

Carlos Leon -

11/4/19

From: Austen, Rebecca - BC
Sent: Wednesday, June 19, 2019 7:05 AM
To: Nguyen, Vicky <Vicky.Nguyen@austintexas.gov>; Kennedy, Rebecca <Rebecca.Kennedy@austintexas.gov>; Dore, Bryan <Bryan.Dore@austintexas.gov>
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Subject: Citizen Communications

Carlos Leon's communications to the Commission for Women are hateful, derogatory, racist, sexist and immaterial to the work of the Commission. Commissioners have shared that they feel threatened and harassed by his speeches, even with security present at our meetings. I understand we cannot prohibit hate speech or prevent citizens from attending meetings, per First Amendment rights. I would like to understand what options Commissioners have in this situation. After the meeting is called to order, is there a quorum issue if a majority or all Commissioners step out of the room during any portion of citizen communications, given there is no action or vote required during this part of the agenda? Is there an issue if the Chair and/or Vice Chair steps out during this time?

We are honored to serve the City as Commissioners and deeply committed to our work. We simply do not wish to be repeatedly subjected to a toxic environment when we convene. Thank you.

Becky Austen, Chair

City of Austin Commission for Women

Rebecca Austen
Boards and Commissions

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Office of the City Auditor - The Austin City Charter created the Office of the City Auditor to assist the Austin City Council, citizens, and City management in establishing accountability, transparency, and a culture of continuous improvement in City operations and service delivery. To achieve this mission, we conduct performance audits, complete special projects, and investigate reports of fraud, waste, or abuse. Our office follows Generally Accepted Government Auditing Standards which require us to be independent and objective. By remaining free of any influences, we are able to provide objective and credible information to the City Council, the citizens, and City management. Our office reports through the City Council Audit and Finance Committee. The City Auditor is appointed by the City Council and reports to it.

Common examples of fraud, waste, or abuse include, but are not limited to:

- Theft or misuse of City resources (i.e. time, vehicles)
- Personal use of City-owned vehicles, equipment or supplies
- Corruption (conflicts of interest, or offering or accepting bribes)
- Misuse of City information
- Falsification of official documents
- Retaliation

https://library.municode.com/TX/Austin/codes/code_of_ordinances?nodeId=TIT2AD_CH2-7ETFIDI_ART2ETRECO_S2-7-31ST - City Code - CHAPTER 2-3. - CITY AUDITOR.

(H) If the city auditor determines that a city employee or official may have violated the law, or may be reasonably anticipated to commit a violation, the city auditor shall:

- (1) consult with and obtain advice from the city attorney;
- (2) promptly report the suspected violation to the appropriate authority; and
- (3) if the suspected violation is criminal, notify the appropriate chief prosecuting authority.

(J) An allegation may include an allegation of:

- (1) fraud, waste, or abuse;
- (2) a violation of personnel policy; or
- (3) a violation of law, including a violation of City Code Chapter 2-7 (Ethics and Financial Disclosure).

(L) (1) If the city auditor investigates an allegation of a violation of City Code Chapter 2-7, Article 4 (Code of Ethics) by a member of the city council or their direct staff; a person appointed by the city council pursuant to the City Charter; or a person appointed by the city council to a City board, task force, or similar body, the city auditor shall submit the results of a substantiated investigation to the Ethics Review Commission by filing a sworn complaint with the commission under City Code Section 2-7-41 (Complaints).

2-7-2 (3) - CITY OFFICIAL or OFFICIAL, unless otherwise expressly defined, means the mayor, members of the city council, municipal court judges (including substitute judges), city manager, assistant city managers, city clerk, deputy city clerks, city attorney, deputy city attorneys, all department heads or deputy department heads, whether such person is salaried, hired or elected, and all other persons holding positions designated by the City Charter, as it may be amended from time to time. City official, unless otherwise expressly defined, includes individuals appointed by the mayor and city council to all City commissions, committees, boards, task forces, or other City bodies unless specifically exempted from this chapter by the city council.

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