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March 20, 2017

HAND DELIVERED

Tracy Houck
1016 Third Avenue North
Great Falls, MT 59401

Dear Commissioner Houck:

Thank you for your emailed letter of March 15, 2017. The letter references Paris Gibson Square's (PGS) application for CDBG funding. As the representative of PGS, you have raised an issue regarding Community Development Council (CDC) Chair's potential conflict of interest regarding the application. As a result of that concern, the City had no choice but to reconvene the CDC and have it reevaluate all applications for public facilities projects. While the City appreciates this potential conflict being brought to light, it also raises a concern regarding your involvement with the Commission and PGS.

As you know, the Great Falls City Commission, upon which you sit, must approve the CDBG funding. The Official Code of the City of Great Falls provides in pertinent part:

A. No officer or employee of the City of Great Falls or member of his or her immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity which is in substantial conflict with the proper discharge of his or her governmental duties;

...

C. No officer or employee shall act in his or her official capacity in any matter where he or she, a member of his or her immediate family, or any business organization in which he or she has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his or her objectivity or independence or judgment;

D. No officer or employee shall undertake any private employment or service which might prejudice his or her independent judgment in the exercise of his or her official duties;

...

Tracy Houck
Page 2
March 20, 2017

G. No officer or employee or any business organization in which he or she has an interest shall represent any other person or party except the City in connection with any cause, proceeding, application or other matter pending before any agency of the City of Great Falls. The only other exceptions shall be in the process of collective bargaining for public employees or where any officer or employee or members of his or her immediate family shall represent himself, herself or themselves, in negotiations or proceedings concerning his, her, or their own interests;

...

OCCGF 2.52.050.

Further, Mont. Code Ann. §2-2-121 states:

(5) A public officer or public employee may not participate in a proceeding when an organization, other than an organization or association of local government officials, of which the public officer or public employee is an officer or director is:

(a) involved in a proceeding before the employing agency that is within the scope of the public officer's or public employee's job duties; or

(b) attempting to influence a local, state, or federal proceeding in which the public officer or public employee represents the state or local government.

In light of these provisions and your employment with PGS, it is my legal opinion that on the CDBG funding item which will be heard by the City Commission, or any other issues whenever your employer is an applicant or stands to benefit from Commission action, you must not vote or participate in any Commission action or discussion. If you do so, it would constitute an impermissible conflict of interest.

Thank you.

Sincerely,



Sara R. Sexe

cc: Greg Doyon

Sara Sexe

From: Greg Doyon
Sent: Thursday, March 16, 2017 6:00 PM
To: 'Tracy Houck'
Cc: Sara Sexe; 'Tim Culliton'; nancyzadick@gmail.com; Craig Raymond
Subject: RE: Request to recalculate CDBG points for Paris Gibson Square (PGS)

Commissioner Houck:

Just a quick follow-up to our telephone conversation this evening.

After reviewing the Paris Gibson Square's complaint further, I think the best and cleanest course of action would be to have the CDC review and rank the Public Facility Projects again, with the appropriate recusals. We considered simply recalculating the previous score (without the scoring in question), but felt that was insufficient to address your concerns.

In order to address this and other issues, a couple of things need to happen: First, consideration of the 2017/2018 CDBG appropriations scheduled for next Tuesday's Commission meeting will be pulled from the agenda until the CDC has an opportunity to meet and re-review the Public Facility Projects. Secondly, letters from the city attorney will be sent to both you and Chairman Wolfe asking each of you to recuse yourself from the remainder of the CDBG review process. I advise designating Ms. Gibson or another board member to represent the Paris Gibson Square.

I also need to notify the City Commission that a conflict of interest allegation has been made regarding prior CDC recommendations and as a result, requires another review, absent the conflict.

- Gtd

Gregory T. Doyon
Great Falls City Manager
2 Park Drive South
Great Falls, MT 59403
(406) 455-8450
gdoyon@greatfallsmt.net



From: Tracy Houck [<mailto:tracy@the-square.org>]
Sent: Wednesday, March 15, 2017 10:45 AM
To: Craig Raymond
Cc: Sara Sexe; Greg Doyon; 'Tim Culliton'; nancyzadick@gmail.com
Subject: Request to recalculate CDBG points for Paris Gibson Square (PGS)

Please see the attachment for a letter a of request to have Harmony Wolfe, CDC chair to recuse herself from voting on the Square's (PGS) CDBG application and to have our score be recalculated.

Tracy Houck, Executive Director | Paris Gibson Square | 1400 1st Avenue North Great Falls, MT 59401
www.the-square.org | 406.727.8255

 Like Paris Gibson Square Museum of Art on Facebook—Events, Exhibits and Education
Admission to the Museum is Free - thanks to Farmers Union Insurance!

Sara Sexe

From: Tracy Houck [tracy@the-square.org]
Sent: Wednesday, March 15, 2017 10:45 AM
To: Craig Raymond
Cc: Sara Sexe; Greg Doyon; 'Tim Culliton'; nancyzadick@gmail.com
Subject: Request to recalculate CDBG points for Paris Gibson Square (PGS)
Attachments: HW CDBG Letter.pdf

Please see the attachment for a letter a of request to have Harmony Wolfe, CDC chair to recuse herself from voting on the Square's (PGS) CDBG application and to have our score be recalculated.

Tracy Houck, Executive Director | Paris Gibson Square | 1400 1st Avenue North Great Falls, MT 59401
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Paris Gibson Square
MUSEUM OF ART

March 14, 2017

Craig Raymond
Planning and Community Development Director
City of Great Falls

Dear Craig,

I am writing in response to the CDBG application that Paris Gibson Square submitted and subsequently was not funded. I have stayed away from the application and application process due to any perceived perception of conflict of interest of being both the Executive Director of PGS and a City Commissioner. However; I have an issue that PGS needs to have addressed and it involves a sensitive HR issue. This letter is from our independent non-profit organization, signed by me as Executive Director. I am including a copy to Sara Sexe, City Attorney and Greg Doyon, City Manager for full transparency.

My Development Director, Heidi Gibson reached out to Maria, in community Planning and Development as she is the CDBG administrator to receive feedback on our application and to see how we could strengthen it for future applications. In doing so, Maria shared our ranking results with us. According to the public document, PGS received two scores higher than 100 and two scores in the mid-range. The reviewer identified as NF reviewed us with 54 points. His low score is consistent with lower scores for all applications. The lowest score was 37 and was not consistent with the other rankings we received. It is also noted that this particular reviewer did not score anyone else less than 50. It was clarified that lowest score revived for the PGS application given by the CDC Chairman, Harmony Wolfe. Had Harmony recused herself, PGS would have ranked sixth and would have been eligible for funding.

PGS would like you to be aware that Harmony was employed and had an independent contract as the Artist in Residency for the 2015-2016 school year. There were numerous performance concerns that were addressed by both PGS and the Great Falls Public Schools. Ultimately, her contract was terminated. In a letter communication to PGS, dated June 27th, 2015, Harmony indicates intent to file a sexual harassment charge against a PGS staff person. Similar letters were sent to various staff at the Great Falls Public Schools. A subsequent investigation was conducted and Mindy Kiser, HR Manager with the GFPS was included in the whole process. Mindy and the Arts Department Chair were also then included in the allegations. Absolutely no truth was found to support any of the allegations.

There were other demands in Harmony's letter and I would be willing to share it with the appropriate staff (Sara Sexe) privately; however since it contains sensitive human resource documents that, while proven unsubstantiated, I wish to protect my employees right to privacy and not continually victimize him. Harmony concludes her letter with four words "I will pursue litigation". PGS feels that Harmony was unethical and unprofessional in not recusing herself from voting on the PGS application. It has all appearances of a vendetta.

At this point, PGS is asking for Harmony to recuse herself and that our points recalculated. If you have further questions or concerns, please contact me at 406-781-8958 or tracy@the-square.org.

Sincerely,



Tracy Houck
Executive Director
Paris Gibson Square

CC: Sara Sexe, City Attorney
Greg Doyon, City Manager
Tim Culliton, PGS Board Chair
Nancy Zadick, PGS Board Vice Chair