

From: webapp@ci.austin.tx.us  
Sent: Monday, February 28, 2011 10:12 AM  
To: OCA\_Integrity Unit  
Subject: Fraud, Waste, or Abuse Allegation

## **FRAUD, WASTE, OR ABUSE ALLEGATION**

1. Briefly describe the **EVENTS** or circumstances that you believe represents fraud, waste or abuse.

The Austin American Statesman reported on 02/26/2011, that Mayor Lee Leffingwell and Council member **Mike Martinez** made derogatory statements about Austin City Manager **Marc Ott**, Fire Department Chief **Rhoda Mae Kerr** and the President of the Austin Black firefighters, **Mr. Bobby Johns**. These comments, in the form of emails, will be submitted independently within the context in which they were made to support the premise of this complaint. The City Charter, section 2-7-1 and 2-7-62 specifically define the standard of conduct for all city officials and employees. The City of Austin's Charter, also specifically forbid Austin City Council members from interfering in personnel matters. The comments made by Mayor Leffingwell and council member Martinez, not only slander Mr. Ott, Ms. Kerr and Mr. Johns, but also are in support of the white firefighters and their union, who have an open lawsuit against the City of Austin. Mayor Leffingwell and Council member Martinez comments, actually have the potential of undermining the position of City manager Ott and his legal team. Mayor Leffingwell and Council member Martinez comments, are actually supporting the position of the white firefighters union against the interest of the city of Austin. This is clearly unethical and perhaps illegal. In addition, the comments convey racist and sexist overtones.

2. These events occurred on (enter **DATE** or **DATES**) at (enter the **LOCATION**).

These events cited in this complaint are part of the emails that were released on 02/26/2011. The comments cited are dated 04/08/2010.

3. List the **NAMES** of other persons who can support your description of events or provide other information about these circumstances.

**Nelson Linder - President Austin NAACP Stanley Coleman - 1st Vice President Austin NAACP** The emails are now public information

4. Name of the **PERSON** or **PERSONS** who you believe acted wrongly or inappropriately and the City **DEPARTMENT(S)** where these individuals work.

**Mayor Lee Leffingwell - Mayor City of Austin Mike Martinez - Council member City of Austin**

5. These events or circumstances could represent a violation of (check all that apply):

☒ City Policy  
☒ City Charter

☒ City Ordinance  
☐ State Regulation/Law

☐ Federal Regulation/Law

☒ Other

Other Specifics: The comments appear to have racial and sexist overtone.

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**HOW CAN WE CONTACT YOU?** This information is optional. If you prefer to NOT give us your contact information, it will be your responsibility to contact us frequently in case we have additional questions or need additional information.

Name: **Nelson E. Linder**

Phone: **512-695-6674**

E-mail:

Would you prefer to remain anonymous? **no**

Please provide our office with a 4 to 10 character password if you wish to follow-up on the status of your allegation. It is important that you hold on to this password. In order to protect our informants and the integrity of our investigations, we will not be able to release information without first verifying your password.