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**Re: \*NEW\* Clarification and Concern Regarding Agenda Item 6**

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**From** Dave [REDACTED] >  
**Date** Mon 9/30/2024 2:55 PM  
**To** Wendi Hundley <[REDACTED]>  
**Cc** CRCRC <CRCRC@rollingwoodtx.gov>; Ashley Wayman <awayman@rollingwoodtx.gov>; Makayla Rodriguez <mrodriguez@rollingwoodtx.gov>

Good Afternoon Wendi,

Please find my responses below in [blue](#).

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**From:** "Wendi Hundley" [REDACTED]  
**To:** "Comprehensive Residential Code Review Committee" <CRCRC@rollingwoodtx.gov>, "Dave" [REDACTED]  
**Cc:** "Ashley Wayman" <awayman@rollingwoodtx.gov>, "Makayla Rodriguez" <mrodriguez@rollingwoodtx.gov>  
**Sent:** Thursday, September 26, 2024 1:30:25 PM  
**Subject:** \*NEW\* Clarification and Concern Regarding Agenda Item 6

Dear Chair Bench,

I hope this message finds you well. I am reaching out to seek clarification and promote transparency regarding the recent handling of my letter dated September 25, 2024, concerning Agenda Item 6. It appears that my letter was not included under the relevant agenda item but was instead placed under Agenda Item 5.

I would also like to offer some additional context, if you are open to it. The snippet of my correspondence with the city that you included does not reflect the entirety of my communication on this matter. I submitted two Public Information Requests (PIRs) related to this issue. The initial PIR was submitted on November 15, 2023. The city informed me that my request was under legal review and that they would need my permission to provide redacted information. I did not give permission for redacted information because my intent was to access the complete, unredacted dataset. My motivation for seeking the unredacted data was to understand what may have been changed, particularly after your comments at the November 13 CRCRC meeting and the November 14 City Council meeting regarding your intention to refine the raw survey data before distributing.

Despite this, on December 1, 2023, I received a dataset from the city that included redactions, which was not what I requested. I followed up to clarify that I was seeking the complete dataset without redactions, and this was treated as a new PIR.

The city categorized it as a new request because, according to Texas State Code, a governmental body must seek a ruling from the Texas Attorney General's Office Open Records Division before redacting most information from requested documents. The Attorney General's ruling to the city on March 5, 2024 (OR2024-007881), stated that the city was not permitted to redact information and must release the records in full.

There were 10 months and 10 days between my original PIR on November 15, 2023, and the inclusion of this issue under CRCRC Agenda Item 6 on September 26, 2024. This long delay naturally raises questions about the timing and intent behind including this item on the agenda after such a considerable gap. I did not anticipate being singled out for engaging in a lawful and protected civic activity. I discovered this agenda item only yesterday and wrote to the CRCRC to clarify my involvement and provide context. While I would like to address this matter in person tonight, my family and I will be attending my daughter's volleyball game.

It's true that this matter sat untouched for a very long time. When we initially found out about your PIR, I resisted having the group discuss it publicly because I didn't want this issue to overshadow the important work that were assigned to do. I did promise that I would bring it up at some later date. This past Thursday's CRCRC meeting could have been our last (it wasn't, but we're very close, I hope).

I have a few questions I would appreciate your insight on:

Inclusion of Correspondence in Agenda Item 6: As Chair, would you consider including my letter dated September 25, 2024, along with this email under Agenda Item 6? Including them where they are most relevant would provide the public with a comprehensive view of my involvement and concerns in the appropriate context. [Done!](#)

Other Public Requests and Access to Data: I have not made any public comments, oral or written, about the survey data. However, I have noticed that other individuals have publicly commented and provided their own analysis of the survey data. I am curious to know how these individuals obtained the dataset, as I did not provide it to them. [The redacted data set is available from City Staff and I believe can be found via the City website \(if it isn't already readily available, it will be\).](#) Again, [this is the redacted dataset with addresses and or identifying information removed from the comments and no way to tie a response to an address.](#) We wanted to eliminate any possible embarrassment. Those who have used this data to do their own analysis have done so respectfully and I guess believe as we do that you don't need to associate the various data elements with a specific address to do a thorough and meaningful analysis.

Have there been any other Public Information Requests (PIRs) for this data? [According to City Staff, yours was the only one.](#) If so, shouldn't those requests also be included in the discussion? [Had there been others, they would have been included with item 6.](#)

Selective Focus on My Request: Could you help me understand why only my request was included under Agenda Item 6? [Your request wasn't singled out, it was the only one. And had your request not have insisted in getting the information that ties responses to an address, we wouldn't brought the issue up.](#) Has there been any coordination with specific community members known for making public comments directed at me? [No.](#) I suppose we will find out at tonight's meeting? [There's nothing here to find out other than we mistakenly betrayed the trust of the citizenry when we collected the address information to begin with. We collected the info as a control mechanism to ensure that we weren't getting too many responses from the same address. As it turned out, we had nothing to worry about. Our citizens are clearly honorable. \(Thanks, citizens!\)](#)

Open Letter from CRCRC: I noticed that an open letter was presented as representing the entire CRCRC. Could you clarify how this letter was drafted without a properly published meeting? Did all members of the CRCRC have the opportunity to review and agree to the letter outside of a public meeting? If not, how was it included in the agenda? [As chair, I set the agenda. I had conferred with a couple CRCRC associates on this item \(not a quorum\) for sanity beforehand. No one saw the posting content before I had it posted. I take full responsibility. Now the fact that I signed it CRCRC might have been a reach, but given the](#)

discussion of Thursday evening, I don't think so. We all believe that our process was compromised by your PIR.

Compliance with Training Requirements: Have you completed the required training on the Texas Open Meetings Act and the Texas Public Information Act, which all public officials are expected to undertake? If so, how do these laws guide your decisions regarding public information and open meetings? Yes, as a sitting member on the CRCRC and P&Z I've had the training twice. The CRCRC is an advisory body, not a legislative one like P&Z - that is why there is no legal counsel present at CRCRC meetings but counsel presence is required at P&Z meetings. CRCRC's compliance with the Open Meetings Act is at the insistence of City Counsel; it is not statutory. Recognizing the breadth of CRCRC's responsibility and the pace of progress, I requested and received from City Council a slight relaxation of OMA requirements that gives the CRCRC a small measure of added maneuverability. City Staff can brief you on what is allowed out of the ordinary but the CRCRC is still held to the rules of quorum. P&Z is still obliged to follow OMA to the letter.

I am concerned that this agenda item might be retaliation for my Public Information Request and politically motivated, potentially singling me out for simply exercising my rights. This could impact the transparency and trust we should all be fostering within our community. It's crucial that official channels are used fairly and not in a way that might discourage residents from participating or sharing their concerns. I sincerely hope this is not the case. I remain committed to working together with integrity and respect for our shared values. Thank you for your attention to this matter.

I would appreciate your response to these questions for the public record.

The CRCRC thought that it could keep this data safe - in fact we talked about it several times during our early survey meetings, but we were naive. We thought that if our contractor held onto the data, the confidential pieces could not be discovered. We were wrong and we are embarrassed.

I learned of your PIR during the first week in December, 2023. I recall trying to contact you by phone or text once or twice or even 3 times a day for over a week to discuss what you needed and to hopefully talk you out of your request. You never picked up the phone or acknowledged my contact; and once your PIR was fulfilled, it was too late. You put some nice words about community trust in your text above - for the life of me I can't see how your insistence on receiving confidential information that we promised to keep safeguarded earns the public trust.

As I've said before, the CRCRC has operated without knowing the identities of its survey respondents and will continue to do so.

Good luck to you,

Dave

Sincerely,  
Wendi Hundley