

From: Karen Reynolds <
Sent: Tuesday, January 5, 2021 11:18 AM
To: Rivera, Andrew <Andrew.Rivera@austintexas.gov>
Subject: Demand Removal of Jim Duncan

*** External Email - Exercise Caution ***

Andrew,

Include this on the official Zoning and Platting Commission web page for each case on the agenda.

Zoning and Planning Commission:

I again urge you and the city council to hold Jim Duncan accountable for his inappropriate behavior and demand his resignation.

Any case Jim Duncan votes on should be nullified.

Karen Reynolds

**STOP ALISON ALTER'S COVER
UP FOR JIM DUNCAN**

**REMOVE JIM DUNCAN FROM
THE ZONING COMMISSION**

RELEASE THE SECURITY VIDEO

Alison Alter Continues to Lie to Protect Jim Duncan

When I called the December 3, 2020 meeting this is what Alison said.

“...may recall Ms. Reynold’s emailed earlier in the year. My office asked the Law Department to look into it.” - Alison

ALISON THAT IS A LIE. I EMAILED YOU AS EARLY AS APRIL 2019! FOR OVER A YEAR YOU HAVE ATTEMPTED TO COVER THIS UP

“Ms. Reynolds has declined to participate in the investigation.” – Alison

ALISON THAT IS A LIE. I DIRECTLY PROVIDED INFORMATION TO LYNN CARTER OF THE CITY OF AUSTIN LAW DEPARTMENT

“...the incident did not occur in the manner Ms. Reynold’s has described.” – Alison

ALISON THAT IS A LIE. WITNESSES HAVE COME FORWARD AND FRED LEWIS THREATENED LEGAL ACTION AGAINST ONE WITNESS! THE "INCIDENT" IS CAPTURED ON SECURITY VIDEO

RELEASE THE VIDEO, CONFIRMED BY CITY HALL SECURITY PERSONNEL

Email reply to Kurt from JULY 20, 2020, over a year from the date of the reported incident

On Jul 23, 2020, at 8:39 AM, Karen Reynolds <kareynolds26@yahoo.com> wrote:

Kurt,

I find your email absolutely appalling and insulting.

I emailed to report the incident over a year ago and this is the first and only response I've received from your office. You say you "initiated an inquiry", so certainly Alison viewed the security video, and that wasn't enough? Wow!

Take Jim Duncan's misconduct seriously, this is the time for action not white sugar coated explanation!

- Remove Jim Duncan from the Zoning Commission
- Refer this matter to the Auditor and Ethics Commission -which Alison should have done over a year ago.
- Release the **security video**, confirmed by security officer Bernice Trevino showing Jim Duncan striking the African American woman on her backside. Kurt, don't play me and the public for fools, of course, I'm not referencing the video of the meeting that can be viewed on the city web.

Alison must remove Jim Duncan from Zoning Commission at the July 30th Council meeting. Don't wait another year to demonstrate that black lives do matter.

Karen Reynolds

Ms. Reynolds,

We take the issues you've raised very seriously. We initiated an inquiry into this matter in 2019 after receiving an email from you. I'd like to schedule a time for us to speak to explain our next steps and the steps that have already been taken, as well as to explain how you can access City of Austin videos and engage with the City Auditor and Ethics Commission. Please let me know when you are available to speak.

Kind regards,

Kurt Cadena-Mitchell

EMAIL April 20, 2019

From: Karen Reynolds <kareynolds26@yahoo.com>

Date: April 20, 2019 at 2:38:50 PM CDT

To: "steve.adler@austintexas.gov" <steve.adler@austintexas.gov>, "alison.alter@austintexas.gov" <alison.alter@austintexas.gov>, "gregorio.casar@austintexas.gov" <gregorio.casar@austintexas.gov>, "paige.ellis@austintexas.gov" <paige.ellis@austintexas.gov>, "jimmy.flannigan@austintexas.gov" <jimmy.flannigan@austintexas.gov>, "delia.garza@austintexas.gov" <delia.garza@austintexas.gov>, "ann.kitchen@austintexas.gov" <ann.kitchen@austintexas.gov>, "natasha.madison@austintexas.gov" <natasha.madison@austintexas.gov>, "leslie.pool@austintexas.gov" <leslie.pool@austintexas.gov>, "sabino.renteria@austintexas.gov" <sabino.renteria@austintexas.gov>, "kathie.tovo@austintexas.gov" <kathie.tovo@austintexas.gov>, "bc-ana.aguirre@austintexas.gov" <bc-ana.aguirre@austintexas.gov>, "bc-dustin.breithaupt@austintexas.gov" <bc-dustin.breithaupt@austintexas.gov>, "bc-ann.denkler@austintexas.gov" <bc-ann.denkler@austintexas.gov>, "bc-jim.duncan@austintexas.gov" <bc-jim.duncan@austintexas.gov>, "bc-bruce.evans@austintexas.gov" <bc-bruce.evans@austintexas.gov>, "bc-david.king@austintexas.gov" <bc-david.king@austintexas.gov>, "bc-jolene.kiolbassa@austintexas.gov" <bc-jolene.kiolbassa@austintexas.gov>, "bc-sunil.lavani@austintexas.gov" <bc-sunil.lavani@austintexas.gov>, "bc-nadia.ramirez@austintexas.gov" <bc-nadia.ramirez@austintexas.gov>, "bc-ellen.ray@austintexas.gov" <bc-ellen.ray@austintexas.gov>, "bc-abby.tatkow@austintexas.gov" <bc-abby.tatkow@austintexas.gov>

Subject: James Duncan Resignation Sexual Misconduct

Mayor Adler:

On April 16, 2019 I attended the Zoning and Planning Commission meeting.

Prior to the start of the meeting I saw James Duncan strike an African American woman on her backside.

He then laughed and gave her a hug.

Even if in a joking manner his action is absolutely abhorred and the severity of this misconduct is demanding of his immediate resignation.

As a point of principle, demonstrate that your office has zero tolerance for a public official to conduct himself in this manner and remove him without undue delay.

Sincerely,
Karen Reynolds
District 6 Resident

From: Karen Reynolds <
Sent: Tuesday, January 5, 2021 12:21 PM
To: Rivera, Andrew <Andrew.Rivera@austintexas.gov>
Subject: Additional Information to be posted

*** External Email - Exercise Caution ***

Andrew,

Include information below. Also, where can I view the video from the last meeting?

Karen Reynolds

December 15, 2020 Zoning and Platting Citizens Communications

Hello, my name is Karen Reynolds

You passed a resolution which stated, "We stand firmly against all forms of racism."

So I ask that you hold Jim Duncan accountable and demand Council remove him for his inappropriate misconduct towards an African American woman. Especially considering this individual's livelihood depends on presenting cases before this Commission. Allowing Jim to remain on the Commission erodes the public's trust and seriously questions the credibility and integrity of this Commission.

Jim has failed to own up to his misconduct. Quite disturbingly Jim knowingly and intentionally made up a false narrative when he was informed witnesses had reported his misconduct. In an email to Council he wrote, "While I hate to conclude such, I feel that this might possibly be a situation where certain individuals and entities are behind an effort to besmirch my reputation."

In absolute contradiction to Jim's statement, as confirmed by security guard Bernice Trevino, the incident was captured by the security camera.

So Fred Lewis can make threats against witnesses and Alison Alter can attempt to sweep this under the rug by saying, "this incident did not occur in the manner described", but the security video speaks for itself, and the city must release it.

Jim, if you are so concerned about your reputation, find your moral compass, take responsibility for your misconduct, apologies and resign. Thank you.

Emails from Jim Duncan:

From: Jim Duncan <
Sent: Saturday, April 20, 2019 10:43 PM
To: Adler, Steve <Steve.Adler@austintexas.gov>; Alter, Alison <Alison.Alter@austintexas.gov>; Casar, Gregorio <Gregorio.Casar@austintexas.gov>; Ellis, Paige <Paige.Ellis@austintexas.gov>; Flannigan, Jimmy <Jimmy.Flannigan@austintexas.gov>; Garza, Delia <Delia.Garza@austintexas.gov>; Kitchen, Ann <Ann.Kitchen@austintexas.gov>; Harper-Madison, Natasha <Natasha.Madison@austintexas.gov>; Pool, Leslie <Leslie.Pool@austintexas.gov>; Renteria, Sabino <Sabino.Renteria@austintexas.gov>; Tovo,

Kathie <Kathie.Tovo@austintexas.gov>; Aguirre, Ana - BC <BC-Ana.Aguirre@austintexas.gov>; Breithaupt, Dustin - BC <bc-Dustin.Breithaupt@austintexas.gov>; Denkler, Ann - BC <[bc-Ann.Denkler@austintexas.gov](mailto:Ann.Denkler@austintexas.gov)>; Duncan, Jim - BC <BC-Jim.Duncan@austintexas.gov>; Evans, Bruce - BC <bc-Bruce.Evans@austintexas.gov>; King, David - BC <BC-David.King@austintexas.gov>; Kiolbassa, Jolene - BC <bc-Jolene.Kiolbassa@austintexas.gov>; Lavani, Sunil - BC <bc-Sunil.Lavani@austintexas.gov>; Ramirez, Nadia - BC <BC-Nadia.Ramirez@austintexas.gov>; Ray, Ellen - BC <BC-Ellen.Ray@austintexas.gov>
Cc: Rusthoven, Jerry <Jerry.Rusthoven@austintexas.gov>; Rivera, Andrew <Andrew.Rivera@austintexas.gov>; Guernsey, Greg <Greg.Guernsey@austintexas.gov>; Gonzales, Rodney <Rodney.Gonzales@austintexas.gov>;
Subject: Inappropriate Conduct

Mayor Adler, et al

I have just been made aware that I have been charged with inappropriate conduct (see below). In an email to the City Council and my fellow Zoning and Platting Commissioners, a Ms. Karen Reynolds has accused me of striking “an African- American woman on her backside.”

The facts of the matter are that I did approach an old friend and former professional associate, Ms. , that I had not seen for some time (Ms. and I worked together for the City in the mid-1980s). At the time, she was facing away from me and I tapped her on her back with my brief case to get her attention. When she turned around, we engaged in a friendly embrace and brief conversation.

Mr. Andrew Riviera, our staff liaison, observed the encounter and subsequently told his boss, Mr. Jerry Rusthoven, that he felt I had been disrespectful to Ms.. Mr. Rusthoven then contacted Ms. to verify/confirm what Mr. Rivera witnessed and to find out if she concurred with his assessment and wanted to file charges. According to Ms., she confirmed that I did, indeed, tap her on the back and that while the tap startled her, she was not offended and therefore did not wish to file any charges.

Four days later, an individual named Ms. Karen Reynolds, who alleges to have also witnessed my encounter with Ms. transmitted emails to City Council and ZAP members claiming that my action was “absolutely abhorred and that the severity of this misconduct demanded my immediate resignation” and that the city should have “zero tolerance for such an action and remove (me) without undue delay.” While I hate to conclude such, I feel that this might possibly be a situation where certain individuals and entities are behind an effort to besmirch my reputation in order to squelch my periodic criticism of their problematic ability to manage an effective planning and zoning program (as also previously documented by The Zucker Report).

In conclusion, I would like to unequivocally state that I have the highest respect and regard for Ms. . Of all those planners I have worked with previously, she is by far one of the most capable, competent and committed. It is truly unfortunate that someone with her abilities felt compelled to leave City service as early as she did.

Regards

Jim Duncan

James B. Duncan, FAICP, CNU | Urbanologist Emeritus | 11405 Pradera Drive | Austin, Texas 78759 | 512-658-8875