

Amazon Public Information Requests

For: IndyAustin

By: Bill Aleshire, Esq.

Date: 2/2/18

REQUEST #1

To: Officer for Public Information (City of Austin) and Mayor and Council members:

I represent IndyAustin PAC, the requestor of the following public information. By way of explanation of this request, as you know, Amazon announced recently that Austin is still being considered for its HQ2 location. Today, the Austin Business Journal published the attached article quoting an Amazon official saying:

“An Amazon official speaking anonymously confirmed to the Washington Business Journal that the company's shortlist of 20 includes only official government-coordinated bids. None of the bids still in the running came solely from private developers. That was by design. Amazon (Nasdaq: AMZN) tailored the request for proposal issued in September specifically for governments, including states, counties, cities and other relevant jurisdictions.”

This is confusing since it was the Austin Chamber of Commerce who announced that *the Chamber* submitted “Austin’s” bid to Amazon. Please promptly provide the following public information.

In light of Amazon’s process that it has only considered “government-coordinated” proposals and that their proposals were issued “specifically for governments,” please provide a copy of any record (minutes, correspondence, resolutions, press releases, etc.) that shows action taken by the Austin City Council, or by the Mayor or Council members individually, to authorize, endorse, or coordinate with the City government, any bid for Amazon to locate here.

You may redact any portion of the responsive documents that shows the terms of any incentives included in the endorsed bid. IndyAustin PAC agrees to pay the reasonable cost of efficiently providing copies of the responsive records. Please send the

responsive records to me as soon as possible by email or permit me to pick up the response on a thumb drive or CD, in PDF format if feasible.

I would remind you of the flawed and secretive process by which F1 obtained authorization for METF tax incentives by the City of Austin and the State of Texas. Although the METF law procedurally required—in order for F1 to be eligible for state or local tax incentives—that, first, the City be the “sponsoring entity” of a proposal to F1 offering the METF tax breaks as an inducement to locate here, and that such proposal be submitted during the F1 site competition *in advance* of F1’s decision to locate here. That is not what happened. Instead, first F1 publicly announced its decision, and then, for the very first time, items appeared on the Austin City Council agenda to authorize F1 (COTA) the METF tax gifts. They got away with because no individuals had standing to challenge the unlawful gift of tax money and no public official with authority to stop the unlawful incentives would do so. Hopefully, the City of Austin government learned a lesson from that awful F1 example of non-transparent government misusing tax revenue.

Request #2

To: Officer for Public Information (City of Austin) and Mayor and Council members:

I represent IndyAustin PAC, the requestor of the following public information. News reports indicate that of the 20 locations Amazon is considering for location of its HQ2 offices, local officials have signed Nondisclosure Agreements. (See attached, saying, “[Officials from all the jurisdictions \[\] have signed non-disclosure agreements with the company that largely bar them from revealing anything to the public about the next steps in the search process.](#)”). Therefore, please promptly provide the following public information:

Provide a copy of any Nondisclosure Agreement regarding location of Amazon’s HQ2 offices that was signed by any City of Austin official or employee.

This is not a request to disclose any information about

negotiations, directly or indirectly, with Amazon. This is a request just for a copy of any signed Nondisclosure Agreement.

You may redact any portion of the responsive documents that shows the terms of any incentives being discussed with Amazon. IndyAustin PAC agrees to pay the reasonable cost of efficiently providing copies of the responsive records. Please send the responsive records to me as soon as possible by email or permit me to pick up the response on a thumb drive or CD, in PDF format if feasible.