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July 1, 2024

**SENT VIA FIRST CLASS MAIL  
AND EMAIL TO**

City Manager's Office  
Darrel Pyle  
201 W. Gray St.  
Norman, OK 73069  
[Darrel.Pyle@NormanOK.gov](mailto:Darrel.Pyle@NormanOK.gov)  
cc [Anthony.Purinton@NormanOK.gov](mailto:Anthony.Purinton@NormanOK.gov)

**CONFIDENTIAL SETTLEMENT COMMUNICATIONS**

RE: Letter of Representation and Demand for Retraction and Correction

Dear City Manager and City Attorney,

**REPRESENTATION**

Renaissance Legal Solutions, PLLC (RLS) represents Food & Shelter, Inc. (hereinafter F&S) with respect to Contract (K-2223-56) (hereinafter the "Contract") for the operation of the low-barrier emergency shelter known as "A Friend's House" (AFH). RLS also represents F&S with respect to renegotiations of the Contract between F&S and the City of Norman, as well as regarding the investigation and potential claims for defamation F&S has related to the audit conducted by the City of Norman Auditor, Shaakira Calnick. Please direct all communications intended for F&S to our attention, and please immediately refrain and cease any further direct communications with F&S.

**AFH BACKGROUND**

F&S is a 501(c)3 non-profit and has been in operation for more than 40 years providing services to individuals experiencing and struggling with homelessness, hunger and poverty. F&S is governed by a Board of Directors. F&S leadership graduated from the Oklahoma Center for Non-Profits Standards of Excellence Program and trained in best practices for operating non-profits. The F&S operational policies were developed and reviewed by the Oklahoma Center for Non-Profits and have been audited by investors and third-party accounting firms for decades.

Like most small non-profit businesses providing services to municipalities and governments to help society's marginalized community, F&S's operational budget does not allow for an in-house accountant. Bookkeeping tasks and duties are the responsibility of one and one-half full time equivalent employees, with oversight and management by the Executive Director.

AFH has adopted vetted controls to ensure donor and tax payor dollars are spent in accordance with the Contract and the responsibilities and duties of F&S. For example, all expenses are reviewed weekly. Expenses are initially reviewed and approved by the Executive Director, and finally reviewed and approved by a member of the Executive Committee of the F&S Board of Directors. All payroll and human resource duties are outsourced to a third-party company and NOT handled by F&S.

## HISTORY

As you are aware, F&S was awarded the Contract to operate a low-barrier emergency shelter in Norman offering services and shelter to individuals experiencing homelessness in Norman. “Low barrier” shelters, by their very design, are intended to minimize obstacles that often prevent people from accessing shelter services. Key characteristics of “low barrier” shelters are (1) minimal requirements for entry; (2) harm reduction approaches; (3) inclusive environments and language; (4) flexibility; and (5) support services. The overall goal of a “low barrier” shelter is to provide immediate, accessible and safe shelter for people experiencing homelessness, regardless of their background and circumstances, thereby reducing the number of people sleeping on the sidewalks and streets or in other areas of the City of Norman.

In July 2022, F&S responded to a City of Norman Request for Proposal to operate a low barrier emergency shelter for people experiencing homelessness. In accordance with the Request for Proposal, F&S created a projected budget. The F&S projected budget offered estimations as to wages, vendors, operational expenses, and used, as guidance, the expenses of the prior shelter servicing the City of Norman. The estimated budget accompanied F&S’s response to the City’s Request for Proposal.

In September 2022, the City Council voted to accept F&S’s RFP to become the operator of the “low barrier” shelter. The contract was drafted by the City of Norman and was executed by our Board of Directors in October 2022. F&S opened AFH on November 1, 2022.

## THE CONTRACT

At the time of execution, the Contract was originally intended to be temporary, limited to a temporary location for the winter of 2022-2023 and scheduled to expire at the end of March 2023. However, during that timeframe the Norman City Council expressed its desire to F&S to keep AFH open and subsequently extended the contract for 90 days with an option to renew for an additional 90 days. Ultimately, the City Council made the determination to revise the Contract to a month-to-month agreement with no expiration date. The City Council determined that the Contract would expire upon a vote of council.

The original Contract was signed on or around October 11, 2022 and the terms of the agreement have not changed since that time. Some of the most relevant terms of the Contract relate to reporting and require F&S’s agreement to participate in Service Point, Sharelink Homeless Management Information System (HMIS) administered by the Homeless Alliance, which therein also required F&S to include 1) all data elements as required by HUD for an Emergency Service Grant, 2) HMIS ESG Capex report “with error rate of less than 5% in all categories”, and 3) HMIS

Daily Unit Reports. Additionally, the City retained the right to monitor, inspect, audit, or review AFH's operations of the Emergency Shelter and review all records "for the purpose of making audit examinations of the Contractor's performance *"under this agreement."*

The contract also provided payment terms for the services F&S provided as the operator of AFH. No specification as to how the money for services was to be spent was identified anywhere in the Contract. However, the Executive Director provided estimated costs for expenditures to the City Manager, ensuring all money received was spent in benefit of the Emergency Shelter.

## RECENT EVENTS

In December 2023, a person purporting to act on behalf of the City of Norman appeared at AFH unannounced while a custodial team was present and cleaning the building. The unannounced visitor asked a custodian on duty several questions the custodian could not answer, then promptly departed. The custodian on duty informed the F&S Executive Director of the unannounced visit and line of questioning. The Executive Director then contacted the Norman City Attorney's office who confirmed the person was likely the City Auditor, Shaakira Calnick.

On December 15, 2023, F&S Executive Director received a records request from the City Auditor via Norman City Attorney, Anthony Purinton, requesting the production of financial records related to AFH "for the purpose of reviewing and verifying compliance with contractual obligations and regulatory requirements." The request, addressed directly to F&S, then proceeded to ask for payroll records and IRS Form 990, but notably made no distinction between records for F&S generally, versus those specific to AFH. While the letter reiterated the production of the records requested was to "ensure transparency and compliance with our contractual and regulatory obligations," the production of sensitive payroll information was later used in an inappropriate manner.

In February 2024, Ms. Calnick requested an interview with F&S Executive Director, April Doshier. The interview occurred on March 8, 2024, and present were Ms. Doshier, Norman City Auditor, Shaakira Calnick, and Norman Assistant City Attorney, Anthony Purintan. During the interview, Ms. Calnick asked a series of prepared questions mostly related to the operations of the shelter. F&S was transparent in its responses and provided all information requested promptly. During the interview, no questions were asked regarding where funds paid for service of the Contract went nor any other questions related to the financial practices of F&S. However, Ms. Calnick did ask questions related to what she perceived as "unearned overtime" being paid to staff. Ms. Doshier clarified during the March 8, 2024 meeting that the "overtime" was actually "holiday pay" and explained that was how their third-party payroll company's process. The interview lasted approximately 45 minutes.

On April 15, 2024, F&S received a copy of the City Auditor's report dated April 11, 2024 (the "initial report"). The initial report, which was watermarked as "CONFIDENTIAL FINAL DRAFT" claimed to be a draft and was replete with erroneous information. F&S received the initial report approximately thirty minutes before a regular scheduled F&S board meeting, so copies were provided to the F&S Board Members. Michael Ridgeway, an attorney and former board chair, offered his response to the initial report, which was sent to the City Manager, City

Attorney, and City Auditor (the "F&S Response Letter"). See attached letter dated April 16, 2024. The original draft was reportedly to be shared with Finance Committee on April 18, 2024.

Immediately thereafter, F&S Executive Director contacted Norman City Council Member, Helen Grant, who then called a meeting on April 18, 2024 at Norman City Hall. Present were the Norman City Manager, City Auditor, City Attorney, and Council Members, Grant, Holman and Montoya. Present for F&S were the Executive Director, and Board Members, Adam Clinton and Trey Witzel. At this meeting, the initial report was extensively discussed, and it was at this time the City Auditor began referring to the "audit" of F&S as an "investigation," a fact that was never conveyed to F&S prior to the April 18 meeting. Had F&S known the agency was "under investigation" F&S would have hired counsel sooner.

During the April 18 meeting at City Hall in response to direct questions from Council Members, the City Auditor admitted she found no evidence of misused funds, no inappropriate spending and, in fact, admitted there existed a surplus of funds in the F&S accounts. The City Auditor acknowledged the draft language was likely to provoke public outcry and agreed to edit the language, stating that the final version "would look a lot different" than the initial report. The City Manager and City Attorney outwardly expressed and acknowledged that F&S would be given an opportunity to review the revised draft report and be afforded an opportunity to respond. No further communication was had between any party of the city.

On May 16, 2024, a copy of the City Auditor's revised report (which was erroneously not labeled as "confidential") was provided to the Finance Committee at Norman City Hall, to be presented in a full report to the Norman City Council at a study session on May 21, 2024. The F&S Executive Director requested a copy of the Auditor's report but was denied the same.

At the meeting held on May 21st, the City Auditor read what should have been a confidential revised report aloud, including personal, private and confidential employee information wholly unrelated to AFH, in open and publicly recorded session. Each Council Member was provided a copy of the report; however, the copies were collected at the conclusion of the meeting. Although members of F&S were present, they were denied an opportunity to respond in any way to the false oral report and were again declined copies of the revised report. Further, although provided in advance of the meeting to the City Manager and City Auditor, copies of the F&S Response Letter to the initial report were not provided to the Council Members at this meeting. The City Auditor's revised report offered knowingly false, biased and misleading information to the Council Members. Despite having acknowledged a month earlier that no malfeasance, missing funds, or inappropriate behavior was found, having reviewed no additional information, the City Auditor miraculously concludes malfeasance occurred and improperly and deceitfully misled the City Council Members into believing the same. Contrary to one of the fundamental rights afforded to people under both the Oklahoma and United States' Constitutions, F&S was denied any opportunity to respond and show proof of the Auditor's lies and deceit.

As a result of the May 21st Council Meeting and the inaccurate information presented therein being made public, F&S has experienced a public lashing which has included a particularly nasty personal character assassination of F&S Executive Directory, Ms. Doshier. The most egregious attacks on Ms. Doshier relate to the fact that her private salary **paid solely by F&S and**

embezzlement – a blatantly false characterization of a person who has transparently shown the City of Norman proof to the contrary.

The fallout from the City Auditor's attack on AFH and its Executive Director continues. AFH donors are declining further donations and Ms. Doshier continues to face public shaming online and questions of character in person. It is inconceivable why the City of Norman would allow such an attack on an organization that is selflessly serving a forgotten, downtrodden and marginalized segment of Norman's population. AFH provides a valuable service, not only to those experiencing homelessness, but also the City of Norman who desires to see people sleeping in beds and not on the streets.

#### AUDIT PRACTICES OF MS. CALNICK

As stated in the AFH Contract, as well as in the December 15, 2023 letter requesting financial information from F&S, the purpose of any report, audit, or financial information provided to the City of Norman should have been used for the sole purpose of ensuring compliance with the AFH Contract. Yet, after Ms. Doshier's private salary information was received by Ms. Calnick, it appears any concern regarding Contract compliance fell to the wayside.

F&S is highly experienced in dealing with and responding to audits from funders. When they are generally audited, usually more than just the Executive Director is involved in the response, yet with the City's Auditor, it was Ms. Doshier alone who was interviewed. Other audits of F&S ask for information related to who handles various tasks, who is the custodian of agency records and information, if a CPA is used to prepare payroll and tax reports, and what third-parties are utilized for record keeping and compliance. Ms. Calnick made no inquiry regarding any other staff or board member of F&S during her "investigation," oddly singling out Ms. Doshier's salary and perceived failures alone.

Additionally, if the purpose of the audit (turned investigation) was to confirm compliance with the Contract, why did Ms. Calnick not request or discuss any information that is submitted through HMIS Records and Reporting as the Contract requires? F&S is held to a high standard of having an error rate of "less than 5%" in its HMIS ESG CAPER Report, yet none of this information appeared to be of interest by Ms. Calnick as it was never mentioned in either version of her report. The odd nature of the audit begs the question who made the alleged "anonymous complaint" the City Auditor claims prompted the audit, and what exactly did the "anonymous complaint" say?

While City of Norman municipal code adopted by Ord. O-2122-45 authorizes the City Auditor to "serve at the pleasure of the City Council" and grants authority to the City Council to hire, suspend, and fire the City Auditor, this authority does not negate the City Manager's power to also remove or suspend "all heads of administrative departments and other administrative officers and employees of the city" if it is "for the good of the service" as outlined in Title 11 O.S. §10-113 relevant to Council-Manager forms of government. In fact, it is the statutory duty of the City Manager to "supervise and control all administrative departments, officers and agencies." Due to the backlash that has come from the City Auditor's negligent reporting of F&S and the AFH Contract, review and reprimand of Ms. Calnik is surely warranted by the City Manager.

**NOT from AFH Contract funds** was made public by Ms. Calnick at that meeting. While the purpose of the “audit” was alleged to be strictly related to F&S’s compliance with the terms of the Contract, the financial information specific to Ms. Doshier’s salary fell far outside this scope.

In the initial report (and only report to which F&S was allowed an opportunity to respond), Comment 17 addressed Ms. Doshier’s wages, as well as an alleged issue with overtime (see Comment 16 of the initial report). The F&S Response Letter made clear that Comments 16 and 17 from the initial report (which were renumbered as Comments 17 and 18 in the revised report) were an inaccurate reflection of facts. For instance, in response to Comment 16 of the initial report wherein Ms. Calnick states that overtime in the amount of \$46,897.42 was paid by F&S (presumably out of AHF funds), the F&S Response letter clarifies “instances of un-earned overtime are actual holiday pay which is required by policies and is standard payroll practices. The Paychex HR system places those hours in the overtime category on reports as opposed to calling them holiday pay. This was explained to the auditor during the interview with the Executive Director.” Despite this information being in Ms. Calnick’s possession, she proceeded to present the revised report indicating that F&S spent allocated AHF funds in the amount of \$50,208.33 in overtime. This is simply false and on May 21st, Ms. Calnick knew it to be false.

Additionally, in the initial report Ms. Calnick publishes (in what is watermarked as a “confidential final draft”) Ms. Doshier’s base salary in 2022 and 2023, then identifies what she refers to as additional “regular wages” as being received by Ms. Doshier. No distinction whatsoever is made between funds Ms. Doshier is paid for her work as Executive Director of F&S that stem solely from the private non-profit corporation, and funds paid to Ms. Doshier from the AFH Contract. Rather, the City Auditor convolutes all moneys paid to Ms. Doshier as somehow being relevant to the AFH Contract, inferring ill intent on the part of Ms. Doshier. She goes on to make a recommendation that payroll be conducted by a third-party company. Again, in the F&S Response Letter it is made clear to Ms. Calnick and the City Manager that 1) F&S already conducts payroll through a third-party company (Paychex), and 2) that “no shelter administrator was employed and no funding for an administrator was included in the temporary contract” and that the agency chose to share duties at AFH among existing staff so new AHF employees would have “someone experienced working alongside them each night.” The Response Letter further states that the hours worked by ANY staff (including Ms. Doshier) at AFH “were outside the normal job duties of each respective staff member and were compensated with an hourly wage like all staff members working at AFH. This included the hours worked by Executive Director April Doshier which were tracked in our payroll system and can be affirmed by our HR company and other members of our staff.” Despite this clarification, Ms. Calnick’s revised report read into public record states Ms. Doshier’s F&S salary, wholly ignoring the fact that **the total amount Ms. Doshier ever received from the AHS Contract funds totaled only \$6,646.74**. This gross misstatement of facts convoluting Ms. Doshier’s F&S *private* salary with the public funds paid to her from the AFH Contract has severely damaged the reputation of F&S, as well as Ms. Doshier’s personal character.

On June 10th, AFH received an email from KFOR, Oklahoma News Channel 4, asking for comment. AFH provided a written statement to KFOR, and KFOR aired a story that evening. The imagery in the story paints AFH Executive Director as a fraud and all but accuses her of

DEMAND FOR PUBLIC RETRACTION AND CORRECTION; REPRIMAND OF CITY AUDITOR

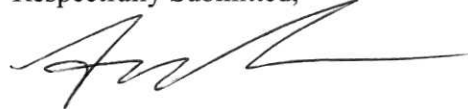
As such, F&S requests at this time that a review of the audit practices of Ms. Calnick be performed by the City Manager and that her role as City Auditor for the City of Norman be suspended until such time that an investigation into her motives and auditing practices can be reviewed. Further, F&S request that the City of Norman issue a public apology to F&S, and to Ms. Doshier directly, along with a corrective statement specifying that the report made public by Ms. Calnick on May 21, 2024 was an incorrect assessment of the audit findings and that no contract violations occurred. This statement should be released through the news media as well as via social media and be read at the next public city council meeting.

Should the City of Norman refuse to take these corrective actions meant to restore the good name of F&S and Ms. Doshier, counsel for F&S shall follow this letter with a detailed open records request pursuant to the Oklahoma Open Records Act found in 51 O.S. §24A.1 et al. for all information, communications, reports, investigations, and audits made in relation to the AFH Contract and of F&S specifically and will proceed with filing the claims F&S and Ms. Doshier have against Ms. Calnick in District Court.

CONCLUSION

Although F&S has been damaged by the actions of Ms. Calnick, the altruistic heart of the organization continues to be dedicated to serving the unhoused population in the City of Norman. F&S wishes nothing more than to be restored in its reputation and to continue the good work of serving those in need. It is the deepest hope of the F&S Board that a resolution to these recent events can be reached that pleases all involved and F&S can continue to operate A Friend's House for the community it loves and serves. Please review the timeline of events carefully and consider the requests made by F&S to rectify the situation. Counsel will be happy to discuss alternative ideas for correcting the matter at the July 3rd meeting as well.

Respectfully Submitted,



Felina N. Rivera  
Counsel for Food & Shelter, Inc.