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Dear Members of the Independent Redistricting Commission:

I regret imposing on your time again. It would be natural for you to want to get on about the business of organizing this commission and drawing council districts rather than spending your valuable time hearing again and again from those of us with suggestions. Nevertheless, I feel compelled by present circumstances to address a few points.

Meetings with the City Auditor, City Manager and Mayor. I suggest that the commission designate a group of commission members to meet separately with the city auditor, city manager and mayor. The meetings must not be about redistricting. Instead, they should address the logistics of the commission going forward. As indicated below, I think this commission is not being fully informed about its authority or about how it can and should operate. I think it is critical that this commission assume its rightful role.

A Commission Bank Account. This commission should create a separate bank account for itself. Money from the city should be deposited to the account in a lump sum amount and dispersion from the account controlled by the commission (e.g. possibly requiring the signature of two members of the commission). It is my understanding that the city staff has suggested that agreed payments by the commission should be paid from city accounts like the expenses of other city commissions is mistaken. The city auditor and his staff are the best source of advice on how to accomplish this financial independence and may actually be able to help in the processing of future payments. Hopefully, the city manager and mayor will cooperate, perhaps by providing full time secretarial assistance to help the executive director if needed.

This Commission Derives Its Authority Directly from the City Charter. This commission is unlike any commission or task force previously existing in the history of Austin. It was created by charter amendment and independent of the control or lawful influence of the city council or the city government. The charter is supreme over any policy adopted by city government or city council ordinance. It is a legitimate legal question as to whether this commission is subject to any of the city's rules and regulations.

I am not suggesting that the city's rules and regulations should be ignored. The legal issues are complicated and the answer as to whether a city requirement (e.g. procurement, hiring) applies to this

commission's actions may vary according to the particular requirement and its origin (e.g. state law, charter, or ordinance). However, I believe that this commission should approach each issue with the realization that its authority is derived from the charter and should be skeptical about the applicability of a city rule or regulation, especially when application of the rule or regulation impedes the ability of this commission to carry out its duties and mission as set by the charter.

Disappointment With The City Staff. I am unsure whether anyone with the city has advised this commission of the critical difference between this commission and the dozens of others created by ordinance. If not, the city staff was negligent for not doing so. From what I have seen, this commission is being treated as an afterthought as though it was one of the many other commissions created by ordinance. Perhaps the city staff can be forgiven for this oversight; perhaps not. I cannot give you legal advice about your authority and particular city rules and regulations, but the city staff should do so.

Executive Director. There are many well qualified persons who are interested in serving as the executive director of this commission. The person, or firm, should be hired directly by this commission after an appropriate search. The less city involvement in the hiring process, the better.

Thank you.

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