

E-Mail Correspondence Referenced
by Councilmember Bridget Donnell Newton

January 6, 2011

Dear Mr. Ullery, Can you or anyone else tell me why the Gazette received a copy of the National Golf Foundation study and there is not a hint of this report to be found anywhere on the City website? The fact the story was on the Gazette website on Tuesday and in print on Wednesday indicates the reporter must have had the report sometime Monday. Giving the Gazette a copy of the report before releasing it to the public seems to have been done so they could make a deadline. Once again RedGate Golf Course suffers at the hands of the City. A better article would have been one where the report is discussed in the context of the presentation and discussion that will unfold Monday. Now, when can the Public expect to see what the press has already seen? Sincerely, Bob Lalley. Redgate Advisory Member

January 6, 2011

Dear Mr. Lalley,

Thank you for your email. Ordinarily the report would have been available on the City's Website by early evening yesterday as part of the posting of Mayor and Council agenda materials. The report is on the Mayor and Council's agenda for Monday, and it's my understanding the materials were delivered late yesterday. Our usual practice is to post the agenda materials on the Website as part of the delivery process. It's my understanding that a software glitch, which was discovered this morning, prevented that from taking place. Our IT staff is working on correcting that, and I expect the materials will be posted today.

As a member of the Redgate Advisory Group, it is especially regrettable that you've not had access to the report. I'd expected that would be accomplished by the electronic copy that Mr. Hall sent to Mr. Jordan on Monday (and the hard copies that I believe followed the next day). I was able to authorize the report's release to the Advisory Group on Monday evening, in advance of yesterday's delivery of the Mayor and Council's agenda materials, because I had sent copies on Monday to the Mayor and Councilmembers. Likewise, I provided a copy to the Gazette in response to a call early Monday evening from a reporter requesting the report. I had no reason to deny a request from a member of the press for a public document that I'd sent to the Mayor and Councilmembers.

Please accept my apology for the unusual software difficulty that's delayed the posting of the agenda materials. Also, in hindsight, on Monday evening we should have sent the report to the entire Advisory Group and not relied on one of the members to distribute it to the rest of the group.

Regards,
Scott

January 7, 2011

Dear Mr. Ullery,

Thank you for your reply to my email. I am a little confused by your answer because I never said I personally didn't get a copy of the report. Joe Jordan sent the advisory group a copy of the full report late Monday evening, along with a reminder about the council meeting and when the agenda should be online. If anything, Joe has been nothing less than conscientious in keeping the group informed on all matters relating to RedGate, and even more so since the worksessions and the NGF study.

The point of my email was to try and get an explanation why the press was entitled to see the full report as soon as the council saw it, but the Public, those whose tax dollars pay for things like this study, had to wait several days. In fact, in my email, I asked the question, "when can the Public expect to see what the press has already seen?" Everyone interested in the future of RedGate, whether for or against keeping it as a golf course, has been looking forward to seeing the report. Imagine their surprise to see it referenced in a newspaper but not on the City's website. That is what my email was about.

Your comments regarding Joe Jordan were not only lacking in professionalism, but were erroneous. I also found your explanation as to why you could give the reporter a copy of the report but couldn't make it available somewhere on your website unacceptable.

**Robert S Lalley
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January 7, 2011

Dear Mr. Lalley,

I'm glad to learn that you did get a copy of the report from Joe Jordan and didn't need to wait for the agenda to be posted; I'm sorry I misinterpreted your message. Getting the report into the hands of the Advisory Group as quickly as possible was a top priority for me, and I was concerned that we might not have accomplished that effectively. Thanks for straightening me out on that. It's good knowing there was no problem on that end.

I understand and share your concern about the availability of the report to the public. It was my intention to accomplish that by adhering to our usual process for posting the Mayor and Council's agenda materials on our Website. Unfortunately, that posting was delayed by the software glitch. Certainly we could have posted the report earlier than usual because I distributed the report earlier than usual to the Mayor and Council, and of course to the Advisory Group as well via Mr. Jordan.

You may be interested to know that I'm aware of only one request from the public (in addition to the Gazette's) for a copy of the report. That request (from the Rockville Central blog) was met immediately.

Given the level of apparent demand for the report, and that we're in only the preliminary phase of the Mayor and Council's deliberation and decision-making process, I'm satisfied that by keeping to our usual process for public posting of the agenda materials we've met a reasonable standard for public notice. Nevertheless, although we've not been receiving any calls or emails about this, it's entirely possible there are individuals who upon seeing the article in the Gazette looked for the report on the City's Website and were disappointed to find that it hadn't been posted. If that happened, it is regrettable; and while it would be attributable in part to the software glitch resulting in the overnight posting delay, it could have been avoided entirely by a special early posting of the report. Had the Gazette not run the article, it's likely the posting delay would not even have been noticed.

In response to your concern about the timing of releasing the report to the press, I can only report that I'm obligated to fulfill requests for copies of public documents. As I mentioned above, we've received one other request, which we also met. Having sent the report Mayor and Council and Mr. Jordan, there was no reason to deny either request, and we would have met any other requests for the report had we received any. I didn't mean to give you the impression that we couldn't also have posted the report on our Website. I did not make a deliberate decision to not post it early, I only allowed the posting process for the agenda materials to proceed as usual (albeit with the unforeseen overnight delay).

As a result of the reporter's initiative, however, the Gazette article served in giving effective notice to the public of the report and its appearance on the upcoming agenda.

Thank you for your interest in this important subject. I will definitely take your criticisms to heart, and I pledge to you that I will reconsider our process and criteria for the timing of posting items to our Website in the future under similar circumstances.

Regards,
Scott