

**From:** [Tolbert, James H.](mailto:Tolbert, James H.)  
**To:** [Gutierrez, Miriam J.](mailto:Gutierrez, Miriam J.)  
**Subject:** FW: PIOs & Press  
**Date:** Tuesday, September 20, 2016 8:56:00 AM

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**From:** David Crowder [mailto:[dcrowder@elpasoinc.com](mailto:dcrowder@elpasoinc.com)]  
**Sent:** Friday, September 16, 2016 6:32 PM  
**To:** Tolbert, James H.  
**Subject:** PIOs & Press

Jim

Just fyi, I checked all my in coming and out going involving Juli and was surprised to see I sent her nothing and got nothing from her in the first two weeks of March.

On the topic kinda-sorta, I'm regularly being told these days to go to the PIO crew first when I reach out to some city person for routine information and interviews.

The city went through spells of this under Joyce but whenever I asked for a copy of any new policy, I was always told there was no written policy much less any new policy. Soon after Wilson got in 2004, I asked her if she intended to implement a policy of requiring news media to go to PIOs for any info instead of allowing us to go straight to department heads or other expert types for routine information requests and interviews. She said no she didn't intend to do that and I extracted a promise from her to that effect that she would not go the way of local school districts have and many local governments around the state.

As far as I know, she kept her word to the end. But Juli seemed to want to install such a policy. So on probably five or six occasions, I got into it with her and wound up copying emails to Wilson, the mayor and others protesting Juli's actions. Each time, I asked to see a copy of the new policy. Each time, Juli and/or Wilson would come back and said there'd been no change and that I was free to talk to just about anyone who was willing to talk to me.

Things have changed since Gonzalez got here. Everything. I never get to Tommy and have been told not to try without going through a PIO first. By comparison, I had Wilson's cell and she always took my calls. Ditto Cook. Not Leeser. My formal interview requests to him through Juli & Co. are routinely ignored.

Getting told more often to go to the PIOs, I recently submitted a public info act request for copies of any new policy that's been discriminated to council, department heads or other city employees concerning requests for information or interviews. I got the "please clarify ... and tell us the name of every person you want to include ... at a cost of \$18 an hour for our trouble."

I submitted my clarified request this past week after emailing the city's new tax assessor collector asking her to tell me if the state's truth in taxation law dating back to, like, 1979, had changed regarding the meaning of the property tax "rollback rate." I asked because it seemed to me that everyone has been saying an 8 percent increase is a cap that can only be exceeded by consent of the voters in a tax election. That's bullshit.

The law I know says if you raise the tax rate over 8%, voters can petition for a rollback to 7.9. Such a petition's only happened once - Oscar White did it and then withdrew his petition.

Turns out I was right.

Sorry this is so long ... Anyway, the tax lady answered my question **incorrectly**.

"Per the State Comptroller website, "The rollback tax rate is a calculated maximum rate allowed by law *without voter approval*." Emphasis mine ... and she was wrong ... unless it's

been changed for school districts ... but it hasn't for cities.

Anyhow Ms. Pasillas told me to send any further questions through Juli & Co. and copied them in. This bothers me because it's really slow for one and because since 1981, I've gone to the our tax collectors, Marta Duron Hernandez, Juan Sandoval and Chiles, regularly with tax questions. They never said to a PIO first.

Frankly, I wouldn't be surprised if Tommy dumped this traditional nicety - and I haven't heard he did - but I'd expect him to touch base with the council about a policy change first and I'd expect to get something from Juli & Co. about the change. Never have. Just impediments some of the time arising from the enforcement of someone's little policy change.

So, there, you have my big whine. Have you heard anything about the policy re news media calling city people for stuff?

Ya basta.

David

As an aside, because

dc

On 9/16/2016 2:03 PM, Tolbert, James H. wrote:

FYI

**From:** Karen Harrison [mailto:1 - Email Mbr Public]

**Sent:** Wednesday, September 14, 2016 6:26 PM

**To:** District #1 <[District#1@elpasotexas.gov](mailto:District#1@elpasotexas.gov)>; District #2 <[District#2@elpasotexas.gov](mailto:District#2@elpasotexas.gov)>; District #3 <[District#3@elpasotexas.gov](mailto:District#3@elpasotexas.gov)>; District #4 <[District#4@elpasotexas.gov](mailto:District#4@elpasotexas.gov)>; District #5 <[District#5@elpasotexas.gov](mailto:District#5@elpasotexas.gov)>; District #6 <[District#6@elpasotexas.gov](mailto:District#6@elpasotexas.gov)>; District #7 <[District#7@elpasotexas.gov](mailto:District#7@elpasotexas.gov)>; District #8 <[District#8@elpasotexas.gov](mailto:District#8@elpasotexas.gov)>; Mayor <[Mayor@elpasotexas.gov](mailto:Mayor@elpasotexas.gov)>

**Subject:**

Dear Mayor and Council:

As the governing body responsible for ensuring that the City comply with the Texas Public Information Act, I am requesting that you investigate Open Records Request #W041889-061616. I am certain that all of the records that I requested have not been made available, and I think there is an easy way to confirm this.

On July 16, 2016, I requested the following:

"All emails to and from Juli Lozano, Public Information Marketing Manager, from 3/1/2016 to 6/5/2016."

The City provided 115 pdf files containing these emails. Jacqueline Leyva, the Public Records Coordinator for this request, indicated that the emails had been retrieved by IT through a thorough search of the server. In addition, she indicated that "Julie Lozano was also asked to provide any emails that may have been stored somewhere other than the server. There were no responsive documents to