

1 **Zero Waste Advisory Committee Meeting, May 14, 2014: Item 4A**

2 **Rick Cofer:** Okay, thank you everyone for your patience. Up next is Item 4A. This is discussion on the
3 City Auditor's Integrity Unit report regarding ethics allegations. I'll note – one – that this is posted for
4 discussion, and not for discussion and action. I'll note – two – unfortunately...I don't know what
5 happened here. The original draft of this agenda had some different type of language that had
6 something about the Clerk's office talking with us, which was the understanding we were operating
7 under. I had invited – or I had requested that the Clerk's office be invited and, in fact, had spoken this
8 week or last week with Candy Parham Hinkle, our beloved Board and Commission liaison in the Clerk's
9 office about having someone from the Clerk's office come down here and do some ethics, conflicts of
10 interests discussion. Not specific as to any incident or member or anything, but just as a general
11 overview. This would have been the same, or similar to an ethics...basically a remedial ethics training
12 that we had received as a Commission in November of 2012, which I believe several of us were present
13 for. This was our last meeting – or one of our last meetings – at Rutherford. Anyway, because of how
14 the language is posted on the agenda, the Clerk doesn't feel like they've got the authority under the
15 agenda language to actually do that training and so I want to thank our appointed City clerk, Jeannette
16 Goodall, for joining us and she's here and I know that's great. The City Council only hires basically three
17 people and a bunch of judges, and so she's one of them. Thank you very much for joining us. And,
18 members, you'll notice that there was some material that was laid out for you that was not part of your
19 agenda entitled "Conflicts of Interest" and another one about ethics and personal responsibility
20 guidelines. This is material that was provided to us from the Clerk's office and so this is available for you
21 to review and at this point we'd certainly love to have the Clerk's office come back at our next meeting
22 to talk and if the members don't feel that's necessary then we can go without that, but I very much
23 appreciate you being here. Two – I specifically requested on this item that the City's ethics officer, a guy
24 named John Steiner, be extended an invitation to come and talk with us about this item. I don't know if
25 that was extended or not, but I know he's not here. Three – I requested, as did Co-chair of this body,
26 Gattuso, that the Auditor or the Auditor's office or representative from that office be present to discuss
27 this report, specifically because the Clerk's office didn't write the report and they can't speak to the
28 actual process or substance; it's not their report. To my knowledge, there's no one from the Auditor's
29 office present. If there is, speak up. Okay, so no one from the Auditor's office had the courage to come
30 down here and talk about that. Four – my understanding is that the City attorney's office has advised
31 ARR staff that they can't really talk about this either, which means that neither the City Clerk nor the
32 City Ethics officer, nor the City Auditor nor anyone from City legal or from the Austin Resource Recovery
33 Department is willing or able to actually talk about this report. This report was in the back-up, it was in
34 the back-up to all the members. I believe it was emailed out maybe at a slightly earlier date after the
35 Ethics Commission had had this item. And so with that, my understanding is that we do not have
36 anyone here from Staff to speak on it so we're going to move right into Citizen Communication. I'm
37 going to take this up in the order in which people signed up unless there's some reason not to. The first
38 person that I show as signing up on this is Andrew Dobbs.

39 **Andrew Dobbs:** Thank you, Commissioners. I'm Andrew Dobbs with Texas Campaign for the
40 Environment, Austin Zero Waste Alliance. You know, this is a really shameful episode for this City,

41 unfortunately for this commission and this department I believe. I'm actually getting worked up right
42 now after the following announcements that nobody from the City – that the City has decided to
43 materially harm somebody's life for the simple crime of trying to serve this City and they don't even
44 have the guts to show up and defend their actions. And that they're hiding... and there's legal opinions
45 and a total lack of concern or commitment on the part of the department – the Auditor's department
46 for that matter – and other bodies that have taken these actions, that they refuse to have the guts to
47 even show up and I want to start out by saying that if nothing else gets remembered, we're going to
48 bird-dog this for a little while until we're satisfied and we're not going to be satisfied until somebody's in
49 trouble besides Daniela. Okay?

50 **[APPLAUSE FROM AUDIENCE]**

51 **Andrew Dobbs:** Some of you may remember the meeting a while back where somebody from, a certain
52 vendor from the City, was rude to Daniela from the podium and I got a little bit worked up and came up
53 here. You know, these are friends of ours - this is a friend of ours - and somebody who served the City
54 at great ... just like you guys are. There's no money involved – *there's no money involved* – there's no
55 prestige, you know. It's just something good to do and it's an opportunity to help. This person's not
56 even a citizen of this country so there's no kind of greater ambitions being served by doing this. It's just
57 a pure act of service and this person was dragged through the mud. The most important facts on the
58 ground here is that Daniela told the department head, "Hey, I'm working for a hauler" or "I have a
59 contract with a hauler, do I need to recuse myself?" and she was told "No." Okay? And the second
60 most important thing is that none of these agenda items had any benefit to TDS in a material way and if
61 you can't contribute to discussions on the Special Events Ordinance and a couple of these other items...if
62 she can't do that because she had a relationship with a hauler, something as broad and as general as
63 that, then nobody who has any relationship with any hauler should ever get to vote on any issue from
64 the Dias. Anybody who's in the business whatsoever should be forbidden from on voting on things.
65 That means Jeff, that means Rachel, that means people from the past like Gerry Acuna shouldn't have
66 been able to vote, shouldn't have probably been on the Commission at all, you know. That's absurd and
67 we all know that's absurd and this in an exercise in absurdity, and like I said, stay tuned because this is
68 not the end of this. This is the beginning.

69 **Rick Cofer:** Questions for Mr. Dobbs? Alright, thank you, sir. And I'm sorry that I forgot to announce
70 the line-up. Here's who I have signed up and in what order and if ya'll want to change it, that's fine if
71 there's agreement among the parties: Robin Schneider, Daniela Ochoa, Mitchell Harrison, Michael
72 Whellan, Gary Newton, Melanie McAfee, Sayuri Yamanaka and so if y'all want to do something different
73 that's fine. And then I'm all for applause at the Longhorn's game or the Ranger's game but we can't do
74 it here regardless if it's something terrible or something wonderful, so...

75 **Robin Schneider:** My name's Robin Schneider and I'm with Texas Campaign for the Environment and I
76 know that this is not on your agenda for action, but I would encourage you at the end of this meeting to
77 put it on your agenda for action at the end of the meeting because I believe that you folks should join
78 with others that are demanding that the report by the Auditor's Office be retracted and that apologies
79 be issued. Daniela was a very qualified member of this Commission. She's got a Master's degree. Her

80 family questioned her about why she would want to get in garbage dumpsters to earn a Master's
81 degree. She has worked with the UN on these issues. She's worked with the Pan American Health
82 Organization, which is part of the World Health Organization, on these issues. She's worked with the
83 Organization for Economic Cooperation and Development on these issues. She brings a perspective to
84 our Zero Waste community from her work in Mexico and in Brazil as a woman of color who has worked
85 with people across the economic spectrum here in Austin as well and I think that her perspective on this
86 Commission is going to be sorely missed. And the whole city is being deprived of her expertise and she
87 has not only lost her position on ZWAC, she has lost her job. This is a travesty. Please take action on
88 this at your next meeting.

89 **Rick Cofer:** Thank you. Daniela Ochoa.

90 **Daniela Ochoa:** Hello, dear Commissioners, let me just put my clock. I am gonna take a use with the
91 willing of Mrs. Sayuri Yamanaka of her other three minutes.

92 **Rick Cofer:** That's great.

93 **Daniela Ochoa:** So I am great, I am going to read from. Good evening, Commissioners, and thank you
94 for this opportunity. Please note that all of my actions, personally, professionally, and as a public
95 servant have always aimed to contribute to the public good and to facilitate policies and processes,
96 leaving a more fair, clean and sustainable city and world. However, as a direct result of the inaccurate
97 report and the irregularities in the process my reputation has been tarnished and I have suffered
98 significant professional damages, economic damages and emotional distress. I resigned from ZWAC to
99 protect the credibility of this Board. All of this situation could have been avoided if the Auditor's office
100 had exercised minimum standards of care prior to publishing the report. The report contains significant
101 substantial flaws mentioned in the concise response I emailed to you all. But their main flaw is a failure
102 to duly address the two factors required in the city code for existence of a conflict of interest.
103 Additionally, the entire manner in which the investigation was conducted and the premature wide
104 publication of this inaccurate report denied me basic due process rights, all in complete disregard of the
105 process expressly established in the City Code for the complaints of ethics violations. As a Commission, I
106 here ask you to please consider recommending the Auditor's office to retract the report and grant me a
107 formal apology for my professional record so I can move on. Help the City provide tools for committing
108 citizens whose English is their second language to have a clear and appropriate training. Please
109 remember that the intentions of the Board, remember, what are the intentions of the Boards, the City
110 and the Auditors? This situation makes everyone with knowledge and strong authentic passion about
111 any topic in any board they participate vulnerable. The process needs to be fair and avoid creating fear
112 among current and future commissioners, especially young professionals willing to speak boldly, and
113 minority ones who does not speak English as their first language. I wish you all Commissioners here and
114 the other ones best of luck in your amazing non-remunerated service to the City and beyond. Now it
115 was called to my attention that there was a presentation of City ethics and that was a review of the
116 material that I also read three times before asking it in Spanish when I started in this Commission. so I
117 just wanted to clarify some points made in that presentation. I am not sure if you will have it or not. The
118 number one is that there were no benefits that cast doubt in my objectivity as a ZWAC member. The

119 number two is that my relationship with TDS was limited to be a contractor acting as a third, neutral,
120 consulting party between the four school districts I work in. I express here again, as I did in my only
121 interview with the City auditors young professionals that interviewed me just once, that I am more than
122 willing to provide information necessary to rectify this situation as bank statements, as my gross income,
123 but that was never given me a chance to provide them yet. Number three, none of these situations or
124 agenda items I participated in have an influence on future opportunities for me, except for living in a
125 cleaner, better city and world. Number four, I was okay with this role appearing in the media. That is
126 why I answered the questions that the Statesman contact me to answer. I really believe that this process
127 has a solution. I am not afraid or unhappy that my connections to any of the allegations of me having a
128 conflict of interest became known to the public or my colleagues because there was honestly no
129 conflict. I am still a believer in the democracy and justice mechanisms that put the place of truth to
130 prevail. See, I put myself in the shoes of everyone and I understand that each party involved here is
131 trying to do their best job to better serve Austinites, but I don't understand why there would be an
132 interest to harm them or crush their professional careers. Even when I give the doubt - the benefit of
133 the doubt - to the anonymous accuser. See I am a living person that is eager to - I am an eager learner
134 trying to be in constant improvement. Kind of like the same way as the master plan it's the living
135 document. I also believe that the Auditors needs to rectify the mechanisms improve, you know, for the
136 betterment of democracy. I have one minute left so I'll be quick. As a Commissioner, I never acted as an
137 advocate for myself or any other person or group or entity - only for humanity alive and generations to
138 come. I was not involved in the development, evaluation, or decision of anything happen inside TDS or
139 any solicitation process related to TDS in ZWAC. The only item was in April. There was an item that was
140 already decided and my questions during these discussions were about the lack of electronic copies
141 during the submission process. I have never had a financial interest, direct or indirect, in the contract
142 resulting in any discussed items in any time that I was on the Board. I also did not vote in this one item.
143 The report also missed a very important point that I disclosed to Mr. Moore right from the beginning in
144 our interviews for this appointment that I was a recent young professional contractor. And I also
145 disclosed very clearly that I was also a new consultant and that meeting that was called initially by Mr.
146 Gedert and I believe Ms. Tammie at meeting, and then, it ended up between Mr. Gedert and Mr. Sam
147 Angoori and me that I was a young professional that I was trying to be an educator

148 **Rick Cofer:** Unless there is an objection, you can take as much time as you want.

149 **Daniela Ochoa:** Thank you. I am almost done. And that I was trying to do educational waste
150 assessments for school districts that I had started in Hays County and that I was contracting for a client
151 which was a hauler. I do recognize that I didn't mention the words TDS, but I did mention the words
152 "hauler" and I was told that especially that part where I was assured that I was okay as long as I limited
153 my work to training and educational institutions and I was not involved in any decision making of my
154 clients. That ethics guide that you mentioned also substantiates that, because there is an article that
155 says if a board member does not have a direct influence on the decision making, that that member not
156 only has a right to participate in the discussion, but also has a right to vote and we don't even need to
157 disclose any connection because it's not direct. So I went to bed very clearly with my mind everyday
158 knowing that there was not a direct connection. I just have one last point. The Ethics Commission,

159 which I personally figured out that I was there by accident and I voluntarily asked for citizen
160 communication opportunity to speak, decided not to proceed with any legal complaint on the situation.
161 Yet, this does not clear my name or fix the situation. Moreover, and beyond my specific case, the
162 Auditor's office has established a poor precedent that will certainly intimidate any person evaluating
163 volunteer service at the City of Austin. My request is motivated by the objective to clear my good name
164 and reputation and it is not aimed to seek damages from the City. Certainly you have the power to help
165 me correct this injustice; please do so with utmost solidarity. Thank you very much.

166 **Rick Cofer:** Thank you very much. Questions? Comments? Thank you very much.

167 [Someone speaking inaudibly from the audience]

168 **Rick Cofer:** Come up to the podium I can't hear you. I'm sorry.

169 **Sayuri Yamanaka:** Thank you sir, my name is Sayuri Yamanaka. I donate my time to Daniela, but if time
170 is not a matter I would like to share a minute with you.

171 **Rick Cofer:** Okay yes, and there are a couple of other people who signed up ahead of you, but then yes.
172 Absolutely.

173 **Sayuri Yamanaka:** Thank you very much. So I met Daniela fourteen years ago in Mexico. Before I came
174 to Austin, I was coordinating a group of students in Monterrey and I know that she is a person who has
175 been recognized from international agencies, local organizations for her commitment, skills and values. I
176 encountered Daniela several times especially in events when you volunteer your time for the less
177 privileged people, talking about bilingual students and teachers always focus on sustainability. In a time
178 for action, it is extremely important for a community organizer and families to see that there is a clear
179 value and commitment and participation to benefit our society. It is hard for me really to understand
180 that there is a conflict of interest in her actions. I hope you consider the context of this case and also I
181 would like to respectfully invite you to consider Daniela's career as something that everybody is looking
182 for: honor. Thank you very much.

183 **Rick Cofer:** Thank you. Mitchell Harrison

184 **Mitchell Harrison:** Thank you for the opportunity to speak. I'm a resident of Austin and Daniela's
185 husband. The four page report from the Auditor – the CAIU – if you look at the summary there are three
186 verbs I want to point to. Let's call them the conclusions. First it says, "This constitutes a conflict of
187 interest." You'll find that's not true. It also says "it may have constituted a conflict of interest," and
188 finally, "appears to have constituted a violation of the City." These verbs are inconclusive, yet they've
189 caused such great harm to my wife, my family and her professional career. You've already pointed out
190 the Auditor, nor a representative is here in person, *nor* were they at the Ethics Review Commission. The
191 Auditor's report is so damning, yet they do not appear here in person to support their findings. Let me
192 use one of those verbs. It *appears* that this process is internal to the City. It is not one written in City of
193 Austin code which would be under the purview of the Ethics Commission. Four, Daniela was unable to
194 adequately face the accuser – the anonymous accuser – or be informed of rights or repercussions of this

195 investigation. Finally, this flies in the face of due process and this nation's founding principles. She's
196 been your colleague and I believe you know she would not act in a conflict of interest. Thank you.

197 **Rick Cofer:** Thank you, sir.

198 **Rick Cofer:** Michael Whellan; and then I also have Gary Newton donating time. Okay. I believe we have
199 a PowerPoint on the speaker.

200 **Michael Whellan:** Michael Whellan on behalf of Texas Disposal Systems. This has to be one of the most
201 disturbing things I've seen in my career. Somebody who's a litigator and believes so strongly in the
202 justice system and it's a very solemn moment. It's hard to find another time when the chamber is this
203 quiet and the people who are speaking are so full of anger and yet are remaining so calm about it. And
204 one reason why – and I'm going to go through it quickly in a moment – is every single one of you is at
205 risk, as is are so many of our other commissioners and board members who serve the public for free and
206 I will show you why given the interpretation. Y'all offer – I didn't realize Commissioner Hering and Paine
207 are both in hauling and yet talking about hauler ordinance today. There is no reason why the Auditor
208 couldn't do the same thing to you, which is outrageous when there is no direct economic benefit to y'all
209 and yet you bring these incredible gifts to the Dias here. So let's talk about what happened and what
210 we're looking at. The Code was not applied properly – we're going to see that in a moment. There was
211 no notification of findings. There was one interview back in December of Ms. Ochoa Gonzalez and no
212 follow up. They didn't bother to provide a copy of the report before its wide distribution, and they
213 failed to notify Ms. Ochoa Gonzalez or TDS of the Ethics Review Commission meeting. This is 2014. This
214 is not another country. This is the United States of America and this is what we're faced with? Y'all
215 know the rules. Obviously, they've been handed out. The two big pieces of the rules, as you know, are
216 one – does it affect somebody – a natural person, entity or property? You can't participate in a vote or
217 decision that affects somebody in which you, as a City official, have a substantial interest, and those are
218 defined terms. We're going to see those in a moment. They pop up again in 2-7-64 when you have to
219 make a disclosure. Similarly, you have to disclose a substantial interest in an entity or natural person or
220 property in which that entity is going to be affected by a voter decision of the body in which you are a
221 member. And then the definition, which you also are aware of; it means that it has to have a direct
222 economic effect or consequence. That's what "affected" means. The Code went so far to clarify. It
223 does *not* include those persons or entities who are subject to an indirect or secondary effect. That's in
224 the same definition in the same provision. Substantial interest – also lengthy. You've probably read it
225 before. For example, the first paragraph talks about having an interest – an ownership interest – in a
226 particular entity. That's not the one that applies. Here, we have a provision within substantial interest.
227 You have to – and you know this – you have to meet several things, you have to -

228 **Rick Cofer:** Well, hold on. It should reflect six minutes; I think that was three. Unless there's an
229 objection you can take as much time as you want.

230 **Michael Whellan:** I'm going to go through this quickly. It's like five more slides, or six more slides. But
231 y'all know these rules well. What you received within the previous 12 months, within the previous
232 calendar year, has to equal or exceed \$5,000 dollars paid to you, or you get \$20,000 in goods or services

233 or 10% of your gross income during that period, whichever is less. So those are the rules we're dealing
234 with, but keep in mind, to have a conflict of interest you have to hit both requirements. You can't just
235 have one, it's gotta be both. So here's Ms. Ochoa Gonzalez's extraordinary income from TDS. March 5,
236 2013, a payment of \$2,791.25; on April 17th another payment was received by her on that date,
237 \$2,378.75. She therefore hit the substantial interest threshold as to the entity, TDS, on April 17, 2013.
238 Again, I want to remind you, it's direct economic benefit and affected does not include indirect or
239 secondary effect. So what are the three agenda items that are in the Auditor's report? URO, Phase 2
240 Ordinance. The April 10, 2013 Austin Energy Waste Disposal Contract. I want to pause there. Still, you
241 haven't met the substantial interest. The report itself wrongly discussed either of those items. I'm
242 going to show you in a moment that it's irrelevant because there's no direct economic benefit to TDS as
243 to any of these, but why in the world even mention something when you hadn't even met the
244 substantial interest test through April 10, 2013? And then finally, the Special Events Ordinance, and the
245 URO data collection and reporting contract. So, February 13th, Phase 2 Ordinance. Y'all heard this over a
246 year ago. It was designed to – so that the recycling requirements could expand to all applicable
247 properties in Austin by 2017. There is no direct economic benefit to TDS. You might be able to say an
248 indirect benefit if more people are recycling because they're a leader in the field, but just like talking
249 about haulers tonight, this is a general ordinance about recycling. Give me a break. April 10th, Austin
250 Energy Waste Disposal Contract. This is the one Ms. Ochoa Gonzalez was referring to. It is one where
251 TDS bid was thrown out because they failed to include some sheets in the bid package when it was
252 opened. TDS took the position that it should be re-bid. I want to emphasize here, however, that the
253 only thing that could be decided at this meeting was whether to award Republic Waste Services of Texas
254 the contract or not. There was no direct economic benefit to TDS and, by the way, on April 10th there
255 was no substantial interest at that point. So in order for there to have been a direct economic benefit
256 you would have required the agenda item to allow reconsideration of the TDS bid, but that was not
257 allowed. It was either an up or down vote on Republic Waste. We asked for reconsideration of the bid,
258 but it was an up or down vote. Finally, I mean this is really out on a limb - August 14th, Special Events
259 Ordinance. It required event organizers to provide details about waste management and recycling
260 activities during an event. Just astonishing that this would be one that would be considered, but more
261 astonishing is that the other agenda item from August 14th – and I remember speaking on this at Council
262 – this was a contract for Emerge Knowledge and design for the data collection contract; data collection
263 and reporting contract. TDS is not in the business of software, of writing software, its only interest in
264 the item was to ensure confidentiality of any information that was collected. Again, no economic benefit
265 to TDS, and I would argue here, it's a bit of stretch to even see an indirect benefit on these two items. So
266 I'd ask you to consider how in the world could the Auditor's office conclude that "... our investigation
267 substantiated the allegation that Ochoa Gonzalez violated the City's conflict of interest requirements."
268 The Ethics Commission certainly didn't think so. They took the only action they could take was no action.
269 They could either file a complaint or take no action. They took no action. There was exoneration for Ms.
270 Ochoa Gonzalez. The members were very frustrated and there was considerable criticism of the City
271 Auditor's office. And the City Auditor has been asked to come to the July meeting, where we will be as
272 well.

273 So, I think Mr. – I hope I get your name right – Dobbs? Mr. Dobbs made a very important point. Please
274 take it to heart. Please ask for further discussion at other meetings. We benefit from expertise on
275 Boards and Commissions. The Auditor’s interpretation places “City Officials”, quote, unquote, as that
276 term is defined, which is all members of boards and commissions, in jeopardy. Anyone who has any
277 connection to a business, and gets more than \$5,000 from that business. You’re an engineer, and you
278 serve on the Planning Commission... Mr. Sullivan served with a lot of people on the Planning
279 Commission; or you’re on the Environmental Board and you’re an engineer; every decision you’re
280 making about the code could be interpreted, the way they’ve done it to Ms. Ochoa Gonzalez, as having a
281 direct benefit and therefore you are violating the conflict of interest rules. Without Auditor action to
282 repair some of the damage the potential repercussions for those serving, for considering service, is that
283 you’re going to have people wonder, “Why in the world would I put myself in this position?” It is bad for
284 the City. This is a bad thing that has happened, and a bad process.

285 Our request – I know you can’t take any action. I appreciate you reminding us of that, but as you’re
286 looking forward to other meetings where you might be able to take action, please get them, please ask,
287 or at least you can say that you would recommend that the report be retracted. You could ask, and
288 recommend that the Auditor apologize in writing to Ms. Ochoa Gonzalez and to TDS. And, let’s use this
289 mistake that has impacted so many people as an opportunity to update the Auditor’s interpretation of
290 City Code and improve the investigation process. Let’s use this travesty. This person has now lost her
291 job, has resigned from the ZWAC; let’s use this opportunity to really fix the fundamentals here.

292 I appreciate you giving me that time. This has not been pleasant for anybody involved and we’re not
293 happy about it, and we are going to bird-dog this thing. You know, I look back at the flags behind you,
294 and it really does impact me when I think about a Star Chamber, here at City Hall, based on an
295 anonymous tip. This is not an NSA meeting with drone strikes. We live in the United States of America
296 where people really live, die, fight for our country so we can have an ability to be protected from
297 something like this. And it’s shameful. The Auditor should be ashamed. But I think we all have a bit of
298 responsibility if we just sweep it under the rug. So let’s take this opportunity and do something about it.
299 And I hope that you’ll consider the request at your next meeting.

300 I have the materials that I emailed out to all of y’all. I’ll leave a copy so that you’ll have a copy with you.
301 And it is in the last paragraph, two paragraphs; you’ll see my analysis of where I think most people could
302 be vulnerable if they have an interest in the topic for which they sit on these commissions. Thank y’all
303 very much.

304 **Rick Cofer:** Thank you, Mr. Whellan, and as that material gets distributed, do any of the Commission
305 members have any questions for Mr. Whellan? Comments? I would just ask if you could also have
306 electronic copies sent to Staff, just so that that’s with the departmental staff.

307 **Michael Whellan:** We included in our email to y’all, Mr. Gedert, so Mr. Gedert has a copy of it already.
308 And he knows, I mean... yes, he has a copy.

309 **Rick Cofer:** And I anticipate that we will request that we have this posted for action at our next meeting.
310 And if there's any guidance that you might be able to provide us, that can be communicated to all
311 members, individually or through Staff, and I think that would be very much appreciated.

312 **Michael Whellan:** Thank y'all for your time.

313 **Rick Cofer:** Thank you, Mr. Whellan. I do reflect Melanie McAfee signed up on this item, but I believe it
314 was to donate time to Robin Schneider... so if she's gone. Okay. We're not in line for action, but we are
315 in line for discussion. Is there discussion among members of the Commission?

316 **Cathy Gattuso:** I think it's been discussed a lot tonight, but I think it's very important to have this on the
317 agenda for next month; for discussion and action.

318 **Rick Cofer:** I think this speaks for itself. You know, and, I'll just leave it at that.

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