

ETHICS REVIEW COMMISSION
CHAPTER 2-7 CITY CODE
COMPLAINT

AUSTIN CITY CLERK
RECEIVED

2016 MAY 23 AM 8 12

NAME OF PERSON(S) FILING COMPLAINT: Pinaki Ghosh

MAILING ADDRESS: 3606 Grant Street, Austin, TX, 78721

PHONE NUMBER: 5125772170

EMAIL ADDRESS: [REDACTED]

PLEASE FILE A SEPARATE COMPLAINT FORM FOR EACH PERSON COMPLAINED AGAINST.

NAME OF PERSON COMPLAINED AGAINST: Rondella Hawkins

CITY OFFICE, DEPARTMENT, COMMISSION: Telecommunication and Regulatory Affairs, Community Technology and Telecom Commission.

MAILING ADDRESS: unknown

PHONE NUMBER [IF KNOWN]: unknown

EMAIL ADDRESS [IF KNOWN]: rondella.hawkins@austintexas.gov

The Ethics Review Commission has jurisdiction to hear complaints alleging violation(s) of the following provisions:

- City Code, Chapter 2-1, Section 2-1-24 (City Boards, Conflict of Interest and Recusal)
- City Code, Chapter 2-2 (Campaign Finance)
- City Code, Chapter 2-7 (Ethics and Financial Disclosure), except for Article 6 (Anti-lobbying and Procurement)
- City Code, Chapter 4-8 (Regulation of Lobbyists)
- City Charter, Article III, Section 8 (Limits on Campaign Contributions and Expenditures)

PLEASE LIST EACH ALLEGED VIOLATION OF THE ABOVE CITY CODE AND CHARTER PROVISIONS SEPARATELY ON THE FOLLOWING PAGES.

I.

SECTION OF CHARTER OR ORDINANCE VIOLATED:

- City Code, Chapter 2-1, Section 2-1-24 (City Boards, Conflict of Interest and Recusal)
- City Code, Chapter 2-7 (Ethics and Financial Disclosure), except for Article 6 (Anti-lobbying and Procurement)

DATE OF ALLEGED VIOLATION: February 11, 2016

ACTIONS ALLEGED TO BE A VIOLATION:

Mr. Rondella Hawkins, who is the liaison for the CTTC (Community Technology and Telecommunication Commission) and manager for TARA (Telecommunication and Regulatory Affairs), has created an environment of corruption within the commission. Government employees directly ask for gifts using their government emails, misuse public finance, misuse government position, have unhealthy relationship with private enterprises like SXSW. The entire commission is being used by Mr. Hawkins, couple of her subordinates and Mr. Lemuel Williams for personal gains and as a result citizens are suffering.

On February 10 suddenly Mr. Hugh Forrest of SXSW was invited to our commission meeting. This was never discussed in previous meetings. This was done with an internal discussion between Mr. Lemuel Williams, chair of the commission and Mrs. Rondella Hawkins. This was a complete waste of time for the commission so we questioned why he was brought in. There was no answer.

In the month of April, I requested to see Mrs. Hawkins email through an PIR. I found that Mrs. Rondella Hawkins was actually asking for SXSW tickets from Hugh Forrest as gift from 2015 onwards and made some deals which was never approved by anybody in the city executive level. (please see attached email Exhibit 1). She was able to delete all the emails but this was hidden under "sent" email and she did not see it to delete it. Otherwise I would not have received them. These tickets are worth \$1100 each. I have attached this example. (Adds to about \$3300) In 2 years she received more than \$6600 in gifts from SXSW.

Mrs. Hawkins was also taking complimentary tickets from other conferences which I objected to. (Exhibit 2). Her small group made more than 9 conference trips in 2015. (This does not include SXSW or other Austin conferences)

Mr. Hawkins not only took the tickets for herself but also for her subordinates. Since SXSW has no connection to TARA and is only related to CTTC so she used her CTTC liaison position to get these tickets. These were never mentioned to the commission or to city clerk's office. (attached email from Mrs. Hawkins) Based on this email Mrs. Hawkins should be prosecuted by city prosecutors. I have rarely seen such gross disregard for law in the government.

I saw numerous corruptions in the operation of the commission so I decided to resign because I refused to put personal interest before citizen's interest, which I will elucidate. (It is also a fact that after I brought some of these corruptions to the notice of my council member, Mrs. Ora Houston, who indirectly asked me to resign)

The city ordinance, 20111208-073, which controls the commission provides the commission with extremely broad range of tools to work on for public interest in the field of technology and telecommunication. The commission has capability to improve the citizen's communication channels dramatically but the commission was not allowed to work on any of these things to rather it was directed to work on things which directly supported the interest of Mrs. Hawkins and Mr. Lemuel Williams personal career goals.

I, Pinaki Ghosh, was leader for an independent cellular workgroup within the commission to study the cellular network performance in and around the city. For this workgroup I was asked to set up meetings with the cellular companies to understand their technology. Mrs. Hawkins, being a member of the executive branch, took effort to cancel my meetings with help of Mr. Williams without my permission. Mrs. Hawkins did this to have control over the commission. She was afraid of losing her perks and privileges through the commission. During this time Mr. Hawkins was directly communicating with Mr. Williams in his office email to avoid detection. (Exhibit # 3). In other times she always uses Mr. William's city email though.

Mrs. Hawkins forced some commission members to work on a fund called GTOPS which was not in our bylaws. She was encouraging us to advise our council members to increase the fund from \$200K to \$500K even though we had no jurisdictions or capacity to work on any budgets. This GTOPS fund is a massive source of corruption and not audited. Much of the GTOPS fund went to a non-profit where an ex-commissioner is board member.

City is developing a comprehensive telecommunication plan and the city ordinance specifies that such plan "shall" have to be brought before the commission. But again Mrs. Hawkins refused to bring any of that plan in-front of the commission violating city ordinance to ensure that the commission only focusses on her personal goals and not the interest of the citizens. (Exhibit #4) Much of these were done on behest of private cable companies which contribute to the city coffers while the wireless companies do not.

Much of these have been done on behest of the cable companies like hiding incidents of accidents during cable installation which is one of the primary duties of the commission. (Exhibit #5) – she has time to give interview to news-papers but she did not allow us to do our primary job to help the citizens. We were not allowed to discuss these accidents instead we had to listen to Hugh forest of SXSW so that some people can get free tickets.

This is a shameless exhibition of the corruption that is eating many parts of our city government. The commissions are supposed to be independent bodies and be eyes and ears of the council members to provide them the best possible advice. The biggest loser are the citizens because even today about 70 to 80% of Austin has sub-par to no cellar coverage which helps the cable companies.

WITNESSES OR EVIDENCE THAT WOULD BE PRESENTED: I would like to testify myself.

ALL THE STATEMENTS AND INFORMATION IN THIS COMPLAINT ARE TRUE AND FACTUAL TO THE BEST OF MY KNOWLEDGE.

DATE: May 23, 2016



COMPLAINANT'S SIGNATURE

PINAKI GHOSH

PRINT NAME

STATE OF TEXAS

COUNTY OF TRAVIS

This instrument was acknowledged, sworn to and subscribed before me by

Pinaki Ghosh

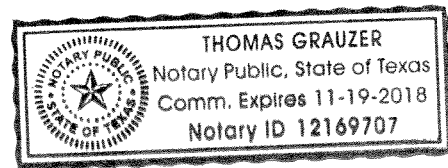
On the 23rd day of May, 2016, to certify which witness my hand and official seal.



Notary Public in and for the State of Texas

Thomas A. Grauer

Typed or Printed Name of Notary



THIS FORM MUST BE SUBMITTED TO THE OFFICE OF THE CITY CLERK.

(1/2)

Exhibit - 1

Please see both
pages -

Rondella M. Hawkins, Officer
Telecommunications & Regulatory Affairs
City of Austin
512-974-2422
512.217-0783

Rondella.Hawkins@austintexas.gov
http://www.austintexas.gov/department/telecommunications

From: Hugh Forrest [mailto: [REDACTED]]
Sent: Wednesday, February 11, 2015 6:10 PM
To: Hawkins, Rondella
Subject: Re: SXSWi tix

Rondella,

Thanks for reaching out. And, thanks for hosting me at the Commission tonight.

Do you have budge to purchase one badge for Interactive at the early bird rate (\$825)?

Best regards,

Hugh Forrest

SXSW Interactive Festival

On Wed, Feb 11, 2015 at 4:53 PM, Hawkins, Rondella <Rondella.Hawkins@austintexas.gov> wrote:

Hello Hugh,

I hope you are doing well and I know you are crazy busy with upcoming SXSW and all!

Is there a possibility of getting 3 *complimentary or significantly discounted* tickets to SXSWi. This would include myself and two of my digital inclusion team members?

Anything would be greatly appreciated!

See you shortly at the Community Tech Commission meeting. Appreciate you carving out the time.

Thanks,

Rondella M. Hawkins, Officer

Telecommunications & Regulatory Affairs

City of Austin

512-974-2422

Rondella.Hawkins@austintexas.gov

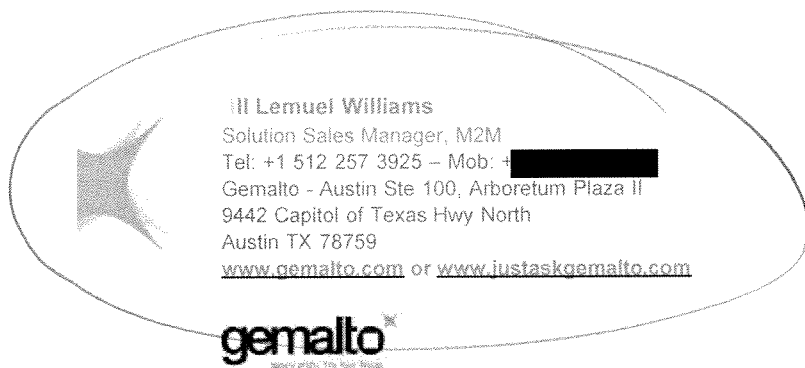
<http://www.austintexas.gov/department/telecommunications>

Exhibit-2
(11)

Travel Expense Record						
PIR25462						
Travel Date	Location	Event/Purpose	Employee	Travel Expenses Total (object code 6532)	Training / Seminar Fees (object code 6531)	
1/15/2015	Kansas City, MO	Gigabit City Summit - Panelist	Hawkins, Rondella	\$ 185.48	n/a	
8/15/2015	Washington, DC	Housing & Urban Development National Connect Home Summit - Invited as panelist about the "Unlocking the Connection" program	Hawkins, Rondella	\$ 1,280.69	n/a	
	White House					
9/7/2015	San Diego, CA	National Association of Telecommunications Officers and Advisors (NATOA) * Annual Conference - panelist	Hawkins, Rondella	\$ 1,185.45	\$ 575.00	
10/14/2015	Grapevine, TX	Texas Association of Telecommunications Officers and Advisors (TATOA) Annual Conference - board member	Hawkins, Rondella	\$ 612.24	n/a	
11/4/2015 **	Nashville, TN	National League of Cities - Represented City of Austin to receive NLC's Digital Inclusion Leadership Awards for "Unlocking the Connection" Program	Hawkins, Rondella	\$ 1,510.05	n/a	
3/9/2015	Huntsville, AL	Open Telephony Training	Pence, John		\$ 1,200.00	
9/29/2015	Oakland, CA	Code for America Summit	Speirs, John	\$ 1,263.79	Complimentary	
9/29/2015	Oakland, CA	Code for America Summit	Chamberlain, Sharla	\$ 1,184.75	\$ 495.00	
10/14/2015	Grapevine, TX	Texas Association of Telecommunications Officers and Advisors (TATOA) Annual Conference	Lewis, Paul	\$ 637.73	\$ 150.00	

* association name corrected to include "Officers"
**typographical error in date corrected

From: Williams, Lemuel
To: Williams, Lemuel - BC
Subject: FW: meeting with ATT for council work-group
Date: Monday, April 11, 2016 9:00:25 PM



From: Hawkins, Rondella [mailto:Rondella.Hawkins@austintexas.gov]
Sent: Monday, March 28, 2016 8:11 AM
To: Williams Lemuel - office email
Subject: RE: meeting with ATT for council work-group

Lem,

Pinaki is reaching out to AT&T. Please see email exchange below. Bob is asking me for some direction whether or not to meet with him. Pinaki has not gone to Zimmerman's office.

Let's talk...

Rondella M. Hawkins, Officer
Telecommunications & Regulatory Affairs
City of Austin
[512-974-2422](tel:512-974-2422)
[512.217-0783](tel:512.217-0783)
Rondella.Hawkins@austintexas.gov
<http://www.austintexas.gov/departments/telecommunications>

From: DIGNEO, ROBERT H [mailto:robert.digneo@att.com]
Sent: Monday, March 28, 2016 8:01 AM

Exhibit - 3
(2/2)

regards
Pinaki Ghosh

From: Edwards, Robert Lynn [REDACTED]
Sent: Thursday, March 24, 2016 4:19 PM
To: Ghosh, Pinaki - BC
Subject: FW: Contact information

Pinaki,
This is who contacted me and told me I was not permitted to have the call. Attached is the email I sent to you as well to cancel the call.

From: Williams, Lemuel - BC [mailto:bc-Lemuel.Williams@austintexas.gov]
Sent: Tuesday, March 22, 2016 10:11 AM
To: Edwards, Robert Lynn; Hawkins, Rondella
Subject: [E] Contact information

Hello Robert,
Thank you for your time this morning and please cancel the meeting scheduled for Friday.

Best,
Lemuel Williams

Lemuel Williams
Boards and Commissions

IMPORTANT NOTICE: The City of Austin provides e-mail addresses for members of its boards and commissions for their use as board members. This address should not be used for private or personal messages. The views expressed in e-mail messages reflect the views of the authors alone, and do not necessarily reflect the views of any board or commission of which the author may be a member. In particular, the views expressed here do not necessarily reflect those of the City of Austin, or any of its departments, employees or officials. E-mail messages may be subject to required public disclosure under the Texas Public Information Act.

Pinaki Ghosh
Boards and Commissions

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From: DasGupta, Sumit - BC
To: Williams, Lemuel - BC
Subject: Fw: reporting an incident
Date: Thursday, March 31, 2016 10:52:17 PM
Attachments: Cellular Communication Workgroup - Community Technology and Telecommunication Commission.msg

Hello Commissioner Williams, I apologize I could not contact you after we last spoke. I had to go out of town, came back a short time back and saw this note. I would like to discuss this tomorrow, so will call you. This is quite unsettling.

Sumit

Sumit DasGupta
Member, City of Austin Community Technology &
Telecommunications Commission

From: Ghosh, Pinaki - BC
Sent: Wednesday, March 30, 2016 9:30 PM
To: [REDACTED] CTTC_Commissioners
Cc: Hawkins, Rondella; Speirs, John; Reina, Jane; Lewis, Paul
Subject: reporting an incident

Hello Fellow Commissioners,

I would like to report an incident - since this does not involve the public so I am writing to quorum (also I may not be involved with this commission much longer). As you may remember in last meeting we had heated discussion about Cellular work-group and my challenges to set up meetings with Cell phone companies. I was actually able to set up a meeting with Verizon who did similar work in Virginia. To my surprise Mr. Williams and Mrs. Hawkins went behind me to cancel my meeting without my consent. (please see the attached mail)

The challenge is that the commissions are quasi-legislative bodies - they are sacrosanct. Once created you do not touch them - that's how this country works. I will take some strong steps now (also involve DAs office) - if I have to leave the commission I am fine with that but we cannot compromise the basic premises of our democracy and separation of power.

Finally, the fact that we are not involved with the comprehensive telecom plan - which is our core job and instead we are managing a 200K grant is rather funny. Today you are a commissioner but tomorrow you may be a citizen asking a commission for help. So its important we allow the commissions to remain free and independent otherwise we are undermining democracy.

regards
Pinaki Ghosh

From: Edwards, Robert Lynn [REDACTED]
Sent: Thursday, March 24, 2016 4:19 PM
To: Ghosh, Pinaki - BC
Subject: FW: Contact information

Pinaki,
This is who contacted me and told me I was not permitted to have the call. Attached is the email I sent to you as well to cancel the call.

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Sent: Tuesday, March 22, 2016 10:11 AM
To: Edwards, Robert Lynn; Hawkins, Rondella
Subject: [E] Contact information

Hello Robert,
Thank you for your time this morning and please cancel the meeting scheduled for Friday.

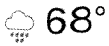
Best,
Lemuel Williams

Lemuel Williams
Boards and Commissions

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Pinaki Ghosh
Boards and Commissions

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Google Fiber install process draws hundreds of complaints

BUSINESS

By Claudia Grisales - American-Statesman Staff



30

Posted: 12:00 a.m. Saturday, Feb. 20, 2016

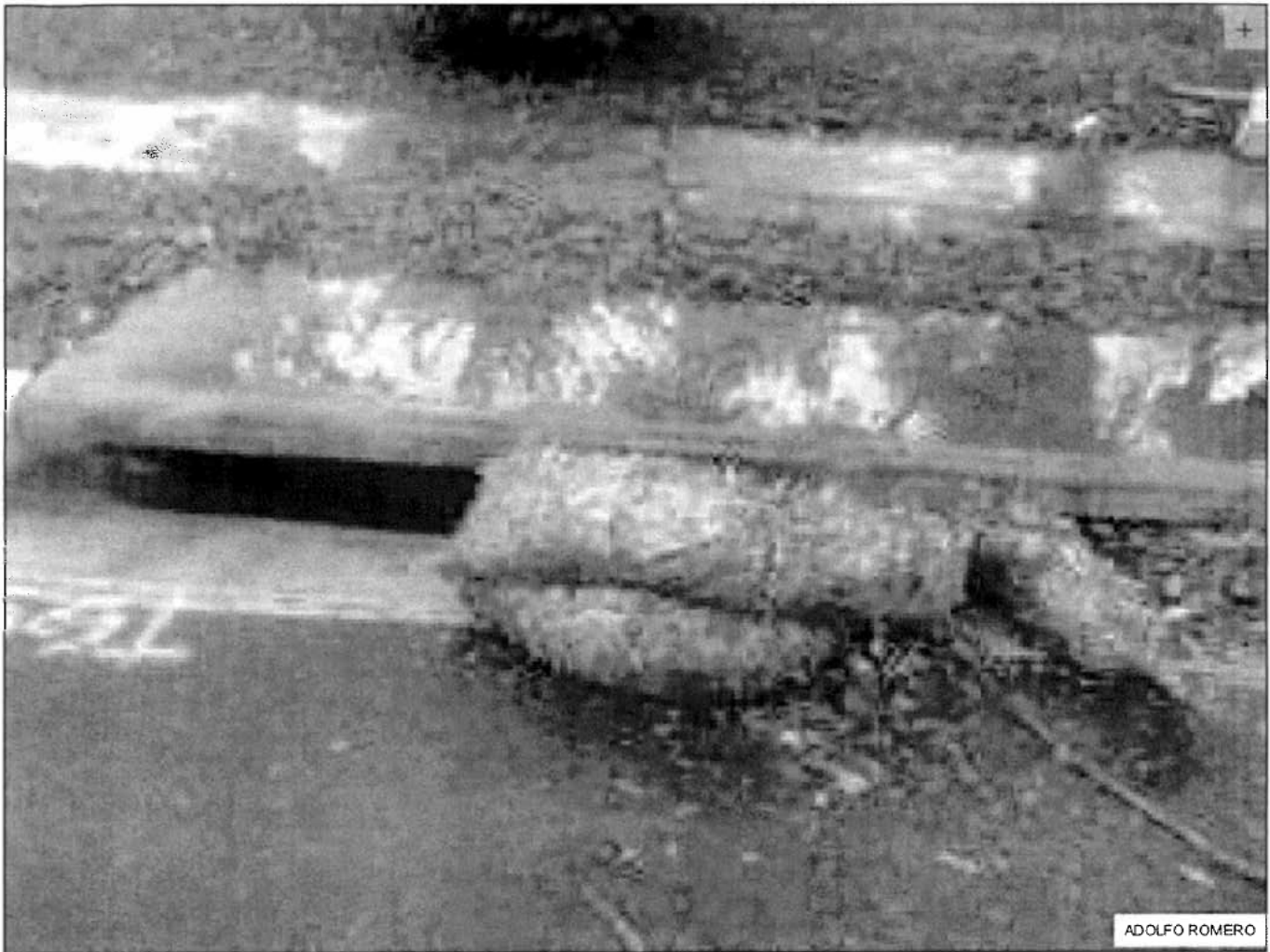
On Lambs Lane in Southeast Austin, the words “Google Fiber” can set neighbors off into a firestorm of anger, frustration and even tears.

For months, more than a dozen neighbors on the modest street have said they’ve battled the Internet giant and its contractors over construction eyesores and October flooding they say was aggravated by workers leaving behind materials that blocked several storm drains.

Two of those residents, Arnulfo and Dolores Cruz, can hardly contain their sobs when they recall Oct. 30, the day 2 feet of water rushed into their home and ruined most of their possessions.

“We are ruined,” an emotional Arnulfo Cruz, 51, says in Spanish between waves of tears. “We don’t understand. I don’t know what to do. I don’t sleep at night because I don’t know what is happening tomorrow.”

Google drew national attention — and enthusiastic support locally — when it announced in April 2013 that it planned to bring its superfast Google Fiber service to Austin. At 1-gigabit speeds, a user can download 25 songs in 1 second, a TV show in 3 seconds and a high-definition movie in less than 36 seconds, according to industry figures. Area officials hailed it as a boon for Austin’s economy and its technology sector.



Lambs Lane resident Adolfo Romero says he took these photos of the Oct. 30 flooding on the street. Residents contend that ... [Read More](#)

But after the work began to install the infrastructure to bring that high-speed Internet service to neighborhoods across the region, hundreds of Austin residents have accused Google Fiber and their contractors of causing damage and disruption along with the installation process.

Last year, 363 complaints connected to Internet providers' construction and installation activity were filed with the city of Austin's 3-1-1 services, city records show. Of those, 254 were tied to Google Fiber or its hired contractors, such as Florida-based company MasTec Inc. Competitors AT&T and Time Warner also saw about 100 combined complaints in 2015 as they ramped up construction to boost their own services.

The complaints include home, landscape and lawn damage, trespassing and other disruptions, such as trucks blocking private driveways.



Kyle Walker shows areas outside his home in Southeast Austin where he says contractors for Google Fiber did damage to his property.

Google Fiber declined to respond to any specific allegations made against it or its contractors. Coral Gables, Fla.-based MasTec also declined to comment, referring questions to Google Fiber.

"Google Fiber's top priority is being a good neighbor. If Austinites are experiencing issues, we want to hear from them," said Parisa Fatehi-Weeks, Google Fiber's community impact manager.

"As we build one of the biggest infrastructure projects in Austin's history, we're constantly working with our contractors to improve the quality of their construction work," she said. "We're committed to ensuring that our contractors perform within industry standards and resolving the complaints we receive in an appropriate manner. Our construction hotline is open 24/7, and we welcome questions, concerns and invitations to neighborhood meetings and events. We want to help as much as we can."



Lambs Lane resident Adolfo Romero says he took these photos of the Oct. 30 flooding on the street. Residents contend that ... [Read More](#)

The company's construction hotline is 1-877-454-6959.

The city of Austin's role is limited when it comes to handling residents' complaints with Internet providers, city spokesman Bryce Bencivengo said.

"If someone calls us and complains that there has been a problem, we take that information, and if no city property has been damaged, we give them a number to call" the responsible provider, Bencivengo said.



Arnulfo and Dolores Cruz's Southeast Austin home sustained water damage in October. The couple says the flooding was caused at least in part by the installation process for the Google Fiber network in their neighborhood.

Rondella Hawkins, the city's telecommunications and regulatory affairs officer, said the level of complaints is not surprising, as the region hasn't seen a project on this scale.

"People are not used to this level of activity," Hawkins said.

However, she said city officials "are expecting the providers to be good corporate citizens and respond in a timely manner to the complaints."

Related

Interactive: Internet provider construction complaints

According to a dozen legal experts interviewed by the American-Statesman, it can be difficult

to determine who is responsible for what in disputes pitting property owners against workers involved in utility installation. The situation falls into a complicated and sometimes murky area of the law, the legal experts say.

"As lawyers say, it depends," said Judon Fambrough, senior lecturer for the Real Estate Center at Texas A&M University. "You nearly have to look at each instance separately and cannot generalize."

Several lawyers agreed, however, that when a city grants a utility access to public easements, it comes with a responsibility to be safe and address any damage caused by the work. For example, Google Fiber has a license agreement with the city that establishes minimum standards of conduct with homeowners.

"What we are talking about is: Pay attention," said Tom Carse, a Dallas-based attorney who represents homeowners in such cases. And "be careful to adhere to industry practices and you will not have a problem."

'An orange nightmare'

Today, Lambs Lane is a busy series of construction scenes, filled with the constant pounding of hammers and sounds of drills as waves of contractor crews work their way through homes damaged in the Oct. 30 floods.

More than a dozen residents along the street have filed city permits that call for a combined \$760,000 in remodeling and repair work in connection with the floods.

And that's in addition to monthslong, ongoing work to install Google Fiber infrastructure along the street, which today is marked by a series of orange nets surrounding public easement areas.

"It's turned into an orange nightmare," said resident Rose Olmeda, referring to the orange net in her front yard. "I'm so upset about this. Every day they are going up and down the street. There has to be something we can do. I'm totally fed up."

And Olmeda is one of the lucky ones: Her home didn't flood during the Oct. 30 storm.

The Cruzes and several other residents of the Nuckols Crossing neighborhood claim MasTec, Google Fiber's contractor, left behind materials that blocked storm drains on their street, which

led to flooding when a record 12 inches of rain fell on their properties that day. Several residents say they were put in hotels by MasTec's insurer for weeks as crews worked to repair water damage in the homes.

At least six residents, who declined to give their names for fear of being sued after signing a legal agreement, said they reached financial settlements with MasTec's insurer to reimburse them for damage to their vehicles, belongings and homes. At least three residents said they received \$70,000 or more in their settlement deals.

But the Cruzes weren't as fortunate. They claim they had more than \$100,000 in damage to their home and belongings and that both of their personal vehicles were ruined and equipment for their lawn care business was damaged.

The couple is still embroiled in a battle with MasTec's insurer to receive compensation. They say they have emptied out their savings accounts, maxed out credit cards and lost weeks of work to repair their home.

"All we want is to see our home finished," said Dolores Cruz, 45. "It wasn't damage that was brought about by Mother Nature. They caused it, and they need to make themselves responsible."

'Who is accountable?'

While Austin neighborhoods clamored to be included in the earliest part of Google Fiber's installation plans, complaints began to bubble up shortly after the construction phase started.

Of the 254 Google Fiber-related complaints filed last year, only two were filed in February. The number grew last summer and fall, with 185 of those coming from July through December.

Some residents say trying to track down who is responsible for what can be half the battle.

Angela Baker, president of the Battle Bend Springs Neighborhood Homeowners Association in South Austin, says her neighborhood also has been plagued with issues tied to fiber installation projects. She said she is unsure which service provider is behind the installation projects in her area.

"Who is accountable for all the troubles they've caused, regardless of who they work for?" Baker said. "Numerous contractors have come through here, and we don't know who works for

what. It's been really frustrating."

Anita Sybesma was at her 96-year-old mother's Travis Heights home in October when she noticed a stranger walking across her backyard.

She yelled at the man to stop, but when he kept going, Sybesma says she called 911.

"I said, 'Get out of the yard! You cannot be in this yard!'" she said. "I got scared. My mom has been robbed twice. So I called the police."

Sybesma said after police arrived, she learned the man was a MasTec worker trying to access a right of way area behind her mother's backyard fence. She asked to be contacted if he needed to access the yard again but said that was just the beginning of what's become a three-month saga to keep workers off her mother's property.

Sybesma has since hired an attorney.

"For three months I have been promised things from Google Fiber, and none of them have been followed through," Sybesma said. "I don't even want to use Google to find anything anymore."

City Council Member Kathie Tovo, who represents District 9, which includes the Travis Heights area, wasn't familiar with Sybesma's case, but says she's had only a few constituent calls on Google Fiber and said the company "has been very responsive."

Looking for a solution

Kyle Walker, a 25-year-old state worker who lives in the Springfield neighborhood in Southeast Austin, says he's running out of patience to resolve his issues.

Walker says he's been in a monthslong fight to address being "surrounded by holes" at and around his Running Water Drive home since Thanksgiving weekend.

"Our street has been experiencing a laundry list of issues," says Walker. "They have slung dirt all over our driveways, streets and sidewalks and not returned to clean up their messes unless prompted to do so by residents. They have used people's yards as storage grounds ... (that go) well beyond the city's right of way line."

When Google Fiber began work on a nearby street, workers completed their tasks there within a week, he said. However, it seems construction along Running Water Drive has “no end in sight,” Walker said.

Walker said he knew that Google Fiber was working in the area thanks to news reports, and he also received an initial notice of work. However, he said he had no idea that it would mean tearing up parts of his yard and others.

“Last week we drove home and there was just a giant pile of dirt in our yard,” he said. “I would have rather had Google Fiber and MasTec to have a community meeting to just talk to residents on what the installation of these lines would entail.”

Walker said he still doesn’t know which subcontractor is working on his street. Walker called the Google Fiber construction hotline and reached out to his City Council representative and to other city offices, but to no avail.

“I still don’t know who was doing the actual physical work,” he says. “They still won’t tell me. I felt like I was being stonewalled. And the city response was not very satisfying.”

City Council Member Delia Garza, who represents District 2, which includes the Southeast Austin streets of Lambs Lane and Running Water Drive, couldn’t be reached for comment last week.

Hoping for a new beginning

Last month, the Cruzes reached out to MasTec’s insurer in hopes of reaching some kind of resolution. They are still waiting.

Other families have made better progress getting compensation but haven’t been able to move back home yet as contractors work through a backlog of repairs.

“The difference is some have money but no house,” Arnulfo Cruz said. “I don’t have money, but I have my house.”

The Lambs Lane case is a complicated one. The street isn’t in a flood plain, isn’t part of a nearby Onion Creek buyout program for flood-prone homes and wasn’t impacted by any flooding from any nearby creeks connected to the Oct. 30 storms, says Kevin Shunk, flood plain administrator for the city of Austin’s Watershed Protection Department.

But Shunk also points out that the street received 12 inches of rain that day, which he said could have caused flooding even without blocked storm drains.

To repair their home, Arnulfo and Dolores Cruz say they worked 12- to 14-hour days to install new insulation, drywall, doors, cabinets and appliances throughout the home. By January, they were able to move back in.

They still don't have much furniture aside from a beloved dining room table and chair set from their native Mexico they salvaged from the floods. They purchased used mattresses, and most of their belongings remain in plastic bins.

"You know who helped us? Home Depot," Cruz said. "They saw a lot of activity on our card, asked us if we were OK and extended our credit."

The couple's two vehicles, a 2003 GMC Yukon and a 1996 Ford F-250 pickup, still run, but both have salvage titles now. The Yukon, Arnulfo Cruz says, will die soon.

Dolores Cruz says she made the mistake in the early weeks of turning away help from the U.S. Federal Emergency Management Agency, thinking a resolution would come through MasTec's insurer. Now, she doesn't know what will happen.

"Someone has to hear us," she said. "Someone has to hear us."

To dig or not to dig?

Whenever possible, Google Fiber runs its high-speed network by attaching to available utility poles to avoid digging and redundant construction. Doing so minimizes the impact of Google Fiber's construction on the city's right of way areas and traffic congestion, city officials and Google Fiber say. The city and its entities own at least 80 percent of the area's utility poles, while Dallas-based telecom giant AT&T owns the remainder. Google Fiber has an agreement with Austin Energy to access its poles and in Dec. 2013 reached a private deal that gave the Internet giant access to AT&T's utility poles as well.

— Claudia Grisales

Online interactive

An American-Statesman interactive with this story online shows the locations and times of complaints filed with the city of Austin over cable fiber installation in 2015.

About the Author



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