From: Asheville Blade <ashevilleblade@gmail.com>
Sent: 2/20/2018 3:38:24 PM
To: Polly McDaniel <pmcdaniel@ashevillenc.gov>
Cc: Dawa Hitch <dhitch@ashevillenc.gov>
Subject: Re: [Public Records Request] Records request: CAPE press directives to city staff

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Please answer the other two questions, 1 and 3, in the Feb. 8 email.

Best,

DavidÂ

On Tue, Feb 13, 2018 at 3:25 PM, Polly McDaniel <pmcdaniel@ashevillenc.gov> wrote:

David, I believe you have misunderstood my statements.Â I didÂ notÂ say that the Legal Department has instructed anyone not to talk to the press and that is not the case.Â My point was only that if there is a pending legal case or legal issue raised by an inquiry, the Legal Department may review the response before it is distributed to the press or public to ensure it is accurate from a legal standpoint.Â Â

Thank you,

Polly McDaniel

Communication Specialist | City of Asheville

828-232-4507 â€“ Office | 828-774-7602 â€“ Cell

pmcdaniel@ashevilleNC.gov

Asheville City Source

www.ashevillenc.gov

On Tue, Feb 13, 2018 at 1:58 PM, Asheville Blade <ashevilleblade@gmail.com> wrote:

Please provide the answers to questions 1 and 3.

Assuming this is an answer to question 2, or part of one, this doesn't make any particular sense. This all started because I asked a senior staffer for more information about a proposal, available to the public, that Council was going to vote on, at a public hearing, in public. It didn't concern any of the short-term rental lawsuits.

If legal is directing city staffers not to talk about entire topics unless they go through CAPE, that's very, very different than legal directing people not to talk about a particular court case. Entire topic areas aren't exceptions under open records law, and if legal issued such a directive about talking to the press, that's public record. If one exists, once again: consider this is a request for it and please provide it.

-David

On Thu, Feb 8, 2018 at 2:03 PM, Polly McDaniel <pmcdaniel@ashevillenc.gov> wrote:

David, it seems you may misunderstand the context we are talking about here.

If Legal declined to allow release of information that would be because it'sÂ privileged information.

Legal does vet information on occasion for that very reason. To ensure that information protected by law is not released. There would be no other reason.

You may be aware that the City is involved in court cases regarding short-term rentals.

I will be glad to get you a more comprehensive answer to your several questions but I wanted to clear this part up right away.

Thank you,

Polly McDaniel

Communication Specialist | City of Asheville

828-232-4507 â€“ Office | 828-774-7602 â€“ Cell

pmcdaniel@ashevilleNC.gov

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www.ashevillenc.gov

On Thu, Feb 8, 2018 at 11:40 AM, Asheville Blade <ashevilleblade@gmail.com> wrote:

Follow-up questions:

1) The communications and marketing plan covers general goals, not defined processes or policies. Is it true the city of Asheville has no set press policies â€” including directives from city management or the city attorney's office â€” about when and how staff can or can't talk to the press?

2) During our conversation, you mentioned that the city attorney's office might have directed planning staff not to talk to the press. Did they? If so, what were the instructions? Did their instructions involve CAPE? If so, how? Besides for specific legal matters confined to closed session, are there any other policy issues where the city attorney's office has cautioned staff not to speak to the press? If so, what are they?

Consider this an open records request for any emails or documents that might constitute such a directive from the city attorney's office or any staff associated or cooperating with it.

3) You mentioned that following my Jan. 9 tweets and the ensuing public discussion of them that City manager Gary Jackson had met with some senior staff and cleared up miscommunications about their ability to talk to the press.

What were the mis-impressions he cleared up? What did he tell them was, instead, the accurate way to communicate with the press?

Thanks for your cooperation in this matter.

Sincerely,

David Forbes
Editor, Asheville Blade
ashevilleblade.com
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Or donate: paypal.me/AshevilleBlade

On Tue, Jan 30, 2018 at 2:43 PM, Polly McDaniel <pmcdaniel@ashevillenc.gov> wrote:

Hi David,

As a follow up to our conversation today, I am forwarding to you the City of Asheville Communications and Marketing Plan.
Again, there are no stated policies or documents that prohibit City staff from talking with the public or news media. The Communications & Public Engagement Division works to support public and news media inquiries to help facilitate greater context and help ensure accuracy. We are happy to help you with your work. Let us know what you need any time.

Best,

Polly McDaniel

Communication Specialist | City of Asheville

828-232-4507 â€“ Office | 828-774-7602 â€“ Cell

pmcdaniel@ashevilleNC.gov

Asheville City Source

www.ashevillenc.gov

---------- Forwarded message ----------
From: **Polly McDaniel** <pmcdaniel@ashevillenc.gov>
Date: Fri, Jan 26, 2018 at 12:21 PM
Subject: Re: [Public Records Request] Records request: CAPE press directives to city staff
To: Benjamin Fulmer <bfulmer@ashevillenc.gov>
Cc: Dawa Hitch <dhitch@ashevillenc.gov>

Will do Dawa.

Polly

Polly McDaniel

Communication Specialist | City of Asheville

828-232-4507 â€“ Office | 828-774-7602 â€“ Cell

pmcdaniel@ashevilleNC.gov

Asheville City Source

www.ashevillenc.gov

On Fri, Jan 26, 2018 at 12:06 PM, Benjamin Fulmer <bfulmer@ashevillenc.gov> wrote:

Okay, I'll let him know and pass on the info that Polly will be calling as a follow up.

On Fri, Jan 26, 2018 at 12:02 PM, Dawa Hitch <dhitch@ashevillenc.gov> wrote:

Hi Ben,

I am not aware of any documents or directive that would be responsive to this request.

Polly: please call David and share with them our goal is to make sure media gets comprehensive and accurate information. Staff members speak to the media on a daily basis. Sometimes, to get the complete picture/story it's necessary to coordinate between departments and/or staff members and that is where our team can help. It may be worth asking David what we can do to help support the Blade's reporting.Â

On Fri, Jan 26, 2018 at 11:40 AM Benjamin Fulmer <bfulmer@ashevillenc.gov> wrote:

David is asking for an update on this.Â

---------- Forwarded message ----------
From: **Asheville Blade** <ashevilleblade@gmail.com>
Date: Thu, Jan 25, 2018 at 12:14 PM
Subject: Re: [Public Records Request] Records request: CAPE press directives to city staff
To: Benjamin Fulmer <bfulmer@ashevillenc.gov>

Good afternoon. I wanted to check on this request and make sure the documents will be forthcoming asap.

Sincerely,

David Forbes
Editor, Asheville Blade
ashevilleblade.com
Support us and subscribe at: patreon.com/avlblade
Or donate: paypal.me/ashevilleblade

On Fri, Jan 12, 2018 at 1:42 PM, Asheville Blade <ashevilleblade@gmail.com> wrote:

Thank you.

Best,

David

On Fri, Jan 12, 2018 at 1:35 PM, Benjamin Fulmer <bfulmer@ashevillenc.gov> wrote:

Hi David,

We have your request and will get back to you as soon as possible. Thank you for your interest in the city.Â

On Fri, Jan 12, 2018 at 1:25 PM, Asheville Blade <ashevilleblade@gmail.com> wrote:

This is an open records request for any directives, policies or instructions to city staff or city board members about rules on speaking with media, specifically requirements to not talk to the press without approval from the Communications and Public Engagement Division (CAPE).

Thank you for your help in this matter.

Sincerely,

David Forbes
Editor, Asheville Blade

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Ben Fulmer

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Public Records Officer

City of Asheville

City Clerkâ€™s Office

(828) 259-5631

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Additional Resources:

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Simplicty Portal for information by address or location

Seamless Docs and Permit Portal to make a requests or view past requests

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Ben Fulmer

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Public Records Officer

City of Asheville

City Clerkâ€™s Office

(828) 259-5631

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Seamless Docs and Permit Portal to make a requests or view past requests

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Dawa Hitch

City of Asheville
Communication &Â
Public Engagement Director
828.259.5981

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Ben Fulmer

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Public Records Officer

City of Asheville

City Clerkâ€™s Office

(828) 259-5631

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Additional Resources:

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