

Archived records pointing to tampering with a public document

Teresa Jacobs 10-2-19

1) See the agenda for the 8/14/19 meeting of the City Council's Land Use and Planning (LUP) committee, as it appeared on **Friday, August 9th** according to this archived record (this is consistent with city's routine of setting meetings and posting their agendas on Fridays)

See permanent archive: LUP committee's published agenda for 8/14/19

Archive.is service (can't see PDF list)

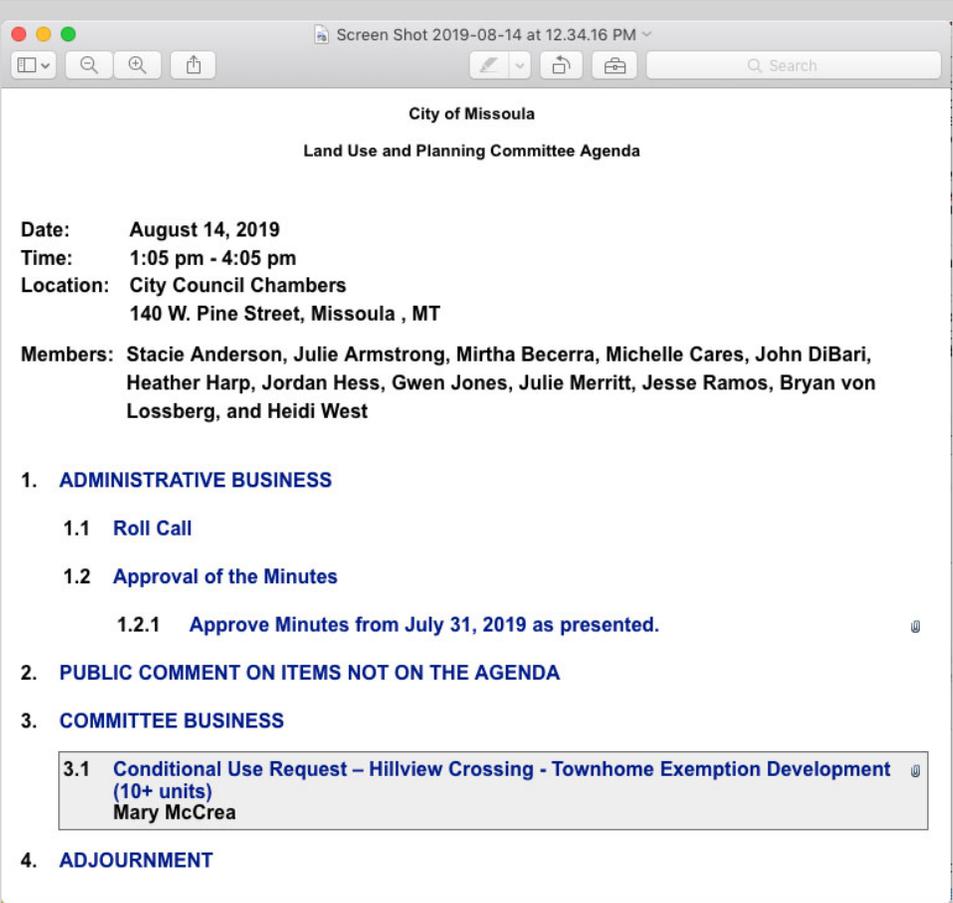
<http://archive.is/ervWv>

2) On the day of the LUP meeting, **Wednesday August 14th**, the agenda remained the same as when it was posted on August 9th.

It just so happens that at 12:34pm on Aug. 14, I decided to take a screenshot of the agenda in order to print it and take with me to the committee meeting that day. Here is an image of the file on my computer desktop. Others saved copies that they picked up at the meeting or that neighborhood council mailed out.

- Teresa Jacobs

The part that is altered on 8/21 *



Screen Shot 2019-08-14 at 12.34.16 PM

City of Missoula
Land Use and Planning Committee Agenda

Date: August 14, 2019
Time: 1:05 pm - 4:05 pm
Location: City Council Chambers
140 W. Pine Street, Missoula, MT

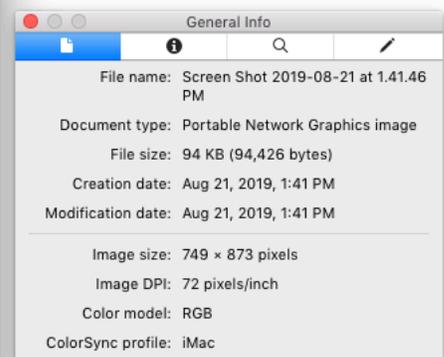
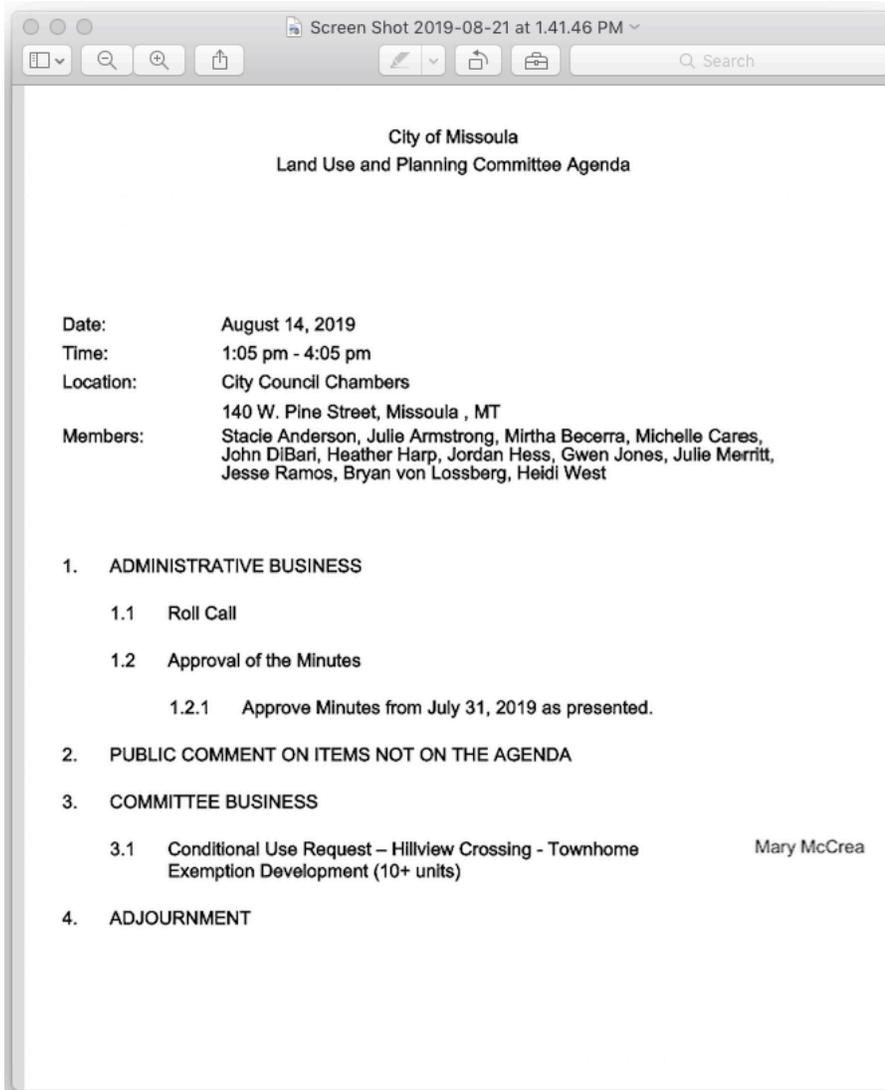
Members: Stacie Anderson, Julie Armstrong, Mirtha Becerra, Michelle Cares, John DiBari, Heather Harp, Jordan Hess, Gwen Jones, Julie Merritt, Jesse Ramos, Bryan von Lossberg, and Heidi West

- ADMINISTRATIVE BUSINESS
 - Roll Call
 - Approval of the Minutes
 - Approve Minutes from July 31, 2019 as presented.
- PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
- COMMITTEE BUSINESS
 - Conditional Use Request – Hillview Crossing - Townhome Exemption Development (10+ units)
Mary McCrea
- ADJOURNMENT

3) Missoula citizens Teresa Jacobs and Jeff Stevens had a cordial meeting with Mayor John Engen in his office at 3pm on **Tuesday, August 20th**. We discussed concerns, including a seeming violation of Open Meeting Law violation at a 4/3/19 LUP committee, and the manner in which he had suddenly and directly involved

himself in the LUP committee's business – seemingly on behalf of the owners/developers of the proposed Hillview Crossing TED development on a hillside above the Wapikiya neighborhood – even calling a meeting of LUP committee himself for 8/14/19 (that had been very confusing). Both Jacobs and Stevens, who are residents of the Wapikiya neighborhood, are both keen observers of public process having themselves participants in many public meetings. They were regular attendees of LUP committee meetings with Hillview Crossing on their agenda. Before leaving, Jacobs asked the Mayor what would be the best way to effectively communicate a grievance about the last two HUP meetings, and he suggested a detailed letter to himself and the City Council. This letter - signed by 11 citizens - was hand-delivered to City Hall on August 29th

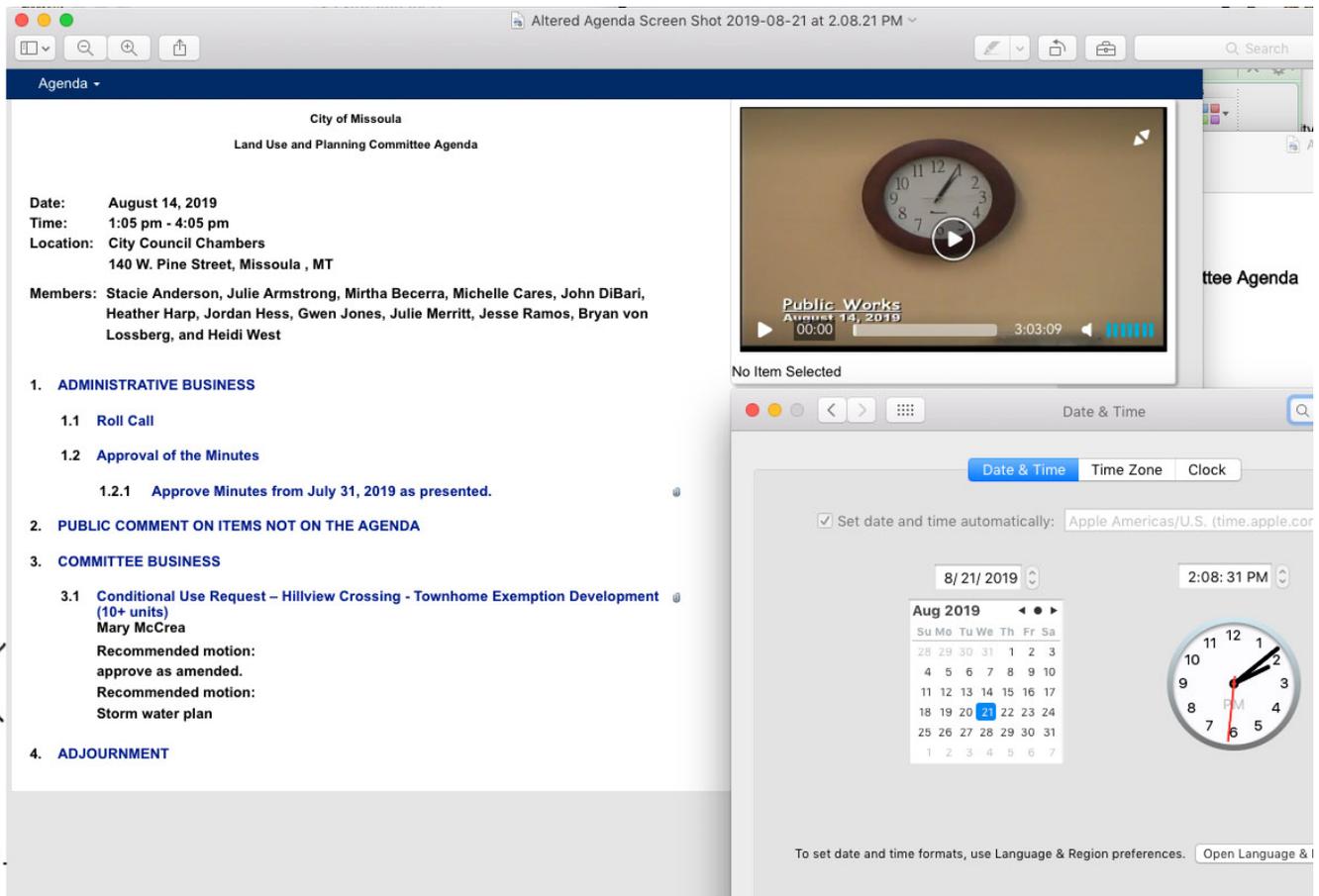
4) As one would expect, the agenda for the 8/14/19 LUP meeting remained the same **on Wednesday August 21 – at least until 1:41 pm** when this image was captured (perhaps from a google archive that was time-lagged once I noticed a shocking change of the 8/14 agenda in real time on the city website?).



5) See **altered agenda, post-meeting** of the 8/14/19 meeting of the City Council's Land Use and Planning (LUP) committee newly **captured around 2pm on Wednesday, August 21st**.

This is an image of a screenshot I captured of a city web page just after 2pm on Wednesday, August 21st. The time is shown on the top bar and in the opened a time/day window. The time on the upper clock a still shot on the video of the 8/14/19 meeting that I was likely getting ready to watch on this city web page when I noticed the change.

Note addition of 4 lines indicating possible action at meeting. I noticed alteration just after 2 pm on Aug. 21st - a week after the actual meeting took place (and when key votes were taken.



6) At 3:37 on **Thursday, August 22nd**, my son Conor Jacobs created a permanent archived copy of the altered agenda still on the city's website for the 8/14 LUP committee meeting.

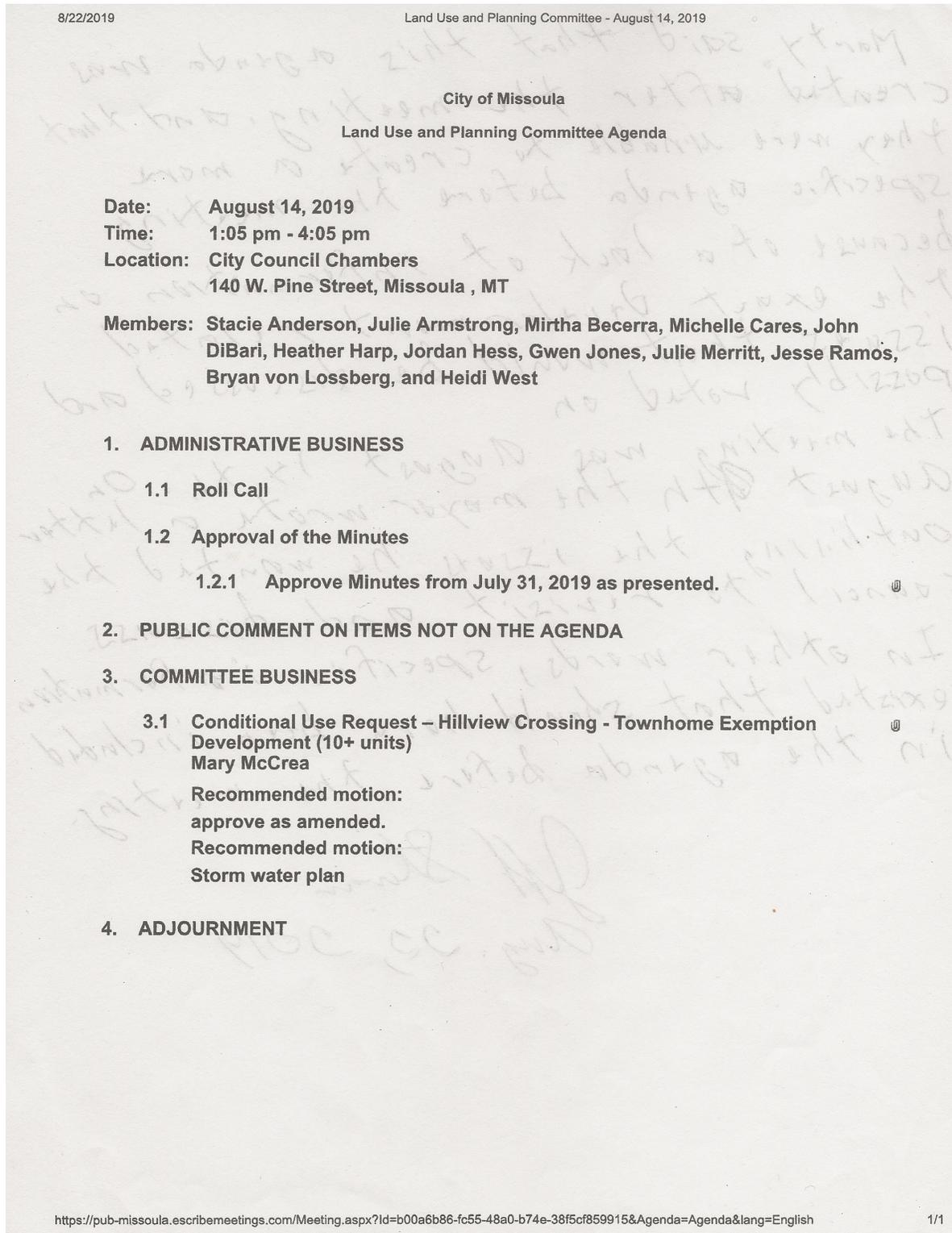
See permanent archive of post-meeting altered agenda (captured 3:37 August 22nd).

<http://archive.is/fCEKP>

Archive.is service

7) I heard back from Jeff Stevens (who I had called about the 8/14 LUP agenda being altered). Jeff was going to City Hall anyway so would check it out.

This is my scan of a copy of the Aug 14th LUP agenda that somebody at City Hall printed for Jeff on **Thursday, August 22nd**.



8) This is Jeff Steven's note on the back of the agenda just printed for him at City Hall, describing the content of his conversation with City Clerk Marty Rehbein on Thursday August 22nd. **She admits to him that the agenda was changed.**

Marty said that this agenda was created after the meeting, and that they were unable to create a more specific agenda before the meeting because of a lack of information on the exact development related issues that would be discussed and possibly voted on.

The meeting was August 14th. On August 17th the mayor wrote a letter outlining the issues he wanted the council to revisit and discuss.

In other words, specific information existed that should have been included in the agenda before the meeting.

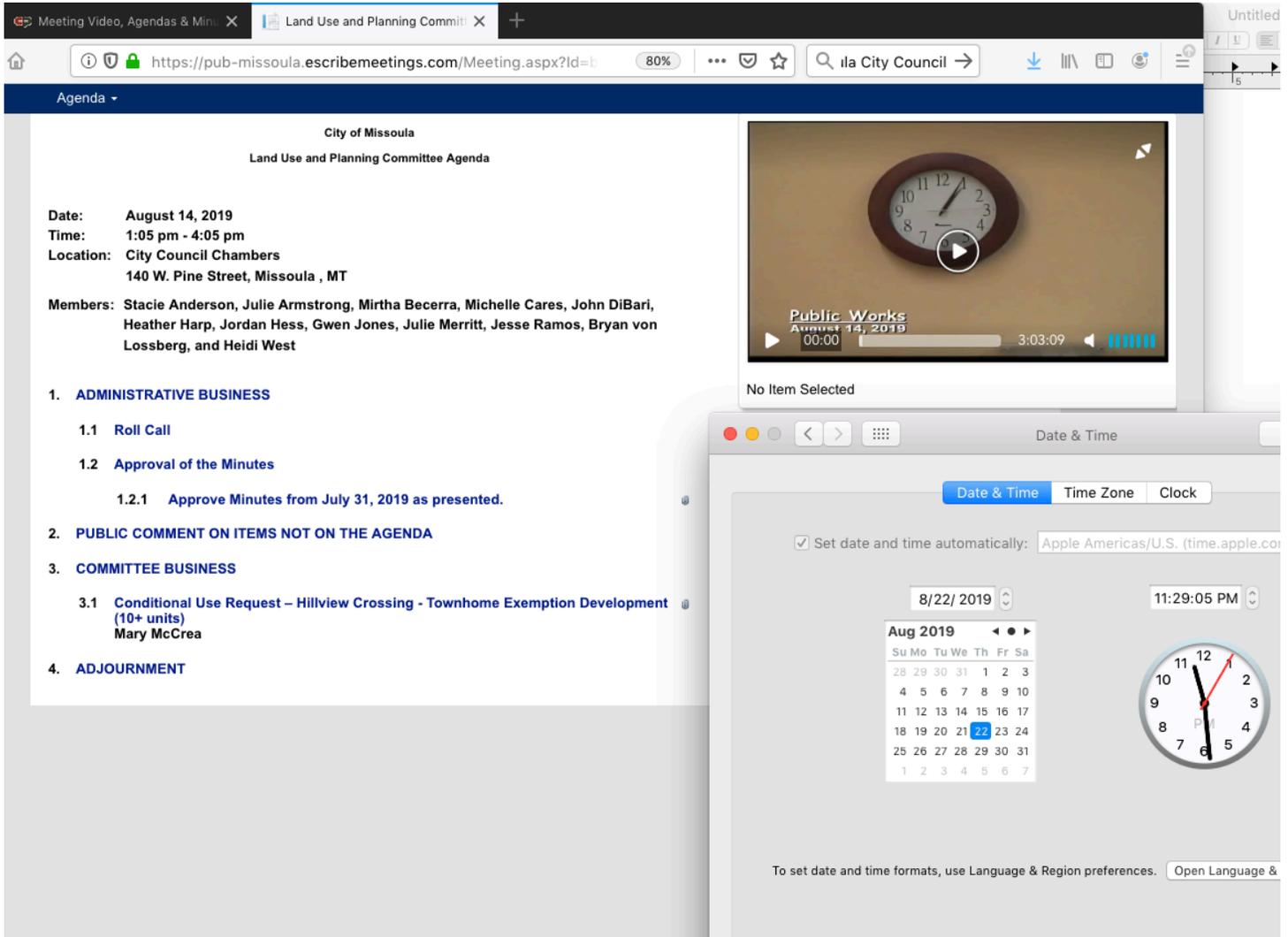
Jeff Steven
Aug. 22, 2019

I have permission to share Jeff's Steven's signed and dated account of his encounter at City Hall with others. He wrote this note in my presence on 8/22/19 on his way home from City Hall. ~ Teresa Jacobs 10-1-19

Teresa Jacobs

9) The agenda for 8/14/19 LUP meeting is seen **returned to its original state**, at least as of 11:29 pm on **Thursday August 22nd**

This screenshot from my computer shows the time and date when I discovered that the agenda was re-altered back to its original state.



10) See permanent archive of the restored agenda, created at 4:23 pm on **Monday August 26th**: <http://archive.is/LLyLR>

Concluding Reflection: Is this a case of “All’s Well That Ends Well”

as in the case of another drama, that was penned by William Shakespeare?

Does the discovery of tampering and the reverse of it mean that no harm’s been done? Hmm. Had citizens not discovered and confronted the city with evidence, would the injury of deception have persisted to protect mistakes by officials, and to disadvantage citizens by undermining the validity of their concerns, complaints and petitions after they observed a lack of fidelity to meeting standards and lack of clarity and information when votes of great importance and consequence were cast by their elected representatives? Public trust is a fragile commodity.