

Carlos León

9/3/19

To: Ms. Stephanie Hall, Boards & Commissions

Re: Library Commission Chair Catherine Hanna's unlawful decision not to allow a member of the public to speak a second time on donated time on the same item during public comment on that item

Date of Incident: Aug. 27, 2019

Location: North Village Library

● Description of Incident:

During public comment on Item 5a: (Recycled Reads), chair/presiding officer Catherine Hanna recognized Mr. Neal to speak for three minutes, which he did. Then he sat down.

For speakers later, she recognized Mr. Mendez to speak for three minutes on Item 5a. However, he donated his three minutes of speaking time to Mr. Neal so Neal could speak a second time on Item 5a to further argue for Recycled Reads.

However, chair Hanna refused to recognize

(1 of 10)

Mr. Neal a second time, dismissively saying "We're not gonna have people respeak. You've completed your comments," though Item 5a's public comment period was still ongoing.

When Mr. Neal repeatedly asked Chair Hanna what Library Commission bylaw prevented him from speaking a second time on donated time on the same item during the ongoing public comment period, Hanna did not answer his question, probably because there is no Library Commission bylaw preventing him from doing so.

However, because Hanna is a public servant, per Texas Penal Code 1.07(a)(4)(A), and because Hanna's decisions on questions of order are subject to appeal (Robert's Rules of Order 11th edition, p. 450, line 14), Hanna owed Neal a straight answer to his timely, relevant question. Therefore, Hanna allegedly did not meet her legal obligations to Neal, a member of the public.

Mr. Neal and Mr. Mendez both signed up ahead of time to speak on Item 5a. Chair Hanna did not publicly announce any limit for the number of speakers for Item 5a or any limit for the

to  
of  
a

total time allocated for public comment on Item 5a, meaning no speaker signed up for Item 5a would have lost the opportunity to speak or had their time shortened if Mr. Neal had spoken a second time on Item 5a on donated time.

Per the audio for the Aug. 27, 2019 meeting, listen to the following excerpts to verify: [See Exhibit C-1]

- Mr. Neal speaking his three minutes (37:29 - 40:48)
- Mr. Mendez donating his time / Chair Hanna not recognizing Mr. Neal a second time / Mr. Neal appealing Chair Hanna's decision (50:31 - 51:15)

## W Analysis of Incident:

- ♀ Under previous Chair Williams, public speakers Leslie O'Bell (Feb. 25, 2019 - Item 4a) and Vjera Keith (Mar. 25, 2019 - Item 4) were recognized to speak for three minutes on their respective items during public comment on those items, spoke, heard other speakers on those items, then were recognized a second time to speak a second time for another three minutes on donated time during the same public comment period on their respective items, to further their arguments

for their positions, like Neal wanted to do.  
Therefore, the same item, same speaker  
return precedent had already been set  
by the Library Commission for its  
meetings.

Though neither the Library Commission  
bylaws nor Robert's Rules of Order  
nor City Code explicitly codifies rules  
for donated time usage during public  
comment on an item, City Council uses  
the following rules for donating time  
during City Council meetings:

## "SPEAKING ON SPECIFIC AGENDA ITEMS"

### Donating Time

You may also donate your time to another  
speaker if:

You were present when the speaker began  
to address Council

You can specify the name of the speaker

A speaker may receive donated time from  
a maximum of two people present and  
may speak for a maximum of seven  
minutes. The Council may limit the  
number of speakers or the length of



total time allocated for public comment on Item 5a, meaning no speaker signed up for Item 5a would have lost the opportunity to speak or had their time shortened if Mr. Neal had spoken a second time on Item 5a on donated time.

Per the audio for the Aug. 27, 2019 meeting, listen to the following excerpts to verify: [See Exhibit C-1]

- Mr. Neal speaking his three minutes (37:29 - 40:48)
- Mr. Mendez donating his time / Chair Hanna not recognizing Mr. Neal a second time / Mr. Neal appealing Chair Hanna's decision (50:31 - 51:15)

## W Analysis of Incident:

- ♀ Under previous Chair Williams, public speakers Leslie O'Bell (Feb. 25, 2019 - Item 4a) and Njira Keith (Mar. 25, 2019 - Item 4) were
- ⊙ recognized to speak for three minutes on their respective items during public comment on those items, spoke, heard other speakers on those items, then were recognized a second time to speak a second time for another three minutes on donated time during the same public comment period on their respective items to further their arguments

for their positions, like Neal wanted to do.  
Therefore, the same item, same speaker  
return precedent had already been set  
by the Library Commission for its  
meetings.

Though neither the Library Commission  
bylaws nor Robert's Rules of Order  
nor City Code explicitly codifies rules  
for donated time usage during public  
comment on an item, City Council uses  
the following rules for donating time  
during City Council meetings:

## "SPEAKING ON SPECIFIC AGENDA ITEMS"

### Donating Time

You may also donate your time to another  
speaker if:

You were present when the speaker began  
to address Council

You can specify the name of the speaker

A speaker may receive donated time from  
a maximum of two people present and  
may speak for a maximum of seven  
minutes. The Council may limit the  
number of speakers or the length of

testimony in compliance with state law."

<http://www.austintexas.gov/departments/citizen-participation-council-meetings>

[See Exhibit C-2]

Therefore, following City Council rules, Mr. Mendez was present when Mr. Neal began to address the Library Commission and Mr. Mendez did specify Mr. Neal, the name of the speaker to whom he chose to donate his three minutes of speaking time.

Because Mendez was the one & only person donating time to Neal to speak on Item 5a during the public comment period, Neal was below the maximum of two people donating time to him, and what should have been his total speaking time of six minutes (3 + 3) would have been below the maximum of seven minutes allowed, following City Council meeting rules.

Therefore, because there is no explicit rule forcing a speaker to speak once only with donated time in a six-minute block, speaking twice with donated time (3 + 3) on an agenda item during the public comment period is allowed.

This allowance makes sense practically because sometimes one signed-up speaker (i.e., Speaker #5) hears what the previous speakers said before him or her (i.e., Speakers #1-#4), then decides to donate his or her time to a previous speaker (i.e., Speaker #2) who he or she chooses to agree more for their position on that item.

This allowance makes sense legally because the Texas Citizens Participation Act shall be construed liberally to encourage and safeguard the constitutional rights of persons to speak freely and otherwise participate in government to the maximum extent permitted by law, per Texas Civil Practices + Remedies Codes 27.002 + 27.011.

6 of 12  
Therefore, because "exercise of the right of free speech" means a communication made in connection with a matter of public concern, and "communication" includes making oral statements, and "matter of public concern" includes issues related to community well-being, the government, or a service in the marketplace (C.P. + R. 27.001 (1), (3), (7)(B), (C)), Mr. Neal had the legal right to speak a second time or donated time about Recycled Reads during the public comment



period for Item 5a to maximize his government participation during the Aug. 27, 2019 meeting.

Though the chair/presiding officer has the duty of deciding all questions of order subject to appeal (Robert's Rules of Order, 11th edition, p. 450, line 14), when Mr. Neal appealed to chair, Hanna denied her decision to unlawfully deny him speaking a second time on donated time on Item 5a during its public comment period. She refused to correctly address his direct appeal to her or check with the parliamentarian.

Further, because she refused to acknowledge his state law right to speak a second time on donated time on Item 5a supercedes her Robert's Rules of Order power to not recognize him to do so, Hanna violated City Code 2-1-1(c) and the U.S. Constitution's 14th Amendment's Due Process Clause.

Also, because Hanna apparently did so to not allow him to continue critiquing her position on the Recycled Reads recommendation before the Library Commission, she allegedly was guilty of viewpoint discrimination a First Amendment violation of the free speech clause, evidence of her not exercising the presiding officer's authority impartially, violating City Code 2-1-48 (B)(2).

(7 of 10)

Therefore, Hanna allegedly abused her official capacity to officially oppress Neal, violating Texas Penal Code's 39.02 + 39.03, which a chair should not do.

Conclusion: Hanna's violations and alleged crimes highlight why the late Justice Scalia wrote, "It is age-old wisdom among mature, experienced legal thinkers that procedure matters most: how things should be done, as opposed to what should be done."

[Reading Law (2012), by Scalia + Garner, Ch. 59, p. 348]

Scalia also said that for judges controlling courtroom proceedings "the 'how' is fidelity to law" (348); same goes for chairs controlling Commission meetings.

Actionable Recommendations: Make Hanna tow the line, though "it is a hard lesson to learn, and harder to follow" (348).

Make sure no other chair screws a speaker like this again.

}

Explore your city...

SEARCH

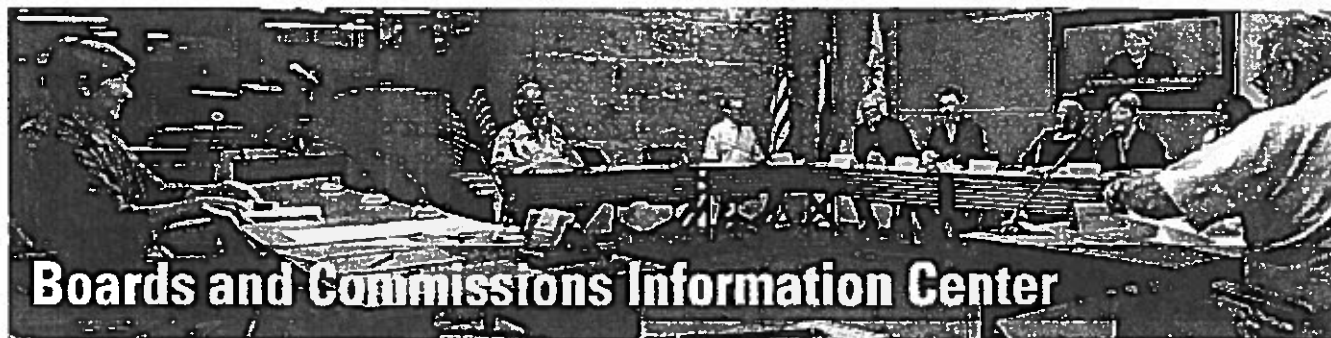
[Advanced Search](#)

**austintexas.gov**

the official website of the City of Austin

**Exhibit C-1**

Department » City Clerk



2019 Meetings: Page 1 of 2 .

Go to page: 1 2 .

## 2019 Meetings: Library Commission

Meeting documents are also available for:

[2018](#) | [2017](#) | [2016](#) | [2015](#) | [2014](#) | [2013](#) | [2012](#) | [2011](#) | [2010](#)

### August 26, 2019

Regular Meeting of the Library Commission - *The Library Commission will hold its monthly meeting on Monday, August 26, 2019 at the North Village Branch, starting at 6:30 PM.*

[Agenda \(160KB\)](#)

[Play audio - Meeting Audio](#)

[Backup - August 2019 Director's Report \(138KB\)](#)

[Backup - draft minutes July 22, 2019 regular meeting \(157KB\)](#)

[Backup - draft proposed Library Use Rules changes \(187KB\)](#)

[Backup - draft recommendation re Recycled Reads Bookstore \(118KB\)](#)

[Backup - Recycled Reads Comprehensive Financial Results \(78KB\)](#)

### July 22, 2019

Regular Meeting of the Library Commission - *The Library Commission will hold its monthly meeting on Monday, July 22, 2019 at the Old Quarry Branch, starting at 6:30 PM.*

[Agenda \(158KB\)](#)

[Play audio - Meeting Audio](#)

[Recommendation - Library Commission Recommendation 20190722-4a1: Support for Austin Public Library FY20 Budget \(139KB\)](#)

[Recommendation - Library Commission Recommendation 20190722-4a2: Support for Addition of 6 FTE](#)

# Exhibit G-2

<http://www.austintexas.gov/departments/citizen-participation-council-meetings>

## 2) Speaking on Specific Agenda Items

Citizens may speak on most agenda items by completing an electronic registration in person on the kiosks located in the lobby of City Hall. Citizens can sign up at the kiosks after 12:00 noon on the Monday prior to the council meeting. You can speak on several items; however, citizens may not speak on briefings, executive sessions or on items where the public hearing has been closed.

### Donating Time

You may also donate your time to another speaker if:

- You were present when the speaker began to address council
- You can specify the name of the speaker

A speaker may receive donated time from a maximum of two people present and may speak for a maximum of seven minutes. The council may limit the number of speakers or the length of testimony in compliance with state law.

11-1-12



\* - Because I am a whistleblower I am not providing this information. Expect me to follow up in person at the ~~City Hall~~ Law Department on the 4th floor of City Hall

FILED IN THE OFFICE OF CITY CLERK  
ON 23 DAY OF Aug 2019  
AT 12:25 PM  
JSL  
CITY CLERK

**ETHICS REVIEW COMMISSION**  
**CHAPTER 2-7 CITY CODE**  
**COMPLAINT**

NAME OF PERSON(S) FILING COMPLAINT: Carlos León

52:21 PM  
DCC RECEIVED AT

MAILING ADDRESS: \*

PHONE NUMBER: \*

EMAIL ADDRESS: \*

to receive  
all written  
correspondence  
from  
the  
ECC.

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

NAME OF PERSON COMPLAINED AGAINST: Rebecca "Becky" Austen

CITY OFFICE, DEPARTMENT, COMMISSION: Commission for Women

MAILING ADDRESS: Ask the City Clerk

PHONE NUMBER [IF KNOWN]: (512) 347-1138, per City Clerk

EMAIL ADDRESS [IF KNOWN]: BC-Rebecca.Austen@austintexas.gov  
(per City Clerk)

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.

See attached 71 page complaint, including Rationale,  
Violations, Recommendations, References/Citations,  
& Exhibits Sections.



which all was illegal

Communication to try stopping my speech & remove me from the meeting.

I.

SECTION OF CHARTER OR ORDINANCE VIOLATED: \_\_\_\_\_

DATE OF ALLEGED VIOLATION: \_\_\_\_\_

ACTIONS ALLEGED TO BE A VIOLATION:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WITNESSES OR EVIDENCE THAT WOULD BE PRESENTED: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CONTACT INFORMATION OF ANY PERSON(S), OTHER THAN THE PERSON COMPLAINED AGAINST, WHO IS IDENTIFIED BY NAME ABOVE OR IN ANY ATTACHMENTS AS INVOLVED IN THE ALLEGED INAPPROPRIATE CONDUCT: (Leave blank if inapplicable.)

NAME: The Commission for women members in

~~MAILING ADDRESS:~~ attendance during ~~city~~ Citizen Communication

EMAIL ADDRESS [IF KNOWN]: \_\_\_\_\_

NAME: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

EMAIL ADDRESS [IF KNOWN]: \_\_\_\_\_

NAME: Lewis Austin - Black Male Security Guard

MAILING ADDRESS: works for Allied Universal Security

EMAIL ADDRESS [IF KNOWN]: ask Allied Universal

\* note: Lewis Austin is an unreliable witness because when I told him at the elevator that I would be reporting his assault by contact against me to his boss, he lied saying he did not touch me to try avoiding being held

Though he clearly touched the bottom of my pants, I did not see him speaking at Citizen Communication. I was downstairs with him. I was accountable by his older white man.





[IF MORE ROOM IS NECESSARY, PLEASE CONTINUE ON A BLANK PAGE  
USING THE SAME FORMAT]

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

DATE: Aug. 23, 2019

Carlos León  
COMPLAINANT'S SIGNATURE  
Carlos León  
PRINT NAME

STATE OF TEXAS

COUNTY OF TRAVIS

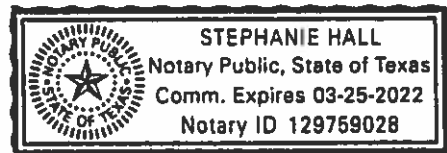
This instrument was acknowledged, sworn to and subscribed before me by

Carlos León

On the 23 day of August, 2019, to certify which  
witness my hand and official seal.

Stephanie Hall  
Notary Public in and for the State of Texas

Stephanie Hall  
Typed or Printed Name of Notary



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



## 2-1-24 Rationale

Per City Code 2-7-26, the Ethics Review Commission (ERC) has jurisdiction to hear complaints alleging violations of City Code, Chapter 2-1, Section 2-1-24 (City Boards, Conflict of Interest).

Under this section, a board member has a conflict of interest if the City Code or another law prohibits the board member from taking action on a vote or decision before the board.

In this case, the conflicts of interest are city, state, & federal laws prohibiting Commission for Women (CFW) chair/presiding officer Rebecca "Becky" Austen (See Exhibit C-1) from unofficially adopting, illegally implementing, & illegally enforcing additional, new, special Citizen Communication rules that are unconstitutional.

Because officially adopting additional, new, special Citizen Communication rules is a decision requiring a vote by CFW members, per Robert's Rules of Order governing their meetings, Austen is required to bring that decision before the CFW members during their meeting.

Therefore though Austen acted like the additional, new, special unconstitutional Citizen Communication rules she read into the record at the beginning of Citizen Communication at the July 10, 2019 meeting were already officially part of the Standing Constitutional Citizen Communication rules she first spoke, they were not.

See Exhibit C-2, a 2-paragraph draft of a City Clerk document dated July 10, 2019 that Deputy City Clerk Myrna Rios handed to me early afternoon on July 10, 2019 that Austen appeared to read from on July 10, 2019, with Paragraph 1 being the Standing Constitutional Citizen Communication rules that belong and Paragraph 2 being the additional, new, special unconstitutional Citizen Communication rules that don't belong.

Therefore the additional, new, special unconstitutional Citizen Communication rules were unofficially before the CFW July 10, 2019 when Austen spoke them out loud because Austen did not officially introduce them with a motion and did not call for a vote to officially adopt them, alleged Robert's Rules of Order violations.

(2 of 79)



In fact, the additional, new, special unconstitutional Citizen Communication rules were before the CFW for the first time on July 10, 2019, because Austen did not speak, implement, or enforce them at the June 17, 2019 CFW meeting when she did not illegally interrupt & cut short my Citizen Communication and did not illegally direct Security to illegally remove me, like she did on July 10, 2019, though I was speaking just as strongly, pointedly, & legally June 17, 2019.

(3  
&  
79)  
See Exhibit C-3 for the online link to the July 10, 2019 meeting audio to hear Austen call the meeting to order, call Citizen Communication, read out loud the Standing Constitutional Citizen Communication rules, then read out loud the ~~new~~ additional, new, special unconstitutional Citizen Communication rules (0:00-1:05) and for the online link to the June 17, 2019 meeting audio of Austen calling that meeting to order, calling Citizen Communication, and reading the standing Constitutional Citizen Communication rules only out loud (0:00-0:30), followed by my uninterrupted Citizen Communication (0:30-3:20).

Therefore, July 10, 2019, Austen acted as if

the CFW had already unofficially adopted the additional, new, special unconstitutional Citizen Communication rules before + outside the July 10, 2019 meeting, but after the June 17, 2019 meeting, violating the Texas Open Meetings Act, also evidenced by none of the attending CFW members being surprised, or raising an objection or point of order upon officially hearing the additional, new, special unconstitutional Citizen Communication rules for the first time, though they all previously claimed in writing that they:

- 1) took the oath of office;
- 2) received a copy of and agreed to comply with the City's ethics and personal responsibility guidelines; and
- 3) agreed to complete the training required by City Code Section 2-1-23 (Training) within the prescribed time period.

See Exhibit C-4 for that documentation.

The official silence response of the attending CFW members at the July 6, 2019 meeting was their tacit consent

(b)(7)(D)

of their unofficial adoption of the additional, new, special unconstitutional Citizen Communication rules.

They similarly consented to Austen's illegal implementation + enforcement of those additional, new, special unconstitutional Citizen Communication rules by staying silent while Austen illegally interrupted + cut short my Citizen Communication on July 10, 2019 and illegally directed Security to illegally remove me on July 10, 2019.

Therefore, none of them preserved, protected, or defended Constitutional law despite their oaths to do so. See Exhibit C-5 for that documentation.

(5 of 79)

Therefore, because City Code 2-1-24(A) does not explicitly exclude unofficial decisions before a commission, possibly because "decision" includes deliberations which may lead to a formal action by that body [2-7-2(4)], this conflict of interest complaint is against CFW chair/presiding officer Rebecca "Becky" Austen for taking adoption, implementation, + enforcement actions prohibited by city, state, + federal laws on the additional, new, special unconstitutional Citizen Communication rules decision before the CFW on July 10, 2019.



2-1-24  
Umbrella

Under the 2-1-24 umbrella are 13 alleged violations of related City Board codes with respect to the July 10, 2019 CFW attack on rule of law, explicating Auster's egregious abuse of official capacity & official oppression violating Texas Penal Codes 39.02 & 39.03, due to her blatant violations of the U.S. Constitution's First Amendment free speech clause, Texas Open Meetings & Texas Citizens Participation Act.

(6 of 79)

Because ERC shall accept & file any information voluntarily supplied that exceeds the requirements of the provisions within the Commission's jurisdiction [2-7-30(3)], the alleged violations are:

- 2-1-1 (C)
- 2-1-43 (B)
- 2-1-44 (A)
- 2-1-44 (D) [1 of 2]
- 2-1-44 (D) [2 of 2]
- 2-1-21 (F) [1 of 3]
- 2-1-21 (F) [2 of 3]
- 2-1-21 (F) [3 of 3]
- 2-1-3 (D)
- 2-1-48 (A)
- 2-1-48 (B)(1)
- 2-1-48 (B)(2)
- 2-1-48 (B)(3)



In the Violations section, each violation is explicated with supporting testimony & analysis, as well as evidence from the Exhibits section + References/Citations section.

Because this complaint is being filed with the City Clerk within two years from the date alleged as a violation, it's within ERC's statute of limitations [2-7-41(B)] + [2-7-41(C)].

The concluding Recommendations section is actionable to prevent this evil from happening at any future meeting of any board, commission, committee, or council.

## Violations

(7 of 79)

2-1-1(C) - Federal law + state law were superseded by Chapter 2-1, though Federal law + state law supersede Chapter 2-1 to the extent of conflict, per 2-1-1(C).

Specifically, 2-1-48(A) says, in part, that "Each person... should not... use disparaging or abusive language... during a board meeting." Though that rule of order is derived from

Robert's Rules of Order (11th edition) debate decorum rule that says, "No reviling or nipping words" (P. xxxiv - dating back to 1604). Citizen Communication is not debate, though it is part of the board meeting, because debate is "the parliamentary name given to any form of discussion of the merits of a motion." (P. 29, lines 12-13).

Therefore, Citizen Communication is a limited public forum because "Limited public forums," for purposes of free expression, are those forums which Government has voluntarily opened for use by public or certain speakers for expressive activity (Reed v. State, citing U.S.C.A. Const. Amend. 1 and Vernon's Ann. Texas Const. Art. 1 § 8).

Still, Government may restrict speech in limited public forums, as long as the regulation (1) does not discriminate against speech on the basis of viewpoint, and (2) is reasonable in light of the purpose served by the forum (Fairchild v. Liberty Independent School Dist.; Chiu v. Plano Independent School District).

(P. 479)

however, The City regulation against the use of disparaging or abusive language during Citizen Communication does not meet either of the two required criteria because disparaging and/or abusive language is inextricably intertwined with the viewpoint being expressed by that language and because it's not reasonable in light of the purpose served by the forum, to ~~separate~~ freely speak about board-related subjects not on that meeting's agenda.

(9 of 29)  
In fact, in Matal v. Tam (2017) the U.S. Supreme Court unanimously ruled that a similar "disparagement clause" violated the Free Speech clause of the First Amendment because "It offends a bedrock First Amendment principle: Speech may not be banned on the ground that it expresses ideas that offend."

Further, "We have said time and again that the public expression of ideas may not be prohibited merely because the ideas are themselves offensive to some of their hearers," citing Street v. New York and Texas v. Johnson.

In fact, Justices Kennedy, Ginsburg, Sotomayor & Kagan separately said, "The Government may not insulate a law from charges of viewpoint discrimination by



tying censorship to the reaction of the speaker's audience ... Indeed, a speech burden based on audience reactions is simply government hostility and intervention in a different guise. The speech is targeted after all, based on the government's disapproval of the speaker's choice of message ... For reasons like these, the Court's cases have long prohibited the government from justifying a First Amendment burden by pointing to the offensiveness of the speech to be suppressed."

And Justice Thomas individually warned that, "A law that can be directed against speech found offensive to some portion of the public can be turned against minority and dissenting views to the detriment of all. The First Amendment does not entrust that power to the government's benevolence. Instead, our reliance must be on the substantial safeguards of free and open discussion in a democratic society."

Though Texas Penal Code 42.01(a)(1) says a person commits an offense of disorderly conduct if he intentionally or knowingly uses abusive, indecent, profane, or vulgar language in

a public place, and the language by its very utterance tends to incite an immediate breach of the peace, language that is merely harsh and insulting is not included (Ooran v. Furr's Supermarkets, Inc.).

In fact, the Texas Attorney General said, "Article 42.01 (a) of the Penal Code applies only to speech which as a matter of fact constitutes 'fighting words'. As a matter of law, the statute does not reach speech that merely causes public inconvenience, annoyance, or unrest. 'Fighting words' are words which would likely cause an average addressee to fight. An 'average addressee' is not someone either overly sensitive or overly injured to the speech in question." (3 Tex. Att'y Gen. Op. No. JM-900 [1988].)

(11 of 20)

Therefore, though the City may prefer us Citizen Communicators not use disparaging or abusive language, it cannot ban or punish us for their usage by us.

2-1-43 (B) - The presiding officer of the Commission for Women did not comply with Governmental Code Chapter 551 (Texas Open Meetings Act), though each board shall comply with



Governmental Code Chapter 551  
(Texas Open Meetings Act), per  
2-1-43(B).

When Austen told security to remove me from the July 10, 2019 CFW meeting during my Citizen Communication for allegedly violating the disparaging / abusive language decorum rule that does not apply during Citizen Communication to member of the public speakers speaking during the allotted three minutes that meeting was no longer open to me, a member of the public, though Texas Government Code 551.002 states, "Every regular, special, or called meeting of a governmental body shall be open to the public, except as provided by this chapter."

(18 of 79)

Therefore because the CFW meeting was still open at that time to members of the public not me & no exceptions from Chapter 551 legally prevented me from staying at the July 10, 2019 meeting, much less finishing my Citizen Communication uninterrupted, Austen is guilty of this violation by illegally discriminating



against my legal attendance & participation in accordance with applicable federal, state, & city laws.

\* NOTE: Though Robert's Rules of Order (11th edition) State that "the chair has the power to require nonmembers to leave the hall, or to order their removal, at any time during the meeting; and the nonmembers have no right of appeal from such an order of the presiding officer" (p. 648, lines 17-21), such nonmembers are defined as "guests of the organization" (p. 648, lines 12-13).

(13 of 79)  
However, because we members of the public have the legal right to attend such board meetings (Texas Gov't Code 551.002) & participate in them to the maximum extent permitted by law by speaking freely during Citizen Communication (Texas Citizens Participation Act), which both supersede Robert's Rules of Order, we members of the public are not "guests of the organization."

Therefore, presiding officer/chair Austin does not have the legal power to require us members of the public to leave the meeting or order our removal at any time.

without just cause (i.e. going to closed executive session; dealing with an unruly member of the public who intentionally & repeatedly disrupts or delays the business of the meeting.) \*

2-1-44 (A)

- Under CFW presiding officer Austen, the July 10, 2019 CFW meeting was not governed by CFW bylaws (See Exhibit C-6), though board meetings are governed by the board's bylaws, per 2-1-44(A).

Though Article 7(A) of the CFW bylaws says, "The board meetings shall comply with Texas Gov't Code Chapter 551 (Texas Open Meetings Act)." The CFW did not comply with Texas Gov't Code Chapter 551 (Texas Open Meetings Act), as previously described in violation of 2-1-43(B).

Though Article 7(J) says "The board shall allow citizens to address the board... during a period of time set aside for Citizen communications. The Chair may limit a speaker to three minutes." Austen did not allow me to address the CFW

(114 of 111)

for three minutes during my Citizen Communication.

Though Austen was the only one who repeatedly tried speaking over my July 10, 2019 communication before illegally directing Security to illegally remove me during my communication, none of the attending CFW members said or did anything to stop the presiding officer's (Austen's) unlawful words or actions not governed by CFW bylaws, making the attending CFW members accessories at the fact to Austen's alleged crimes.

2-1-44 D

1 of 2

(15 of 79)

- For the July 10, 2019 meeting, under the presiding officer (Austen), the CFW unofficially adopted special rules of procedure that were not required, though boards may adopt special rules of procedure as required, per 2-1-44(D).

At The beginning of Citizen Communication, but immediately before Austen called me to speak on July 10, 2019, Austen first read into the record the constitutional standing rules of procedure for Citizen Communication; then she read into the record additional,



new, special rules of Citizen Communication that were not constitutional that were not required that were not officially adopted by the CFW July 10, 2019 (See Exhibits C-2 and C-3).

Austen first said:

"I remind everyone that Citizen Communications are limited to three minutes per speaker, and Commissioners and other attendees shall not interrupt the speakers during that time."

- Constitutional Standing Rules

Then Austen spoke the additional new special rules that are unconstitutional:

"Speakers are directed not to use disparaging or abusive language. Speakers may criticize a public official or public figure, but may not use personally derogatory or disparaging remarks."

Please find a way, speakers to state your criticism without

(16 of 29)

using disparaging or derogatory remarks. If a speaker continues to violate the decorum for Commission for Women meetings, their time may be cut short, or they may be removed from the meeting."

Therefore, because there was no motion or vote to officially adopt them July 10, 2019, the additional new, special unconstitutional rules of Citizen Communication procedure were unofficially adopted by the CFW before & outside the July 10, 2019 meeting or then & there by tacit consent because no CFW member spoke against them during Citizen Communication on July 10, 2019.

(7 of 7)  
(1 of 1)

2-1-44 (D)

[2 of 2]

- The Commission for Women's special rules of procedure for Citizen Communication conflicted with state and federal law and the Commission's bylaws and the City Code, though the board's (Commission's) special rules of procedure for Citizen Communication may not conflict with state or federal law, the board's bylaws, or the City Code, per 2-1-44 (D).

See explicated violations 2-1-1(C)  
+ 2-1-44(A) for details.

2-1-21(F)

1 of 3

- CFW presiding officer Austin violated her oath of office at the July 10, 2019 meeting, though 2-1-21(F) requires each CFW member to have signed a written acknowledgement stating the person has taken the oath of office.

CFW chair/presiding officer Rebecca "Becky" Austin's signed & notarized oath of office, dated February 21, 2017, says, in part, that:

"I, Rebecca Austin, do solemnly swear (or affirm) ... that I will faithfully execute the duties of the office of Commission for Women of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God."

See Exhibit C-7 for documentation.

(18 of 39)



However, by unofficially introducing additional, new, special, unConstitutional Citizen Communication rules before the board (CFW), then illegally implementing & enforcing them by repeatedly trying to speak over, then cut short my Citizen Communication without just cause by illegally ordering Black Male security guard Lewis Austin, from Allied Universal security, to illegally remove me from the meeting to violate the U.S. Constitution First Amendment's Free speech clause, the U.S. Constitution's 14th Amendment Due Process clause, Texas Constitution Art. I, § 8, the Texas Open Meetings Act, & the Texas Citizens Participation Act, Austin did not to the best of her ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help her God.

(19 of 79)

In fact, Austin did the exact opposite, attacking the Constitution and laws of the United States and of this State to the best of her ability, so hurt her God.

\* NOTE : CFW staff liason, Vicky Nguyen, Human Resources

Department similarly tried repeatedly talking over me during my Citizen Communication during the Special Called December 12, 2018 CFW meeting.

See Exhibit C-8 for the online link to the December 12, 2018 meeting audio to hear my December 12, 2018 Citizen Communication (1:30 - 4:40).

At that time, I immediately brought Ms. Nguyen's violation to the attention of Ms. Stephanie Hall, Coordinator of Boards & Commissions, by telling her in person at City Hall what Ms. Nguyen had just done.

When I followed up directly with Ms. Hall, in person, days later, Hall told me she had listened to the audio recording of what Ms. Nguyen did & said, then spoke to her over the phone so she understood what she did wrong so she did not do that again.

I also handed Ms. Hall a 2-page handout that I created (See Exhibit C-9) to let her know then the "disparaging or abusive language" clause in 24-48(A) was unConstitutional for Citizen Communication during a board meeting. So it could not be used to punish or ban

Citizen Communicators using such Constitutionally protected hate speech, per *Matal v. Tam* (2017).

MS. Hall told me she'd look at it & consider it.

So, when I similarly spoke during my Citizen Communication at the CFW June 17, 2019 special called meeting (See Exhibits C-3 & C-10) without being interrupted I figured MS. Hall had fixed the problem & that the CFW had learned from MS. Nguyen's December 12, 2018 mistake, moving forward following Constitutional law.

Therefore, what chair/presiding officer Austen did at the July 10, 2019 meeting not only was several steps backward for the CFW, but an intentional, escalated attempt to illegally "reset" the Citizen Communication norm to further restrict free speech unlawfully to control public speakers by censoring and/or silencing viewpoints the CFW doesn't like or agree with, because neither MS. Nguyen nor any of the attending CFW members did or said anything to challenge and/or stand against Austen's words or actions that broke the rules and law. \*

2-1-21(F)

[2013]

- Presiding officer/chair  
Austen for the July 10,  
2019 meeting did not comply



with the City's ethics & personal responsibility guidelines, though she signed a written acknowledgment stating she had received a copy of & agreed to comply with the City's ethics & personal responsibility guidelines, per 12-1-21 (F).

See Exhibit C-11 for documentation.

Per <http://www.cityofaustin.org/edims/document.cfm?id=114601>, the Ethics for City of Austin Boards and Commissions workbook document says, in part:

"To ensure a fair and open government, as a board or commission member, you are subject to certain laws and regulations concerning your conduct...

These laws signify the seriousness of the work you are about to undertake...

Violating the laws that govern your conduct as a public servant can result in more than public embarrassment - it can result in criminal liability..."

Therefore, despite being explicitly warned when being trained to be a commissioner, Austen abused her official capacity &

(pg 64-79)

Committed official oppression, violating Texas Penal Codes 39.02 + 39.03 to not comply with the City's ethics + personal responsibility guidelines.

Also, the Ethics for City of Austin Boards and Commissions training workbook document says with respect to personal judgment that:

"If you do not feel that you can separate your personal feelings from a decision, you are free to recuse yourself."

However, Austen did not recuse herself during Citizen Communication July 10, 2019, though she appeared not able to separate her personal feelings against me and/or what I was saying from her decision to illegally censor, then silence, my Citizen Communication and illegally direct security to illegally remove me from the July 10, 2019 meeting for what I had legally spoke.

(23 of 79)

In fact, Austen was so focused on trying to control + bully me during my Citizen Communication that she got up out of her chair + started walking at me to try physically intimidating me to effeminate + emasculate me to try making me back up and/or stop talking, which I did not do, to not allow her that power



over me, to not allow her to confuse or control me, to not allow her to gaslight or dominate me.

Instead, I simply stood my ground & continued speaking my Citizen Communication until Austin directed security to illegally remove me from the meeting and Black Male Security guard Lewis Austin, working for Allied Universal, intentionally touched me on the bottom of my left elbow, committing assault by contact, violating Texas Penal Code 22.01(a)(3).

(27 of 29)

Therefore, per <http://www.Cityofaustin.org/edims/document.cfm?id=114611>, the Roles & Responsibilities for Board Members training workbook document bullet points that were not complied with by Austin during my illegally abbreviated Citizen Communication were:

- Be polite and impartial
- Be attentive to those who are presenting their point of view
- This is an important issue to them and their voice must be heard
- Follow the rules in the City Code and in the board's bylaws
- Follow the bylaws, policies, and procedures for your board or commission

- Think about your actions, how you present yourself and how you represent the city
- These things make an impression on your board or commission and its effectiveness
- Be professional

2-1-21(F)

3 of 3

- Presiding officer / chair Austen did not follow the training required by Section 2-1-23, though she signed a written acknowledgment stating that she completed the training by Section 2-1-23.

See violations of 2-1-1(C), 2-1-43(B), 2-1-44(A), 2-1-44(D) + 2-1-21(F) and Exhibit C-11 for details.

2-1-3(D)

(25 of 79)

- Under chair / presiding officer Austen, the CFw did not comply with Chapter 551 (Texas Open Meetings Act) at their July 10, 2019 meeting, though 2-1-3(D) says the CFw must comply with Chapter 551 (Texas Open Meetings Act).

Specifically, when the attending CFw members wrongly allowed Austen to illegally direct Security to illegally remove me from the July 10, 2019 meeting by saying & doing nothing

they violated Texas Government Code 551.002 requiring that "Every regular, special, or called meeting of a governmental body shall be open to the public, except as provided by this chapter."

Therefore, because the July 10, 2019 meeting was still open at that time to members of the public not me + no exceptions from Chapter 551 legally prevented me from staying at the meeting, much less finishing my Citizen Communication uninterrupted, the attending CFW members are guilty of this violation.

2-1-40(A) - Chair/presiding officer Austen did not observe decorum by speaking out of turn, though 2-1-40(A) says each board member should observe decorum by not speaking out of turn.

When Austen repeatedly tried speaking over me during my Citizen Communication, without just cause and when she illegally directed security to illegally remove me from the meeting without just cause, while I was speaking during my Citizen Communication, she repeatedly

(bt to 9c)



Spoke out of turn, meaning she did not observe decorum, violating 2-1-48(A).

2-1-48(B)(1) - Presiding officer Austen created & fomented disorder, though 2-1-48(B)(1) says the presiding officer should maintain order.

See violations 2-1-1(C), 2-1-43(B), 2-1-44(A), 2-1-44(D), 2-1-21(F), 2-1-3(D), 2-1-48(A), & 2-1-48(B)(2) for details.

In fact, as soon as Austen started reading out loud the additional, new special, unconstitutional rules that were not officially adopted that did not belong, she tried speaking into existence an alternate, ass-backwards anti-reality that is unconstitutional & upside down to illegally confuse & control me to effeminate & emasculate me to gaslight & dominate me to make me wait on, accommodate, & serve her though it's she who is legally bound to wait on, accommodate, & serve me because she is a public servant, per Texas Penal Code

(27 of 79)

1.07(a)(4)(A), in her official government role as chair/presiding officer of the Commission for Women.

2-1-48(B)(2) - Presiding officer Austen, did not exercise the officer's authority impartially, though 2-1-48(B)(2) says the presiding officer should exercise the officer's authority impartially.

By unofficially introducing and illegally implementing & enforcing additional, new, special rules for Citizen Communication that were not required, not constitutional, & not officially adopted by the CFW to illegally censor & silence me during the July 10, 2019 meeting, then illegally ~~have~~ have me removed from that meeting, presiding officer Austen intentionally stacked the deck against me, abusing her official capacity to officially oppress me, violating Texas Penal Codes 39.02 & 39.03, violating 2-1-48(B)(2).

2-1-48(B)(3) - Presiding officer Austen unconstitutionally

(20 of 79)



shortened my speaking time during my Citizen Communication for use of "disparaging or abusive" language because 2-1-48(B)(3) says the presiding officer may shorten a person's speaking time only for a violation of decorum set out in this section, and the cited decorum violation of "use disparaging or abusive language" is unconstitutional during Citizen Communication, per explicated violation 2-1-1(C).

## Recommendations

The five actionable recommendations are:

- 1) Because Austin City Code 2-1-48's "disparaging or abusive language" clause is unconstitutional with respect to Citizen Communication during board meetings, the Code needs to be changed ASAP to reflect this legal reality so no board, commission, committee, or council breaks the law by misusing it to illegally censor, silence or punish constitutionally protected free speech. Now presiding officer Austin did during Citizen Communication at the CFW July 10, 2019 meeting.

2) Because the additional, new, special unconstitutional Citizen Communication rules that presiding officer Auster illegally implemented & enforced at the CFW July 10, 2019 meeting apparently emanated from a draft form document from the City

Clerk's office (See Exhibit C-2), a template to be adopted, implemented, & enforced by all boards, commissions, committees, & councils for their Citizen Communications, immediately tell the City Clerk's office & the Law Department to permanently cease & desist their unlawful attacks against constitutionally protected free speech by trashing that draft document & never producing, approving, or disseminating any thing like that ever again.

(30 of 79)

3) Create a public, on-line Citizen Communication Rights & Responsibilities document, and disseminate it to all boards, commissions, committees, & councils, as well as security & APD at all meeting sites, so everyone knows & follows the rules & law for & during Citizen Communication.

That document should include facts:

i) A Citizen Communication speaker may not be interrupted or removed unless he or she:

- makes a threat of physical violence against another person, committing "Assault by threat," violating Texas Penal Code 22.01(A)(2) by causing a reasonable person to reasonably believe bodily harm against him or her is imminent
- yells "FIRE" when there is no fire
- uses vulgar/obscene language in a public place to cause an immediate breach of the peace, violating Texas Penal Code 42.01, reaching the legal standard defined by that statute, explicated by case law [i.e. "mother-fucker" crosses the line; "bitch" does not]
- continues talking after the time limit has elapsed and the presiding officer/chair has respectfully communicated to the speaker that his or her time is up

ii) A Citizen Communication speaker may use harsh, insulting, pointed, disparaging, abusive, and/or denigrating language because



all that hate speech is Constitutionally protected against government attack (i.e., *Matal v. Tam*), though the City prefers speakers not use such language during Citizen Communication.

iii) Citizen Communication language that approaches the line or is on the ~~line~~ line, like "punk ass bitch," should be allowed at first, recorded, documented, & sent to the Law Department to determine its legality for future meetings.

iv) Make clear to all board members & especially presiding officers, that members of the public attending and/or speaking during Citizen Communication or on any agenda item are not "guests of the organization" though they are not members of that board.

Therefore, the Texas Open Meetings Act legally empowers them to be there at that board meeting, protecting them from being removed without appeal by the presiding officer without just cause, superseding the removal without



appeal power that Robert's Rules of Order gives presiding officers to use against nonmembers of that board that are guests of that board.

v) Make clear that when members of the public are invited to publicly comment on an item that is on that board meeting's agenda, the same greater free speech protections apply as they do during Citizen Communication about board-related topics not on the agenda, because public comment on an item on the agenda usually happens before that board's members publicly discuss that item and almost always happens before that board debates the merits of any motion related to that item.

(133 of 79)  
vi) Therefore, make clear the greater free speech protections enjoyed by nonmembers of that board who are members of the public who speak on record during Citizen Communication, following no-debate decorum, and/or speak during public comment on an agenda item, following pre-debate decorum, versus the lesser free speech protections that members

of that board are restricted by following debate decorum defined by Robert's Rules of Order.

vii) Make clear those presiding officers and/or other board members intentionally, illegally censoring, silencing, and/or punishing constitutionally protected free speech by members of the public at board meetings will be criminally prosecuted and/or have their board officially disbanded.

4) Document + punish minor + major attempts to falsely rewrite the truth ex post facto, such as:

- Exhibit C-12 shows the CFW webpage 2019 Meeting Schedule missing the July 10, 2019 regular CFW meeting, allegedly to try hiding the fact that it occurred to discourage website visitors from clicking the "View Agendas, Supporting Documents and Approved Minutes" link to access the July 10, 2019 meeting audio to listen to chair/presiding officer Austen's crimes, on public record.

- Exhibit C-13 shows no phone calls

(M)

(34 of 79)

between MS. Hall's phone + MS. Nguyen's phone 01/01/2018 - 07/01/2019, though MS. Hall claims she spoke to MS. Nguyen over the phone after the December 12, 2018 special called CFW meeting when MS. Nguyen, the staff liason from Human Resources, violated the Citizen Communication rules by repeatedly trying to speak over + interrupt me during my Citizen Communication.

Therefore the call logs between MS. Hall + MS. Nguyen appear to have been deleted to try erasing documentation of the phone conversation(s) between MS. Hall + MS. Nguyen, re: confirming + correcting MS. Nguyen's protocol violations during my Citizen Communication on December 12, 2018, as if neither they nor the conversation(s) happened.

(25 of 79)

- Immediately after my Dec. 12, 2018 Citizen Communication, 4:40 - 7:20 on the meeting audio (See Exhibit C-8), CFW members + staff liason Nguyen lied about me on record to try



assassinating my character behind  
my back without me being there  
to defend myself to set the  
record straight.

Specifically, the lies were:

- i) that I had been banned  
from City Council meetings;
- ii) that I had been banned  
from City & County  
entities;
- iii) that I had been banned  
from Travis County  
Commissioners Court for  
two years; and
- iv) that I committed  
"verbal assault" at  
the Dec. 12, 2018 CFW  
meeting, immediately prior  
to them speaking their lies  
about me.

All of their feminist, passive-aggressive



psych warfare attacks were apparent retaliation against my non-feminist beliefs & statements, another example of CFW viewpoint discrimination against what they do not agree with or support, showing they were the ones trying to verbally assault me in my absence, trying to project what they were doing on to me trying to gaslight themselves and the public about me.

Therefore, it's their speech about me that should be banned because they were trying to speak into existence a false, anti-reality about me that does not truly exist to falsely & pejoratively redefine me how they want to avoid dealing with the truth, to exert power over me they don't have, to try controlling me when they cannot.

(27 of 79)

5) Hld chair/presiding officer Rebecca "Becky" Auster accountable for what she said & did July 10, 2019 and hold her fellow CFW members accountable for what they said December 12, 2018 & what they didn't say or do July 10, 2019 to tacitly condone what Auster said & did.

# REFERENCES / (CITATIONS)

(in order of appearance)

Austin City Code  
Robert's Rules of Order (11th Edition)  
Texas Open Meetings Act  
Texas Penal Code  
Reed v. State  
U.S. Constitution  
Texas Constitution  
Fairchild v. Liberty Independent School Dist.  
Chiu v. Plano Independent School Dist.  
Matal v. Tam  
Street v. New York  
Texas v. Johnson  
Duran v. Furr's Supermarkets, Inc.  
Tex. Att'y Gen. Op. No. JM-900 [1988]  
Texas Citizens Participation Act  
Austin Boards & Commissions Training Workbook  
~~Commission for Women Bylaws~~  
Commission for Women Bylaws

(30 of 79)

# Exhibits

G-1 - Photo of Commission for Women  
Chair / presiding officer Rebecca  
"Becky" Auster

G-2 - July 10, 2019 draft document  
from the City Clerk's office  
stating the standing Constitutional  
Citizen Communication rules that  
belong and the additional, new,  
Special unConstitutional Citizen  
Communication rules that don't  
belong

G-3 - Copy of Commission for Women  
web page to go to listen to the  
audio from the June 17, 2019  
meeting and the July 10, 2019  
meeting

G-4 - Copies of the ACKNOWLEDGMENT  
OF BOARD ELIGIBILITY  
REQUIREMENTS document signed  
& dated by members of the  
Commission for Women

G-5 - Copies of the OATH OF OFFICE  
dated, notarized document signed  
by members of the Commission  
for Women

(39 of 79)





G-6 - Copy of the bylaws for the Commission for women, dated March 25, 2016, from the City Clerk's office

G-7 - Rebecca Austen's Oath of Office, dated Feb. 2017

G-8 - Copy of Commission for Women webpage to go to listen to the audio from the Dec. 12, 2018 meeting

G-9 - 2-page handout handed to Ms. Stephanie Hall shortly after Dec. 12, 2018

G-10 - Approved minutes of the June 17, 2019 Commission for Women meeting

G-11 - Copy of Rebecca Austen's Signed ACKNOWLEDGMENT of BOARD ELIGIBILITY REQUIREMENTS, dated Feb. 21, 2017

G-12 - Commission for women website page showing 2019 Meeting Schedule missing the July 10, 2019 meeting

(66 to 79)



C-13 - MICROCALL report showing  
~~no~~ zero phone calls between  
MS. Stephanie Hall's phone +  
MS. Vicky Nguyen's phone 1/11/18-  
7/11/19. Though MS. Hall claimed  
in person to have spoken to MS.  
Nguyen by phone about what  
MS. Nguyen did wrong at the  
Dec. 12, 2018 Commission for  
Women meeting during Citizen  
Communication

(b6 to 11)





Exhibit C-1



(42 of 79)

Chair/ Presiding Officer – Commission for Women

Rebecca "Becky" Austen (2014 photo)

<https://leadershipaustin.org/2014/09/05/announcing-the-essential-class-of-2015-2/>

Note: Based on her alleged ass-backwards, criminal behavior on July 10, 2019 during Citizen Communication at the Commission for Women meeting, makes you wonder what she was taught in that Leadership Austin Essential Class of 2015.

I - 1 - 1

1. The first part of the paper is devoted to a discussion of the general principles of the theory of the structure of the atom. It is shown that the structure of the atom is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles. The paper then proceeds to a detailed analysis of the structure of the atom, showing that the structure is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles. The paper then proceeds to a detailed analysis of the structure of the atom, showing that the structure is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles.

# Exhibit C-2

July 10, 2019

I remind everyone that Citizen Communications are limited to three minutes per speaker, and Commissioners and other attendees shall not interrupt the speakers during that time.

Speakers ~~you~~ are directed not to use disparaging or abusive language; you may criticize a public official or public figure, but you may not use personally derogatory or disparaging remarks. If a please find a way to state your criticism without using disparaging or derogatory remarks. If a speaker ~~you~~ continues to violate decorum, their ~~your~~ time may ~~will~~ be cut short, or they ~~you~~ may be removed from the Commission XXX.

This is a first amendment violation because  
Citizen Communication is not debate,

— Carlos León

Paragraph 1 (I remind everyone...) are the standing constitutional rules,

Paragraph 2 (Speakers are directed...) are the additional, new, special unconstitutional rules.

(43 of 79)





Explore your city...

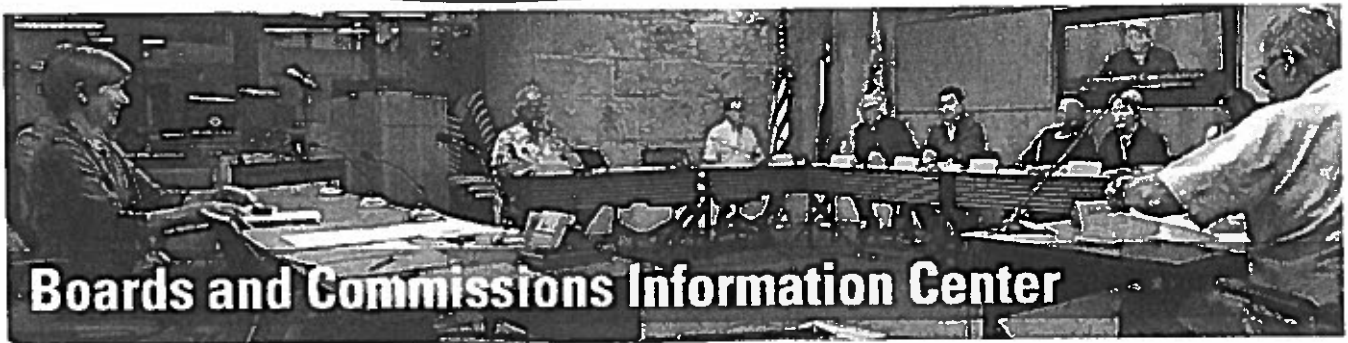
SEARCH

[Advanced Search](#)

**austintexas.gov**  
the official website of the City of Austin

Exhibit C-3

Department » City Clerk



2019 Meetings: Page 1 of 2 .  
Go to page: 1 2 .

## 2019 Meetings: Commission for Women

Meeting documents are also available for:

[2018](#) | [2017](#) | [2016](#) | [2015](#) | [2014](#) | [2013](#) | [2012](#) | [2011](#) | [2010](#) | [2009](#)

### August 14, 2019

Regular Meeting of the Commission for Women - Location: One Texas Center - 505 Barton Springs Road, Room 1300

[Agenda \(73KB\)](#)

### July 10, 2019

Regular Meeting of the Commission for Women - Location: One Texas Center - 505 Barton Springs Road, The Cavern

[Agenda \(71KB\)](#)

[Play audio - Meeting Audio](#)

[Recommendation - 20190710-03a\(3\): Menstrual Equity \(76KB\)](#)

[Recommendation - 20190710-03a02: Budget for Victim Services \(192KB\)](#)

### June 17, 2019

Special Called Meeting of the Commission for Women - Location: One Texas Center - 505 Barton Springs Road, Room 805

[Agenda \(108KB\)](#)

[Approved Minutes \(149KB\)](#)

[Play audio - Meeting Audio](#)

[Backup - Item 4a: Presentation on Combating Human Trafficking in Central Texas \(2.7MB\)](#)



# Exhibit C-4

## ACKNOWLEDGMENT OF BOARD ELIGIBILITY REQUIREMENTS

(45 of 79)





## ACKNOWLEDGMENT OF BOARD ELIGIBILITY REQUIREMENTS

I, Tanya Athar-Jogee, have been appointed to serve  
as a member of the Commission for Women.

In accordance with City Code Section 2-1-21 (*Eligibility Requirements And  
Removal*), I acknowledge that:

- (1) I have taken the oath of office, a signed copy of which is attached to this  
acknowledgment;
- (2) I have received a copy of and agree to comply with the City's ethics and  
personal responsibility guidelines; and
- (3) I agree to complete the training required by City Code Section 2-1-23  
(*Training*) within the prescribed time period.

Tanya Athar-Jogee  
Name

Feb 24, 2017  
Date

(46 of 79)



## ACKNOWLEDGMENT OF BOARD ELIGIBILITY REQUIREMENTS

I, Rossana A. Barrios, have been appointed to serve  
as a member of the Commission for Women.

In accordance with City Code Section 2-1-21 (*Eligibility Requirements And  
Removal*), I acknowledge that:

- (1) I have taken the oath of office, a signed copy of which is attached to this  
acknowledgment;
- (2) I have received a copy of and agree to comply with the City's ethics and  
personal responsibility guidelines; and
- (3) I agree to complete the training required by City Code Section 2-1-23  
(*Training*) within the prescribed time period.

Rossana Barrios  
Name

2/25/17  
Date

(47 of 71)





## ACKNOWLEDGMENT OF BOARD ELIGIBILITY REQUIREMENTS

I, Flannery Bope, have been appointed to serve  
as a member of the COMMISSION for Women.

In accordance with City Code Section 2-1-21 (*Eligibility Requirements And  
Removal*), I acknowledge that:

- (1) I have taken the oath of office, a signed copy of which is attached to this  
acknowledgment;
- (2) I have received a copy of and agree to comply with the City's ethics and  
personal responsibility guidelines; and
- (3) I agree to complete the training required by City Code Section 2-1-23  
(*Training*) within the prescribed time period.

Flannery Bope  
Name

2/13/17  
Date

(40 of 79)

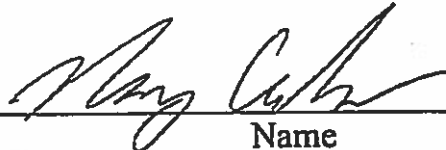


## ACKNOWLEDGMENT OF BOARD ELIGIBILITY REQUIREMENTS

I, Nancy Cardenas, have been appointed to serve  
as a member of the Commission for Women.

In accordance with City Code Section 2-1-21 (*Eligibility Requirements And  
Removal*), I acknowledge that:

- (1) I have taken the oath of office, a signed copy of which is attached to this  
acknowledgment;
- (2) I have received a copy of and agree to comply with the City's ethics and  
personal responsibility guidelines; and
- (3) I agree to complete the training required by City Code Section 2-1-23  
(*Training*) within the prescribed time period.

  
Name

6/25/19  
Date

(49 of 79)





## ACKNOWLEDGMENT OF BOARD ELIGIBILITY REQUIREMENTS

I, Neva FERNANDEZ, have been appointed to serve  
as a member of the Commission for Women.

In accordance with City Code Section 2-1-21 (*Eligibility Requirements And  
Removal*), I acknowledge that:

- (1) I have taken the oath of office, a signed copy of which is attached to this  
acknowledgment;
- (2) I have received a copy of and agree to comply with the City's ethics and  
personal responsibility guidelines; and
- (3) I agree to complete the training required by City Code Section 2-1-23  
(*Training*) within the prescribed time period.

Neva Fernandez  
Name

4/12/2019  
Date

(56 of 79)



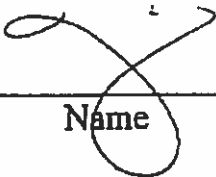
## ACKNOWLEDGMENT OF BOARD ELIGIBILITY REQUIREMENTS

I, Jilliana Gonzales, have been appointed to serve  
as a member of the Commission for Women.

In accordance with City Code Section 2-1-21 (*Eligibility Requirements And  
Removal*), I acknowledge that:

- (1) I have taken the oath of office, a signed copy of which is attached to this  
acknowledgment;
- (2) I have received a copy of and agree to comply with the City's ethics and  
personal responsibility guidelines; and
- (3) I agree to complete the training required by City Code Section 2-1-23  
(*Training*) within the prescribed time period.

(51 of 79)

  
Name

4/10/2019  
Date





## ACKNOWLEDGMENT OF BOARD ELIGIBILITY REQUIREMENTS

I, Julia Cuba Lewis, have been appointed to serve  
as a member of the Women's Commission.

In accordance with City Code Section 2-1-21 (*Eligibility Requirements And  
Removal*), I acknowledge that:

- (1) I have taken the oath of office, a signed copy of which is attached to this  
acknowledgment;
- (2) I have received a copy of and agree to comply with the City's ethics and  
personal responsibility guidelines; and
- (3) I agree to complete the training required by City Code Section 2-1-23  
(*Training*) within the prescribed time period.

(52 of 79)  
Julia Cuba Lewis  
Name

4.18.19  
Date



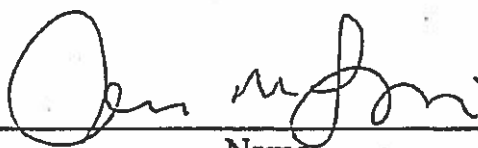
## ACKNOWLEDGMENT OF BOARD ELIGIBILITY REQUIREMENTS

I, Amanda Michelle Lewis, have been appointed to serve  
as a member of the Commission for Women.

In accordance with City Code Section 2-1-21 (*Eligibility Requirements And  
Removal*), I acknowledge that:

- (1) I have taken the oath of office, a signed copy of which is attached to this  
acknowledgment;
- (2) I have received a copy of and agree to comply with the City's ethics and  
personal responsibility guidelines; and
- (3) I agree to complete the training required by City Code Section 2-1-23  
(*Training*) within the prescribed time period.

(53 of 79)

  
Name

6-28-17  
Date

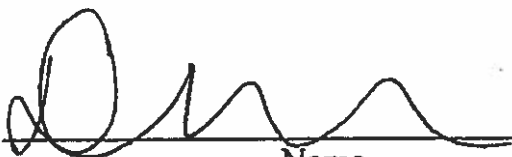


## ACKNOWLEDGMENT OF BOARD ELIGIBILITY REQUIREMENTS

I, Dyana Limon-Mercado, have been appointed to serve  
as a member of the Women's Commission.

In accordance with City Code Section 2-1-21 (*Eligibility Requirements And  
Removal*), I acknowledge that:

- (1) I have taken the oath of office, a signed copy of which is attached to this  
acknowledgment;
- (2) I have received a copy of and agree to comply with the City's ethics and  
personal responsibility guidelines; and
- (3) I agree to complete the training required by City Code Section 2-1-23  
(*Training*) within the prescribed time period.

(54 of 79)  
  
Name

11/8/18  
Date





## ACKNOWLEDGMENT OF BOARD ELIGIBILITY REQUIREMENTS

I, Sarah Taber, have been appointed to serve  
as a member of the Commission for Women.

In accordance with City Code Section 2-1-21 (*Eligibility Requirements And  
Removal*), I acknowledge that:

- (1) I have taken the oath of office, a signed copy of which is attached to this  
acknowledgment;
- (2) I have received a copy of and agree to comply with the City's ethics and  
personal responsibility guidelines; and
- (3) I agree to complete the training required by City Code Section 2-1-23  
(*Training*) within the prescribed time period.

A. U. F. =  
Name

April 18, 2019  
Date

(55 & 79)



Exhibit C-5

PATH OF OFFICE

(56 of 79)





In the name and by the authority of

## The State of Texas

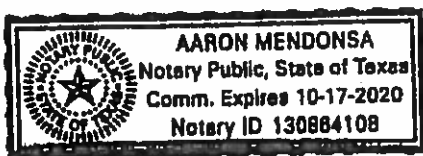
### OATH OF OFFICE and STATEMENT OF APPOINTED OFFICER

I, Tanya Athar-Jogee, do solemnly swear  
(or affirm), that I have not directly or indirectly paid, offered, promised to pay,  
contributed, or promised to contribute any money or thing of value, or promised  
any public office or employment for the giving or withholding of a vote at the  
election at which I was elected or as a reward to secure my appointment or  
confirmation thereof; and that I will faithfully execute the duties of the office of  
Commissioner for Women

of the State of Texas, and will to the best of my ability preserve, protect, and  
defend the Constitution and laws of the United States and of this State, so help me  
God.

Tanya Athar-Jogee  
Affiant

SWORN TO and subscribed before me by affiant on this 24 day of February  
2017.



(Seal)

[Signature]  
Signature of Person Administering Oath

Aaron Mendonsa  
Printed Name

Notary  
Title

(57 of 79)



In the name and by the authority of

**The State of Texas**

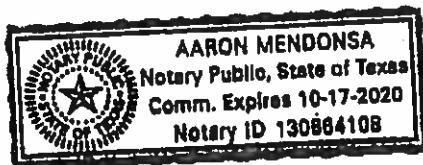
**OATH OF OFFICE  
and  
STATEMENT OF APPOINTED OFFICER**

I, Rossana A. Barrios, do solemnly swear  
(or affirm), that I have not directly or indirectly paid, offered, promised to pay,  
contributed, or promised to contribute any money or thing of value, or promised  
any public office or employment for the giving or withholding of a vote at the  
election at which I was elected or as a reward to secure my appointment or  
confirmation thereof; and that I will faithfully execute the duties of the office of  
Commission for Women

of the State of Texas, and will to the best of my ability preserve, protect, and  
defend the Constitution and laws of the United States and of this State, so help me  
God.

Rossana Barrios  
Affiant

SWORN TO and subscribed before me by affiant on this 25<sup>th</sup> day of March February  
2017.



(Seal)

[Signature]  
Signature of Person Administering Oath

Aaron Mendonsa  
Printed Name

Notary  
Title



In the name and by the authority of

**The State of Texas**

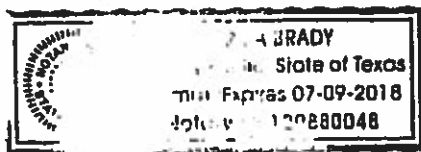
**OATH OF OFFICE  
and  
STATEMENT OF APPOINTED OFFICER**

I, Flannery Bope, do solemnly swear  
(or affirm), that I have not directly or indirectly paid, offered, promised to pay,  
contributed, or promised to contribute any money or thing of value, or promised  
any public office or employment for the giving or withholding of a vote at the  
election at which I was elected or as a reward to secure my appointment or  
confirmation thereof; and that I will faithfully execute the duties of the office of  
CITY OF AUSTIN COMMISSIONER FOR WOMEN

of the State of Texas, and will to the best of my ability preserve, protect, and  
defend the Constitution and laws of the United States and of this State, so help me  
God.

Flannery Bope  
Affiant

SWORN TO and subscribed before me by affiant on this 13th day of February  
2017.



(Seal)

EB  
Signature of Person Administering Oath  
Erica Brady  
Printed Name  
Notary Public  
Title





In the name and by the authority of

## The City of Austin

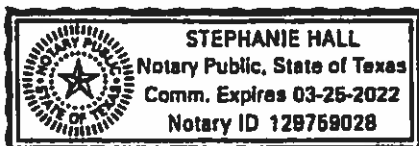
### OATH OF OFFICE and STATEMENT OF APPOINTED OFFICER

I, Nancy Cardenas, do solemnly swear  
(or affirm), that I have not directly or indirectly paid, offered, promised to pay,  
contributed, or promised to contribute any money or thing of value, or promised  
any public office or employment as a reward to secure my appointment or  
confirmation thereof; and that I will faithfully execute the duties of the office of  
Commission for Women

of the City of Austin, and will to the best of my ability preserve, protect, and  
defend the Constitution and laws of the United States, the State of Texas, and of  
this City.

  
Affiant

SWORN TO and subscribed before me by affiant on this 25 day of June  
2019.



(Seal)

Stephanie Hall  
Signature of Person Administering Oath

Stephanie Hall  
Printed Name

Notary  
Title



In the name and by the authority of

## The City of Austin

### OATH OF OFFICE and STATEMENT OF APPOINTED OFFICER

I, Julia Cuba Lewis, do solemnly swear  
(or affirm), that I have not directly or indirectly paid, offered, promised to pay,  
contributed, or promised to contribute any money or thing of value, or promised  
any public office or employment as a reward to secure my appointment or  
confirmation thereof; and that I will faithfully execute the duties of the office of  
The Women's Commission

of the City of Austin, and will to the best of my ability preserve, protect, and  
defend the Constitution and laws of the United States, the State of Texas, and of  
this City.

Julia Cuba Lewis  
Affiant

SWORN TO and subscribed before me by affiant on this 18 day of April  
2019.



(Seal)

Lauren Signorino  
Signature of Person Administering Oath  
Lauren Signorino  
Printed Name  
Program Coordinator  
Title

(61 of 79)



In the name and by the authority of

## The City of Austin

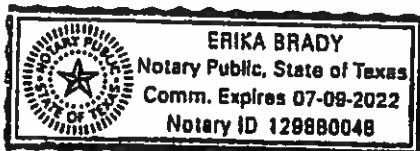
### OATH OF OFFICE and STATEMENT OF APPOINTED OFFICER

I, Nesra Fernandez, do solemnly swear  
(or affirm), that I have not directly or indirectly paid, offered, promised to pay,  
contributed, or promised to contribute any money or thing of value, or promised  
any public office or employment as a reward to secure my appointment or  
confirmation thereof; and that I will faithfully execute the duties of the office of  
Commissioner for Women

of the City of Austin, and will to the best of my ability preserve, protect, and  
defend the Constitution and laws of the United States, the State of Texas, and of  
this City.

Nesra Fernandez  
Affiant

SWORN TO and subscribed before me by affiant on this 12th day of April  
2019.



(Seal)

Erika Brady  
Signature of Person Administering Oath

Erika Brady  
Printed Name

Notary Public  
Title





In the name and by the authority of

## The City of Austin

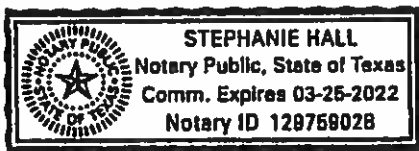
### OATH OF OFFICE and STATEMENT OF APPOINTED OFFICER

I, Johana Gonzalez, do solemnly swear  
(or affirm), that I have not directly or indirectly paid, offered, promised to pay,  
contributed, or promised to contribute any money or thing of value, or promised  
any public office or employment as a reward to secure my appointment or  
confirmation thereof; and that I will faithfully execute the duties of the office of  
Commissioner on Commission for Women

of the City of Austin, and will to the best of my ability preserve, protect, and  
defend the Constitution and laws of the United States, the State of Texas, and of  
this City.

Affiant

SWORN TO and subscribed before me by affiant on this 10 day of April  
2019.



(Seal)

Stephanie Hall  
Signature of Person Administering Oath

Stephanie Hall  
Printed Name

Notary  
Title

(636479)



In the name and by the authority of

## The City of Austin

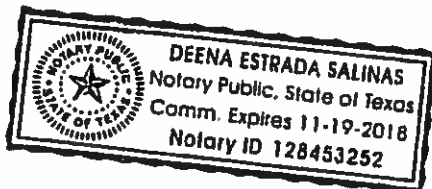
### OATH OF OFFICE and STATEMENT OF APPOINTED OFFICER

I, Amanda Michelle Lewis, do solemnly swear  
(or affirm), that I have not directly or indirectly paid, offered, promised to pay,  
contributed, or promised to contribute any money or thing of value, or promised  
any public office or employment as a reward to secure my appointment or  
confirmation thereof; and that I will faithfully execute the duties of the office of  
Commission For Women

of the City of Austin, and will to the best of my ability preserve, protect, and  
defend the Constitution and laws of the United States, the State of Texas, and of  
this City.

[Signature]  
Affiant

SWORN TO and subscribed before me by affiant on this 20th day of June  
2017.



(Seal)

[Signature]  
Signature of Person Administering Oath

Deena Estrada Salinas  
Printed Name

Notary  
Title



In the name and by the authority of

## The City of Austin

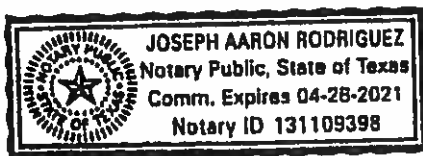
### OATH OF OFFICE and STATEMENT OF APPOINTED OFFICER

I, Dyana Limon-Mercado, do solemnly swear  
(or affirm), that I have not directly or indirectly paid, offered, promised to pay,  
contributed, or promised to contribute any money or thing of value, or promised  
any public office or employment as a reward to secure my appointment or  
confirmation thereof; and that I will faithfully execute the duties of the office of  
Women's Commission

of the City of Austin, and will to the best of my ability preserve, protect, and  
defend the Constitution and laws of the United States, the State of Texas, and of  
this City.

Dyana Limon-Mercado  
Affiant

SWORN TO and subscribed before me by affiant on this 8 day of November  
2018.



(Seal)

[Signature]  
Signature of Person Administering Oath

Joseph Rodriguez  
Printed Name

Notary Public  
Title





In the name and by the authority of

## The City of Austin

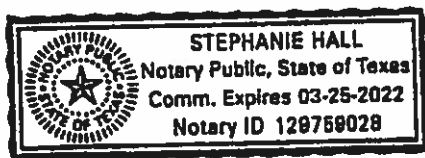
### OATH OF OFFICE and STATEMENT OF APPOINTED OFFICER

I, Sarah Taber, do solemnly swear  
(or affirm), that I have not directly or indirectly paid, offered, promised to pay,  
contributed, or promised to contribute any money or thing of value, or promised  
any public office or employment as a reward to secure my appointment or  
confirmation thereof; and that I will faithfully execute the duties of the office of  
Commissioner for Women

of the City of Austin, and will to the best of my ability preserve, protect, and  
defend the Constitution and laws of the United States, the State of Texas, and of  
this City.

[Signature]  
Affiant

SWORN TO and subscribed before me by affiant on this 18<sup>th</sup> day of April  
2019.



(Seal)

Stephanie Hall  
Signature of Person Administering Oath

Stephanie Hall  
Printed Name

Notary  
Title



# Exhibit C-6

## BYLAWS OF THE Commission for Women

### ARTICLE 1. NAME.

The name of the board is Commission for Women

### ARTICLE 2. PURPOSE AND DUTIES.

The purpose of the board is to serve as an advisory body to the City Council and the City Manager concerning the needs and problems of women in the Austin area and shall recommend programs designed to alleviate any inequities that may confront women in social, economic and vocational pursuits. The Commission shall develop goals and coordinate research for planning, programming, and action relating to opportunities, needs, problems, and contributions of women in the city.

### ARTICLE 3. MEMBERSHIP.

- (A) The board is composed of eleven members appointed by the city council.
- (B) A member serves at the pleasure of the city council.
- (C) Board members serve for a term of four years beginning March 1<sup>st</sup> on the year of appointment.
- (D) An individual board member may not act in an official capacity except through the action of the board.
- (E) A board member who is absent for three consecutive regular meetings or one-third of all regular meetings in a "rolling" twelve month timeframe automatically vacates the member's position subject to the holdover provisions in Section 2-1-27 of the City Code. This does not apply to an absence due to illness or injury of the board member, an illness or injury of a board member's immediate family member, active military service, or the birth or adoption of the board member's child for 90 days after the event. The board member must notify the staff liaison of the reason for the absence not later than the date of the next regular meeting of the board. Failure to notify the liaison before the next regular meeting of the board will result in an unexcused absence.
- (F) At each meeting, each board member shall sign an attendance sheet which indicates that the member does not have a conflict of interest with any item on that agenda, or identifies each agenda item on which the member has a conflict of interest. Failure to sign the sheet results in the member being counted as absent and his/her votes are not counted.
- (G) A member who seeks to resign from the board shall submit a written resignation to the chair of the board, the staff liaison, or the city clerk's office. If possible, the resignation should allow for a thirty day notice so the city council can appoint a replacement.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48

#### ARTICLE 4. OFFICERS.

- (A) The officers of the board shall consist of a chair and a vice-chair.
- (B) Officers shall be elected annually by a majority vote of the board at the first regular meeting after April 1<sup>st</sup>. In the event a current officer becomes ineligible to serve as an officer, the board may hold an emergency election as needed.
- (C) The term of office shall be one year, beginning May 1st and ending April 30<sup>th</sup>. An officer may continue to serve until a successor is elected. A person may not serve as an officer in a designated position of a board for more than four consecutive one-year terms. A person who has served as an officer in a designated position of a board for four consecutive terms is not eligible for re-election to that designated office until the expiration of two years after the last date of the person's service in that office. The board may override the term limit provision for an officer by an affirmative vote of two-thirds of the authorized board members.
- (D) A member may not hold more than one office at a time.

#### ARTICLE 5. DUTIES OF OFFICERS.

- (A) The chair shall preside at board meetings, appoint all committees, represent the board at ceremonial functions and approve each final meeting agenda.
- (B) In the absence of the chair, the vice-chair shall perform all duties of the chair.

#### ARTICLE 6. AGENDAS.

- (A) Two or more board members may place an item on the agenda by oral or written request to the staff liaison at least five days before the meeting. After first consulting with and receiving input from the staff liaison, the chair shall approve each final meeting agenda.
- (B) The board liaison shall submit the meeting agenda through the online agenda posting system for each meeting not less than 72 hours before the meeting.
- (C) Posting of the agenda must comply with Texas Government Code Chapter 551 (Texas Open Meetings Act).

#### ARTICLE 7. MEETINGS.

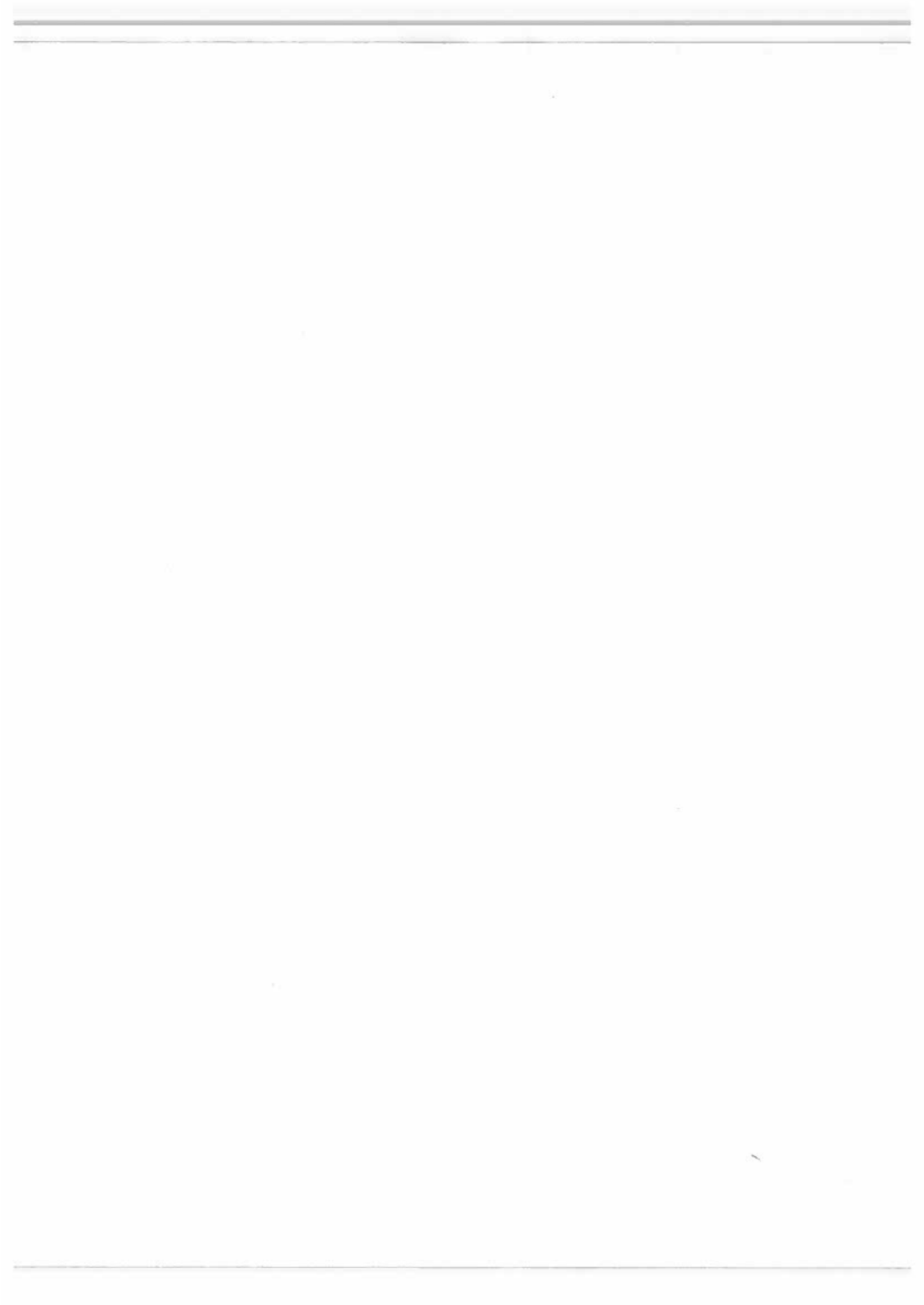
- (A) The board meetings shall comply with Texas Government Code Chapter 551 (Texas Open Meetings Act).
- (B) Board meetings shall be governed by Robert's Rules of Order.
- (C) The board may not conduct a closed meeting without the approval of the city attorney.





- (D) The board shall meet monthly or when the board is legally required to meet in order to comply with a legal deadline.) In November of each year, the board shall adopt a schedule of the meetings for the upcoming year, including makeup meeting dates for the holidays and cancelled meetings.
- (E) The chair may call a special meeting, and the chair shall call a special meeting if requested by three or more members. The call shall state the purpose of the meeting. A board may not call a meeting in addition to its regular scheduled meetings as identified in its adopted meeting schedule, more often than once a quarter, unless the meeting is required to comply with a statutory deadline or a deadline established by Council.
- (F) Six members constitute a quorum.
- (G) If a quorum for a meeting does not convene within one-half hour of the posted time for the meeting, then the meeting may not be held.
- (H) To be effective, a board action must be adopted by an affirmative vote of the number of members necessary to provide a quorum.

- (I) The chair has the same voting privilege as any other member.
- (J) The board shall allow citizens to address the board on agenda items and during a period of time set aside for citizen communications. The chair may limit a speaker to three minutes.
- (K) The staff liaison shall prepare the board minutes. The minutes of each board meeting must include the vote of each member on each item before the board and indicate whether a member is absent or failed to vote on an item.
- (L) The city clerk shall retain agendas, approved minutes, internal review reports and bylaws. The Office of the City Clerk shall retain all other board documents. The documents are public records under Texas Local Government Code Chapter 552 (Texas Public Information Act).
- (M) The chair shall adjourn a meeting not later than 10 p.m., unless the board votes to continue the meeting.
- (N) Each person and board member attending a board meeting should observe decorum pursuant to Section 2-1-48 of the City Code.
- (O) A member of the public may not address a board at a meeting on an item posted as a briefing.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48

## ARTICLE 8. COMMITTEES/WORKING GROUPS.

### COMMITTEES

The Commission for Women shall have the following committees:

(A) The Commission for Women will have no committees.

(A) Each committee must be established by an affirmative vote of the board. A committee cannot meet until its creation is approved by the Council Audit and Finance Committee. Each committee shall consist of at least three board members appointed by the chair. A staff member shall be assigned to each committee by the director of the Human Resources Department.

(C) The board chair shall appoint a board member as the committee chair, with the member's consent.

(D) A majority of the total number of appointed committee members constitutes a quorum.

(E) Each committee shall meet on a regularly scheduled basis at least quarterly.

(F) Each committee shall make an annual report to the board at the January board meeting.

(G) Committee meetings must be posted in accordance with Texas Government Code Chapter 551 (Texas Open Meetings Act).

(H) At each committee meeting, a committee member shall sign in on a sheet provided and shall indicate that the member has no conflict of interest with any item on the committee meeting agenda, or identify each agenda item on which the member has a conflict of interest.

### WORKING GROUPS

(A) The board can determine the size of a working group but the number of board members serving on the working group must be less than a quorum of the board.

(B) A working group may designate a chair, with the member's consent, but is not required to do so.

(C) Quorum requirements do not apply to working groups.

(D) Staff support will not be provided for working groups.

(E) Working groups are not required to post their meetings in accordance with the Texas Government Code Chapter 551 (Texas Open Meetings Act).



1  
2 The rules contained in the current edition of Robert's Rules of Order shall govern the board in all  
3 cases to which they are applicable, except when inconsistent with these bylaws or with special rules of  
4 procedure which the board or city council may adopt.  
5

6 **ARTICLE 10. AMENDMENT OF BYLAWS.**

7 A bylaw amendment is not effective unless approved by the Council Audit and Finance Committee.  
8

9 The bylaws were approved by the Austin City Council at their meeting held on March 24, 2016.  
10

11 Sandra Adame  
12 Staff Liaison  
13  
14  
15  
16

March 25, 2016

(710479)





Exhibit C-7

In the name and by the authority of

## The State of Texas

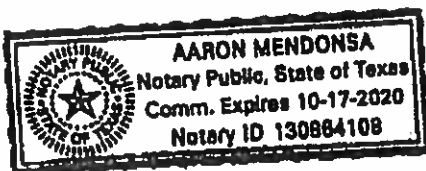
### OATH OF OFFICE and STATEMENT OF APPOINTED OFFICER

I, REBECCA AUSTEN, do solemnly swear  
(or affirm), that I have not directly or indirectly paid, offered, promised to pay,  
contributed, or promised to contribute any money or thing of value, or promised  
any public office or employment for the giving or withholding of a vote at the  
election at which I was elected or as a reward to secure my appointment or  
confirmation thereof; and that I will faithfully execute the duties of the office of  
COMMISSIONER FOR WOMEN

of the State of Texas, and will to the best of my ability preserve, protect, and  
defend the Constitution and laws of the United States and of this State, so help me  
God.

Rebecca Austen  
Affiant

SWORN TO and subscribed before me by affiant on this 21 day of February  
2017.



(Seal)

Aaron Mendonsa  
Signature of Person Administering Oath

Aaron Mendonsa  
Printed Name

Notary  
Title



Explore your city...

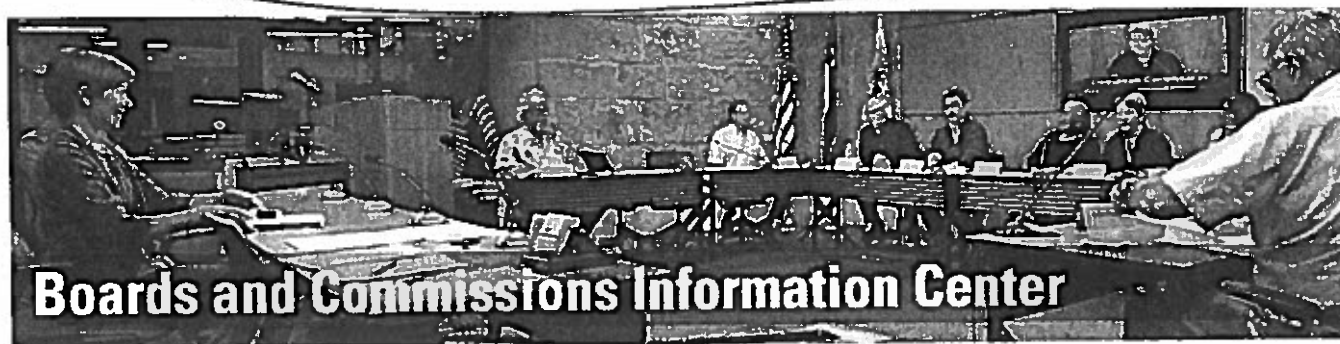
SEARCH

[Advanced Search](#)

**austintexas.gov**  
the official website of the City of Austin

Exhibit C-8

Department » City Clerk



## Boards and Commissions Information Center

2018 Meetings: Page 1 of 2 .

Go to page: 1 2 .

### 2018 Meetings: Commission for Women

Meeting documents are also available for:

[2019](#) | [2017](#) | [2016](#) | [2015](#) | [2014](#) | [2013](#) | [2012](#) | [2011](#) | [2010](#) | [2009](#)

#### December 12, 2018

Special Called Meeting of the Commission for Women - Location: Austin City Hall, Room 1027, 301 W 2nd St, Austin, TX 78701

[Agenda \(78KB\)](#)

[Approved Minutes \(227KB\)](#)

[Play audio - Meeting Audio](#)

#### November 14, 2018

Regular Meeting of the Commission for Women - Location: Terrazas Library, 1105 E. Cesar Chavez Austin, Texas 78702

[Agenda \(80KB\)](#)

[Approved Minutes \(236KB\)](#)

[Play audio - Meeting Audio](#)

[Backup - State Legislative Update Presentation by City's IRG Department \(1.9MB\)](#)

#### October 10, 2018

Regular Meeting of the Commission for Women - Location: Terrazas Library, 1105 E. Cesar Chavez Austin, Texas 78702

[Agenda \(81KB\)](#)

[Approved Minutes \(157KB\)](#)



**Austin City Code - Title 2 - Administration - Chapter 2-1 City Boards**

12/14/18  
Carlos Lesn

2-1-48 - RULES OF ORDER (A) - Each person and board member attending a board meeting should observe decorum. A person or board member should not speak out of turn, use disparaging or abusive language, or make threats of violence against any other person during a board meeting. (B) The presiding officer: (1) should maintain order; (2) should exercise the officer's authority impartially; and (3) may shorten a person's speaking time or ban a person from speaking for the duration of a meeting only for a violation of decorum set out in this section.

2-1-44 - MEETING PROCEDURES. - (A) Board meetings are governed by Robert's Rules of Order and the board's bylaws. TRANS PENAL CODE  
"ASSAULT BY THREAT"

Robert's Rules of Order (11<sup>th</sup> Edition) - CHAPTER XII - ASSIGNMENT OF THE FLOOR; DEBATE, §42. RULES GOVERNING ASSIGNMENT OF THE FLOOR - When a member has been assigned the floor and has begun to speak, he **cannot** be interrupted by another member or the chair unless he speaks longer than the rules of the assembly allow or when the urgency of a specific situation justifies it (see Interruption of a Member Assigned the Floor (a - h) for the eligible specific situations).

Roles and Responsibilities of Board Members - Be attentive to those who are presenting their point of view. This is an important issue to them and their voice must be heard. Follow the rules in the City Code and in the board's bylaws. The rules provide that each person and board member attending a meeting should observe decorum.  
<http://www.cityofaustin.org/edims/document.cfm?id=114611>

**Austin City Code - ARTICLE I. - § 2. - FORM OF GOVERNMENT** - the laws and government of the city are subject to the limitations imposed by the **state constitution and the state laws**

**Texas Constitution - Art. I - BILL OF RIGHTS**

Sec. 1 - Texas is a free and independent State, subject only to the **Constitution of the United States**

Sec. 3a - Equality under the law shall not be denied or abridged because of sex, race, color, creed, or national origin.

Sec. 8. - Every person shall be at liberty to speak... his opinions on any subject... and no law shall ever be passed curtailing the liberty of speech

Sec. 19. - No citizen of this State shall be deprived of... liberty, privileges or immunities, or in any manner disfranchised, except by the due course of the law of the land.

**U.S. Constitution - BILL OF RIGHTS - ARTICLE I** - Congress shall make no law... abridging the freedom of speech; **U.S. Constitution ARTICLE III - Section 1** - The judicial Power of the United States, shall be vested in one Supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish.; Section 2 - The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States...

**Matal V. Tam (2017)** - The Supreme Court of the United States **unanimously** ruled that a "disparaging" limitation on free speech is unconstitutional, citing "public expression of ideas may not be prohibited merely because the ideas are themselves offensive to some of their hearers," (*Street v. New York*), with Justice Kennedy calling such viewpoint discrimination unconstitutional because "a fundamental principle of the First Amendment is that the government may not punish or suppress speech based on disapproval of the ideas or perspectives the speech conveys." In fact, Justice Alito went further, saying "Speech that demeans on the basis of race, ethnicity, gender, religion, age, disability, or any other similar ground is hateful; but the proudest boast of our free speech jurisprudence is that we protect the freedom to express "the thought that we hate."

**CONCLUSION** - Because Austin City Code 2 -1-48 's "disparaging or abusive language" clause is unconstitutional it cannot be used during City Board, Commission, Committee, or Council meetings to censor, interrupt, silence, or punish Citizen Communication free speech that is disparaging, abusive, and/or hateful or ban the speaker.

[1 of 2]



...ing that purpose of the First Amendment is to protect offensive speech, a group of students has sued the University of Texas at Austin. The complaint by the student organization Speech First names university President Gregory Fenves and other officials.

"The mere dissemination of ideas – no matter how offensive to good taste – on a state university campus may not be shut off in the name alone of 'conventions of decency,'" the complaint charges. "Yet the University of Texas at Austin and its officials have created an elaborate investigatory and disciplinary apparatus to suppress, punish, and deter speech that other students deem 'offensive,' 'biased,' 'uncivil,' or 'rude.'"

The case points out that the federal court already has "instructed" the university that the First Amendment does "not apply with less force on campus," but it is "ignoring that admonition." UT's speech codes target "verbal harassment," "offensive" speech, "insults," "epithets," "ridicule" and more based on characteristics such as "ideology, political views, or political affiliation."

But the prohibitions, which are "backed by the threat of investigation and formal or informal discipline," are vague and undefined and "provide no clear or objective guidance to students about how to comply," the complaint contends. The practices and policies "unconstitutionally chill speech," it alleges, citing a "red light" rating, the worst possible, for the university from the Foundation on Individual Rights in Education. The policy punishes students for "rude" or "uncivil" speech but does not define the terms. It even has a SWAT-style "Campus Climate Response Team" to respond to and punish complaints about undefined incivility.

"If the incident potentially violates the law or the university's rules, the CCRT 'works in partnership with campus and community resources that address violations of university policies and criminal acts,'" the complaint states. Other schools, such as the University of Northern Colorado and the University of Iowa, already have scrapped their own SWAT teams, because they were viewed as being punitive to students. But the practice remains at Austin.

FIRE pointed out that during the confirmation hearing of now-Justice Brett Kavanaugh, members of the Young Conservative of Texas set up a pro-Kavanaugh table and held up supportive signs. "A large group of students surrounded the table for approximately two hours, hurling expletives and forcibly grabbing and destroy the signs," FIRE said. "One YCT member had his 'Make American Great Again' hat ripped off his head. The incident ended because campus police escorted the YCT members away to protect their safety. The YCT members were then 'doxxed,' meaning their personal information was published online (including their names, phone numbers, emails, and jobs). Upon information and belief, the university has taken no action."

The university even warns students of the "consequences" of choosing the wrong Halloween party costume to wear. "Less than two months ago ... an event featuring conservative commentator Charlie Kirk was disrupted with chants and ... and many of the signs advertising the event were vandalized or removed," the complaint notes. "The university's official policies already make clear – that certain viewpoints are not welcome on campus and will be met with retribution from the university and/or other students." Student members of the group, whose names were withheld in the complaint, hold pro-life, pro-GOP and conservative views. But they are fearful of even expressing their opinions because of the university atmosphere of intolerance, it complains.

The suit seeks a declaratory judgment striking the prohibition on "verbal harassment" as a violation of the Constitution and an injunction against future prosecutions by the school of students. "Without a doubt, the University of Texas has failed to appropriately safeguard students' First Amendment rights," said Speech First President Nicole Neily. "Students deserve to be able to express themselves and voice their opinions without fear of investigation or punishment – which is why these policies must be reformed."

Article printed from WND: <http://www.wnd.com>

URL to article: <http://www.wnd.com/2018/12/university-sued-for-punishing-rude-speech/>



12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

51

52

53

54

55

56

57

58

59

60

61

62

63

64

65

66

67

68

69

70

71

72

73

74

75

76

77

78

79

80

81

82

83

84

85

86

87

88

89

90

91

92

93

94

95

96

97

98

99

100

**COMMISSION FOR WOMEN  
MEETING MINUTES**

**MONDAY, June 17, 2019**

Exhibit C-10



**COMMISSION FOR WOMEN  
MINUTES**

**SPECIAL CALLED MEETING  
MONDAY, June 17, 2019**

The Commission for Women convened for a special called meeting on Monday, June 17, 2019 at One Texas Center, 505 Barton Springs Road, in Austin, Texas.

**Chair Austen called the Commission Meeting to order at 12:05 p.m.**

**Commissioners in Attendance:**

Rebecca Austen, Chair  
Flannery Bope, Vice Chair  
Tanya Athar-Jogee  
Julia Cuba Lewis  
Neva Fernandez  
Juliana Gonzales  
Amanda Lewis  
Dyana Limon-Mercado  
Sarah Tober

**Commissioners Absent:**

Rossana Barrios

**Vacancy:**

District 3

**Staff in Attendance:**

Vicky Nguyen, Human Resources Department  
Bryan Dore, Human Resources Department  
Kachina Clark, Austin Police Department

**1. CITIZEN COMMUNICATION: GENERAL**

Speaker: Carlos Leon.

**2. APPROVAL OF MINUTES**

The minutes from the regular meeting of May 8, 2019 were approved on Vice Chair Bope's motion, Commissioner Athar-Jogee's second on a 6-0 vote. Commissioners Limon-Mercado, Gonzales, and Tober were off the dais. Commissioner Barrios was absent.

**3. OLD BUSINESS**

(76 of 79)



Exhibit C-11

**ACKNOWLEDGMENT OF BOARD ELIGIBILITY REQUIREMENTS**

I, REBECCA AUSTEN, have been appointed to serve  
as a member of the COMMISSION FOR WOMEN.

In accordance with City Code Section 2-1-21 (*Eligibility Requirements And  
Removal*), I acknowledge that:

- (1) I have taken the oath of office, a signed copy of which is attached to this  
acknowledgment;
- (2) I have received a copy of and agree to comply with the City's ethics and  
personal responsibility guidelines; and
- (3) I agree to complete the training required by City Code Section 2-1-23  
(*Training*) within the prescribed time period.

Rebecca Austen  
Name

2/21/17  
Date

(2776477)

175

Explore your city...

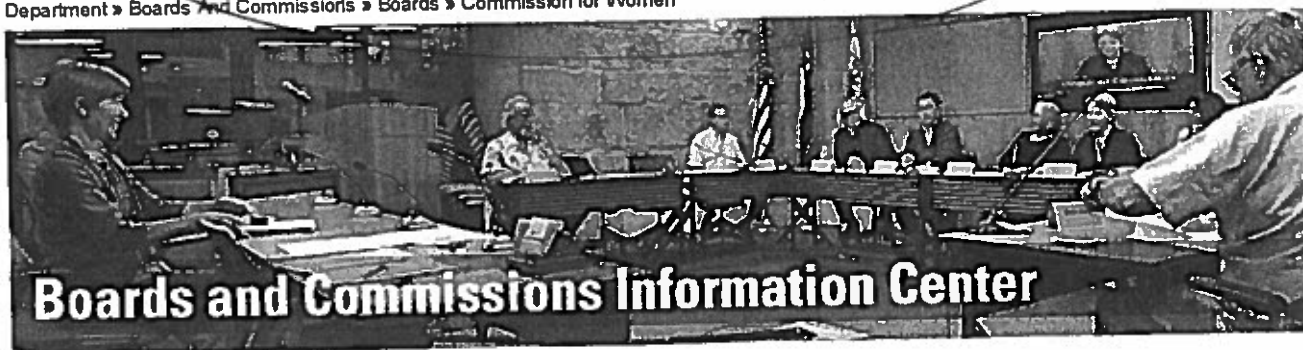
SEARCH

[Advanced Search](#)

**austintexas.gov**  
the official website of the City of Austin

Exhibit C-12

Department » Boards And Commissions » Boards » Commission for Women



## COMMISSION FOR WOMEN

Serves as an advisory body to the city council and city manager concerning the needs and problems of women in the Austin area and shall recommend programs designed to alleviate any inequities that may confront women in social, economic and vocational pursuits. See Section 2-1-125 of the City Code for additional duties.

### Meetings:

- Second Wednesday of the month
- See agenda or contact liaison for meeting time and location

### Meeting Documents:

View Agendas, Supporting Documents and Approved Minutes

### 2019 Meeting Schedule:

- January 9, 2019
- February 13, 2019
- March 13, 2019
- March 25, 2019 - Special Called - Community Forum
- April 10, 2019
- April 17, 2019 - Special Called - Cancellation
- April 23, 2019 - Special Called
- May 8, 2019
- June 12, 2019 - Cancelled
- June 17, 2019 - Special Called
- August 14, 2019
- September 11, 2019
- October 9, 2019
- November 13, 2019

### Staff:

- Vicky Nguyen, Human Resources Department, 512-974-3292
- Rebecca Kennedy, Human Resources Department, 512-974-3293

### By-laws:

By-laws: Commission for Women, PDF

\* - Notice that the July 10, 2019 regular meeting of the Commission for Women is absent from this page, ostensibly to make the public think it didn't happen, though it did, to try to obfuscate the ~~and~~ alleged criminality that took place then & there during Citizen Communication.

(78 of 79)





(b6)(b7c)



CITY OF AUSTIN

EXTENSION CALL DETAIL REPORT

Extension	Calls	Duration	Cost\$
42499	0	0:00:00	0.00
Extension	Calls	Duration	Cost\$
43292	0	0:00:00	0.00
Report Totals	Calls	Duration	Cost\$
	0	0:00:00	0.00

Exhibit C-13

Printed: 07/26/2019 10:37

Report Range: 01/01/2018 - 07/01/2019

