

Frank Dixon  
Assistant City Manager/Chief of Police  
City of Denton  
VIA EMAIL

March 22, 2022

Chief Dixon,

This report is made in my personal capacity—not as a public official. However, even as a private citizen I am ethically bound to refer this matter to law enforcement.

This report alleges criminal (misdemeanor) violations by current City Council Members, and involves other Council Members as witnesses and potentially co-conspirators. Therefore, I expect that you will need to refer this investigation to another agency.

Likewise, should that investigating agency require assistance from the District Attorney or refer the matter for prosecution, due to my employment at in the District Attorney's Office I expect that a Special Prosecutor will be required.

I do not seek any specific result, other than the matter be properly investigated. However, in full candor I will be asking the Denton City Council to repeal the redistricting ordinance passed on December 14, 2021, as this action was undertaken following violations of the Texas Open Meetings Act and may be voidable.

## **I. Synopsis**

Beginning on or about October 14 and concluding on or about December 14, 2021, Denton City Council Member Brian Beck knowingly engaged in at least one communication among in a series of communications that each occurred outside of a meeting authorized by the Texas Open Meetings Act and that concerned an issue within the jurisdiction of the Denton City Council in which the members engaging in the individual communications constituted fewer than a quorum of members but the members engaging in the series of communications constituted a quorum of members; and Council Member Beck knew at the time he engaged in the communication that the series of communications involved or would involve a quorum and would constitute a deliberation once a quorum of members engaged in the series of communications. This is a violation of Texas Government Code Section 551.143(a). Texas Open Meetings Act (TOMA)—see Section IV of this letter.

Beginning on or about January 13, 2022 and continuing to the present time, Council Member Brian Beck, a temporary custodian of public information, has failed to surrender public information to officer for public information of the City of Denton not later than the 10th day after the date the officer for public information or his agent requested that Beck surrender the information. This is a violation of Texas Government Code 552.233(c). Alternatively, if said records have been deleted, then on or about December 14, 2021, Council Member Brian Beck willfully destroyed public information. This is a violation of Texas Government Code Section 552.351(a). Texas Public Information Act—see Section III of this letter.

Beginning on or about January 13, 2022 and continuing to the present time, Council Member Paul Meltzer, a temporary custodian of public information, has failed to surrender public information to officer for public information of the City of Denton not later than the 10th day after the date the officer for public information or his agent requested that Beck surrender the information. This is a violation of Texas Government Code 552.233(c). Alternatively, if said records have been deleted, then on or about December 14, 2021, Council Member Paul Meltzer willfully destroyed public information. This is a violation of Texas Government Code Section 552.351(a). *Texas Public Information Act—see Section III of this letter.*

Currently available communications indicate that other City Council Members may be in violation of the same statutes. However, given that Council Members have withheld or destroyed certain public records, this is difficult to ascertain.

If public records have been deleted, the Council Members who destroyed them may be in further violation of public records laws. If Council Members intentionally destroyed records to avoid their disclosure or to prevent a TOMA investigation, they may have committed the offense of Tampering under Sec. 37.09 or Sec. 37.10 of the Texas Penal Code.

## **II. Background**

### **A. Redistricting and the Beck Plan**

At the October 19, 2021 Denton City Council meeting, a majority of the Council expressed a desire to adopt new Council districts to better align with voter population following the 2020 Census. City staff engaged an outside consultant. The same consultant had advised the City of Denton following the 2010 Census.

On this same date, Council Member Brian Beck submitted a redistricting proposal to the City Council via staff. However, neither the outside consultant nor city staff proposed an independent or neutral redistricting option. This is in contrast to the 2010 redistricting process when the consultant and the City Attorney presented multiple neutral options with which the City Council could use as a starting point.<sup>1</sup>

The redistricting process continued through additional work sessions, public meetings, and public hearings. At least one council member preferred not to redraw the districts, and I submitted two proposals myself for consideration. Public input and debate were vigorous and well documented. Of particular note were the hundreds of voters from precincts 4186 and 4185 who were very clear that they opposed the Beck Plan because they did not want to move from District 3 to District 4. In contrast, fewer than 10 of the voters who expressed support for the Beck Plan actually lived in an affected

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<sup>1</sup> It is noteworthy that (as objective observers have commented and each Council Member has publicly acknowledged) the net effect of Council Member Beck's proposal was to move more conservative voters into the already conservative District 4 (out of District 3), and more liberal voters into the already more liberal District 3 (out of District 4). This illustrates that Council Member Beck's proposal could not be considered politically "neutral" but rather aligned with and served his own liberal politics.

precinct. That is, the overwhelming majority of voters who supported the Beck Plan would not be forced into a new district if it were adopted.

## **B. Final Vote**

On December 14, 2021, the Denton City Council adopted the Beck Plan without a single change or revision. This was unusual (and suspicious) for several reasons:

- In Denton and elsewhere, redistricting is typically a fine-grained process with multiple revisions in response to public input.
- The four Council Members who eventually voted for the Beck Plan (other than Beck himself) initially described it as “a starting point”, listed changes they might like to see, and anticipated a lively discussion.
- Council Members expresses a desire to adopt a mathematically equitable plan, but rejected a more equitable plan in order to adopt the Beck Plan.
- A very large group of affected voters vehemently opposed the Beck Plan, which typically gives elected officials pause. Especially Council Member Meltzer, who would be running at-large for Mayor in May 2022 and does occasionally vote separately from Council Member Beck on key issues.
- Council Members Beck and Maguire are political allies—they campaign together and most often vote together. However, Council Member Maguire will face a much more difficult re-election in the new District 4 under the Beck Plan. It is hard to imagine Beck proposing a plan adverse to Maguire’s interests—and her voting for it—without the two of them having a discussion.

## **C. Suspensions and Public Information Request**

The Council majority’s wholesale adoption of a completely un-altered Beck Plan made clear to me that some Council Members engaged in deliberations outside of publicly noticed meetings. As one constituent commented during a public hearing, it sure seemed like the fix was in and minds were made up. The most likely scenario was not some secret in-person meeting, but rather that Council Member Beck contacted Council Members to whip votes—either directly or through proxies.

For this reason, on December 14, 2021 I submitted a public information request for all written communications of staff and Council Members on redistricting in any form including but not limited to city email, personal email, text message, Facebook messenger, etc. *See attached Exhibit B.* These are public records which all members of the public have a right to see under Texas law.

## **III. Texas Public Information Act Violations**

### **A. Reaction to the Public Information Request (PIR)**

On December 15, 2021, the City Secretary’s office emailed all City Council Members concerning my PIR, asking for an estimate of the time necessary to complete their responses. *See attached Exhibit A.* On December 30, the City Secretary’s office requested that Council Members send all responsive records from mediums other than their city email account by January 3, 2022. *Id.*

On December 28, 2021, the Denton City Attorney sent a notice of a request for opinion to the Texas Attorney General's Office.<sup>2</sup>

On December 30, 2021 local attorney Richard Gladden—who has represented Council Member Armintor in the past—delivered 28-page letter brief to the City Secretary. In this brief Mr. Gladden claims that he does not represent any Council Member, but described in great detail (and with specious legal arguments) why Council Members are not legally required to comply with the PIR. To be clear, he did not advise Council Members to comply with the PIR and seek an AG opinion for clarification. Rather he attacked the validity of the statute and provided grounds for ignoring the PIR with regard to records Council Members would rather keep private.

In later communications, the City Attorney made clear to Council Members that Mr. Gladden had incorrectly stated the law and that if they had records responsive to the PIR they must produce them and/or pursue an Attorney General opinion.

On January 4, 2022, the Denton City Council held a closed session to receive advice from the City Attorney regarding the PIR and to decide whether individual Council Members wished to pursue an Attorney General opinion regarding any lawful exceptions to the Public Information Act.

On January 10, 2022, the Denton City Attorney wrote again to the Attorney General and withdrew the notice of request for opinion, noting that **“the responsive information will be released to the requestor as required by law.”**

## **B. City Response and Glaring Omissions**

On January 27, 2022 I received a number of records responsive to the PIR from the City of Denton. These were primarily emails from the city-maintained email server to or from each Council Member and senior City staff. They also included a few text messages and social media records, primarily from myself, Council Member Armintor, Council Member Beck, and Mayor Hudspeth. Council Member Maguire provided screen shots of a single text message conversation between herself and Council Member Beck. Council Member Beck provided a single text message conversation with a citizen—but not the one between himself and Council Member Maguire. Council Member Meltzer provided a single text message from himself to an unknown person. Council Member Byrd initially provided no text messages or social media records.

This response was demonstrably incomplete, for the following reasons:

- 1) In several instances, records provided by one Council Member contained conversations with a second Council Member—showing that the second Council used that medium—but the second Council Member failed to provide their corresponding record or other messages from the same medium;
- 2) A screenshot provided to me via Facebook Messenger (and thus included in my own response to the PIR) shows a Facebook Messenger conversation between Mayor Pro Tem Meltzer and a constituent, but Meltzer provided no Facebook messages in his response to the PIR;

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<sup>2</sup> Such a notice is usual, and alerts the Attorney General's Office that the governmental body believes that some responsive records may be confidential, and may later request an Attorney General's opinion supporting this position.



- 3) The few text conversations provided are almost exclusively between Council Members. All seven Denton City Council Members are active on social media and are well known users of text messaging, Facebook Messenger, etc. It strains credulity to think that they had only a few written conversations about this major vote, and then only between themselves rather than with constituents. Other written conversations took place and are documented (see #2 above) but these records were not provided.

In addition, several weeks before submitting the PIR I spoke with a citizen named Jordan Villarreal, a paid campaign employee of Council Members Meltzer and Maguire who I know to be in regular communication with certain Council Members. I said to Jordan, “I’d like to talk to you about redistricting, but would that create a walking quorum?” He responded with a small chuckle and said, “Yes, that would create a walking quorum.” Yet no Council Member provided any records in response to my PIR containing conversations with Jordan Villarreal.

### **C. City Staff Attempts to Obtain Records from Council Members**

On January 28 I made the deficiency known to the City, and requested any additional records responsive to my PIR. On January 31 the City Secretary’s office responded:

“[W]e have sent a subsequent request to the other Councilmembers requesting they provide any further documents in their custody to show good faith efforts to comply with the PIA. In addition, **staff reiterated that responsive information includes information contained in text messages sent to or from personal devices or Facebook messages sent to or from personal Facebook pages (provided the information is regarding city business)** and offered to provide technical support and other assistance as necessary.”  
*See attached Exhibit B, emphasis added.*

This response makes the City staff’s position and the City Attorney’s opinion clear—Council Members still withholding records responsive to the PIR have no legal basis to do so. Furthermore, the City’s production of city-maintained emails containing the types of information I requested demonstrated the City Attorney’s understanding of the Public Information Act and his implicit acknowledgment that responsive records must be produced—regardless of medium.

### **D. Second City Response Fails to Produce Responsive Records**

On February 8, 2022, I received a supplemental response from the City Secretary’s office which consists almost entirely of staff records and emails. Among the Council Members only Council Member Byrd provided additional records—a single text conversation between herself and Council Member Armintor.<sup>3</sup>

At this time I have yet to receive all records responsive to the PIR. Council Members Beck, Maguire, and Armintor have chosen to only partially comply with the PIA and are not acting in good faith. Council Member Meltzer has made no real effort to comply whatsoever. It is not clear whether Council Member Bryd has produced all records in her possession.

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<sup>3</sup> Notably this conversation was not provided by Council Member Armintor herself.

There exists no exception in the law for public records contained on a personal device or in a personal account. Any communication by a City Council Member on a matter of city business is a public record, regardless of the recipient, political sensitivity, or personal feelings. Even were this not the law, these Council Members have failed to employ the well-established procedure to obtain an Attorney General opinion, and have instead created a legal presumption that the records do not fall under any exception.

A far worse possibility is that these Council Members destroyed public records rather than produce them, in further violation of public information laws.

#### **E. Attorney General Complaint**

On February 9, 2022, I made a formal complaint to the Texas Attorney General's Office and included the information discussed in this section.

On March 14, the Office of the Attorney General sent a letter to the City of Denton requesting a written response to the complaint within 10 business days. *See attached Exhibit C.*

#### **IV. Texas Open Meetings Act Violation**

As addressed above, certain Council Members have not disclosed all of the records which the public is entitled to see. However, even just the records they have disclosed received show a clear "walking quorum" violation of the Texas Open Meetings Act (TOMA).<sup>4</sup> The Denton City Council has seven members, including myself. Four members form a quorum.

On October 14, 2021, Council Member Beck engaged in a Facebook Messenger conversation with Council Member Armintor. *See attached Exhibit C.* This conversation begins with Beck showing Armintor an online tool she could use to create her own district map. Beck also tells Armintor that she can receive further training on this tool from Jordan Villarreal, **"with no TOMA cloud over your head."** This shows that Beck was aware that TOMA prohibits conversations outside of a public meeting that result in deliberations among a quorum—even if those conversations don't happen all at the same time. Beck goes on to say, **"If I train you I have to be...careful...not to tell you my views, just my approach because I want to avoid rolling quorum."** (ellipses in original). Here Beck seems to think that TOMA is not implicated by the two council members simply discussing redistricting methods—an incorrect assumption. However, before concluding the conversation Armintor asks Beck to contact her by text message in the future, because she checks her phone more often than Facebook.

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<sup>4</sup> Section 551.143(a) of the Texas Government Code provides: "A member of a governmental body commits an offense if the member:

(1) knowingly engages in at least one communication among a series of communications that each occur outside of a meeting authorized by this chapter and that concern an issue within the jurisdiction of the governmental body in which the members engaging in the individual communications constitute fewer than a quorum of members but the members engaging in the series of communications constitute a quorum of members; and

(2) knew at the time the member engaged in the communication that the series of communications:

(A) involved or would involve a quorum; and

(B) would constitute a deliberation once a quorum of members engaged in the series of communications.

On December 10, 2021, Beck and Armintor engaged in another conversation via the Signal messaging app. *See attached Exhibit D.* The key benefit to using Signal is that parties can set the app to destroy conversations within a set timeframe. In this conversation (the entirety of which was not provided), Beck discusses political vulnerability of council members in the new districts. He also discusses how many votes his plan will receive, and seems to presume he has secured five votes, saying, **“let’s say Vicki as the most vulnerable did switch.”** Then apparently realizing he is engaged in a prohibited deliberation, he adds, **“okay predicted 4 votes to be TOMA safe.”**

At this point the “walking quorum” count was two: Beck and Armintor.

Beck also reached out to Council Member Maguire on October 14 via text messenger. *See attached Exhibit E.* Again, he is careful to begin the conversation with just a link to the online tool and an offer to train Maguire. Again, he specifically mentions that he doesn’t see a TOMA violation in simply training Maguire with the tool.

However, Beck reached out to again on October 28, saying, **“Did you have a map that you thought was better, I think since my plan is public, it doesn’t count or count as much toward TOMA.”** Here Beck illustrates again that he is aware of TOMA prohibitions, but incorrectly asserts that certain violations “don’t count as much.” He goes on to say, **“I’ve been checking in with [the city attorney] to stay within the lines and be a good boy.”** Beck is aware that if he hasn’t crossed a line, he is on the verge of it. But immediately thereafter, Beck and Maguire engage in a full-blown redistricting discussion far beyond Beck’s initial overture.

The conversation between Beck and Maguire continued on November 12 and November 16. They discussed talking points in favor of the Beck Plan and against other proposals, and they recapped and discuss public comment received so far.

Hence the “walking quorum” count grew to three: Beck, Armintor, and Maguire.

On November 30, Beck replied to a citizen email on which he was copied along with Council Member Meltzer. *See attached Exhibit F.* His response was fairly innocuous, stating that what Meltzer had written was in line with what he’d told the citizen by email himself. This could be seen as a simple oversight. However, on the morning of December 14, Beck repeated the mistake with Meltzer and a different citizen. *See attached Exhibit G.* This time, Beck responded more directly and engaged in the conversation between Meltzer and the citizen, offering specific points in favor of his proposal.

With the November 30 email, and certainly with the December 14 email, the “walking quorum” count reached the impermissible four: Beck, Armintor, Maguire, and Meltzer. As the nexus of the quorum, Beck himself was in clear, knowing violation of TOMA.

Additionally, Council Member Armintor communicated on at least two occasions with Council Member Byrd. However, it is not clear to what extent Armintor and Byrd were aware of Beck’s other conversations (or each other’s).

Here I must repeat that Council Members Beck and Meltzer (among others) have not fully complied with my public information request. None of what I’ve described here comes from records Beck or Meltzer voluntarily produced. Furthermore, both are known to be in possession of additional records, or have destroyed them. While the “walking quorum” is clear even without all of the other

records which must exist, further evidence of TOMA violations may be found in their possession, or to have been destroyed by them.

What I have described here also does not include any verbal communications between Beck and other Council Members. Any deliberation about redistricting whatsoever—written or verbal—between Beck and an additional Council Member following the October 28 conversation with Council Member Maguire would have constituted a “walking quorum.” It may be necessary to interview Council Members to discover what verbal conversations may have taken place in violation of TOMA.

It is also unclear what role Jordan Villarreal played in creating a “walking quorum.” *See Section III-B above.*

#### **V. Conclusion**

The violations I have described herein are concerning regardless of the subject matter. But this disregard for the democratic process is especially egregious in the context of redistricting. Nothing less than the composition of the City Council is at stake. Citizens must have utmost confidence that their redistricting process was fair and transparent. That was unfortunately not the case in Denton in 2021, and sadly it appears that the lack of transparency rose to the level of criminal conduct.

Respectfully Submitted,

Jesse Davis (in a personal capacity)

# EXHIBIT A

## RE: Please Respond: Redistricting PIA Request - Request to Produce Responsive Information

Rios, Rosa <Rosa.Rios@cityofdenton.com>

Thu 12/30/2021 5:47 PM

To: Rios, Rosa <Rosa.Rios@cityofdenton.com>

Cc: Brown, Amanda T. <Amanda.Brown@cityofdenton.com>; Reinwand, Mack <Mack.Reinwand@cityofdenton.com>; Campbell, Kelly <Kelly.Campbell@cityofdenton.com>; Salazar, Jesus <Jesus.Salazar@cityofdenton.com>

Good Afternoon Mayor and City Council. [Via Blind Copy]

Please send all responsive information (not contained in your City of Denton email account) regarding this request to our office on or before January 3, 2022. The requestor asked for the following:

*"I am requesting any and all communications received or sent by city council members and city staff, in any form including but not limited to city email, personal email, text message, Facebook messenger, etc. related to city council redistricting in the time period May 1, 2021 - December 31, 2021.*

*TO: "Denton TX Public Information Act Request Center"[dentontx@mycusthelp.net]*

*Thank you for these requests/clarifications.*

*1) I can limit the request to the departments/personnel you have indicated (all members of the City Council, City Manager, City Attorney's Office, Deputy City Manager, Assistant City Managers, Public Affairs (Stuart Birdseye, Ryan Adams, Rachel Mendoza), and City Secretary's Office (Rosa Rios, Cathy Welborne, now former employee Zolaina Parker, Jesus Salazar); and does not include the 1700+ employees of the city.).*

*For the City Attorney's office, I am asking only for non-privileged communications, by attorneys or staff.2) The form of communications requested includes, but is not limited to the forms you listed. However, your suggested clarification does not include Facebook messages, What's App, etc. I can limit my request to \*written\* communications, obviously, but I am requesting any written communications responsive to the request, regardless of medium.3) I can limit my request to the May 1, 2021 - Dec. 14, 2021 timeframe.*

*JLD*

Please note, Tech Services has pulled communications from your City of Denton email account. Therefore, any communications contained within your City of Denton email account have been provided to the City Secretary's office. However, any emails sent to or from your personal email address, text messages, Facebook messages, or other social media messages must be provided by you. Please provide all communications responsive to this request sent to your personal email address, screen shots of responsive text messages, screen shoots of Facebook messages or other social media messages to me on or before Monday January 3, 2021.

Please let me know immediately if you believe any of the responsive information is confidential. If you believe any of the information is confidential and will require a ruling from the Texas Attorney General, I will need to know exactly which portions/pages/screen shots are confidential and a brief explanation of why. I will remove all communications you indicate are confidential and forward those documents to the Law Department. On December 28, 2021, the Law Department sent a letter to the Texas Attorney General's Office based on input from some councilmembers in order to preserve the ability to withhold any records not required to be released under the Public Information Act. In order to request a ruling for any confidential information to be withheld, the Law Department must send a brief to the Texas

Attorney General on or before January 7, 2022 by 5:00 PM. The brief must explain which documents you want to withhold and the legal basis that excepts the records from being released. The brief must also include a copy of the records you want to withhold. If documents you wish to withhold are not provided, those documents will be subject to release. In order for the Law Department to send a brief to the Attorney General by the deadline, please provide any documents you want to withhold to me on or before January 3, 2022. Please let me know if you have any questions.

Rosa

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**From:** Salazar, Jesus <Jesus.Salazar@cityofdenton.com>

**Sent:** Monday, December 20, 2021 9:31 AM

**Cc:** Brown, Amanda T. <Amanda.Brown@cityofdenton.com>; Rios, Rosa <Rosa.Rios@cityofdenton.com>; Reinwand, Mack <Mack.Reinwand@cityofdenton.com>; Campbell, Kelly <Kelly.Campbell@cityofdenton.com>

**Subject:** FW: Please Respond: Redistricting PIA Request

**Importance:** High

Mayor and Council members (Via Bcc),

Friendly Reminder, I will need your estimate **no later than Close of Business today, Monday, December 20, 2021.**

Best,

Jesse

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**From:** Salazar, Jesus

**Sent:** Friday, December 17, 2021 10:41 AM

**Cc:** Brown, Amanda T. <[Amanda.Brown@cityofdenton.com](mailto:Amanda.Brown@cityofdenton.com)>; Rios, Rosa <[Rosa.Rios@cityofdenton.com](mailto:Rosa.Rios@cityofdenton.com)>; Reinwand, Mack <[Mack.Reinwand@cityofdenton.com](mailto:Mack.Reinwand@cityofdenton.com)>; Campbell, Kelly <[Kelly.Campbell@cityofdenton.com](mailto:Kelly.Campbell@cityofdenton.com)>

**Subject:** FW: Please Respond: Redistricting PIA Request

Mayor and Council members (Via Bcc),

Friendly Reminder, I will need your estimate **no later than Monday, December 20, 2021.**

Best,

Jesse

**Jesus J. Salazar**

Deputy City Secretary

City Secretary Office

215 E. McKinney Street

Denton, Texas 76201

Office: (940) 349-7735



**ATTENTION:** All correspondence may be considered a public record and made available upon a Public Information Request.

**PUBLIC OFFICIALS: A "Reply to All" of this e-mail may lead to violations of the Texas Open Meetings Act.**

NOTE: This electronic message is confidential and is intended only for the use of the individual to whom it is addressed. The information may also be legally privileged. This transmission is sent in trust, for the sole purpose of delivery to the intended recipient. If you have received this transmission in error, you are hereby notified that any use, dissemination, distribution or reproduction of this transmission is strictly prohibited. If you are not the intended recipient, please immediately notify me by electronic message or telephone at 940.349.7735, and delete the message from your system.

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**From:** Salazar, Jesus

**Sent:** Wednesday, December 15, 2021 11:28 AM

**Cc:** Brown, Amanda T. <[Amanda.Brown@cityofdenton.com](mailto:Amanda.Brown@cityofdenton.com)>; Rios, Rosa <[Rosa.Rios@cityofdenton.com](mailto:Rosa.Rios@cityofdenton.com)>;

Reinwand, Mack <[Mack.Reinwand@cityofdenton.com](mailto:Mack.Reinwand@cityofdenton.com)>; Campbell, Kelly <[Kelly.Campbell@cityofdenton.com](mailto:Kelly.Campbell@cityofdenton.com)>

**Subject:** Please Respond: Redistricting PIA Request

Mayor and Council members (Via Bcc),

On Dec. 14, the City of Denton received a PIA request that included the following language:

*I am requesting any and all communications received or sent by city council members and city staff, in any form including but not limited to city email, personal email, text message, Facebook messenger, etc. related to city council redistricting in the time period May 1, 2021 - December 31, 2021*

Clarification from the requestor was for "any and all communications received or sent by city council members and city staff": This is specific to all members of the City Council, City Manager, City Attorney's Office, Deputy City Manager, Assistant City Managers, City Secretary's Office (including former employee Zolaina Parker), and Public Affairs (Stuart Birdseye, Ryan Adams, Rachel Mendoza). For City Attorney's Office, all non-privileged communications from all staff. Reference to "in any form including but not limited... etc.": Is city/personal emails, text sent/received via personal/city phones, and all "written" social media postings?

This request requires that you, as a Council member, in your capacity as a public official, engaged in communications on the topic of the Redistricting provide those records. This includes any communications using non-City email accounts, text messages on City and non-City phones, and social media communications on non-City accounts. The records required would be from May 21, 2021 through Dec. 14, 2021.

We ask each of you to respond directly to me **no later than Monday, December 20, 2021**, with an estimate of the amount of time it will take for you to collect and convey these records. If you have no responsive records, please respond to that effect. For any communications from your city email account, we will work with Tech Services to provide those records. Therefore, there is no need to provide any email records from your "cityofdenton.com" account.

Once we collect your time estimates, you will receive further direction on the deadline by which we would need to receive all other records (personal email, text messages, social media) in PDF format or screen captures.

Thank you!

**Jesus J. Salazar**

Deputy City Secretary

City Secretary Office

215 E. McKinney Street

Denton, Texas 76201

Office: (940) 349-7735



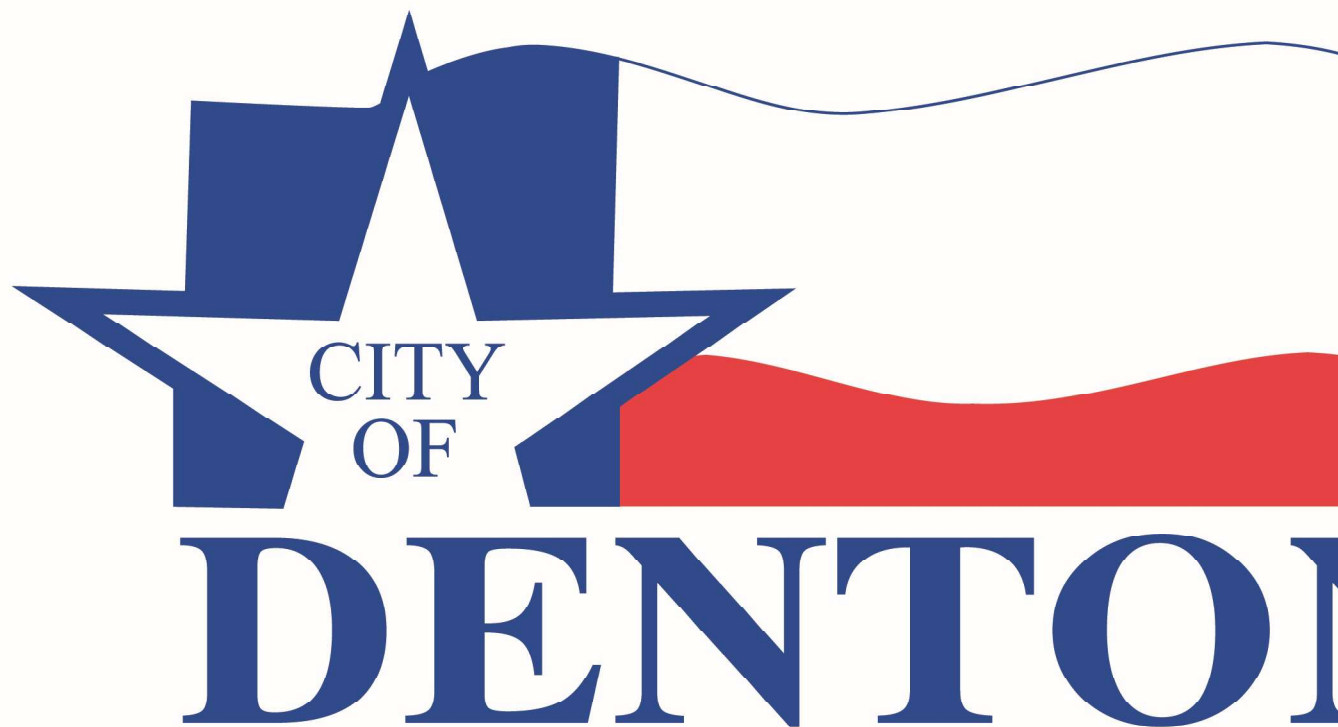


**ATTENTION:** All correspondence may be considered a public record and made available upon a Public Information Request.

**PUBLIC OFFICIALS:** A "Reply to All" of this e-mail may lead to violations of the Texas Open Meetings Act.

NOTE: This electronic message is confidential and is intended only for the use of the individual to whom it is addressed. The information may also be legally privileged. This transmission is sent in trust, for the sole purpose of delivery to the intended recipient. If you have received this transmission in error, you are hereby notified that any use, dissemination, distribution or reproduction of this transmission is strictly prohibited. If you are not the intended recipient, please immediately notify me by electronic message or telephone at 940.349.7735, and delete the message from your system.

# EXHIBIT B



City of Denton

To monitor the progress or update this request please log into the [Public Records Center](#).

☐ On 12/14/2021 9:57:10 AM, Jesse Davis wrote:

Request Created on Public Portal

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## City of Denton

✉ On 12/14/2021 9:57:11 AM, Denton TX Public Information Act Request Center wrote:

### Dear Requester:

Thank you for your interest in public records of the City of Denton. Your request has been received and is being processed in accordance with Chapter 552 of Texas Government Code, the Public Information Act. Your request was received in this office on 12/14/2021 and given the reference number [C001549-121421](#) for tracking purposes.

### Records Requested:

I am requesting any and all communications received or sent by city council members and city staff, in any form including but not limited to city email, personal email, text message, Facebook messenger, etc. related to city council redistricting in the time period May 1, 2021 - December 31, 2021.

Your request will be forwarded to the relevant City department(s) to locate the information you seek and to determine the volume and any costs associated with satisfying your request. You will be contacted about the availability and/or provided with copies of the records in question. PLEASE NOTE: The Texas Public Information Act does not require a governmental body to create new information, to do legal research, or to answer questions.

You can monitor the progress of your request at the link below and you'll receive an email when your request has been completed. Again, thank you for using the [Public Records Center](#).

**Body:**

RE: PUBLIC RECORDS REQUEST of December 14, 2021  
Reference # C001549-121421

Dear Mr. Davis,

This response is in regards to your request for information dated December 14, 2021 for, "I am requesting any and all communications received or sent by city council members and city staff, in any form including but not limited to city email, personal email, text message, Facebook messenger, etc. related to city council redistricting in the time period May 1, 2021 - December 31, 2021.."

Your request has been determined to be overly broad and the City of Denton requests you clarify the following:

- Reference to "*any and all communications received or sent by city council members and city staff*": Is this specific to all members of the City Council, City Manager, City Attorney's Office, Deputy City Manager, Assistant City Managers, Public Affairs (Stuart Birdseye, Ryan Adams, Rachel Mendoza), and City Secretary's Office (Rosa Rios, Cathy Welborne, now former employee Zolaina Parker, Jesus Salazar); and does not include the 1700+ employees of the city. For City Attorney's Office is it Attorneys only or all staff?
- Reference to "*in any form including but not limited... etc.*": The form of communication is city/personal emails, text sent/received via personal/city phones, and all social media postings?

Further, while you note the end date of the applicable period as December 31, 2021, we can provide only records up to the date of your request, December 14, 2021 (start date is May 21, 2021).

Section 552.222(d) of the Texas Government Code indicates that if a written clarification is not received within 61 days after 12/14/2021, your request will be considered withdrawn.

You may choose to respond by email, fax, regular mail, or by dropping your written response in person at our office or through our online open records portal. Contact information is as follows:

By email: via message button for Denton TX Public Information Act Request Center Reference Number C001549-121421

By fax: 940-349-8596


By mail/In Person: 215 E. McKinney, Denton, TX 76201

Upon receipt of your clarification, your request will be forwarded to the proper department(s) for processing. In the event a cost estimate applies, we will notify you accordingly.

If you have any questions, please contact the City Secretary's Office through our online open records portal or by telephone at 940-349-8303.

We look forward to your response.

Sincerely,

 On 12/20/2021 4:53:17 PM, Denton TX Public Information Act Request Center wrote:

**Subject:** [Records Center] Public Information Request to the City :: C001549-121421

**Body:**

RE: PUBLIC RECORDS REQUEST of December 14, 2021  
Reference # C001549-121421

Dear Mr. Davis ,

This response is in regards to your request for information dated December 14, 2021 for, "I am requesting any and all communications received or sent by city council members and city staff, in any form including but not limited to city email, personal email, text message, Facebook messenger, etc. related to city council redistricting in the time period May 1, 2021 - December 31, 2021.."


Can you please confirm you made Open Records Request (C001549-121421) as a citizen and not as member of the Denton City Council?

If you have any questions, please contact the City Secretary's Office through our online open records portal or by telephone at 940-349-8303.

We look forward to your response.

Sincerely,

City of Denton

 On 12/14/2021 3:42:01 PM, Jesse Davis wrote:


TO: "Denton TX Public Information Act Request Center"[[dentontx@mycusthelp.net](mailto:dentontx@mycusthelp.net)]

Thank you for these requests/clarifications.

1) I can limit the request to the departments/personnel you have indicated. For the City Attorney's office, I am asking only for non-privileged communications, by attorneys or staff. 2) The form of communications requested includes, but is not limited to the forms you listed. However, your suggested clarification does not include facebook messages, What's App, etc. I can limit my request to \*written\* communications, obviously, but I am requesting any written communications responsive to the request, regardless of medium. 3) I can limit my request to the May 1, 2021 - Dec. 14, 2021 timeframe.


JLD

On Tue, Dec 14, 2021 at 3:23 PM Denton TX Public Information Act Request Center wrote:

 On 12/14/2021 3:22:30 PM, Denton TX Public Information Act Request Center wrote:

**Subject:** [Records Center] Public Information Request to the City :: C001549-121421

---

 On 12/28/2021 5:06:31 PM, Denton TX Public Information Act Request Center wrote:


**Subject:** [Records Center] Public Information Request to the City :: C001549-121421

**Body:**

The City has sent a notice of request for opinion to the Office of the Attorney General, as of 10 business days from the receipt of your request. A corrected copy of this letter is available for viewing by logging into the Public Records Center, City/Police Records Request - C001549-121421. If you have any questions regarding this message, please contact the City Secretary's Office/Denton Police Records at 940-349-8303/7973.

Sincerely, Legal Department

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 On 12/28/2021 4:46:18 PM, Denton TX Public Information Act Request Center wrote:


**Subject:** [Records Center] Public Information Request to the City :: C001549-121421

**Body:**

The City has sent a notice of request for opinion to the Office of the Attorney General, as of 10 business days from the receipt of your request. A copy of this letter is available for viewing by logging into the Public Records Center, City/Police Records Request - C001549-121421. If you have any questions regarding this message, please contact the City Secretary's Office/Denton Police Records at 940-349-8303/7973.

Sincerely, Legal Department

---

 On 12/21/2021 1:30:18 PM, Jesse Davis wrote:

TO: "Denton TX Public Information Act Request Center"[[dentontx@mycusthelp.net](mailto:dentontx@mycusthelp.net)]

Correct, I am making this request as a member of the public, and not a City Council member.

JLD

On Mon, Dec 20, 2021 at 4:54 PM Denton TX Public Information Act Request Center wrote:

2. We anticipate the work to be completed within two (2) weeks after we receive notice that you accept the charges and we receive your deposit/payment; if there are no applicable exceptions per the Texas Government Code.

3. Your request will be considered automatically withdrawn if you do not notify us in writing within 10 (ten) business days from the date of this statement and advise that you:

- a. Accept the charges and agree to pay;
- b. Modify your request; or
- c. Have sent to the Office of the Attorney General (OAG) a complaint alleging that you have been overcharged for being provided with a copy of the public information.

You may choose to respond by email, fax, regular mail, or by dropping your written response in person at our offices or through our online open records portal. Contact information is as follows:

By email: [https://dentontx.mycusthelp.com/WEBAPP/\\_rs/SupportHome.aspx](https://dentontx.mycusthelp.com/WEBAPP/_rs/SupportHome.aspx)

By fax: 940-349-8596

By mail/In Person: 215 E. McKinney, Denton, TX 76201

4. No work will be undertaken until we receive your written response accepting the estimated charges and payment is made in full.

5. The responsive information may not be available for immediate release and will need to be reviewed for any possible exceptions which may apply.

6. If the actual amount is more than the estimate noted above, you will receive a final cost invoice which will need to be paid prior to releasing any responsive information.

7. There may be a less expensive way for you to obtain this information. If you would like to consider this alternative or view the information in person, please contact us at (940) 349-8303, and we will advise if inspection is a less costly option.

We look forward to your response. If you have any questions, you may contact us through the online open records portal or by telephone at 940-349-8303.

Sincerely,

City of Denton



On 1/2/2022 3:24:02 PM, Jesse Davis wrote:

TO: "Denton TX Public Information Act Request Center"[dentontx@mycusthelp.net]

My request was modified/clarified by a previous email message. Specifically, to restrict the scope of "staff" significantly, and to clarify which mediums I was requesting. This estimate only uses the language of the original request. Which does this cost estimate reflect?

This cost estimate seems excessive at 35 hours, when the actual compilation of records will be undertaken mostly by individual council members and a few staff members themselves, and are mostly email messages assembled by automated processes. I also question the need for "overhead" charges, which are intended to cover things like sending staff to an offsite archive warehouse, when what I am requesting are almost exclusively electronic communications.

I am willing to pay the fair cost of my request, and wish my request to go forward. But I would appreciate further review of these estimated charges, and an itemized list of what staff time is counted toward the estimated 35 hours.

JLD

On Wed, Dec 29, 2021 at 2:33 PM Denton TX Public Information Act Request Center wrote:

On 12/29/2021 2:32:02 PM, Denton TX Public Information Act Request Center wrote:

**Subject:** [Records Center] Public Information Request to the City :: C001549-121421

**Body:**

RE: PUBLIC RECORDS REQUEST of December 14, 2021, Reference # C001549-121421.

Dear Mr./Ms. Davis ,

The City of Denton received a public information request from you on December 14, 2021. You requested:


"I am requesting any and all communications received or sent by city council members and city staff, in any form including but not limited to city email, personal email, text message, Facebook messenger, etc. related to city council redistricting in the time period May 1, 2021 - December 31, 2021."

It has been determined the charge for complying with your request for public information will result in the imposition of a charge that exceeds \$40. Therefore, the following itemized estimate is provided pursuant to the Texas Government Code, Chapter 552, § 552.2615.

1. Itemized Statement of Estimated Charges:

35 hours of labor @ \$15.00 per hour (\$15.00/hour + 25% as allowed per Gov't Code §552.262)	\$ 656.25
Overhead charge @ 20% for labor \$656.25 x 20% = \$131.25	\$ 131.25
Estimated total cost	\$ 787.50

---

 On 1/6/2022 11:54:41 AM, Denton TX Public Information Act Request Center wrote:

**Subject:** [Records Center] Public Information Request to the City :: C001549-121421

**Body:**

We reached out to you several times via phone but we were not able to reach you. This is in response to your questions regarding the cost estimate. We have reviewed the estimate including the overhead charges. The current cost estimate is based on the clarification in which you narrowed the scope of the request. Currently, there are over 300 email items in the email results just for Council members (not including the additional staff that was requested such as Public Affairs and City Manager). Many of the items include additional emails or attachments. Most of the emails, forwarded emails, and attachments require redaction of confidential information such as email address from members of the public. Additionally, this cost estimate does not include the social media data we have currently received which also will require compilation and redaction. As a result, the current estimate is far below the total amount of hours needed to complete this request.

The Public Information Act provides: If the governmental body later determines, but before it makes the copy or the paper record available, that the estimated charges will exceed the charges detailed in the written itemized statement by 20 percent or more, the governmental body shall send to the requestor a written updated itemized statement that details all estimated charges that will be imposed, including any allowable charges for labor or personnel costs. If the requestor does not respond in writing to the updated estimate in the time and manner outlined in the law, the request is considered to have been withdrawn by the requestor.

Please note, the City of Denton uses the cost estimate set forth by the Texas Attorney General. The itemization included in the estimate you received is what is required pursuant to the Attorney General. Please note, we cannot begin the work needed to complete this request until the cost estimate has been paid.

Thank you for contacting the City of Denton.

 On 1/7/2022 1:17:17 PM, Denton TX Public Information Act Request Center wrote:

**Subject:** [Records Center] Public Information Request to the City :: C001549-121421

**Body:**

RE: PUBLIC RECORDS REQUEST of December 14, 2021, Reference # C001549-121421.

Dear Mr./Ms. Davis ,


Thank you for advising you accept the cost estimate. Payment can be processed via the following methods:

1. Phone - by contacting Terry Shaw 940-349-7984
  - Please provide your C001549-121421 when calling
2. Mail - send payment (check or money order ONLY) to:
  - City of Denton, ATTN: City Secretary's Office, 215 E. McKinney Street, Denton, Texas 76201
  - Please make sure to include your request number C001549-121421
3. In person - by coming to City Hall at the following address:
  - City Hall/City Secretary's Office, 215 E. McKinney Street, Denton, Texas 76201
  - Please make sure to have you request number C001549-121421 with you

Please note, the request will be processed when the payment is received in full.

If you have any questions please do not hesitate to contact the City Secretary's Office at 940-349-8303.

Sincerely,  
City of Denton

 On 1/6/2022 12:06:03 PM, Jesse Davis wrote:


TO: "Denton TX Public Information Act Request Center"[[dentontx@mycusthelp.net](mailto:dentontx@mycusthelp.net)]

Thank you for your response. How do I need to make payment of the estimate?

JLD

On Thu, Jan 6, 2022 at 11:55 AM Denton TX Public Information Act Request Center wrote:

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 On 1/14/2022 3:32:49 PM, Denton TX Public Information Act Request Center wrote:

**Subject:** [Records Center] Public Information Request to the City :: C001549-121421

**Body:**

RE: PUBLIC RECORDS REQUEST of December 14, 2021, Reference # C001549-121421.

Dear Mr. Davis,

The responsive documents (as determined by the Texas Attorney General) which can be released will be provided to you on or before Thursday, January 27, 2022.

If you have any questions, or wish to discuss this further, please contact us at 940-349-8303.

Sincerely,

City Secretary's Office  
City of Denton

✉ On 1/27/2022 2:56:32 PM, Denton TX Public Information Act Request Center wrote:

**Subject:** [Records Center] Public Information Request to the City :: C001549-121421

**Body:**

RE: PUBLIC RECORDS REQUEST of December 14, 2021, Reference # C001549-121421. Partial Release

Dear Mr. Davis,

The City of Denton received a public information request from you on December 14, 2021. You requested:

“I am requesting any and all communications received or sent by city council members and city staff, in any form including but not limited to city email, personal email, text message, Facebook messenger, etc. related to city council redistricting in the time period May 1, 2021 - December 31, 2021.”

The City has reviewed its files and has located partial responsive records to your request. Please log in to the Public Records Center at the following link to retrieve the appropriate partial responsive documents.


[Public Information Request to the City - C001549-121421](#)

If you have any questions, or wish to discuss this further, please contact us at 940-349-8303.

Sincerely,

City Secretary's Office

City of Denton

 On 1/27/2022 2:58:53 PM, Denton TX Public Information Act Request Center wrote:

**Subject:** [Records Center] Public Information Request to the City :: C001549-121421

**Body:**

RE: PUBLIC RECORDS REQUEST of December 14, 2021, Reference # C001549-121421

Dear Mr./Ms. Davis,

The City of Denton received a public information request from you on December 14, 2021. You requested:

“I am requesting any and all communications received or sent by city council members and city staff, in any form including but not limited to city email, personal email, text message, Facebook messenger, etc. related to city council redistricting in the time period May 1, 2021 - December 31, 2021.”

The City is reviewing its files and pursuant to the Texas Govt. Code, Section 552.221(d) is advising you that we require more time to process your request. The City expects to finalize the review and processing of your request by **February 7, 2022**. The City has provided a significant portion of the responsive information for your request. Due to the volume of the remaining (potentially) responsive information that must be compiled and redacted, more time is needed to complete this request. We anticipate providing the remaining responsive information on or before February 7, 2022. Please let us know if you have any questions.

Sincerely,

City Manager's Office  
City of Denton

On 1/31/2022 1:15:44 PM, Jesse Davis wrote:

TO: "Denton TX Public Information Act Request Center"[dentontx@mycusthelp.net]

Thank you for this response. What is the timeline for this process?

JLD

On Mon, Jan 31, 2022 at 12:00 PM Denton TX Public Information Act Request Center wrote:

On 1/31/2022 12:00:37 PM, Denton TX Public Information Act Request Center wrote:

**Subject:** [Records Center] Public Information Request to the City :: C001549-121421

**Body:**

Mr. Davis,

In response to your email/inquiry dated January 28, 2022, the PIA requires the City make a good faith effort to provide responsive information to all requests. In accordance with our typical process when we receive a response challenging whether all responsive documents have been produced, we have sent a subsequent request to the other Councilmembers requesting they provide any further documents in their custody to show good faith efforts to comply with the PIA. In addition, staff reiterated that responsive information includes information contained in text messages sent to or from personal devices or Facebook messages sent to or from personal Facebook pages (provided the information is regarding city business) and offered to provide technical support and other assistance as necessary.

We will provide further documents received, if any, responsive to your request.

Thank you,  
City of Denton

On 1/27/2022 3:42:01 PM, Jesse Davis wrote:

TO: "Denton TX Public Information Act Request Center"[dentontx@mycusthelp.net]

Thank you for responding to my request, and for compiling the response. I have begun my review of the documents, and I can already tell that councilmembers have withheld public records that are responsive to my request. For example, I may have one side of a text or messenger conversation between council members, but not the other. Council Members Beck and Byrd, for instance, provided no text or messenger responses, but are well know to use both platforms, and both are in conversations that appear in another other council member's response.

What is the City's PIR appeal and/or dispute process?

JLD

On Thu, Jan 27, 2022 at 2:57 PM Denton TX Public Information Act Request Center wrote:

# C001549-121421 - Public Information Request to the City

## Message History (21)

On 2/7/2022 4:42:02 PM, Jesse Davis wrote:

TO: "Denton TX Public Information Act Request Center"[dentontx@mycusthelp.net]

CC: "Reinwand, Mack"[Mack.Reinwand@cityofdenton.com]

Am I to understand that these records are the entirety of what the City has received from Council Members, and will release to me at this time? Or do you expect additional records to be provided?

JLD

On Mon, Feb 7, 2022 at 3:22 PM Denton TX Public Information Act Request Center wrote:

On 2/7/2022 3:21:44 PM, Denton TX Public Information Act Request Center wrote:

**Subject:** [Records Center] Public Information Request to the City :: C001549-121421

**Body:**

RE: PUBLIC RECORDS REQUEST of December 14, 2021, Reference # C001549-121421.

Dear Mr. Davis,

The City of Denton received a public information request from you on December 14, 2021. You requested:

“I am requesting any and all communications received or sent by city council members and city staff, in any form including but not limited to city email, personal email, text message, Facebook messenger, etc. related to city council redistricting in the time period May 1, 2021 - December 31, 2021.”

The City has reviewed its files and has located responsive records to your request. Please log in to the Public Records Center at the following link to retrieve the appropriate responsive documents.

[Public Information Request to the City - C001549-121421](#)

If you have any questions, or wish to discuss this further, please contact us at 940-349-8303.

Sincerely,

City Secretary's Office  
City of Denton



# EXHIBIT C



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

March 14, 2022

Mr. Jesus Salazar  
Deputy City Secretary  
City of Denton  
215 East McKinney Street  
Denton, Texas 76201

Dear Mr. Salazar:

The Office of the Attorney General (the "OAG") has received a complaint from Jesse Davis alleging the City of Denton (the "city") has failed to respond appropriately to a request for information. The complaint was assigned ID# 940936.

The Public Information Act (the "Act"), chapter 552 of the Texas Government Code, generally requires a governmental body to release requested public information that it collects, assembles, maintains, or has right of access to, or to request a ruling from the OAG as to the applicability of exceptions to the Act. Our records do not indicate a request for an OAG ruling has been made in accordance with section 552.301 of the Act.

Although the OAG has civil enforcement authority under the Act, our office prefers to work with governmental bodies and requestors to resolve complaints informally. The easiest way to resolve this open records complaint is to release the requested information, provided the information is not confidential by law.

Please provide a written response to this letter within 10 business days. *See* 1 T.A.C. § 70.11(d)(3) (governmental body has a responsibility under the Act to promptly respond). A certification form is enclosed with this letter in order to expedite your response. You may use the form to certify: (i) the requested information has been or will be released to the requestor; (ii) the city has no information responsive to the request; or (iii) the city has requested or will request an attorney general's decision regarding the requested information. If the form is not applicable, you may provide a written response to this notification letter explaining how the city has complied with the Act. The written response may be sent to the address below or faxed to the Education and Enforcement Section at (512) 481-1992.

If you have any questions regarding this letter, please contact the Education and Enforcement Section of the Open Records Division at (877) 673-6839 or (512) 936-6736 to discuss the resolution of this complaint. You will also find resources to assist you in complying with the Act at <https://www.texasattorneygeneral.gov/open-government>.

Thank you for your prompt attention to this matter.

Sincerely,

Education and Enforcement Section  
Open Records Division

Enclosure

c: Mr. Jesse Davis  
1228 Ector Street  
Denton, Texas 76201  
(w/o enclosure)

# EXHIBIT D

3:49 M



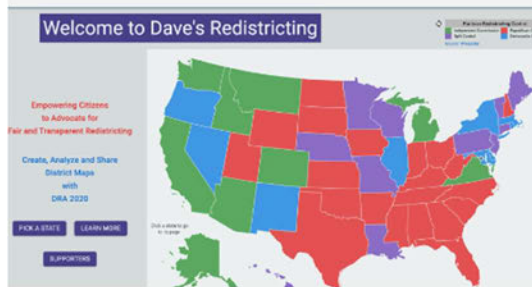
Brian

Active N...



OCT 14 AT 4:36 PM

Encourage you to  
explore :  
<https://davesredistricting.org/>  
for council maps




### DRA 2020

A free app to create, analyze  
and share redistricting maps  
for any state.

[davesredistricting.org](https://davesredistricting.org)



You can probably  
figure out  to  
re-arrange precinct



Aa



3:49 M



Brian

Active N...



You can probably figure out how to re-arrange precinct maps yourself, but I don't believe it would be a TOMA violation for me to factually train you how to use this website, so let me know if you want such training.



let\* me know

OCT 14 AT 5:04 PM

FYI, this is current 2020 Denton:



Aa





Active N...



Thank you



before playing



Aa



3:50 M



Brian

Active N...



I would like to learn  
how to use that

before playing  
around with it I'd  
want to figure out  
how many more  
districts we need to  
keep up with the  
population growth.  
1? 2?

I'm curious how our  
population per  
district compares to  
other cities

To change the number  
of districts, we'd have  
to amend the charter



which we



do.



Aa





3:50 M



Brian

Active N...



yes

yes

Currently, with 4 single districts, the population mean is 34,900

per district

courts like you to stay w/in 10% of the mean



I was pleasantly surprised to see that Jesse doesn't like Denton being gerrymandered with amarillo



Aa



3:50 M



Brian

Active N...



I was pleasantly surprised to see that Jesse doesn't like Denton being gerrymandered with Amarillo

so if one was -3% under and one was +4% over, that is 7% which < 10%. Smaller is better



courts also like at least 1 minority majority district



so edits would likely need to keep at least



Aa



3:50 M



Brian

Active N...



so edits would likely  
need to keep at least  
one to avoid challenge



our current charter  
says 4 (which gives  
you the 34900


what 34900?



$D1=D2=D3=D4=34900$   
each

oh never mind that's  
the mean

yup, impossible to  
achieve

at least at  precinct  
level



Aa



3:50 M



Brian

Active N...



yup, impossible to  
achieve

at least at the precinct  
level

you can do it if you  
split at the block level



that's kinda fugly  
though

we can split family  
homes down the  
middle

me, Shula, and the  
cat can be in one  
district

Marshall, Jonah,  
↓  
g in the other



Aa



3:50 M



Brian

Active N...



Most scholars indicate that:

- \* keep communities of interest together
- \* compactness and minimizing invaginations



Also desirable goals

yes

it should make sense



DRA has measures for those

what's dra



[davesredistricting.org](http://davesredistricting.org)



Aa



3:50 M



Brian

Active N...



what's dra

[davesredistricting.org](https://davesredistricting.org)



### DRA 2020

A free app to create, analyze and share redistricting maps for any state.

[davesredistricting.org](https://davesredistricting.org)



Do you want me to show you the basics?

yes, that would be awesome



do you have time



Aa



3:51 M



Brian

Active N...



do you have time  
now?



we can share screens

aw thank you but  
unfortunately no

we're at my parents  
house just finished  
dinner and about to  
go home

my brain is pretty  
fried



okay. I'll be up 'till  
12:30. or we can do  
another time.

Aw  thank you! I  
think another time



Aa



3:51 M



**Brian**

Active N...



Aww thank you! I  
think another time  
would be better

what about  
Saturday during the  
day?

or late morning

possibly if I don't have  
to work the UIL band  
competition as a  
parent



screen share is  
good idea

cool!

Jordan also knows, so  
you can also get



Aa





3:51 M



Brian

Active N...



screen share is  
good idea

cool!

Jordan also knows, so  
you can also get  
training from him, with  
no TOMA cloud over  
your head



that's funny  
because Jordan is  
the person I was  
going to ask about  
redistricting

I just figured he  
would know

yes ↓ y don't I ask  
Jordan instead



Aa



3:51 M



Brian

Active N...



yes why don't I ask  
Jordan instead

If I train you, I have  
to ....careful... not to  
tell you my views, just  
my approach because  
I want to avoid rolling  
quorum



yeah

I can train you no  
problem though



probably best for  
me to get the  
training from  
Jordan anyway

you really need to play



Aa



3:51 M



Brian

Active N...



you really need to play with the tool and see what the problems are before we discuss and vote

exactly

I was planning on calling him this weekend

actually you know what I will get the training from you



sure... I can be good

awesome, thank



Aa



3:51 M



Brian

Active N...



sure... I can be good

awesome, thank  
you!

let me know if  
Saturday works for  
you and if not then  
we could do  
Sunday?



I will reach back out

awesome

phone text is best

okay. though there's  
nothing about that is  
unethical



Aa



3:51 M



Brian

Active N...



okay. though there's  
nothing above that is  
unethical



also not that phone is  
unethical either 😊

OCT 14 AT 10:17 PM

yeah I know totally

I just meant  
because I checked  
phone text more  
often than I check  
Facebook  
Messenger

\*check not checked

the message will  
get to me faster that



Aa



3:52 M



Brian

Active N...



phone text more  
often than I check  
Facebook  
Messenger

\*check not checked

the message will  
get to me faster that  
way



ah...



DEC 3 AT 2:33 PM



יום 6 שמח של חנוכה

DEC 3 AT 8:45 PM



Todah rabah!  
(Thank you!!)



Aa



# EXHIBIT E

3:43 M



Brian ... @



I mean let's say Vicki as the most vulnerable did switch, there's still 4 votes

okay predicted 4 votes to be TOMA safe

11:29 pm

I don't think she would switch

11:29 pm



she told me she hates extortion

11:29 pm

lol yes

11:29 pm



Rumor is Greg Johnson might run

11:32 pm

Jesus



Signal messa...





3:43 M



Brian ... @



lol 11:26 pm

Summarize 11:26 pm

huge failures 11:26 pm

He can't really believe  
extortion will make us alter  
our votes Tuesday can he?

11:27 pm

Denton County GOP loves its  
gerrymandering so much

they must be putting the  
pressure on him big time

11:28 pm

I mean let's say Vicki as the



Signal messa...



3:43 M



Brian ... @



I'm gonna sit and let things play out but ... well Jesse is equally vulnerable as Vicki, I really think I'm not terribly vulnerable and you and a Paul are essentially immune

Alison is less vulnerable than me

11:24 pm

Denton hates recalls

remember the Joey and Kevin recall campaigns

11:26 pm



No, I was worried about tenure at the time

11:26 pm

lol 11:26 pm



Signal messa...



3:42 M



Brian ... @



Fri, Dec 10

Attachment 15&16 in LSR.  
Gerard had city attorney  
work on recall petition  
wording

Gerard is gonna try to extort  
Council on redistricting

9:08 pm

Jesus

That will backfire 11:22 pm



I'm gonna sit and let things  
play out but ... well Jesse is  
equally vulnerable as Vicki, I  
really think I'm not terribly  
vulnerable and you and a



Signal messa...



## Salazar, Jesus

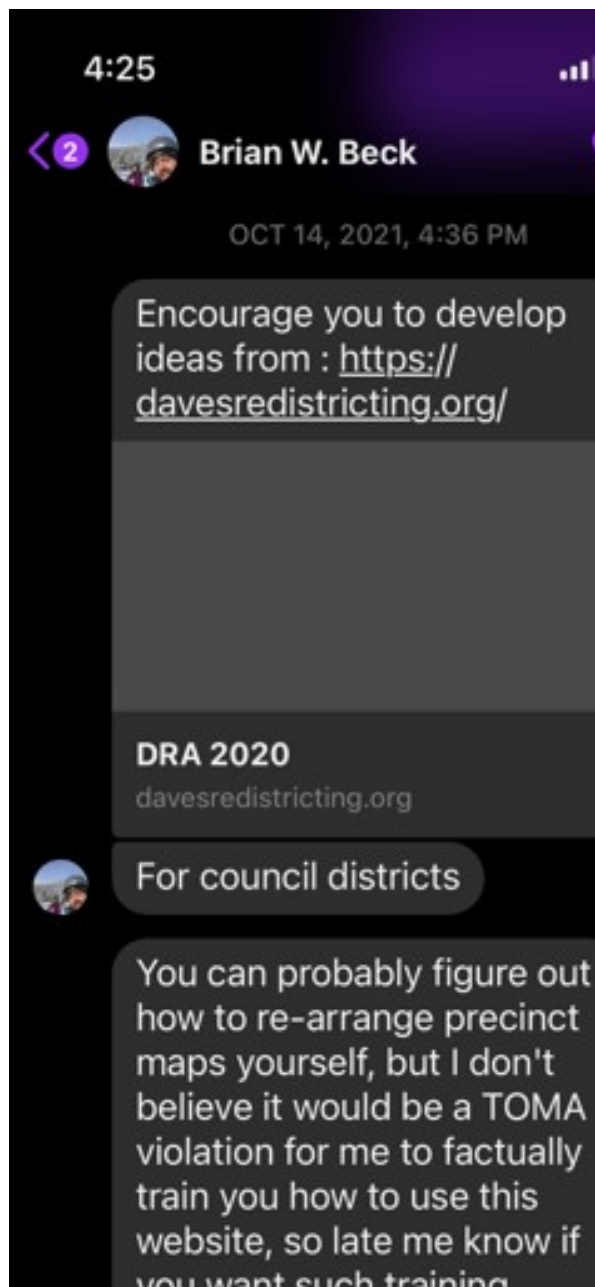
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**From:** Maguire, Alison  
**Sent:** Monday, January 3, 2022 4:58 PM  
**To:** Rios, Rosa; Salazar, Jesus  
**Subject:** PIA request

Hi Rosa and Jesse -

Attached you will find screenshots of my non-email communications related to redistricting.

Thanks!



# EXHIBIT F

4:25



**Brian W. Beck**



let\* me know

OCT 14, 2021, 5:03 PM



FYI, this is 2020 Denton

I've been looking



Then I will leave you to it

4:25



**Brian W. Beck**



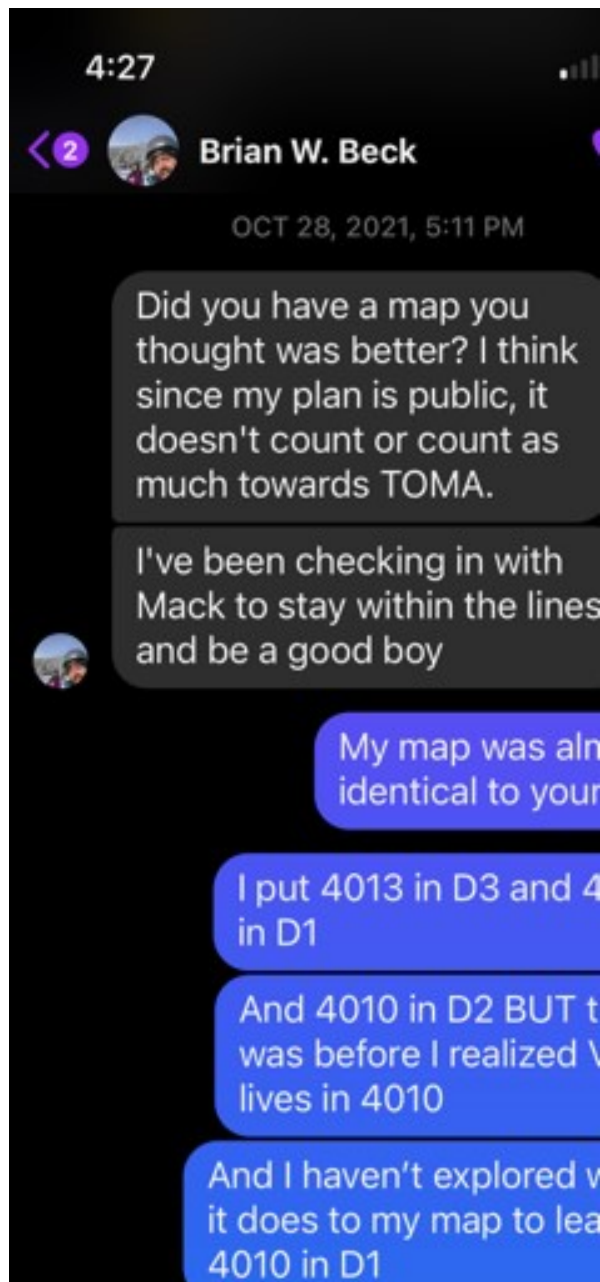
Then I will leave you to it



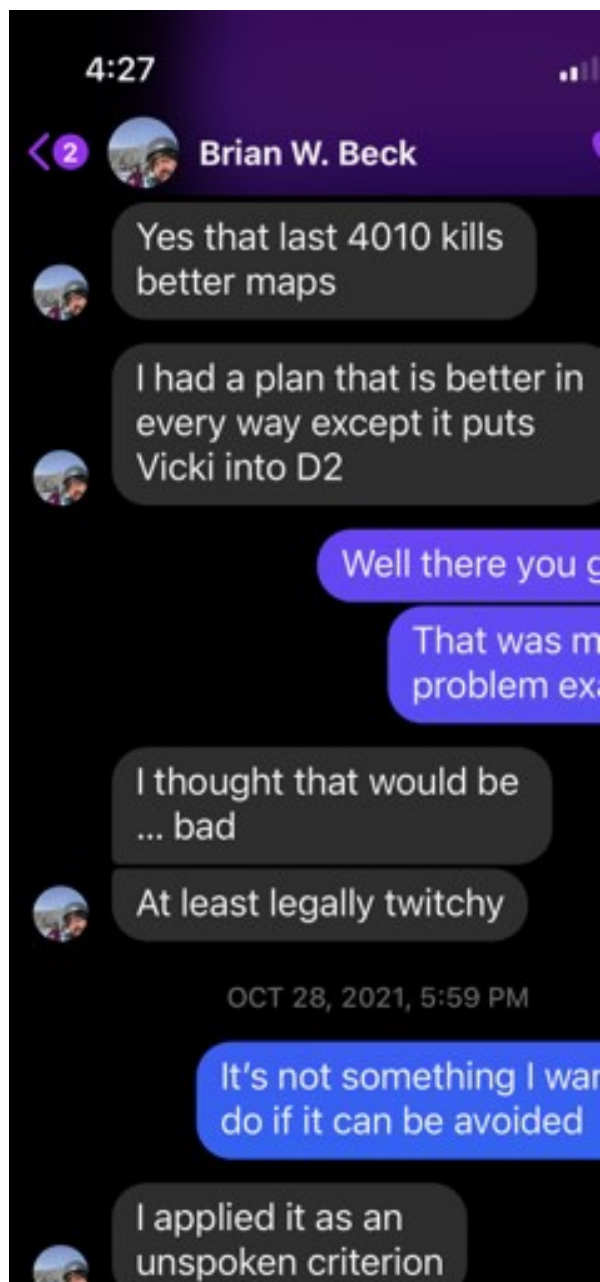
I'm sure there are plenty of features I'm not aware of, but I think I've got the basics

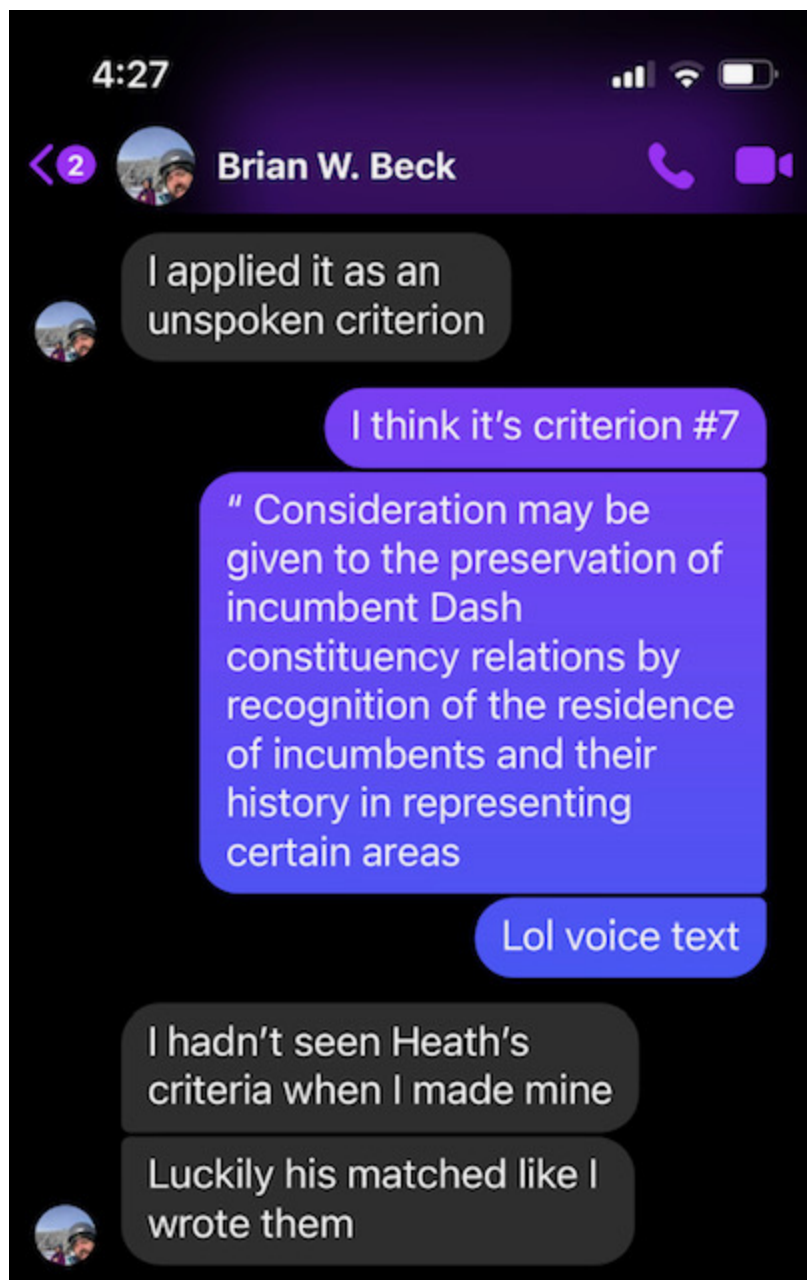


Oh I'm not an expert, just self-taught









4:30



2



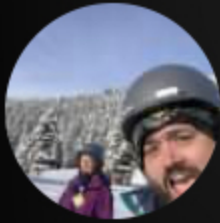
**Brian W. Beck**

NOV 12, 2021, 6:54 PM

if I can summarize: He succeeds at more evenly balancing the population, but he does nothing to adjust artificial barriers between communities of common interest being separated (Denia, Vintage, Pecan Creek, Westgate, Robson) . He achieves this balance by yet more chopping up of the Carroll Blvd/ North Downtown neighborhood by block, and by reducing the overall Polsby-Popper score for indentedness.

I think it's telling that the only complaints I've received are from folks that live in Robson. The

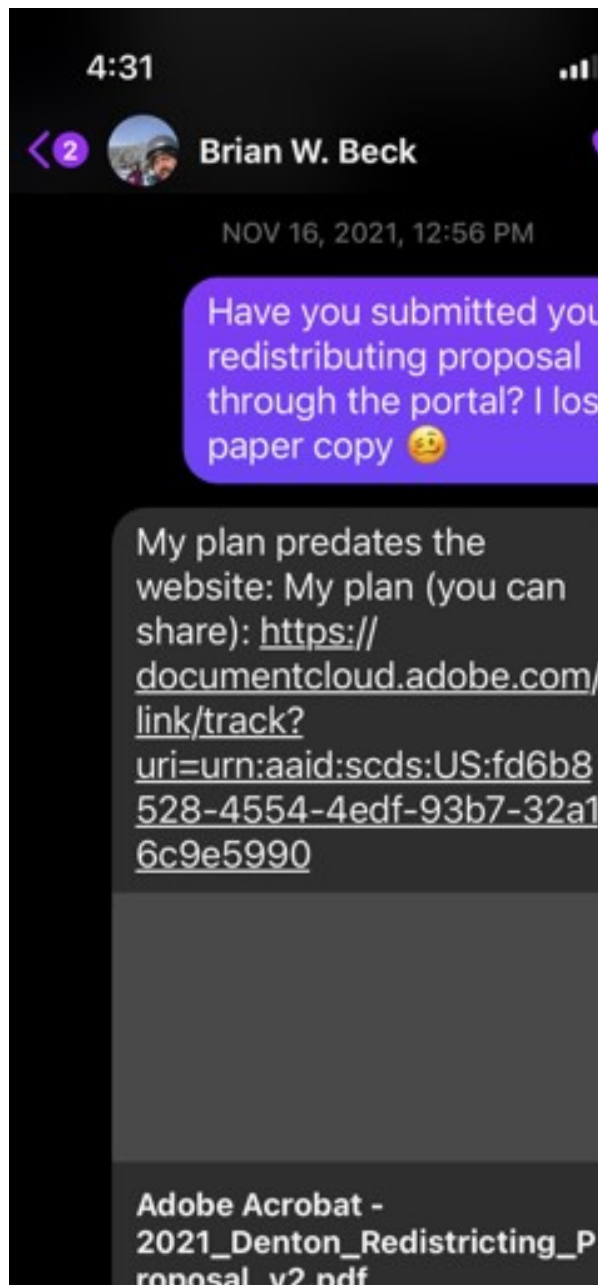
4:30

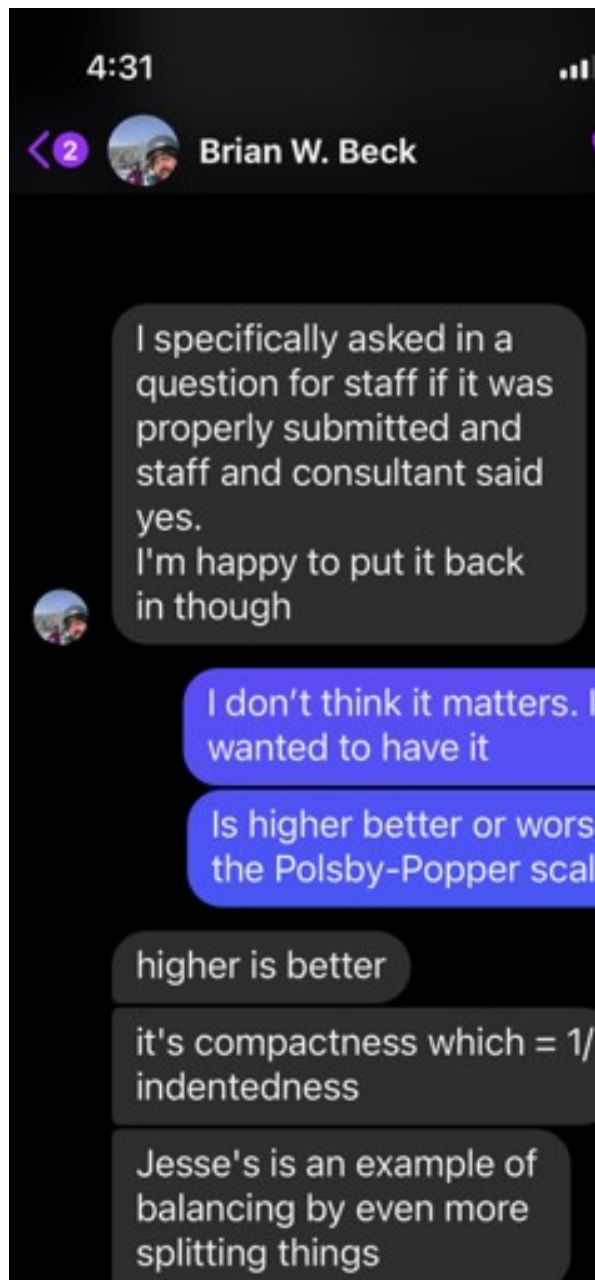


**Brian W. Beck**

I think it's telling that the only complaints I've received are from families that live in Robson. The president of the Denia neighborhood association has strongly requested Denia into D3.







4:32



**Brian W. Beck**

I worked on maps like  
too; where I removed  
vicki from your precinct  
it doesn't help come  
of interest

I have read that could  
frown on a ton of budget  
splits to precincts and  
Heath said similar in

# EXHIBIT G



**From:** [Beck, Brian](#)  
**To:** [Meltzer, Paul](#);  
**Subject:** Re: Redistricting  
**Date:** Tuesday, November 30, 2021 5:32:20 PM

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That's in line with what I already emailed Dana.

I'm happy to elaborate if there's more questions.

-Brian

--

Brian W. Beck, Ph.D

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@BrianBeckforDenton | Twitter: @beckfordenton | [brian.beck@cityofdenton.com](mailto:brian.beck@cityofdenton.com) |  
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**From:** "Meltzer, Paul" <Paul.Meltzer@cityofdenton.com>  
**Date:** Tuesday, November 30, 2021 at 5:19 PM  
**To:** "<  
**Cc:** Brian Beck <Brian.Beck@cityofdenton.com>  
**Subject:** Redistricting

Thank you writing. Here's how I describe it:

Just as Robson Ranch folks want to be all together in one district and not have their impact diminished, that goes for other neighborhoods too. Pecan Creek is right now split into two districts. And the neighborhoods surrounding UNT, which have a great deal in common with each other, are split across two districts. If you look at the current District 3 map, it's quite tortured, reaching all the way around Denia, cutting it off from the other UNT-area neighborhoods.

Now to have Robson kept all in one district and also have the neighborhoods around UNT all in one district, you can't fit them both in the same district. Districts are supposed to be roughly equal in population. So to keep these communities of interest both intact—treating other communities with the same consideration given to Robson—one would need to be in District 3 and the other in District 4. To do that and still have compact, not heavily manipulated boundaries (like we have now), Denia is much closer to the rest of District 3 than Robson is.

The important point is that, whichever District includes Robson, Robson will have the same huge impact it enjoys today.

Brian,  
Anything to add?

P

# EXHIBIT H

**From:** [Beck, Brian](#)  
**To:** [Meltzer, Paul](#)  
**Subject:** Re: Item ID-2808 - Redistricting Vote  
**Date:** Tuesday, December 14, 2021 9:19:07 AM

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I agree with Tim.

The natural, organic communities of interest layout is somewhat at odds with the precise equipartition.

You do the best you can to balance all the requirements.

It's why I tried to prioritize communities of interest first, and balance last.

-Brian

--

Brian W. Beck, Ph.D

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[www.cityofdenton.com](http://www.cityofdenton.com)

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**From:** "Meltzer, Paul" <Paul.Meltzer@cityofdenton.com>

**Date:** Tuesday, December 14, 2021 at 8:55 AM

**To:** Brian Beck <Brian.Beck@cityofdenton.com>

**Subject:** Fwd: Item ID-2808 - Redistricting Vote

Nicely put.

Get [Outlook for iOS](#)


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**From:** Tim Stoltzfus <

**Sent:** Tuesday, December 14, 2021 8:50:36 AM

**To:** Meltzer, Paul <Paul.Meltzer@cityofdenton.com>

**Subject:** Item ID-2808 - Redistricting Vote

 This message has originated from an **External Source**. Please be cautious regarding links and attachments.

Councilmember Meltzer,

I'm writing to voice my support for the redistricting plan as laid out in the plan proposed by Councilmember Beck.

I spent several years living at the intersection of Eagle and Bernard street, an area filled with small houses, apartments, and townhomes. While there I discovered that area is in district three, which also includes parts of Fry Street. The map of district three as currently drawn is absurd, roping that area in with the Robson Ranch area. The people in those two parts of Denton obviously have very

different interests, and the proposed change remedies this issue.

While it does distress me that every proposed map carves up the downtown area, I don't know how we get around that issue without adding a council seat, and I do feel the map proposed by Mr. Beck does the best job of creating a reasonable map going forward.

Thank you for your time!

Tim Stoltzfus

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