ [REDACTED] <lee.leff@ [REDACTED]> Mark Nathan
Date: 10/28/2010 08:50 AM
Subject: Re: the queen!!

See y'all then.

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

On Oct 28, 2010, at 8:19 AM, Mike Martinez
[REDACTED] wrote:

> let's meet in your office at 9:30 or so
>
>
> On Oct 28, 2010, at 8:16 AM, lee.leff@ [REDACTED] wrote:
>
>> Can we all meet in my office or Jo's for about 15 before mtg?
>> -----Original Message-----
>> From: Randi Shade
>> To: Mike Martinez
>> Cc: Mark Nathan
>> Cc: Lee Leffingwell
>> Subject: Re: the queen!!
>> Sent: Oct 28, 2010 8:03 AM
>>
>> :-) I forgot about that shot! What is that rule about politicians
>> not being photographed wearing costumes or weird hats?
>>
>> -----
>> Randi Shade
>> 512-974-2255 (o)
>> <http://www.ci.austin.tx.us/council/shade.htm>
>>
>> On Oct 28, 2010, at 7:43 AM, Mike Martinez
>> [REDACTED] wrote:
>>
>>> <QueenShadyLady.jpg>
>>
>>
>> Sent via BlackBerry by AT&T
>





From: Randi Shade [REDACTED]
To: Mike Martinez [REDACTED]
Cc: Mark Nathan [REDACTED] Lee Leffingwell
<lee.leff@ [REDACTED]>
Date: 10/17/2010 02:08 PM
Subject: Re: Pink Council Day

Great. I'm in for pink next week.

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

On Oct 17, 2010, at 2:05 PM, Mike Martinez
[REDACTED] wrote:

> yeah, he gave that speech Tuesday night and it's gone crazy since.
> He has been on national TV every day since. The youtube link has
> been posted on my Facebook page for a couple of days now.
>
> Let's do pink next week.
>
> I have a tie you can borrow Lee! Several actually. And shirts.
>
>
> On Oct 17, 2010, at 1:57 PM, Randi Shade wrote:
>
>> I am all for pink.
>>
>> I noticed that the Ft Worth City Council wore pink shirts last week
>> at their council meeting. I was watching Ft Worth Council Member
>> Joel Burns' speech from last week. Very powerful. Joel worked on
>> the 1990 and 1994 Ann Richards campaign - am thinking Mark Nathan
>> would know him. Joel is gay and got a lot of attention last week
>> for his comments re: bullying.
>>
>> Watch this if you're interested but be sure to have tissue nearby:
>>
>> <http://www.youtube.com/watch?v=ax96cghOnY4>
>>
>>
>> -----
>> Randi Shade
>> 512-974-2255 (o)
>> <http://www.ci.austin.tx.us/council/shade.htm>
>>
>> On Oct 17, 2010, at 10:05 AM, Mark Nathan
>> [REDACTED] wrote:
>>
>>> It's such a fine line between Susan Komen and Joe McCarthy.
>>>
>>>
>>> On 10/17/10 9:55 AM, "Mike Martinez" [REDACTED]
>>> wrote:

>>>
>>>> I meant shirt and ties for boys. Pant suits and dresses for
>>>> girls. Not just
>>>> pins.
>>>>
>>>>
>>>> Departe de iPhone
>>>>
>>>> On Oct 17, 2010, at 9:43 AM, lee.leff@ wrote:
>>>>
>>>>> I do have a couple of the pink lapel pins.
>>>>> -----Original Message-----
>>>>> From: Mike Martinez
>>>>> To: Lee Leffingwell
>>>>> To: Randi Shade
>>>>> To: Mark Nathan
>>>>> Subject: Pink Council Day
>>>>> Sent: Oct 17, 2010 9:28 AM
>>>>>
>>>>> wanted to see if you guys would be willing to wear something
>>>>> pink at the last
>>>>> council meeting this month to show support for Komen Foundation.
>>>>>
>>>>> Just a thought. I figure if the NFL can do it every week this
>>>>> month, we
>>>>> should try at least one day.
>>>>>
>>>>> MM
>>>>>
>>>>> Sent via BlackBerry by AT&T
>>>>
>>>>
>





From: Randi Shade [REDACTED]
To: Mike Martinez [REDACTED]
Cc: Lee Leffingwell [REDACTED] Chris Riley
<chris1310@...> Mark Nathan [REDACTED]
Date: 10/01/2010 09:19 AM
Subject: Re: Follow up from today's discussion

Happy Friday to all and thanks for the further vetting of this. Very helpful and not something we do often enough on these kinds of big things:-)

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

On Oct 1, 2010, at 8:08 AM, Mike Martinez [REDACTED] wrote:

You kids crack me up.

I agree with both of you and don't plan to make any comments at all unless absolutely necessary. And those comments will be very scripted and thought out by all of us.

The one thing that I did pull Dan aside and talk to him about is that even though this is a case against Adam and not the Sanders family....he needs to keep in mind that many black community leaders brought Lowey to the Sanders family. Up to and I suspect....McDonald even being involved. So that has to be kept in mind on this case. Once we seek sanctions, it will also be viewed as a slap to the black leaders who recommended Lowey. And they won't be able to remain silent because their credibility will also be on trial.

Just thoughts.

Happy Friday.

Mike

From: Lee Leffingwell [REDACTED]
To: Randi Shade [REDACTED]
Cc: Chris Riley [REDACTED] Mike Martinez [Council Member]
[REDACTED] Mark Nathan [REDACTED]

Sent: Fri, October 1, 2010 7:23:35 AM
Subject: Re: Follow up from today's discussion

First, I agree with "taking the high road". Second, my response to the argument that we're spending time and money on this lawsuit when we could have just settled is that: it's not true. I don't think we will be spending money on it because the probability that we will lose on either the breach of contract or the civil rights lawsuits is miniscule. And third, there is a principle involved. And let's not forget that the public is with us on this by 5 or 10 to 1.

But, to emphasize: the less said the better, and the more civil the better in responding to queries on the subjects.

LL

On Thu, Sep 30, 2010 at 10:26 PM, Randi Shade <[REDACTED]> wrote:

Yes -- Lowey hasn't earned a penny on this case, so an aggressive legal response that costs him time, money and aggravation is great. The more paper Dan forces upon Lowey the better.

I don't think we'll have the luxury of being silent, though, so was offering the suggestion that we focus on the high road stuff about family and community healing rather than legal and/or financial arguments. I realized in today's discussion that the Spelman/Morrison angle will make sense to folks once you add up the time and dollars spent fighting this lawsuit and the case in front of Sparks, plus the continuing community divisiveness, fodder for media coverage, etc.

The specifics are just too confusing for the average guy on the street to really follow. The notion of a money-grubbing lawyer who puts his needs above the needs of his client and the community, though -- that's something anyone can get.

Dan's job is to defend the City in the lawsuit, but our job is to call for and foster community healing to whatever extent we can. That's why I voted against the proposed settlement agreement in the first place. It caused further division not resolution.

On Sep 30, 2010, at 7:50 PM, lee.leff@ [REDACTED] wrote:

Thanks for the thoughts, and I basically agree. So long as Dan goes forward with the request for sanction along with his initial request for summary dismissal, I plan to be quiet.

Sent via BlackBerry by AT&T

From: "Randi Shade" <[REDACTED]>
Date: Thu, 30 Sep 2010 18:53:35 -0500
To: <lee.leff@ [REDACTED]> 'Chris Riley', [REDACTED], Mike Martinez [Council Member], [REDACTED]
Cc: Mark Nathan [REDACTED]
Subject: Follow up from today's discussion

Guys --

The more I think about it, the more I think about how important it is that the Mayor and the rest of us, including the City Manager and Dan Richards -- if making any comments at all about the matter we discussed earlier in Exec Session -- really need to stick to the notion of "Lowey's position being an indication that he is interested in something other than helping the Sanders family and the community heal." Nothing more need be said, and frankly, talk of legal principles, responsibility to taxpayers, etc. seems counterproductive. It isn't that I am not as outraged as anyone re: Lowey's behavior, and it isn't as if I don't like a good fight when it is warranted as it is in this case. I just don't want us to do our community any kind of disservice by behaving even a little bit like him. The less any of us beat our chests, demonstrate anger, etc. the better...

That's my two cents.

Randi

Randi Shade

1822 W. 10th St.

Austin, TX 78703

(512) 477-0994 (phone)

(512) 477-0995 (fax)



--

Lee Leffingwell
4516 Balcones Drive
Austin, TX 78731



Randi Shade

From: Randi Shade [REDACTED]
Sent: Thursday, September 30, 2010 6:54 PM
To: 'lee.leff@ [REDACTED]'; Chris Riley'; Mike Martinez [Council Member]
Cc: Mark Nathan
Subject: Follow up from today's discussion

Guys --

The more I think about it, the more I think about how important it is that the Mayor and the rest of us, including the City Manager and Dan Richards -- if making any comments at all about the matter we discussed earlier in Exec Session -- really need to stick to the notion of "Lowey's position being an indication that he is interested in something other than helping the Sanders family and the community heal." Nothing more need be said, and frankly, talk of legal principles, responsibility to taxpayers, etc. seems counterproductive. It isn't that I am not as outraged as anyone re: Lowey's behavior, and it isn't as if I don't like a good fight when it is warranted as it is in this case. I just don't want us to do our community any kind of disservice by behaving even a little bit like him. The less any of us beat our chests, demonstrate anger, etc. the better...

That's my two cents.

Randi

Randi Shade

1822 W. 10th St.
Austin, TX 78703
(512) 477-0994 (phone)
(512) 477-0995 (fax)
[REDACTED]



From: Randi Shade [REDACTED]
To: Mike Martinez [REDACTED]
Date: 09/10/2010 02:57 PM
Subject: Re: Sunday at noon

Great. Thanks. See you over the weekend.

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

On Sep 10, 2010, at 12:55 PM, Mike Martinez
[REDACTED] wrote:

> Havin Park/Field - on North Lamar between Braker and Parmer
>
> They should have the procs there on hand. We just need to show up
> and read em.
>
> MM





From: Randi Shade [REDACTED]
To: Lee Leffingwell [REDACTED]
Date: 09/01/2010 06:50 AM
Subject: Re: I just can't do it.

Sigh....and as Levy says "so it goes."

Blizzard's note is great. Wonder what Levy's response will be.

 Randi Shade
 512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

On Sep 1, 2010, at 6:16 AM, Lee Leffingwell [REDACTED] wrote:

Levy becomes a "flip-flopper". What a disappointment.
 LL

----- Forwarded message -----

From: Mike Blizzard [REDACTED]
Date: Tue, Aug 31, 2010 at 8:34 PM
Subject: Fwd: I just can't do it.
To: Mark Nathan <[REDACTED]>, Ted Siff <[REDACTED]>
 Joanna Wolaver <[REDACTED]>, David CWA <[REDACTED]>
 Griffin Davis <[REDACTED]>, Susan Rankin <[REDACTED]>
 [REDACTED] Jeb Boyd <[REDACTED]>, Robin Stallings <[REDACTED]>
 [REDACTED] Glenn Gadbois <[REDACTED]>, David Butts <[REDACTED]>
 [REDACTED] >, Bill Blome <[REDACTED]>, George Cofer <[REDACTED]>
 [REDACTED]

FYI. He was for it before he was against it.

Begin forwarded message:

From: Mike Blizzard [REDACTED]
Date: August 31, 2010 8:30:17 PM CDT
To: "Michael Levy" [REDACTED]
Subject: Re: I just can't do it.

Mike,
 Not only am I disappointed but I think it's a mistake and I urge you to reconsider.

Rick Perry's pollster (partnering with Tom Delay's defense team) may tell you that this "bundling" accusation is a good wedge issue, and it very may well be, but that doesn't make it correct or right.

I, for one, believe that whether a person is behind the wheel of a car, on foot, riding a bike, or in a wheelchair, they are TRANSPORTING themselves. Hence those infrastructure investments are appropriate as part of a TRANSPORTATION bond. It's that simple.

The only reason to believe that this should be split into two propositions is because you believe that there is something fundamentally different about these non-road

projects. I completely disagree, as does the State of Texas and the federal government, which both put all of these types of projects under TRANSPORTATION funding.

BTW, Ed Wendler (who I enjoyed meeting) on Friday suggested to me that the only reason we opposed splitting the item into two was because "we were scared." I told him, and will tell you, that that is bullshit. I know for a fact that these items would likely both be approved if split into two props, and you may find this hard to believe, but you know me so hopefully not, but I support this being one item *on principle*.

I also want to say that opposing this bond has consequences for the community. The vast majority of these are shovel-ready projects, so putting them off will leave people stuck in traffic on 35, at the Y, and across the city, and mean not completing the Lady Bird Lake Hike & Bike Trail through East Austin for how many more years?

But anyway, if this is what you, Wendler, RECA and the Republican Party want to hang your hats on, I appreciate the heads up. However, I think it's terribly unfortunate. I know, and you know, that together we can make much positive change in this community. Let's do that, rather than spend the next 62 days wasting our time and money fighting over projects we all say we support.

Call me at your convenience.
Mike

P.S. What is all this talk about 70s bond elections? It seems all a bizarre effort for Wendler to cloak his self-admittedly pro-sprawl positions with some weird hippie cloaking device. No one's buying it. ;-)

On Aug 31, 2010, at 4:14 PM, Michael Levy wrote:

Dear Mike:

Maybe you saw my letter to the editor in the Statesman:

"In response to Ed Wendler's commentary in the August 14 Statesman on the Council's lumping a multitude of different projects into a single ballot item for the upcoming bond election, Austin's politicians proudly proclaim to the heavens they've made our government so very "transparent". The wording of the bond election ballot is not transparency. It's the ultimate in hypocrisy, and is not in the spirit of true democracy, of open and honest government. It treats us folks in Voter Land as children: "We'll give you the candy you want, but we won't tell you what else you'll get with the candy that you may not want or like." What's the harm in letting people vote on specific items, rather than generalities, unless the politicians are afraid the voters will hand back to them results they simply do not want? And so it goes with "democracy" in Austin. Let us pray."

As I wrote to you in the e-mail below, "I support most everything on the attached list." But after much thought, for the reasons I state in my letter to the Statesman I have decided that I simply cannot support passage of the bond package. I think it's bad government, no better than the kind of Austin politics that smelled so bad in the 70's. If a bunch of right wingers on the Council had

done this, I know you'd be joining me on this. I think that "bundling" is ever so terribly wrong, and I am increasingly hearing that others do, too.

If this package goes down, and my hunch right now is that it will, a mighty fine signal will be sent to our elected officials.

Levy

From: Michael Levy
Sent: Thursday, August 12, 2010 1:50 PM
To: Mike Blizzard
Subject: FYI re: Bonds....Actually, I....

Mike

Actually, I support most everything on the attached list, and will aggressively support passage.

I am definitely not a "road warrior". Austin must have alternative means of transportation, sooner rather than later. I just think there are much better ways of moving people in the inner city than capital intensive trolley cars, as proven in other cities with better usage of bus systems. The new bus designs are great. Combine those with bus lanes and signal preemption devices that green lights at congested intersections to EMS and Fire units responding to emergency calls. They can also be used by busses. (We discussed them at yesterday's Public Safety Commission meeting, and Spillar says his department is working on fixing the existing system and expanding it.)

I am just against "bundling" on principal for the reasons that are accurately quote below.

Mike

<image001.gif>

News: August 13, 2010

<http://www.austinchronicle.com/gyrobase/Issue/column?oid=1068611>

City Hall Hustle: Y Don't We Do It in the Road?

November bond proposal creates plenty of opportunity for grumbling

By Wells Dunbar

Judging from previous rancor on the dais, you'd think City Council formally setting a \$90 million transportation bond election for November, as it did last week, would be the biggest

hurdle to clear. Instead, the fun's just beginning.

The bond package – a foregone conclusion judging from the massive board and commission rounds the package made, as well as the mayor's unflagging enthusiasm – received a motion for approval from **Sheryl Cole**, who, as chair of council's Audit and Finance Committee, had taken the lead in scrutinizing it. "There was a point where **Mayor Leffingwell** and I were supposed to arm-wrestle," she said, but she noted she had finally grown "comfortable with the financial prudence of taking this action now."

Cole later told the Hustle that the addressing of two issues earned her support: "First, being clear that the bond election does have long-term property tax impact, and second, being clear that just because we're doing the transportation bond now, we're still planning to do a more comprehensive package in 2012."

Leffingwell also spoke in support, obliquely referencing some of the package's more controversial aspects – the Lady Bird Boardwalk project, and other nonroad-related spending (sidewalks, bike lanes, trails, etc.). Saying it was "the most specific bond proposition that we've had, certainly, in my memory," he added, "because of that specificity there's been a lot of discussion. ... A lot of people like this item, don't like that item. I'm one of those people," he said, but argued, "it hits the important elements."

Other council members directly addressed the boardwalk: **Laura Morrison** took on the argument to defer completion of the boardwalk until it's funded in the 2012 bond, saying the "realities of fundraising" – namely, money being raised by the Trail Foundation – would make that impossible. **Bill**

Spelman concurred, then pivoted back to the broader issues, calling the package a "model of transparency. ... You know exactly what you're gonna get. ... I don't agree with every one of those projects, but that's OK," he continued, saying the itemization of projects allowed him – and presumably voters – to make an informed choice on the overall package. Ultimately, the motion setting a vote for November passed unanimously.

Despite the council kumbaya, off the dais there were signs of discontent, namely among the pro-road crowd clamoring for a different-looking ballot, and the restless natives of Oak Hill. Before the item passed, Leffingwell, "for the record," called on city staff to address a largely rhetorical issue. "It's been suggested we talk about breaking this proposal into two ballot items – one for roads, and one for alternative [means of transportation]," he said. Said suggestions seem to fall into two arguably overlapping camps: that transportation spending could be better used on roads (the \$14.4 million price tag of the boardwalk being an especially sore spot), and that a vote should be allowed on separate projects instead of the \$90 million whole. Council watcher **Mike Levy** decidedly falls in the latter camp, telling the Hustle that bundling the bonds "inherently violates the tenet that citizens have a right to go to the polls where they will have an opportunity to

express their will as to separate priorities. It is simple to break items out into separate propositions. ... It's like treating the folks out in Voterland as children: 'We'll give you some of the candy you have been asking us for, but we're not telling you what else you're getting with the candy.'" There are rumors of a potential lawsuit asking the city to break up the bonds, but the legal department's response to Leffingwell's query about breaking up the proposal – a statement from the attorney general's office describing the ballot language as consistent with the city's previous mobility bond elections – might douse that flame. Also of interest was a declaration from Cole prior to the vote: "I wanted to emphasize that we expect all the money that is currently allocated in the projects to be spent on those projects," she began. "I have received some special concerns about the Y at Oak Hill. There's no reason to expect that this council expects to do anything different at the Y," or in any other project, she said. Oak Hill Association of Neighborhoods President **Sandy Baldridge** is one of those concerned. She's worried about a study examining potential "continuous flow intersections" at the Y that won't be ready until after the bond election; if "the feasibility study comes back unfeasible," Baldridge says, she's nervous that traffic improvements at the Y might get scrapped. That prompted her to ask council members "that any money designated for Oak Hill would stay in Oak Hill." She says that, aside from Cole, council has "moved on to other things, like the budget – right now, it just is what it is, but I'm disappointed." All this fun, and we're just getting started. I can't wait until 2012!

Boardwalk your way to the Hustle's weekly recap
at austinchronicle.com/newsletters.

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<Draft_2010_Bond_Package_100709_Project_Location.pdf>

--
Lee Leffingwell
4516 Balcones Drive
Austin, TX 78731





From: Randi Shade [REDACTED]
To: Lee Leffingwell [REDACTED]
Date: 08/04/2010 12:42 PM
Subject: Re: TDS Contract

The rule is that a vendor is debarred if the vendor has more than one violation in a three year period. City Code, §2-7-109.

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

On Aug 4, 2010, at 9:42 AM, Randi Shade [REDACTED] wrote:

Agree. Will get back to as soon as I hear back on this. Thanks.

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

On Aug 4, 2010, at 6:53 AM, Lee Leffingwell [REDACTED] wrote:

Let's find out when the disqualification would be removed or would cease to have any effect. There should be a provision in the ordinance to wipe the slate clean. If there is no such provision, the ord should be revised, not the contract.
LL

On Tue, Aug 3, 2010 at 8:08 PM, Randi Shade <randi@ci.austin.tx.us> wrote:
This seems like a strange provision for a contract --- what do y'all think?

I asked staff to tell me how long a disqualification stays on a vendor's record. Nobody seems to know. They are looking into it.

I understand Bob's concern but it is not good form to make us do this now and in this context ...sigh. Plus staff rejected the request. Bob signed terms an conditions on pending contract. Staff called Greenstar and told them about decision to go with TDS and then Bob comes to us with his request. Again - not great form. If it was going to be a condition for him on this contract why did he agree to terms and conditions?

If he has a 2nd disqualification before this first one goes away, he'd be out for three years. He best not have another disqualification any time soon regardless. I know he doesn't agree with anti-lobbying ordinance, but it seems like as long as it is on the books he needs to follow the same rules as other vendors.

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

Begin forwarded message:

From: "Betty Dunkerley" [REDACTED]
Date: August 3, 2010 1:53:09 PM CDT
To: "David Armbrust" [REDACTED] "Shade, Randi"
<randi.shade@ci.austin.tx.us>
Subject: RE: TDS Contract

David, thank you so much for the suggested language. bd

From: David Armbrust [REDACTED]
Sent: Tuesday, August 03, 2010 1:37 PM
To: randi.shade@ci.austin.tx.us
Cc: Dunkerley Betty
Subject: TDS Contract

Randi

Betty Dunkerley said she talked to you about the possible addition of some proposed language to the TDS contract. Below is the suggested language. This will help put the parties back to square one and allow everyone to start with a clean slate. In addition, it will avoid a costly appeal to federal court for TDS and the City. Karen Kennard told me the staff will not recommend it but she is ok with it if the Council wants to add it.

We would appreciate your support Thank you.

David

Proposed addition to Section 7.27: "The City hereby withdraws the previous City of Austin Purchasing Department disqualification issued to Contractor pursuant to Request for Proposal Number 1500-RDR0005."

David B. Armbrust

Armbrust & Brown, LLP

100 Congress Avenue Suite 1300

Austin, Texas 78701

512-435-2301

--
Lee Leffingwell
4516 Balcones Drive
Austin, TX 78731
[REDACTED]





From: Randi Shade [REDACTED]
To: Lee Leffingwell [REDACTED] Mike Martinez
Date: 08/03/2010 08:08 PM
Subject: Fwd: TDS Contract

This seems like a strange provision for a contract --- what do y'all think?

I asked staff to tell me how long a disqualification stays on a vendor's record. Nobody seems to know. They are looking into it.

I understand Bob's concern but it is not good form to make us do this now and in this context ...sigh. Plus staff rejected the request. Bob signed terms and conditions on pending contract. Staff called Greenstar and told them about decision to go with TDS and then Bob comes to us with his request. Again - not great form. If it was going to be a condition for him on this contract why did he agree to terms and conditions?

If he has a 2nd disqualification before this first one goes away, he'd be out for three years. He best not have another disqualification any time soon regardless. I know he doesn't agree with anti-lobbying ordinance, but it seems like as long as it is on the books he needs to follow the same rules as other vendors.

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

Begin forwarded message:

From: "Betty Dunkerley" [REDACTED]
Date: August 3, 2010 1:53:09 PM CDT
To: "David Armbrust" [REDACTED] "Shade, Randi"
<randi.shade@ci.austin.tx.us>
Subject: RE: TDS Contract

David, thank you so much for the suggested language. bd

From: David Armbrust [REDACTED]
Sent: Tuesday, August 03, 2010 1:37 PM
To: randi.shade@ci.austin.tx.us
Cc: Dunkerley Betty
Subject: TDS Contract

Randi

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Proposed addition to Section 7.27: "The City hereby withdraws the previous City of Austin Purchasing Department disqualification issued to Contractor pursuant to Request for Proposal Number 1500-RDR0005."

David B. Armbrust
Armbrust & Brown, LLP
100 Congress Avenue Suite 1300
Austin, Texas 78701
512-435-2301





From: Randi Shade [REDACTED]
To: Lee Leffingwell [REDACTED]
Cc: Mike Martinez [REDACTED], Mark Nathan
Date: 08/01/2010 03:09 PM
Subject: Re: "trial of the century ..." ?

A settlement could make sense if it is financially sound and not based on guilt. To get certainty of closure on the legal front is worth paying some amount above what our costs to litigate would be especially since we know there are risks on the Defendant's side of this case, too. To have the opportunity for all parties and the community to be able to move forward sooner than later is worth something, too. Until there is closure via settlement or trial this will remain an open wound -- making any healing process close to impossible.

Seems like there is going to be little we can do when it comes to public opinion about the facts of the case, what is relevant, etc. And nothing we, the judge and/or jury do is likely to change the biases of some folks who are too deeply entrenched in their viewpoints.

As for next steps - my suggestion is that we leave the ball in Loewy's court for a while. He knows the door is potentially open....we don't have to turn anything down until there's something to consider, and we don't need to create some new program until we get a clear sign that the Plaintiff has an interest in exploring an alternative.

We should remain open to possibilities, but let's see what happens. Sometimes laying low for a while gets good results especially during tough negotiations when there's a blow up like the one we had last week and especially when you're in the more favorable negotiating position -- and I definitely think the City is in the more favorable position.

Onward,
Randi

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

On Aug 1, 2010, at 11:47 AM, Lee Leffingwell [REDACTED] wrote:

Harrington is a man I know and used to respect, but keep in mind that he left the ACLU after being with them for years because ACLU was too "soft" in pursuing civil rights goals.

I stand by my position that a trial would be a good thing, but that needs more explanation. The question has been about airing "all" of the information, and it should be more about focusing on "relevant" information. The judge's job is to disallow information that is really irrelevant but emotionally charged to influence an outcome, and ensure that the deciders of fact (the jury) focus exclusively on everything that is pertinent to reaching a fair and just decision. Certainly I think that Judge Sparks can do a better job of that than the AAS Editorial Board could do even without their known bias.

The second thing that a court decision would do is lend credibility to the verdict. Again, a federal judge and jury with authority and prestige, vs. the AAS Editorial Board with no prestige and almost no credibility.

All that being said, I would be interested in pursuing a "community-healing" exercise - a Task Force directed to make recommendations to reduce teen crime, gangs, and drug use in east Austin. It could be an effort separate from the legal process, but parallel to it. I would visualize APD and APA being a big part of it, as well as leaders (excluding Linder) from the community side. I know it's a tall order, but the alternative of granting money to the Sanders family will do nothing to abate their real

grief, and will do nothing to keep a similar incident from happening again in 6 months.

LL

On Sun, Aug 1, 2010 at 10:38 AM, Randi Shade [REDACTED] wrote:
Meant to send to Lee, too.

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

On Aug 1, 2010, at 10:34 AM, "Shade, Randi" [REDACTED] wrote:

Harrington isn't kind to you and Lee, but you wouldn't expect him to be. Bottom line is that a settlement can make sense if done right, and Harrington is very directly caling on Lowey to change his course of action to get it done right.

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

Begin forwarded message:

From: "Bob McNally" [REDACTED]
Date: July 31, 2010 2:11:18 PM CDT
To: <undisclosed recipients: >
Subject: Fw: "trial of the century ..." ?

----- Forwarded Message -----

From: Jim Harrington [REDACTED]
To: Adam Loewy [REDACTED]
Sent: Sat, July 31, 2010 1:36:43 PM
Subject: "trial of the century ..." ?

Adam -

I got your "trial of the century" e-blast sometime after the city council's regrettable decision not to approve the Sanders settlement.

I rarely criticize a colleague who has enough courage and willingness to undertake a civil rights case. But the events of recent days have breached that respect, as least from my view. I am particularly disturbed by how you've handled the case, some of your tactical decisions, and how you may have botched the settlement with your strange and harsh post-mediation comments. It's almost as disturbing as how poorly Leffingwell and Martinez have handled the matter - and how you all play off each other.

What you three seem to have lost sight of is the suffering of the family, and how all three of you have helped polarize the community, rather than trying to mend it.

Getting relief for the family is the paramount goal for an attorney in this

tragic situation and in the particular context of this lawsuit.

I've been involved in enough police and "cause" litigation over the years to understand profoundly that the ultimate purpose of a civil rights lawsuit of this kind is to do justice, part of which entails healing the victims.

I'm reminded of the Asian saying, "When the elephants fight the grass gets trampled." I'm afraid that the hubris of the players is smothering and jeopardizing the best interests of the Sanders family.

This case will not be the "trial of the century" by any stretch of the imagination, and it likely won't even be the "trial of the year." But that doesn't matter. What matters is the Sanders family. To me, it's not about who's right and wrong, but it's about bringing peace and healing to the family.

I urge to take steps in a different direction in this matter for the sake of the family.

Cordially,
Jim Harrington

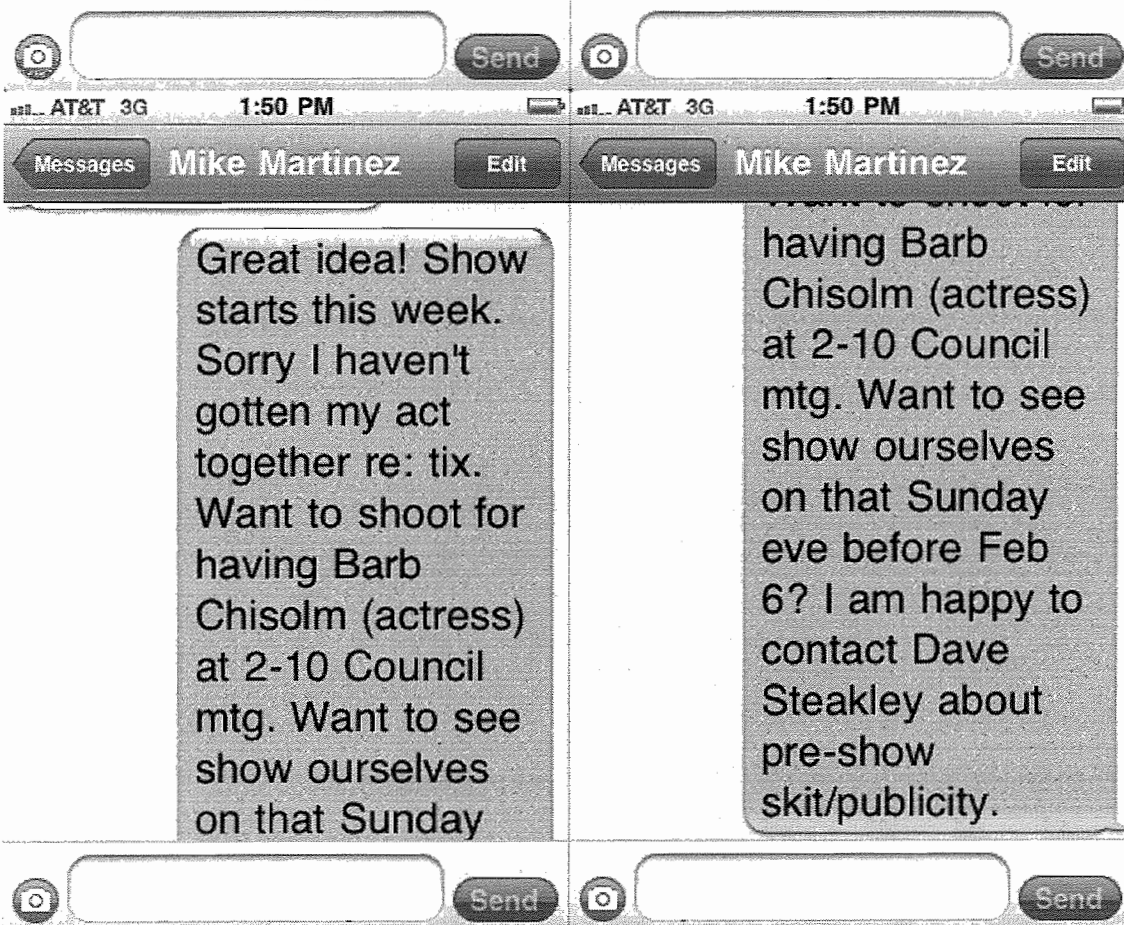
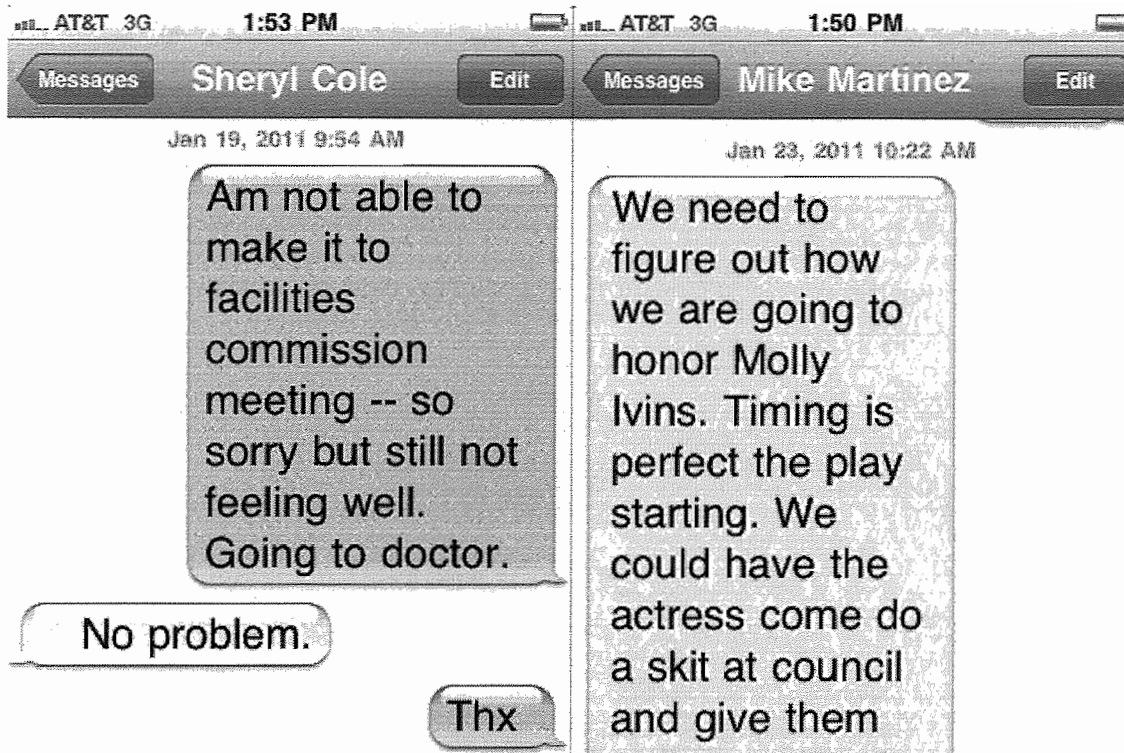
James C. Harrington
Director
Texas Civil Rights Project
1405 Montopolis Drive
Austin, TX 78741
512.474.5073 x.108
www.TexasCivilRightsProject.org

--

Lee Leffingwell
4516 Balcones Drive
Austin, TX 78731



WorldClient



Randi Shade

From: Randi Shade [REDACTED]
Sent: Sunday, June 27, 2010 9:01 AM
To: spelman@[REDACTED]
Subject: Marc Talk - CONFIDENTIAL - PERSONNEL MATTER
Attachments: 6.28.10 Ott PI Discussion.doc

Hi Bill,

Attached is the document I plan to use to guide our discussion tomorrow with Marc. I welcome any feedback and apologize for not getting it to you sooner. The weekend hasn't gone exactly as planned:-)

After looking through my notes - there were examples we could discuss besides the two I called out. I chose the two I did, however, because they are timely and seemed to offer us the best opportunity to fully flesh out what is causing our frustration and communication break-downs. These two examples also give us the opportunity to brainstorm ways to improve how we work together going forward. I also figured that really drilling down on one or two examples would be more productive and time efficient than going through a longer laundry list. Again, I welcome your suggestions if you think otherwise.

I have marked the attachment CONFIDENTIAL. This is a personnel matter that should be kept confidential. I request that you not share this with your aides because there has been a lot of gossip, especially among Council Aides. I will share the attachment with Laura because I would like to get her feedback, too. I am dropping this off by her house shortly and will discuss with her later today.

Please also take a moment to read the editorial below that ran in last week's Statesman. This is the editorial I mentioned to you on Thursday. It is the type of column I don't want to see written in regards to the Council's handling of Marc Ott's position. I highlighted one line in particular because it seemed to really re-inforce what you shared with me about your conversation with Terrell Blodgett.

-Randi

Nostalgia takes a parting shot at Pedernales Electric Cooperative

Editorial Board

Published: 5:28 p.m. Friday, June 18, 2010

With a single vote, the board of the Pedernales Electric Cooperative abruptly halted a slow but steady march toward much-needed reform.

Over the objections of board members Patrick Cox and Kathryn Scanlon, a board majority ambushed PEC General Manager Juan Garza, firing him on a 5-2 vote. Garza was hired two years ago to clean up the scandal-infested utility. Though there had been some indications of tension between Garza and some board members, only a few insiders knew that termination was imminent.

The board majority should explain to the co-op's members at today's annual meeting why Garza, who was given good evaluations and a \$30,000 bonus last year, fell so far from grace in what appears to be a relatively short period of time.

Garza showed up for a meeting on Monday, and when it was over, he was out of a job. The board majority that voted to fire him once again thrust the utility back to the bad old days, when the nation's largest electric cooperative was governed largely in secrecy.

That's not hyperbole; it's the findings of an audit report in 2008 that painted a picture of a utility and board tightly controlled by former General Manager Bennie Fuelberg, who resigned and has been subsequently indicted on allegations of criminal malfeasance arising from his 31-year tenure. The utility's governance was the subject of a class-action suit filed by members demanding increased accountability. The settlement of the suit, a turnover of board members and Garza's hiring began the march toward transparency.

The reform effort was closely watched by legislators and other co-ops. The reforms weren't universally embraced either in or out of the agency but were obviously needed to restore public trust in a utility whose operations generate \$92.8 million, according to this year's audit. In 2008, that figure was \$59 million.

The severance package the board reportedly will shell out to Garza is \$1 million, a tidy sum indeed. But the co-op's members, who own the utility, should ask the five board members who voted to fire the manager whether that was a necessary expenditure of money or whether it was \$1 million spent to satisfy a grudge, scratch an itch or cater to a whim.

Asked about the termination after Monday's meeting, board President Larry Landaker replied lamely, "It's safe to say that when an action like this occurs, it's an indication that the board and general manager are not in sync." He added that the board was going one way and Garza another.

That lesson in board geography aside, it does not explain what happened, and the members who own the utility are owed an explanation. Any manager-board relationship contains some tension. That's normal and even healthy.

But it is a sign of poor board governance when a termination comes as a complete surprise. A firing, whether it's a general manager or a line employee, is never a surprise if the communication leading up to it has been honest and the person on the receiving end has been made aware of the need to — and given every opportunity to — improve his or her performance.

In Garza's case, the board gave him a bonus last year, and there is nothing to indicate termination was in the offing. Water under the bridge? Maybe. But when the PEC board gets around to negotiating a contract with Garza's permanent successor, it shouldn't be surprised if the finalist wants a huge severance package.

And the rate-paying owners of the cooperative should chalk it up as a cost of the way this board does business.

Find this article at:

<http://www.statesman.com/opinion/nostalgia-takes-a-parting-shot-at-pedernales-electric-756352.html>


Randi Shade

1822 W. 10th St.

Austin, TX 78703

(512) 477-0994 (phone)

(512) 477-0995 (fax)





From: Randi Shade [REDACTED]
To: Mike Martinez [REDACTED]
Cc: "lee.leff@[REDACTED]"; lee.leff@[REDACTED]
Date: 07/27/2010 10:19 AM
Subject: Re: golf and Brack tract

Really looking forward to golf. Thanks.

As for the lawyers and our need to have a local insider, I totally agree we need someone. I like Cousar and Dobson. Another suggestion that I have is David Herndon and the other real estate partners at Graves Dougherty (ie Terry Bray and Whellan). I got to know David when we served together on UT Commission on 125. With him we also get Dealey Herndon as a secret weapon:-) The challenge is to find someone well-connected to the 'hood and to UT politics and whose firm won't have conflicts due to representing developers who will want to build on the Tract at some point (or who already represent Gables, Randall's, etc.).

Another lawyer I thought about was Shannon Ratliff, but I think as a former Chair of Regents, he would be too loyal to UT plus i think he was chair when current Agreement was put in place.

We need someone who will make UT nervous but whose loyalty is with the City, too. That is what would have made Suttle so good for us on this one. I am not convinced, however, he was willing to forgo future work re: development on site, and I am also not convinced he won't be helpful to us even in his role working for UT. We just need someone to keep him on his toes:-) and someone to help us really understand how best to use our points of leverage.

 Randi Shade
 512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

On Jul 27, 2010, at 9:54 AM, Mike Martinez
 [REDACTED] wrote:

> I like Couser too
 >
 >
 > On Jul 27, 2010, at 9:48 AM, lee.leff@[REDACTED] wrote:
 >
 >> Casey's good, but really a litigator. I recommended Cousar.
 >> -----Original Message-----
 >> From: Mike Martinez
 >> To: Randi Shade
 >> To: Lee Leffingwell
 >> Subject: golf and Brack tract
 >> Sent: Jul 27, 2010 9:44 AM
 >>
 >> we are on for Friday. 9ish. will get you the exact time once I have
 >> it.
 >>

>> also, just met with Ott. I suggested Casey Dobson as a potential
>> "inside" man for us on brack tract
>>
>> Sent via BlackBerry by AT&T
>





From: Randi Shade [REDACTED]
To: Mike Martinez [REDACTED]
Date: 07/22/2010 05:03 PM
Subject: Fwd: City Hall Suites on Card Access

You think this was b/c of our meeting today?

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

Begin forwarded message:

From: "Loney, Brenda" <Brenda.Loney@ci.austin.tx.us>
Date: July 22, 2010 3:50:40 PM CDT
To: "City Hall" <CityHall2@coacd.org>
Subject: City Hall Suites on Card Access

Due to a high level of activity in the building suites are now on card access so be sure to carry your city ID/access card with you.

Brenda Loney
Building Services Manager
974-7976





From: Randi Shade [REDACTED]
To: Mike Martinez [REDACTED]
Cc: Lee Leffingwell [REDACTED]
Date: 07/20/2010 08:35 AM
Subject: Re: Statement from MPT Martinez re: Proposed Sanders Settlement

Lots of excellent points, but I'm not sure I understand the role of outside atty. Not sure if we can discuss publicly at this point, but hasn't the City been dismissed? Sounds like the outside atty the City hired for Quintana is ready and raring to go.

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

On Jul 19, 2010, at 10:54 PM, "Garza, Bobby" <Bobby.Garza@ci.austin.tx.us> wrote:

All-
Apologies for the late, mass email. The message below is a statement from Mayor Pro Tem Mike Martinez regarding the proposed settlement in the Sanders case. The statement was sent to members of the press this evening. MPT Martinez sends his apologies for not getting a chance to speak with everyone today as was his intention. Should you have any questions, please feel free to reply back or call me at (512) 974-3038 or (512) 922-9269. Have a great evening.

Bobby Garza
Chief of Staff
Mayor Pro Tem Mike Martinez
(512) 974-2264
bobby.garza@ci.austin.tx.us

The Austin City Council will consider a settlement of the Nathaniel Sanders shooting case on July 29th, 2010. The decision -- whether or not to settle this case and pay the Sanders family \$750,000, is not one I take lightly. In fact, it is a decision we should all contemplate for some time. As I have thought about this incident and how it impacts our city, I have decided to share my thoughts for further debate and discuss prior to our potential vote that I believe is critical.

What comes to mind follows:

Is the decision to settle the case simply to put the Sanders shooting behind us? By settling this suit, are we saying our grand jury, office of the police monitor and the citizens review panel have failed the community? If so, do we need to revisit our review process? Has this community altering incident been vetted enough -- both in the courts and in the community at large? If we chose to reject the settlement and go to court, is it proper for the city attorney to represent the City in this case?

As a council member, the task of making tough decisions and facing criticism for those decisions is a daily occurrence. No matter what we decide next week, the decision is certain to have its supporters and its objectors, but that does not preclude us from taking the time necessary to make decisions we feel are best for the citizens we represent.

On a regular basis, this council hires consultants to help reach decisions on various projects, issues and subjects. Hundreds of thousands and possibly millions of dollars a year is what, you, the taxpayer, fund to help our staff and this council make decisions. Many of these expenditures are met

with criticism and outright disagreement. We often hear feedback, such as, "why do you need a consultant to tell you what seems like common sense?" The fact of the matter is that many of our decisions are not common sense by any stretch of the imagination. We have a tremendously diverse and engaged population that demands representation, but in the end, council must make a decision...and stand by that decision.

In my opinion, there is no need for more consultation in this case. We have already spent taxpayer dollars on staff time, legal hours and an outside review surrounding this incident. The information and evidence, thus far, has been presented through the process available to us.

Mistakes and poor decisions were made on every side of this issue -- all of which are debatable and have been discussed and debated for over a year now.

This incident happened in my neighborhood, right around the corner from our home.

While I will not pretend to believe I know what it was like to have been Nate Sanders or to be an Austin Police Department officer patrolling my neighborhood, I can say with certainty that I know the community and neighborhood that I live in, is a far cry from what so many in this town believe it is.

Yes, in East Austin we have families, go to church, walk our dogs, play with our kids in the streets, etc., but there is something more in East Austin (and all over Austin) that is rarely if ever mentioned, discussed or debated. And that is the lost and the voiceless in our community.

East Austin has changed for the better over time, and so many people have worked in our community, tirelessly, to make that change happen. But incidents like this, in many ways, takes us right back to square one, making us feel there is little hope for change.

We ask ourselves...Why attend neighborhood meetings? Why get involved in the schools? Why give extra effort by volunteering in my community? Why try to build a relationship with my neighborhood police officer? And maybe most of all....Why vote?

And the answer I hear the most is...It doesn't change anything!

Each and every day our police officers do all they can to protect and defend our community. It is not a job I would want, but it is a job I truly respect. It is not easy to be a police officer in Austin, Texas. There is so much more to this case that is even beyond a council decision. We also have a community decision upon us.

It is time we recommit to truly teaching our community how to avoid such a tragic outcome. We must educate our citizens on the consequences of dangerous behavior. We must focus our policing on prevention and compliance as much as we do on enforcement.

This council has made it clear we want everyone (immigrant, homeless, rich, poor, black, white and anyone else) to feel they are a part of our community and safe. We must demonstrate how we achieve this through example, commitment, and action.

While many parents already do this...as I do; it's much bigger than our individual families. It's about our community. If we don't act as a community, we will fail as a community.

Settling a law suit for \$750,000 will not take one small step in that direction. Nor will it address the serious issues we face, such as, drop out rates, gang and drug violence, the East vs. West divide, etc.

After much thought, it is my belief we should reject the settlement offer recommended by staff.

In our country one of the more public and honored means of settling these matters is a public trial. This would be a civil trial in a federal court. The civil trial uses legal standards of "preponderance of evidence" or "clear and convincing evidence" rather than the criminal trial's, "beyond a reasonable doubt". These rules of a civil trial permit a broader set of information being available for the court and the public. Such a trial would fully vet all of the information that bears on those events that culminated on May 11, 2009 as well as actions that followed.

The City should hire an outside lawyer not connected by previous actions of APD, its internal affairs department, the city administration, the Police Review Board, the Key Point review or the Travis County District Attorney's offices. Perhaps more money would be spent than the proposed settlement. That is not the question. The proposed settlement leaves too many questions unanswered. It serves to close off examination rather than promoting understanding.

The question is to get all of the facts in a proper forum and that is what a federal civil trial will do. I think that direction would move the community toward hearing all of the facts and advance the goal of understanding how to prevent future occurrences. I, for one, plan to take that information and engage our community so we can have the truly meaningful conversations that will lead to a place of healing. Settling this case does not get us any closer to that place, and I do not think it is prudent to debate the issue without addressing the larger issues at hand that are much more vital to this community.

###





From: Randi Shade [REDACTED]
To: "Ott, Marc" <Marc.Ott@ci.austin.tx.us>
Date: 07/18/2010 08:46 AM
Subject: Re: Overt Racism into Proper Perspective - interesting article...

You're right - interesting and disturbing. Thanks for sending my way. Reminds me of a quote I heard in the late 80's from William Raspberry about how things have never been better and at the same time never been worse...

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

On Jul 17, 2010, at 10:02 AM, "Ott, Marc" <Marc.Ott@ci.austin.tx.us> wrote:

In case you didn't received this, I found it both interesting and disturbing.

Marc

Rose, please print.

Sent from my iPhone

Begin forwarded message:

From: Ora Houston [REDACTED]
Date: July 16, 2010 6:12:45 PM CDT
To: ora houston [REDACTED]
Subject: Overt Racism into Proper Perspective - interesting article...
Reply-To: [REDACTED]

When racism masquerades as something else:

Don't let the virulent hatred of Obama's presidency - veiled in "policy differences" - fool you. Just ask someone raised around bigotry.

Carlos Dews is an author, a professor of English literature, and chairman of the Department of English Language and Literature at John Cabot University in Rome

"The nigger show."

I first heard this expression used to describe the Obama administration during a visit to my hometown in East Texas during the early summer of 2009. I understood what the epithet meant: Our minds are made up, the president lacks legitimacy, and there is nothing he can do that we will support. I was not surprised to hear such a phrase.

I grew up in the 1960's during the ragged end of the Jim Crow era, where many of the books in my school library were stamped Colored School, meaning they had been brought to the white school when the town was forced to

integrate the public school system. I recall my parents had instructed me, before my first day of elementary school, not to sit in a chair where a black child had sat. And I remember my sister joked that her yearbook, when it appeared at the end of her first year of integrated high school, was in "black and white."

The outward signs of racism of my home state have now disappeared, but racial hatred remains. My father and his friends still use the word nigger to refer to all black people, and the people of my hometown don't hesitate to spout their racist rhetoric to my face, assuming I agree with them. I hold my tongue for the sake of having continued access to this kind of truth. I learned long ago how not to accept the hatred I was being taught and how to survive not having done so. More recently, I realized that I also learned another lesson: how to recognize racism when it masquerades as something else.

More than 40 years after my first experiences with racism, I am thousands of miles away in Rome, but surrounded by ghosts. Last year, I received a grant from the National Endowment for the Arts for a community program called the Big Read, which sponsors activities to encourage communities to come together to read and discuss a single book. I chose Harper Lee's *To Kill a Mockingbird*, in part because I thought that some of the most salient issues in the novel - racism, classism, xenophobia, the Jim Crow era - were perhaps relevant to an increasingly diverse, contemporary Italy.

That there is racism in Italy is obvious to anyone who pays attention to current affairs. In fact, during the first week of the Big Read Rome, a story in one of Italy's national newspapers detailed the experience of a Nigerian woman being called *sporca nera* (essentially, dirty nigger) by two women she asked to stop smoking on a Roman bus.

But I never imagined that consideration of the novel would prove so relevant to a country that had just elected its first black president.

Ironically, until the election of Barack Obama, my discussions of racism in the United States seemed historical. I felt that with the passage of the civil rights legislation of the mid-1960's, the country had turned a corner, that the slow evaporation of overt racism was perhaps inevitable. Now, my personal experience of Southern racism feels current and all too familiar. A news story about the Big Read that appeared in *La Repubblica* on Sept. 20 (unaware that my grant was awarded during the Bush administration), presciently brought Rome, Obama, *To Kill a Mockingbird*, and racism together in its headline: "Obama brings antiracist book to Rome."

Jimmy Carter was lambasted for having recently explained that the vehemence with which many Americans resist Obama's presidency is an expression of racism. Carter was accused of fanning the flames of racial misunderstanding by labeling as "racist" what on the surface could be perceived as legitimate policy differences. Like Carter, as a white Southern man, I can see beyond the seemingly legitimate rhetoric to discern what is festering behind much of the opposition to Obama and to his administration's policy initiatives. I also have access, via the racist world from which I came, direct confirmation of the racial hatred toward Obama.

The veiled racism I sense in the United States today is couched, in public discourse at least, in terms that allow for plausible deniability of racist intent. And those who resist any policy initiative from the Obama administration engage in a scorched-earth policy that reminds me of the self-centered white flight, the abandonment of public schools, and the proliferation of private schools, that followed the 1954 *Brown vs. Board of*

Education decision to desegregate public schools. The very people, like my own rural, working-class family back in East Texas, who stand to gain from the efforts of the Obama administration and the Democratic Congress are, because of their racism, willing to oppose policies that would benefit them the most. Their racism outweighs their own self-interest.

Unfortunately, racists in the United States have learned one valuable lesson since the 1960's: They cannot express their racism directly. In public, they must veil their racial hatred behind policy differences. This obfuscation makes direct confrontation difficult. Anyone pointing out their racist motivations runs the risk of unfairly playing "the race card." But I know what members of my family mean when they say - as so many said during the town hall meetings in August - that they "want their country back." They want it back, safely, in the hands of someone like them, a white person. They feel that a black man has no right to be the president of their country.

During a phone conversation a few weeks after Obama's election, my father lamented that he and my mother might have to stop visiting the casinos in Shreveport, La.: Given Obama's election, "the niggers are already walking around like they own the place. They won't even give up their seats for white women anymore. I don't know what we're going to do with 'em."

My students often ask me how I managed to avoid accepting the lesson in racism offered by my family. From the time I was 4 or 5 years old - roughly the same age as Scout Finch, the narrator of *To Kill a Mockingbird* - I recall knowing that I didn't agree with racism. More important, my paternal grandmother provided me with the encouragement that I could ignore what I was being taught. She provided me with the courage to resist.

My grandmother hoped that my father and his father represented the last generations of the type of Southern man that had shaped her life - virulently racist, prone to violence, proud of their ignorance, and self-defeatingly stubborn. It was a type of Southern man that she hoped and prayed I could avoid becoming.

However, my father and his father were not the last of their kind; their racial hatred has been passed on. My grandmother, if she were alive, would recognize the same tendencies among many of the people who shout down politicians and bring guns to public rallies. She would also see how the only change they have made is to replace overt racist epithets with more euphemistic language.

Rather than seeing my home state and its racist attitudes, slowly, over time, pulled in the direction of more acceptance, the country as a whole has become more like the South, the racial or cultural equivalent of what is called the Walmartization of American retail.

It might be easy to see literature as impotent in the face of the persistence and adaptability of racism. But I continue to believe in the transformative potential of literature and its ability to provide an alternative view of the world. And for children who are not lucky enough to have grandmothers like mine, I believe that books like *To Kill a Mockingbird* can provide inoculation against the virus that is racism.

This article originally appeared in the December 2009 issue of *Aspenia*, the Italian journal published by the Aspen Foundation Italy.

We must be the change we wish to see in the world. GANDHI

|



MEMORANDUM

To: Marc Ott
From: Randi Shade
CC: Lee Leffingwell, Bill Spelman
RE: Confidential Personnel Matter

How we as a Council appoint, manage, and communicate with the City Manager is one of the most important responsibilities we have as a Council. When the Council and the City Manager have a shared vision that is clearly communicated – it saves citizens time, money and other resources, and it makes it possible for extraordinary things to happen.

When we met last month to conduct your annual review – the net/net of that discussion was that while the City is for the most part running well, frustration exists that is largely caused by communication break-downs between Council and the City Manager.

Council Members shared examples of when they felt you were defensive and/or unwilling to take their input, and you shared examples of when you felt you did not have clear direction from the Council as a body versus the Council as individual members and/or factions. We also discussed times when Council Members did not feel you had enough information to be able to discuss issues of concern in enough depth during weekly 1:1 meetings, and we discussed the “Items from Council” analysis you provided along with how that list compares with other city governments you have experienced. Council Members also expressed concerns about feedback from City employees.

Ideally, we should have a formal City Manager evaluation process that includes having the Council collect and assess information relative to mutually understood standards of performance, and we should have a healthy discussion about future actions and where the goals and objectives of the City may need adjustment. We should discuss operational accomplishments and organizational needs. We did not get there last month mostly because we were and are having communication and relationship conflicts that are, in turn, resulting in a less than optimal governance environment.

Conflict is part of working as a team, and while it is often uncomfortable, it can also be healthy. Lee and I, along with our other Council colleagues, believed the conversation we had last month was productive. We told our colleagues and we told you that we were committed to taking steps to improve our effectiveness as a team. We said we would have a series of follow-up meetings to go over in more detail what steps we could and should take to clarify expectations of each other. Before we had the chance to do that, however, the Roger Duncan email exchange occurred, making this conversation more important and time sensitive than it already was.

Here's the bottom line – trust, productive relationships, good dialogue (effective, two-way communication), and a shared vision for making a positive difference in this community are critical, and we have some serious work to do if we are going to solve problems efficiently and effectively.

To successfully move forward, each of us in this conversation must give his word that he is participating in this discussion because he honestly believes that each of us can be more effective in the roles we are blessed to have the opportunity to play in leading this great city – a city that was wonderful before any of us assumed our current roles as Mayor, Manager or Council Member; a city that is likely to be wonderful for a long time after any of us are around – in spite of us or because of us. That’s what we’re here to explore. This is a two-way street. We all have opportunities for improvement.

From this discussion rules of engagement should be developed for working together more productively, starting now. We would also like to consider leadership and managerial qualities important for success. This is a list I modeled after the “14 Managerial Qualities List” Mark Washington shared with me earlier that you all use with City staff. It is similar to what other organizations use to evaluate performance of key talent.

As I thought about what we discussed during the annual review executive session and considered other stories and perceptions that are out there in the community and here at City Hall, a few key themes emerged.

Key Themes

Mutual respect for the roles we play does not exist as it should.

Working relationships are not as productive as they need to be.

There must be a more clear-cut way to follow projects from conception to fruition.

Relationships (formal & informal) matter more than you seem to think.

How These Themes Play Out

There is tension around the notion of what you have to do (or don’t have to do) versus what you *should* do.

When people disagree with you, you seem to treat it as a challenge or an affront rather than as an opportunity to get useful facts or gain valuable perspective.

If these dynamics are present in relationships you have with the Council, then it makes us wonder if the same dynamics are at play in relationships with your staff and community members. For example, do employees feel supported and coached? Is collaborative dialogue encouraged or silenced? Are people responding to you because of your position of power or because they respect, like, and trust you? Do you encourage or discourage diversity of opinion?

Examples for Discussion

Roger Duncan email exchange
Keypoint Report events

Leadership & Managerial Qualities

1. Creates a sense of trustworthiness in Council/City Manager relations
2. Works to create an optimal governance environment
3. Maintains a work style which is open to constructive suggestions
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5. Communicates appropriately matters of importance
6. Consults regularly regarding problems and decisions
7. Uses healthy debate to stimulate problem solving and encourage creativity
8. Works collaboratively to develop long & short range plans
9. Supports and implements the policies, procedures and philosophy of the Council

Randi Shade

From: Randi Shade [REDACTED]
Sent: Sunday, June 27, 2010 5:01 PM
To: marc [REDACTED]
Subject: FW: Marc Talk - CONFIDENTIAL - PERSONNEL MATTER
Attachments: 6.28.10 Ott PI Discussion.doc; 2158BC-PDF-ENG.PDF

Marc,

Here you go. Have faith.

My morning is also free tomorrow before our 10 AM meeting. I am happy to have an off-site breakfast with you, and I am happy to get the Mayor there, too. You tell me your preference. I will also make myself available to talk by phone later tonight if you want to.

Attached is also some of that Alpha Male Team stuff I was telling you about. Take a look at it. Please know that Kate Ludeman and Eddie Erlandson are here in Austin. They do great work, so if you have any interest in meeting them, I can also make that happen. In any case, it is a good read. I see so many of us in the article.

-Randi

From: Randi Shade [mailto:randi@REDACTED]
Sent: Sunday, June 27, 2010 9:01 AM
To: 'spelman@REDACTED'
Subject: Marc Talk - CONFIDENTIAL - PERSONNEL MATTER

Hi Bill,

Attached is the document I plan to use to guide our discussion tomorrow with Marc. I welcome any feedback and apologize for not getting it to you sooner. The weekend hasn't gone exactly as planned:-)

After looking through my notes - there were examples we could discuss besides the two I called out. I chose the two I did, however, because they are timely and seemed to offer us the best opportunity to fully flesh out what is causing our frustration and communication break-downs. These two examples also give us the opportunity to brainstorm ways to improve how we work together going forward. I also figured that really drilling down on one or two examples would be more productive and time efficient than going through a longer laundry list. Again, I welcome your suggestions if you think otherwise.

I have marked the attachment CONFIDENTIAL. This is a personnel matter that should be kept confidential. I request that you not share this with your aides because there has been a lot of gossip, especially among Council Aides.

Please also take a moment to read the editorial below that ran in last week's Statesman. This is the editorial I mentioned to you on Thursday. It is the type of column I don't want to see written in regards to the Council's handling of Marc Ott's position. I highlighted one line in particular because it seemed to really re-inforce what you shared with me about your conversation with Terrell Blodgett.

-Randi

Nostalgia takes a parting shot at Pedernales Electric Cooperative

Editorial Board

Published: 5:28 p.m. Friday, June 18, 2010

With a single vote, the board of the Pedernales Electric Cooperative abruptly halted a slow but steady march toward much-needed reform.

Over the objections of board members Patrick Cox and Kathryn Scanlon, a board majority ambushed PEC General Manager Juan Garza, firing him on a 5-2 vote. Garza was hired two years ago to clean up the scandal-infested utility. Though there had been some indications of tension between Garza and some board members, only a few insiders knew that termination was imminent.

The board majority should explain to the co-op's members at today's annual meeting why Garza, who was given good evaluations and a \$30,000 bonus last year, fell so far from grace in what appears to be a relatively short period of time.

Garza showed up for a meeting on Monday, and when it was over, he was out of a job. The board majority that voted to fire him once again thrust the utility back to the bad old days, when the nation's largest electric cooperative was governed largely in secrecy.

That's not hyperbole; it's the findings of an audit report in 2008 that painted a picture of a utility and board tightly controlled by former General Manager Bennie Fuelberg, who resigned and has been subsequently indicted on allegations of criminal malfeasance arising from his 31-year tenure. The utility's governance was the subject of a class-action suit filed by members demanding increased accountability. The settlement of the suit, a turnover of board members and Garza's hiring began the march toward transparency.

The reform effort was closely watched by legislators and other co-ops. The reforms weren't universally embraced either in or out of the agency but were obviously needed to restore public trust in a utility whose operations generate \$92.8 million, according to this year's audit. In 2008, that figure was \$59 million.

The severance package the board reportedly will shell out to Garza is \$1 million, a tidy sum indeed. But the co-op's members, who own the utility, should ask the five board members who voted to fire the manager whether that was a necessary expenditure of money or whether it was \$1 million spent to satisfy a grudge, scratch an itch or cater to a whim.

Asked about the termination after Monday's meeting, board President Larry Landaker replied lamely, "It's safe to say that when an action like this occurs, it's an indication that the board and general manager are not in sync." He added that the board was going one way and Garza another.

That lesson in board geography aside, it does not explain what happened, and the members who own the utility are owed an explanation. Any manager-board relationship contains some tension. That's normal and even healthy.

But it is a sign of poor board governance when a termination comes as a complete surprise. A firing, whether it's a general manager or a line employee, is never a surprise if the communication leading up to it has been honest and the person on the receiving end has been made aware of the need to — and given every opportunity to — improve his or her performance.

In Garza's case, the board gave him a bonus last year, and there is nothing to indicate termination was in the offing. Water under the bridge? Maybe. But when the PEC board gets around to negotiating a contract with Garza's permanent successor, it shouldn't be surprised if the finalist wants a huge severance package.

And the rate-paying owners of the cooperative should chalk it up as a cost of the way this board does business.

Find this article at:

<http://www.statesman.com/opinion/nostalgia-takes-a-parting-shot-at-pedernales-electric-756352.html>

Randi Shade

1822 W. 10th St.

Austin, TX 78703

(512) 477-0994 (phone)

(512) 477-0995 (fax)

MEMORANDUM

To: Marc Ott
From: Randi Shade
CC: Lee Leffingwell, Bill Spelman
RE: Confidential Personnel Matter

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The Alpha Male Team

The Club Where Everyone Wants to Be in Charge

EXCERPTED FROM

Alpha Male Syndrome

BY

Kate Ludeman, Eddie Erlandson

Harvard Business Press
Boston, Massachusetts

ISBN-13: 978-1-4221 2158-0
2158BC

The attached article is copyrighted. The City may not produce the article. You may, however, review the article at the City's office, if you so desire.



From: Randi Shade [REDACTED]
To: Mike Martinez [REDACTED] Mark Nathan [REDACTED]
Date: 07/01/2010 07:10 PM
Subject: Fwd: Planning Commission

Mandy as PC Chair? We gotta talk to Lee about this when he gets back.

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

Begin forwarded message:

From: Dave Sullivan [REDACTED]
Date: July 1, 2010 6:13:58 PM CDT
To: Randi Shade <randi.shade@ci.austin.tx.us>
Cc: Glen Coleman <Glen.Coleman@ci.austin.tx.us>
Subject: Planning Commission

Councilmember Shade

As you may know, I am coming up on the end of my term as chair of the Planning Commission. I am term-limited by Code, and on Aug. 1 Mandy Dealey will automatically become chair by default. We will hold elections for our office position on Aug. 10.

I have another year left on my current term as a member of the PC. I would be happy to meet with you to discuss what actions you would like to see the PC take over the next year.

Dave





From: Randi Shade [REDACTED]
To: "Ott, Marc" <Marc.Ott@ci.austin.tx.us>
Date: 06/28/2010 07:34 AM
Subject: Re: Item 78 - City Attorney Item Notes

Yes - brief 1:1 would be good. I can be anywhere as early as 8:30.
Name the place.

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

On Jun 28, 2010, at 7:27 AM, "Ott, Marc" <Marc.Ott@ci.austin.tx.us>
wrote:

> Thanks Randi. I'll read it when I get into the office.
>
> Also, I hope to have a brief 1on1 with Lee this morning. Just wanted
> you to know.
>
> Marc
>
> Sent from my iPhone
>
> On Jun 28, 2010, at 6:57 AM, "Randi Shade" [REDACTED]
> wrote:
>
>> Hi Marc,
>>
>>
>>
>> Here are the notes I used to make my comments on the City Attorney
>> item last week; they definitely look better on paper than they did
>> on actual delivery from the dais -- I just hate making speeches!
>>
>>
>>
>> -Randi
>>
>> <Item 78.doc>



Item 78

I am going to support leaving this item on our consent agenda, but I am not yet convinced I'll support this idea when it appears on the ballot in November of 2012 either. That's why I wanted to put a few points on the record prior to our vote.

Making a change to the City's Charter – our constitution, if you will, is a bigger deal than most people think. I am concerned about taking a piecemeal approach to changing the governance structure for the City, and believe citizens are best served when we take a strategic – a more holistic and less politically expedient – look at any changes to our form of government.

The City Attorney, regardless of who he or she reports to, serves as the City's General Counsel. The City Attorney wears many hats: business and legal advisor, manager of the legal department, compliance officer, mediator within the organization, government affairs liaison, risk manager, and ethicist. He or she handles transactional services – thousands of transactions at a time, litigation – hundreds of cases at a time. Really the job of the City Attorney in a city the size of Austin is analogous to being the managing partner of a large law firm while also being the General Counsel of a large, publicly traded corporation.

In spite of the pull that comes from the varied roles the City Attorney plays, he or she must maintain independence and must represent the interests of the City as an entity rather than the interests of any of its officers or employees. That means the Council is not the primary client, nor is the City Manager. The City Council is the highest authority within this entity, but it is the entity that is the client, not any one of us up here.

In an organization as complex as this one, I have seen first-hand how staff attorneys spread out too thin to support the activities across numerous departments sometimes only have portions of information, and so they don't always see the big picture. That creates confusion and delay, which can lead to distrust internally as well as externally.

I had the pleasure of meeting the Mayor of Houston last week and she made a comment that sticks with me – changing the form of government doesn't solve problems; leadership solves problems. I want to be sure we keep that concept in mind in this instance.

We ought to have better policies in place to ensure that information on legal risks is provided on a regular basis to the Council and to City Management, not sporadically when problems arise, but on an ongoing basis from department to department. The SEC's up-the-ladder reporting rules under the Sarbanes-Oxley Act took steps to address some of these very same issues in corporate America, and we should consider taking similar steps here at City Hall.

It is worth mentioning, however, that since its passage we have also seen corporate employees become reluctant to bring problems to the General Counsel's attention under these new rules because they perceive the General Counsel as a mandatory tattler especially if the Counsel reports to the board and not through management.

In other words, this is complicated business and there are no simple fixes when it comes to ensuring that Council Members receive full advice and early warning of problems.

So what's my point? The recent Keypoint experience was a clear example of a situation when there were multiple legal matters arising from a single event, yet we saw a lack of coordination which resulted in legal advice that was unclear and inconsistent.

Having an item on a November 2012 ballot that changes the City Attorney's boss from one City Manager to instead be 6 City Council Members and a Mayor with varying degrees of management experience does not come close to addressing the problems that surfaced in response to the Keypoint report.

Item 78

I also think it is critical that we here on this dais along with our City Manager, Police Chief, Police Monitor, Public Safety Commission, Police Association and the community-at-large keep our eye on the ball when it comes to the post-mortem on the Keypoint experience.

We need to continue to call for and to support changes at APD, including those highlighted in the 2007 Department of Justice investigation, especially those related to use of force policies and procedures, and those called for by the African American Resource Advisory Commission, the local NAACP, the Public Safety Task Force and the Public Safety Commission, as well as by the Citizen Review Panel. And we need to also recognize what has changed already just in recent months.

- APD's Internal Affairs was revamped with new leadership and so that all personnel assigned to Internal Affairs are vetted through the entire chain of command. Experienced and vetted sergeants replaced all detectives to ensure that Internal Affairs cases are conducted by investigators who have supervisory experience, mandated training, and the authority to move about the Department.
- All officers Department-wide were mandated to attend De-escalation Defensive Tactics Training by July 2010 and a "Use of Force Trainer/Evaluator" mobile trailer was purchased to provide training/practice of different levels of force (pistol/taser) to officers at substations and off-site locations. This trailer is self-contained, requires minimal set-up and provides multiple level of response to resistance scenarios.
- APD's Discipline Matrix was changed so that if an Officer intentionally fails to turn on his/her In-Car Camera in a critical incident, he/she is fired.
- APD began its DVD In-car Camera project. The current In-car camera system uses VHS tapes that require a manual load/unload/download. The date for the DVD In-car Camera roll out, with City Council approval, will be January 2011.
- And, while it wasn't pretty getting there, the May 13th Memorandum of Understanding with the Austin Police Association adds a great deal of clarity to when and how reports like Keypoint become available to the public in the future.

Again, no simple fixes. Leadership is what solves problems, not charter amendments. Thank you for your indulgence.



From: Randi Shade [REDACTED]
To: "Ott, Marc" <Marc.Ott@ci.austin.tx.us>
Date: 06/27/2010 12:14 PM
Subject: Re: Re: Re: Re:

Perfect. Glad y'all had such a good time.

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

On Jun 27, 2010, at 11:44 AM, "Ott, Marc" <Marc.Ott@ci.austin.tx.us> wrote:

> Thanks Randi. Vacation was great!
>
> Since your kids will be taking their nap, I will call you at around
> 2pm if that's ok.
> Marc
>
> Sent from my iPhone

> On Jun 26, 2010, at 10:52 PM, "Randi Shade" [REDACTED]
> wrote:

>
>> Hi Marc,
>>
>> Welcome back! Sorry I didn't see this earlier. Let's plan to to
>> talk by phone or in person (I am happy to do either) tomorrow.
>> Would afternoon (during my kids' naptime), say 2ish work?
>>
>> -Randi

>> -----
>> Randi Shade
>> 512-974-2255 (o)
>> <http://www.ci.austin.tx.us/council/shade.htm>
>>

>> On Jun 26, 2010, at 5:24 PM, "Ott, Marc" <Marc.Ott@ci.austin.tx.us>
>> wrote:

>>> Hello Randi,
>>>
>>> Back home now. Would you prefer to talk by phone? I would be
>>> happy to drive over to your place or you can come to my house.
>>>

>>> Marc
>>>
>>> Sent from my iPhone

>>> On Jun 26, 2010, at 6:49 AM, "Randi Shade" [REDACTED]
>>> wrote:

>>>
>>>> Hi Marc,

>>>>
>>>> Hope your vacation was good. Let me know when you're back. I need
>>>> to share the latest developments of the week and want to talk to
>>>> you about our Monday meeting.
>>>>
>>>> <http://kxan.m0bl.net/w/main/story/11949228/>
>>>>
>>>> -Randi
>>>>
>>>> -----
>>>> Randi Shade
>>>> 512-974-2255 (o)
>>>> <http://www.ci.austin.tx.us/council/shade.htm>





From: Randi Shade [REDACTED]
To: Marc Ott [REDACTED]
Date: 06/27/2010 08:26 PM
Subject: Re: Marc Talk - CONFIDENTIAL - PERSONNEL MATTER

I can call you after kids go to bed (after 9). I know it is a tough read but this will be yours to win.

Having seen execs go thru this kind of stuff before and having gotten similar feedback myself in the past, i feel sure you can come out better if you recognize that there are opportunities for improvement. Plus - as we discussed earlier if/when people know you better they understand what you're doing, why you're doing it, etc. I know this is very hard stuff and I so wish we could have more comfortably eased into it.

We can also plan to do breakfast. You name the place if you want to get together in the morning.

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

On Jun 27, 2010, at 6:30 PM, Marc Ott [REDACTED] wrote:

--- On Sun, 6/27/10, Randi Shade [REDACTED] wrote:

Well....a difficult read indeed. It concerns me greatly and I would like to discuss it this evening. What would be a good time for you? Marc

From: Randi Shade <randi@ci.austin.tx.us>
Subject: FW: Marc Talk - CONFIDENTIAL - PERSONNEL MATTER
To: [REDACTED]
Date: Sunday, June 27, 2010, 5:00 PM

Marc,

Here you go. Have faith.

My morning is also free tomorrow before our 10 AM meeting. I am happy to have an off-site breakfast with you, and I am happy to get the Mayor there, too. You tell me your preference. I will also make myself available to talk by phone later tonight if you want to.

Attached is also some of that Alpha Male Team stuff I was telling you about. Take a look at it. Please know that Kate Ludeman and Eddie Erlandson are here in Austin. They do great work, so if you have any interest in meeting them, I can also make that happen. In any case, it is a good read. I see so many of us in the article.

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Hi Bill,

Attached is the document I plan to use to guide our discussion tomorrow with Marc. I welcome any feedback and apologize for not getting it to you sooner. The weekend hasn't gone exactly as planned:-)

After looking through my notes - there were examples we could discuss besides the two I called out. I chose the two I did, however, because they are timely and seemed to offer us the best opportunity to fully flesh out what is causing our frustration and communication break-downs. These two examples also give us the opportunity to brainstorm ways to improve how we work together going forward. I also figured that really drilling down on one or two examples would be more productive and time efficient than going through a longer laundry list. Again, I welcome your suggestions if you think otherwise.

I have marked the attachment CONFIDENTIAL. This is a personnel matter that should be kept confidential. I request that you not share this with your aides because there has been a lot of gossip, especially among Council Aides.

Please also take a moment to read the editorial below that ran in last week's Statesman. This is the editorial I mentioned to you on Thursday. It is the type of column I don't want to see written in regards to the Council's handling of Marc Ott's position. I highlighted one line in particular because it seemed to really re-inforce what you shared with me about your conversation with Terrell Blodgett.

-Randi

Nostalgia takes a parting shot at Pedernales Electric Cooperative

Editorial Board

Published: 5:28 p.m. Friday, June 18, 2010

With a single vote, the board of the Pedernales Electric Cooperative abruptly halted a slow but steady march toward much-needed reform.

Over the objections of board members Patrick Cox and Kathryn Scanlon, a board majority ambushed PEC General Manager Juan Garza, firing him on a 5-2 vote. Garza was hired two years ago to clean up the scandal-infested utility. Though there had been some indications of tension between Garza and some board members, only a few insiders knew that termination was imminent.

The board majority should explain to the co-op's members at today's annual meeting why Garza, who was

given good evaluations and a \$30,000 bonus last year, fell so far from grace in what appears to be a relatively short period of time.

Garza showed up for a meeting on Monday, and when it was over, he was out of a job. The board majority that voted to fire him once again thrust the utility back to the bad old days, when the nation's largest electric cooperative was governed largely in secrecy.

That's not hyperbole; it's the findings of an audit report in 2008 that painted a picture of a utility and board tightly controlled by former General Manager Bennie Fuelberg, who resigned and has been subsequently indicted on allegations of criminal malfeasance arising from his 31-year tenure. The utility's governance was the subject of a class-action suit filed by members demanding increased accountability. The settlement of the suit, a turnover of board members and Garza's hiring began the march toward transparency.

The reform effort was closely watched by legislators and other co-ops. The reforms weren't universally embraced either in or out of the agency but were obviously needed to restore public trust in a utility whose operations generate \$92.8 million, according to this year's audit. In 2008, that figure was \$59 million.

The severance package the board reportedly will shell out to Garza is \$1 million, a tidy sum indeed. But the co-op's members, who own the utility, should ask the five board members who voted to fire the manager whether that was a necessary expenditure of money or whether it was \$1 million spent to satisfy a grudge, scratch an itch or cater to a whim.

Asked about the termination after Monday's meeting, board President Larry Landaker replied lamely, "It's safe to say that when an action like this occurs, it's an indication that the board and general manager are not in sync." He added that the board was going one way and Garza another.

That lesson in board geography aside, it does not explain what happened, and the members who own the utility are owed an explanation. Any manager-board relationship contains some tension. That's normal and even healthy.

But it is a sign of poor board governance when a termination comes as a complete surprise. A firing, whether it's a general manager or a line employee, is never a surprise if the communication leading up to it has been honest and the person on the receiving end has been made aware of the need to — and given every opportunity to — improve his or her performance.

In Garza's case, the board gave him a bonus last year, and there is nothing to indicate termination was in the offing. Water under the bridge? Maybe. But when the PEC board gets around to negotiating a contract with Garza's permanent successor, it shouldn't be surprised if the finalist wants a huge severance package.

And the rate-paying owners of the cooperative should chalk it up as a cost of the way this board does business.

Find this article at:

<http://www.statesman.com/opinion/nostalgia-takes-a-parting-shot-at-pedernales-electric-756352.html>

Randi Shade

1822 W. 10th St.

Austin, TX 78703

(512) 477-0994 (phone)

(512) 477-0995 (fax)





From: Randi Shade [REDACTED]
To: Marc Ott <Marc.Ott@ci.austin.tx.us>
Date: 05/08/2010 05:12 PM
Subject: Fwd: Statement from Mayor Lee Leffingwell Regarding KeyPoint Report

FYI.

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

Begin forwarded message:

From: Mark Nathan [REDACTED]
Date: May 8, 2010 4:40:43 PM CDT
To: Austin Media [REDACTED]
Subject: Statement from Mayor Lee Leffingwell Regarding KeyPoint Report

FOR IMMEDIATE RELEASE

CONTACT: Mark Nathan, Austin Mayor's Office, 512-567-8904

Statement from Mayor Lee Leffingwell Regarding KeyPoint Report:

"The Austin City Council was advised by the City Attorney several months ago that the unredacted version of the KeyPoint report was not legally available to the Council for review. As such, the Council remained unaware of the full details until they were reported in the media. Like everyone, I'm troubled by the findings of the report, and intend to review the matter fully with the City Manager and Police Chief."





From: Randi Shade [REDACTED]
To: Mike Martinez [REDACTED]
Cc: Mark Nathan [REDACTED], Lee Leffingwell
<lee.leff@ [REDACTED]>
Date: 05/08/2010 04:42 PM
Subject: Re: follow up from earlier today

Was it actually several months ago? That was the question I was going to ask when I lost phone signal.

Here LL M's email:

[REDACTED]

Randi Shade
512-974-2255 (o)
<http://www.ci.austin.tx.us/council/shade.htm>

On May 8, 2010, at 4:18 PM, Mike Martinez [REDACTED] wrote:

"As such, the council remained unaware..."

They are hounding all the council today. Harrington is talking. I think this statement helps. May come up with my own after his goes out. If I do, I will run it by you before I send it out.

On May 8, 2010, at 4:14 PM, Mark Nathan wrote:

Thanks Mike. Steve Alberts from KVUE is calling Lee and me, wanting to do a story on this today and talk to the mayor. I don't want to say no comment but don't want to put LL on camera either. I'm thinking a short statement may be the best bet. Here's a draft, please let me know if you think ok or not:

Statement from Mayor Leffingwell:

"The City Council was advised by the City Attorney several months ago that only the redacted version of the KeyPoint report was legally available to the Council for review. As such, I was unaware of the full details of the KeyPoint report until they were reported in the media. Like everyone, I'm troubled by the findings of the report, and intend to review the matter fully with the City Manager and Police Chief."

On 5/8/10 3:42 PM, "Mike Martinez" [REDACTED] wrote:

just as a summary of all the conversations today.

Spoke to Lee a few times. Spoke to Randi. Left msg for Morrison.

Spoke to David Smith, he confirmed that council was not allowed to see and un-redacted version of the report. 3 people had the report. City Manager, Police Chief and Adam Lowey (Sanders family attorney). And of course, Key Point had the report. David said that under Civil Service Law Chapter 143.089g - any information that the Chief did not find as fact or did not agree with can

not be released under this section of the law. I asked David some questions and he was unable to answer them and said he would get back to me. The 2 questions I asked David were this 1) Who determines what information goes into the 143.089g file 2) what criteria or definition is used to make that determination. Said he would try to get back to me on Monday.

Mark and Lee, as we spoke - I am extremely familiar with this statute as it was something that I worked on in multiple legislative sessions trying to amend. The law does allow a police or fire chief to classify information as personnel, and to determine if it can/should go into "g" file status. What we were able to change in statute is what David stated, and that is - when a chief corroborates or agrees with, and then uses the info in the "g" file, that info must be made public. In this case, since the Chief disagreed that excessive force was used, and the grand jury did not indict Quintanna, those portions of the report can not be released.

Randi, you and I spoke and you mentioned you talked to Rose. She felt that launching an investigation to determine who leaked the story would not be something she recommended. I agree completely. The report is out and I hope we don't spend time and money trying to find out who released it. It really doesn't matter at this point unless it was someone at the city. That would then be a violation of 143.089g but not sure there are any penalties that would even come with a violation. You also said that Rose was quoted the same statute as to why the report could not be released to her in totality. And she agreed with that interpretation.

Not sure what, if anything, needs to be done on Monday or in preparation for Monday. But I did talk to TPlo and he is going to dig more and do follow up stories. I spoke with him completely off the record and will not be quoted in anything he writes. I told him I wanted to be able to talk to all of the council and make sure we all have some understanding before making any statements.

Feel free to add anything or follow up with any questions.

Happy Mothers Day to Randi, Kayla, Missy and Julie. Have a great night and day tomorrow.

Mike

On May 8, 2010, at 11:10 AM, Mark Nathan wrote:

Did Council have the legal right to see the unredacted report? Did anyone on Council ever see it? Were you ever briefed on it? Did the Manager see it?

Sent from my iPhone, please forgive typos!

On May 8, 2010, at 10:54 AM, Mike Martinez wrote:

This could get really ugly. And it smells super fishy

Departed de iPhone

Begin forwarded message:

From: "Jim Harrington" <
[REDACTED]>

Date: May 8, 2010 10:07:45
AM CDT

To: "Jim Harrington" <
[REDACTED]>

**Subject: CORRECTED
VERSION --- PRESS
RELEASE: TCRP CONDEMNS
COVER UP OVER REPORT IN
SANDERS KILLING AND
REPROACHES MAYOR, CITY
MANAGER, AND CITY
COUNCIL FOR "UTTER
IRRESPONSIBILITY"**

**TCRP CONDEMNS COVER UP
OVER REPORT IN SANDERS
KILLING
AND REPROACHES MAYOR,
CITY MANAGER, AND CITY
COUNCIL FOR "UTTER
IRRESPONSIBILITY"**

**CALLS ON DISTRICT
ATTORNEY TO INVESTIGATE
OFFICIALS FOR HIDING
EVIDENCE**

The Texas Civil Rights Project today condemned city officials, from the police chief to the mayor, for covering up the KeyPoint report on the shooting of Nathaniel Sanders that they had commissioned for \$50,000 in taxpayer money in "the interest of transparency and accountability," said TCRP Director, Jim Harrington, who issued the following statement.

"We know now from the conclusions of the KeyPoint report, which was recently leaked to the press, that the professional investigators preparing the report determined that former police officer Leonardo Quintana used

excessive force in killing the young man and that part of reason for doing so was the extremely poor training program by the police department.

"Because that report directly contradicted the official version put out by the City, the officials have suppressed the report, even after we filed a lawsuit under the Public Information Act to have it released.

"For Mayor Lee Leffingwell to say he has not seen the full report, but that its conclusions are 'just one opinion, which is not supported by other opinions. Everybody has the right to have an opinion' is utter irresponsibility." How can someone form an opinion that exonerates the police in light of a report that condemns their action, which one doesn't bother to read. The City Manager and entire Council share in this stunning irresponsibility and callousness toward the city's minority community, which has long suffered from excessive force by the police. Never once has the Mayor, City Manager, or a council member looked at the report to see what its conclusions are, even after we brought suit. They simply relied upon the police chief to suppress it. The chief, of course, had every interest in suppressing the report; and the Mayor, City Manager, and City Council let him do it with impunity.

"We also call upon District Attorney Rosemary Lehmberg to investigate this cover up and whether in amounts to hiding evidence that would have presented the other evidence in a different light when she submitted it to the grand jury. If the police chief and city officials have acted as they have in this cover up, it raises serious questions about their truth and integrity and whether some of the evidence at the

scene may have been altered
or even planted.

"This is the problem: once city
officials cover up something,
citizens no longer trust them
about anything. This is a sad
day for the people of Austin."

-- end --

For further information,
please call Jim Harrington at
512-771-1759

James C. Harrington
Director
Texas Civil Rights Project
1405 Montopolis Drive
Austin, TX 78741-3438
512-474-5073 (telephone)
512-474-0726 (fax)

web:

[<http://TexasCivilRightsProject.org/>](http://TexasCivilRightsProject.org/)
[<http://TexasCivilRightsProject.org/>](http://TexasCivilRightsProject.org/)
TexasCivilRightsProject.org
[<http://TexasCivilRightsProject.org/>](http://TexasCivilRightsProject.org/)

The Texas Civil Rights
Project, a nonprofit
foundation, promotes civil
rights and economic and
racial justice throughout
Texas.





From: randi@ [REDACTED]
To: "Lee Leffingwell" [REDACTED], "Mark Nathan"
Date: 03/10/2010 07:45 PM
Subject: Mike Levy quote for Jo Clifton

"I think Lee's actions demonstrate that the very best politics are just good government. Lee's statement on his site shows candor and honesty and real class in his saying he made a promise in his campaign he just couldn't keep because he didn't think it was the right thing for the community to do at this time, that it was not in Austin's best interest to proceed without more information that would allow voters to make an informed decision. Maybe tomorrow, but not today. Wouldn't it be great if all elected officials acted this way? Of course they all aren't retired airline pilots who understand the true meanings of "trust" and "responsibility" and "attention to the details". Former Houston mayor Bob Lanier was often described as one of the very best mayors in the country because he was ambitious for his city, not for himself. Obviously Lee has the same political compass. My bet is that as Lee does get more and more information, he'll most likely walk away from the idea altogether because it does not make the highest and best use of our limited financial resources to serve the greater good of everybody in Austin, regardless of zip code."

Sent via BlackBerry by AT&T





From: randi@ [REDACTED]
To: "Lee Leffingwell" <Lee.Leffingwell@ci.austin.tx.us>, "Mark Nathan" <Mark.Nathan@ci.austin.tx.us>
Date: 02/23/2010 06:08 PM
Subject: Fw: CNN Town Hall Meeting February 24 5-6 PM Austin City Council Chambers

FYI....Jay Rubin is the head of the Austin Jewish Community Center. His son Josh has been with CNN's mobile studio since the last Presidential Campaign.

Sent via BlackBerry by AT&T

From: Liza Levine [REDACTED]
Date: Tue, 23 Feb 2010 17:07:36 -0600
To: <Randi@ [REDACTED]>
Subject: CNN Town Hall Meeting February 24 5-6 PM Austin City Council Chambers



You may have noticed the CNN Express, a big blue bus and high tech mobile television studio, planted in front of The Long Center this week. CNN has been filming and broadcasting a series entitled "Building Up America," exploring how Central Texans are creatively coping with current economic challenges. Check out the initial segment at <http://www.cnn.com/video/#/video/politics/2010/02/22/foreman.buildingup.iref=allsearch>

On Wednesday, February 24, from 5:00-6:00 p.m., CNN is sponsoring a "Building Up America Town Hall" meeting in Austin City Council Chambers. Hosted by national correspondent Tom Foreman, the Town Hall meeting is open to all on a first come, first served basis until all 300 or so seats are filled.

My son Josh, the CNN Express producer, has asked me to help spread the word far and wide. Please feel free to share this announcement with family, friends and colleagues.

Thanks.

-Jay

Jay L. Rubin, Chief Executive Officer
Jewish Federation of Greater Austin
Dell Jewish Community Campus
7300 Hart Lane
Austin, Texas 78731
[jay.rubin@ \[REDACTED\]](mailto:jay.rubin@ [REDACTED])
512.735.8006 (W)
512.735.8043 (F)
Twitter: @ [REDACTED]
www.shalomaustin.org
www.TheJewishOutlook.com





From: randi@[REDACTED]
"Eugene Sepulveda" [REDACTED] Lee Leffingwell"
To: <Lee.Leffingwell@ci.austin.tx.us> "Randi Shade"
<rshade@[REDACTED]>
Cc: "Marti Bier" <Marti.Bier@ci.austin.tx.us>
Date: 02/23/2010 05:30 AM
Subject: Re: Gay Bashing This Weekend in City Hall Parking Garage

Thanks for the heads up. I've heard nothing about this. Will get right on it and get back to you.

Sent via BlackBerry by AT&T

-----Original Message-----

From: "Eugene Sepulveda" [REDACTED]
Date: Mon, 22 Feb 2010 10:37:36
To: Lee Leffingwell<Lee.Leffingwell@ci.austin.tx.us>; Randi Shade<rshade@[REDACTED]>
Subject: Gay Bashing This Weekend in City Hall Parking Garage

Have you two heard about this?

<http://www.kxan.com/app/news/kxan-men-beaten-leaving-gay-bar>

Seems as if there would certainly be video camera coverage from the parking garage isn't there?

Would either of your staffs be able to confirm this is being pursued. I'm sure it is but would feel so much better knowing so.

Thanks for any help

Eugene Sepulveda
[REDACTED]

HelpHaiti - donate to Haiti and your contribution matched 1:1 by the
Entrepreneurs Foundation (\$600k available) click here:
<http://www.givetoaustin.org/helphaiti/>





From: randi@[REDACTED]
To: "Mike Martinez" [REDACTED] "Mark Nathan"
Cc: "Lee Leffingwell" [REDACTED]
Date: 02/06/2010 05:36 PM
Subject: Re: Ha.

Mark's link leaves out the last three letters (php). Try this or type php to the end of Mark's link:

http://blogs.villagevoice.com/runninscared/archives/2010/02/7_political_ads.php

-----Original Message-----

From: Mike Martinez
To: Mark Nathan
Cc: Lee Leffingwell
Cc: Randi Shade
Subject: Re: Ha.
Sent: Feb 6, 2010 5:21 PM

Doesn't work when I click the link

Departa de iPhone

On Feb 6, 2010, at 4:52 PM, Mark Nathan [REDACTED] wrote:

http://blogs.villagevoice.com/runninscared/archives/2010/02/7_political_ads.php

See #3.

Sent via BlackBerry by AT&T





From: randi@ [REDACTED]
"Mark Nathan" [REDACTED] "Lee Leffingwell"
To: <lee.leff@ [REDACTED]> "Mike Martínez"
[REDACTED]
Date: 01/15/2010 08:53 PM
Subject: Re: Hanger signs lease...

I became aware of this on Tuesday and have expressed my dissatisfaction with Marc and Sue. Bottom line is that once the state and hanger signed their contracts --- the deal was done.

The city staff negotiated a good deal but did a poor job with communication. The deal they conditionally offered was just enough for the state to step up. Our public process also proved to be problematic so Hanger and the State (and Chamber) decided not to worry too much about it especially knowing that the city money is such a small piece of the deal. The staff couldn't control that (we're the ones who put the process in place) -- I think they tried.

If we don't approve the deal we'd be crazy, but yeah, the public process for next week is pure theater. I have ideas about how to address this situation better in the future but for now -- we are where we are --- just as was the case with the police commander position.

As Mark said earlier, onward.

-----Original Message-----

From: Mark Nathan
To: Randi Shade
To: Lee Leffingwell
To: Mike Martinez
Subject: Hanger signs lease...
Sent: Jan 15, 2010 8:18 PM

http://www.statesman.com/blogs/content/shared-gen/blogs/austin/realestate/entries/2010/01/15/hanger_orthopedic_lease_inked.html?cxntfid=blogs_the_real_deal

I wasn't aware that Hanger would be signing a lease before you voted on their deal - were you? While I think the Hanger deal has come off extraordinarily well so far (appropriately), this story doesn't look good from a process point of view. Signing a lease suggests that Hanger knows this is a done deal, making your new public process appear not very meaningful...

Sent via BlackBerry by AT&T

