



M Sierra <sierra318@gmail.com>

NOTICE of Reasonable Accommodation Request July 2017

BMUMMB@comcast.net <BMUMMB@comcast.net>

Thu, Jul 20, 2017 at 1:08 PM

To: M Sierra <sierra318@gmail.com>

Cc: Tony Konkol <tkonkol@orcity.org>, Laura Terway <lterway@orcity.org>, jband@orcity.org, "Mark J. Matheson" <mark.matheson@drteamsint.com>, Janice Morris <mad91058@msn.com>, Shelley Batty <shelleyba@live.com>, Betty Mumm <barclayhillsna@gmail.com>

Ms. Miller

Thank your husband for his service to our country and thank you for bringing this to our attention. It is important that we try to accommodate all disabled members of BHNA.

From what I understand your husband has hearing loss and needs a hearing amplifier. I can only image how hard it must be for him to attend meetings, have a doctor's appointment, or even have a conversation. There are some retired military personnel that would like to purchase a small recorder for your husband to keep with him. So when he goes to the doctor appointments or attends our neighborhood meetings he can record it and play it back at his pleasure. Please let me know if your husband would be interested in moving forward with this solution to the issue and again, thank you Mr. Miller for representing our country.

Betty Mumm

BHNA Chair

[503-575-8106](tel:503-575-8106)

From: "M Sierra" <sierra318@gmail.com>

To: "Tony Konkol" <tkonkol@orcity.org>, "Laura Terway" <lterway@orcity.org>, jband@orcity.org

Cc: "Barclay Hills - Betty Mumm" <bmummb@comcast.net>, "Mark J. Matheson" <mark.matheson@drteamsint.com>, "Janice Morris" <mad91058@msn.com>, "Shelley Batty" <shelleyba@live.com>, barclayhillsna@gmail.com

Sent: Wednesday, July 19, 2017 10:57:34 AM

Subject: Fwd: NOTICE of Reasonable Accommodation Request July 2017

[Quoted text hidden]



M Sierra <sierra318@gmail.com>

Oregon City Neighborhood Association Resolution & Agreement for Formal Recognition

M Sierra <sierra318@gmail.com>

Fri, Mar 2, 2018 at 8:29 AM

To: billkab@batemanseidel.com

Cc: Tony Konkol <tkonkol@orccity.org>, Laura Terway <lterway@orccity.org>, Christina Robertson-Gardiner <crobertson@orccity.org>, Amy <awillhit@yahoo.com>, Mike Mitchell <mike.k.mitchell@gmail.com>, Dennis Anderson <GO2Danderson@gmail.com>

Bcc:

Good morning Mr Kabeiseman:

I'm looking for a **City of Oregon City Resolution & Agreement** regarding the city's formal recognition of **Barclay Hills Neighborhood Association (BHNA)** pursuant to ORS 197.763(2)(b) & ORS 227.175(10)(b) & OAR 660-015-0000(1) & OCMC 2.30.030(A). My husband & I submitted a public records request with the [city recorder](#) and have not yet received a response. I realize you are very busy and I apologize for any inconvenience; my hope is that since you were instrumental in drafting the Resolution & Agreement for Recognition of Neighborhood Associations respectively (Ref. [Commission Work Session 01.08.2013](#)) perhaps you would be willing to part with a signed copy from *your* records?

Example:

[Two Rivers Neighborhood Association *signed* Resolution & Agreement](#)

Very Respectfully,

Miranda Sierra

Primary Oregon Address: 507 Cascade St, Oregon City, OR 97045

Email: sierra318@gmail.com

cc: city manager, community development director, citizen involvement committee officers & staff
atts two (2): public records request & DRAFT Resolution and Agreement for Recognition of NA

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2 attachments

 **Public_Records_Request_Form___Optimized_for_SeamlessDocs_1lomv3AA0Wi555.pdf**
143K

 **Resolution and Agreement for Recognition of NA.pdf**
113K



M Sierra <sierra318@gmail.com>

NOTICE of Reasonable Accommodation Request May 2017

Tony Konkol <tkonkol@orcity.org>

Tue, May 9, 2017 at 4:08 PM

To: M Sierra <sierra318@gmail.com>, "barclayhillsna@gmail.com" <barclayhillsna@gmail.com>
Cc: Laura Terway <lterway@orcity.org>, Pete Walter <pwalter@orcity.org>, Barclay Hills - Betty Mumm <bmummb@comcast.net>, "Mark J. Matheson" <mark.matheson@drteamsint.com>, Janice Morris <mad91058@msn.com>, Shelley Batty <shelleyba@live.com>, "ogec.mail@oregon.gov" <ogec.mail@oregon.gov>

Afternoon Ms. Sierra,

The City will be providing the neighborhood association an audio recorder for tonight's meeting to accommodate your request.

Thanks,

Tony

From: M Sierra [mailto:sierra318@gmail.com]

Sent: Tuesday, May 9, 2017 2:16 PM

To: barclayhillsna@gmail.com

Cc: Tony Konkol <tkonkol@orcity.org>; Laura Terway <lterway@orcity.org>; Pete Walter <pwalter@orcity.org>; Barclay Hills - Betty Mumm <bmummb@comcast.net>; Mark J. Matheson <mark.matheson@drteamsint.com>; Janice Morris <mad91058@msn.com>; Shelley Batty <shelleyba@live.com>; ogec.mail@oregon.gov

Subject: Fwd: NOTICE of Reasonable Accommodation Request May 2017

Good afternoon all

The following email was sent 3 days prior to tonight's BHNA meeting; no response received.

VR

Miranda Sierra

--

Oregon Government Ethics Commission (OGE) please note taxpayers continue to pay for this 'free' 'city-sanctioned' neighborhood association - see attachment(s). Also note - NO evidence of audit and/or oversight activity

----- Forwarded message -----

From: **M Sierra** <sierra318@gmail.com>

Date: Sat, May 6, 2017 at 9:15 AM

Subject: NOTICE of Reasonable Accommodation Request May 2017

To: barclayhillsna@gmail.com

Cc: Laura Terway <lterway@orcity.org>, Tony Konkol <tkonkol@ci.oregon-city.or.us>

Good morning BHNA

In an effort to remedy alleged violations of the Americans with Disabilities Act (42 U.S. Code § 12101) NOTICE is hereby given to the Barclay Hills Neighborhood Association (BHNA) to provide reasonable accommodation, to disabled citizen residents, by way of audio and/or video recordings of BHNA public meetings. Please note: Failure to comply will not be tolerated.

Very Respectfully,

Miranda Sierra

Primary Oregon Address: 507 Cascade St, Oregon City, OR 97045

Email: sierra318@gmail.com

Barclay Hills Neighborhood Meeting

Date of Meeting:
Tuesday, May 9, 2017

Time:

Main Topic of Discussion:

- **Special Speaker!** Tony KonKol
City Manager
- Girl Scouts of America

Come to your neighborhood meeting and meet your neighbors and find out what is going on in your city!

Location:

**Community Room
St John the Apostle
Cemetery
451 Warner Street**

You can also join us on Next Door...
Barclayhills.nextdoor.com
Our Facebook group is
"Barclay Hills Neighborhood
Association"



Barclay Hills Neighborhood

320 Warner Milne Road
Oregon City, OR 97045

Barclay Hills Neighborhood is your neighborhood!

Come have a voice in the free,
City-sanctioned Neighborhood
Association.

This is not a Homeowners
Association. It is for everyone who
lives, works, has property or owns
a business in the neighborhood!

**JOIN AND FOLLOW YOUR
NEIGHBORHOOD GROUP ON
FACEBOOK:**

**BARCLAY HILLS
NEIGHBORHOOD**

**BHNA is a
CITY SANCTIONED
Neighborhood
Association**

RESIDENT

OREGON CITY, OR 97045

US Postage
PAID
Permit #60
West Linn, C

<https://www.orcity.org/community/barclay-hills-neighborhood-association>

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M Sierra <sierra318@gmail.com>

Public Records Request - BHNA Resolution

M Sierra <sierra318@gmail.com>

Fri, Mar 2, 2018 at 9:31 AM

To: Jaime Reed <jreed@orcity.org>

Cc: recorderteam <recorderteam@orcity.org>

Bcc: [REDACTED]

Good morning Ms Reed

We received the document dated 19 FEB 1997; however, this is not the legal document requested. The "Agreement" section of this document, for which the Formal Recognition is contingent upon, is not signed. Please send the completed document.

VR

Michael Miller & Miranda Sierra

On Fri, Mar 2, 2018 at 8:53 AM, Jaime Reed <jreed@orcity.org> wrote:

Good morning,

Please download the attachment using the link below and confirm that you have received it.

Files attached to this application:

<https://seam.ly/eo0sQmV4>



Jaime Reed, CMC

Assistant City Recorder

jreed@orcity.org

City of Oregon City

PO Box 3040

625 Center Street

Oregon City, Oregon 97045

503-496-1509 Direct phone

503-657-0891 City phone

503-657-7026 fax

Website: www.orcity.org | [Recorder Page](#) | [Facebook!](#) | [Twitter](#)

MILLER SIERRA Grievance

Applicants

Michael Miller & Miranda Sierra

GC 17-04 & GC 18-01

Neighborhood Association

Barclay Hills Neighborhood Association (BHNA)

May 5, 2018

[illegible]



M Sierra <sierra318@gmail.com>

NOTICE of Reasonable Accommodation Request July 2017

M Sierra <sierra318@gmail.com>

Thu, Jul 20, 2017 at 2:33 PM

To: Tony Konkol <tkonkol@orcity.org>, Laura Terway <lterway@orcity.org>, jband@orcity.org
Cc: Barclay Hills - Betty Mumm <BMUMMB@comcast.net>, Janice Morris <mad91058@msn.com>, Shelley Batty <shelleyba@live.com>, Betty Mumm <barclayhillsna@gmail.com>, "Mark J. Matheson" <mark.matheson@drteamsint.com>

Good afternoon all

With all due respect Ms Mumm unauthorized disclosure of my husbands medical data violates the US Health Insurance Portability & Accountability Act of 1996 (HIPAA).

We will continue to move forward with this complaint. The preceding responses from BHNA Chair Betty Mumm and BHNA Vice Chair Mark Matheson, along with the attached BHNA Conflict of Interest correspondence, will be added to public record in accordance with the law.

VR

Miranda Sierra

Wife & Registered Caregiver of BHNA Citizen Resident Michael Miller

Primary Oregon Address: 507 Cascade St, Oregon City, OR 97045

Email: sierra318@gmail.com

[Quoted text hidden]

4 attachments



BHNA Chair Conflict of Interest B Q1 MARCH 2017.pdf

265K



BHNA Vice Chair ADA Violation Response no 2 JULY 2017.pdf

398K



BHNA Vice Chair ADA Violation Response no1 JULY 2017.pdf

394K



BNHA Chair ADA Violation response JULY 2017.pdf

196K

Re: Neighborhood Association Clarification

Sent: 📧 April 6, 2018 8:55 AM

From: mikemiller.devildog mikemiller.devildog@protonmail.com

To: M Sierra sierra318@gmail.com

CC: Laura Terway lterway@orccity.org, Tony Konkol tkonkol@orccity.org, recorderteam recorderteam@orccity.org, crichter@batemanseidel.com crichter@batemanseidel.com, billkab@batemanseidel.com billkab@batemanseidel.com, Dan Holladay dholladay@orccity.org, bshaw@orccity.org bshaw@orccity.org, fodonnell@orccity.org fodonnell@orccity.org, iden@orccity.org iden@orccity.org, rmengelberg@orccity.org rmengelberg@orccity.org

When was the last time anyone bothered to do a performance review of these neighborhood associations?



Mike MILLER

Sent with [ProtonMail](#) Secure Email.

----- Original Message -----

On April 5, 2018 1:19 PM, M Sierra <sierra318@gmail.com> wrote:

Good afternoon Ms Terway

So what you're saying is that the City does not consistently abide by statutory requirements per ORS 197.763 (2)(b) and ORS 227.175 (10)(b) which detail specific activities and actions (regulations) related to the governing body and it's relationship with formally recognized neighborhood associations which were, coincidentally, established and sanctioned via the City of Oregon City. Why then would the City bother to draft a Resolution and Agreement for formal NA recognition if contractual terms are, by your own admission, not executed to legal sufficiency?

i.e. why bother requiring NA inclusion for Land Use Applications, Annexation Procedures, Appeals, Public Notice and Review Processes pursuant to:
OCMC17.50.050(A), OCMC 14.04.050 (C), OCMC 17.04.805, OCMC 17.50.055, OCMC 17.50.190 (C)(5)(D)(1)(2), OCMC 17.50.090(A)(7)(B)(6)(C), OCMC 17.50.290(C), OCMC 12.32.040(B)(2)(C) (2), OCMC 2.28.060(E), OCMC17.40.060 (K)(1)(c)?

VR

Miranda Sierra

Owner of Residential and Mixed Use Employment properties in both Barclay Hills & McLoughlin neighborhoods

Primary Location: [507 Cascade St, Oregon City, OR 97045](#)

Email: sierra318@gmail.com

On Wed, Apr 4, 2018 at 11:27 AM, Laura Terway <lterway@orccity.org> wrote:

Good Morning,

Thank you for the email to clarify if neighborhood associations are entities of the City. Neighborhood Associations are not entities of the City and the City is not responsible for their actions nor can the City regulate their actions.

The excerpt from Carrie Richter, our Assistant City Attorney, is discussing a land use application submitted by the City's Public Works Department. The Planning Commission's decision on that application was appealed by the McLoughlin Neighborhood Association. So in that case the City was the applicant before both the Planning Commission and the City Commission and McLoughlin Neighborhood Association became the appellant before the City Commission. Carrie is simply explaining the context for the City Commission to make their decision, based on the criteria, not as the applicant. Hope this helps.



Laura Terway, AICP
Community Development Director
City of Oregon City
PO Box 3040
[221 Molalla Avenue, Suite 200](https://www.oregoncity.org/221-Molalla-Avenue-Suite-200)
[Oregon City, Oregon 97045](https://www.oregoncity.org/221-Molalla-Avenue-Suite-200)
Direct - 503.496.1553
Office - 503.722.3789
Fax 503.722.3880

Website: www.oregoncity.org | webmaps.oregoncity.org | www.rediscoverthefalls.com

Think **GREEN** before you print.

Please visit us at [221 Molalla Avenue, Suite 200](https://www.oregoncity.org/221-Molalla-Avenue-Suite-200) between the hours of 8:30am-3:30pm Monday through Friday.

PUBLIC RECORDS LAW DISCLOSURE: This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: M Sierra [mailto:sierra318@gmail.com]

Sent: Tuesday, March 27, 2018 11:38 AM

To: Laura Terway <lterway@oregoncity.org>; Tony Konkol <tkonkol@oregoncity.org>; Kattie Riggs <kriggs@oregoncity.org>; Christina Robertson-Gardiner <crobertson@oregoncity.org>; recorderteam <recorderteam@oregoncity.org>; Amy <awillhit@yahoo.com>; Mike Mitchell <mike.k.mitchell@gmail.com>; Dennis Anderson <GO2Danderson@gmail.com>; mikemiller.devildog <mikemiller.devildog@protonmail.com>; Brian Shaw <bshaw@oregoncity.org>; Nancy Ide <iden@oregoncity.org>; Frank O'Donnell <fodonnell@oregoncity.org>; Renate Mengelberg <rmengelberg@oregoncity.org>; Dan Holladay <dholladay@oregoncity.org>; billkab@batemanseidel.com; crichter@batemanseidel.com; guttmcg@msn.com

Subject: Neighborhood Association Clarification

Good morning all

Question: Who is correct?

*And then also just to clarify one thing is that **the Neighborhood Associations aren't legal entities of the City as well; and, so, um, the City does not, um, coordinate Neighborhood Associations; they're not City groups [...] just to be clear, they're not City organizations; Neighborhood Associations are not.***

Community Development Director Laura Terway

March 26, 2018 | Planning Commission | Agenda Item (2) Public Comments [video clip](#)

*I wanna tell the City Commission of the various staff roles in this proceeding. **This is kind of a different case because the City is an applicant (Neighborhood Association) and the decision maker (City Commission) and you gotta remember that the City Commission's job here is to sit as the judge and review the application against the applicable approval criteria - I presume you all understand that - if you have any questions I'm happy to answer them.***

Assistant City Attorney Carrie Richter

March 7, 2018 | City Commission | Agenda Item (6)(b)(c) Ref. File No PC 18-033 PC 18-031 [video clip](#)

VR

Miranda Sierra

Owner of Residential and Mixed Use Employment properties in both Barclay Hills & McLoughlin neighborhoods

Primary Location: [507 Cascade St, Oregon City, OR 97045](#)

Email: sierra318@gmail.com

Background Data: Neighborhood Association recognition is contingent upon an adopted and signed Resolution and Agreement for Formal Recognition via the City of Oregon City. City recognized Neighborhood Associations are subject to [OCMC 2.30.030\(A\)\(B\)\(D\)\(G\)](#). According to the City Recorder, Neighborhood Associations receive public funding via the City of Oregon City.

EXAMPLE: [Two Rivers Neighborhood Association *signed* Resolution & Agreement](#)

I can tell you that Wyatt, Tony, and I all worked on the NA allocated amount in the City Commission portion of the proposed budget. We did add in an increase of about \$5,000 over the biennium 2017 -2019. With the budget being really tight this year, this was huge because Tony specifically told all departments to hold at zero and not increase even for inflation increases. We are trying to do the best that we can. I hope this information helps.

Thanks,

Kattie



Kattie Riggs, CMC

City Recorder

kriggs@orc.org

City of Oregon City

PO Box 3040

625 Center Street

Oregon City, Oregon 97045

503-496-1505 Direct phone

503-657-0891 City phone

503-657-7026 fax

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 2 embedded image

 **image001.jpg** (4.89 KB)  **image003.jpg** (35.13 KB)



M Sierra <sierra318@gmail.com>

NOTICE of Reasonable Accommodation Request MAY 2018

M Sierra <sierra318@gmail.com>

Sat, May 5, 2018 at 11:28 AM

To: Janice Morris <mad91058@msn.com>, Laura Terway <lterway@orccity.org>, Tony Konkol <tkonkol@orccity.org>, Kattie Riggs <kriggs@orccity.org>, Christina Robertson-Gardiner <crobertson@orccity.org>, recorderteam <recorderteam@orccity.org>, Pete Walter <pwalter@orccity.org>, Amy <awillhit@yahoo.com>, Mike Mitchell <mike.k.mitchell@gmail.com>, Dennis Anderson <GO2Danderson@gmail.com>, Barclay Hills - Betty Mumm <bmummb@comcast.net>, Betty Mumm <barclayhillsna@gmail.com>

Cc: "mikemiller.devildog" <mikemiller.devildog@protonmail.com>

Good morning BHNA

In accordance with the Americans with Disabilities Act (42 U.S. Code § 12101) NOTICE is hereby given to the Barclay Hills Neighborhood Association (BHNA) to provide reasonable accommodation, to disabled citizen resident(s), by way of audio and/or video recordings of BHNA public meetings. **PLEASE NOTE: Failure to comply will not be tolerated.**

Per the request of disabled citizen resident Michael Miller, please send ALL AUDIO RECORDINGS of 2017 & 2018 BHNA Public Meetings not currently accessible via the City of Oregon City website to the email address(s) listed: sierra318@gmail.com or mikemiller.devildog@protonmail.com
/s/ **Michael Miller**
/s/ **Miranda Sierra**

Very Respectfully,

Miranda Sierra

Wife & Registered Caregiver of BHNA Citizen Resident Michael Miller

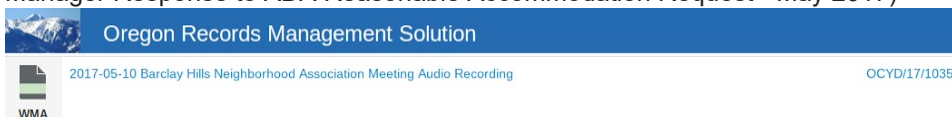
Primary Location: 507 Cascade St, Oregon City, OR 97045

Email: sierra318@gmail.com

NOTE: as of 05.05.2018 No BHNA postcard regarding the May 2018 General and/or Steering Committee Meetings received at primary location indicated

ADDENDUM No1

I. City Manager, 'Tony' Konkol, responded reasonably and appropriately to the May 2017 ADA Reasonable Accommodation Request by providing the BHNA with the complimentary use of city equipment via an audio recorder. The recorded public meeting was promptly posted to the city website, by the city recorders office, where it is currently still accessible - thank you (see attachment - City Manager Response to ADA Reasonable Accommodation Request - May 2017)



II. BHNA Chair, Betty Mumm's, interpretation of ADA Reasonable Accommodation Requests resulted in proposed accommodation via a 'hearing amplifier' - no such device has been recognized or approved by BHNA; disabled citizen resident Michael Miller has never received the 'hearing amplifier' in a personal or public capacity nor is there any proof of accommodation via the use of city equipment (apart from the afore mentioned instance). Despite multiple requests to BHNA, no current audio recordings of public or private meetings have been uploaded by the city website or sent to the email address and/or residential address provided (see attachments - BHNA Chair Mumm Response & Miranda Sierra Response to BHNA Chair Mumm - July 2017)

MILLER SIERRA Grievance

Applicants	Michael Miller & Miranda Sierra	GC 17-04 & GC 18-01
Neighborhood Association	Barclay Hills Neighborhood Association (BHNA)	May 5, 2018

PHASE	DETAILS	2016	2017	2018
A	Mayor Holladay Oversees Betty Mumm as BHNA Chair			
	Failure to Disclose Conflict of Interest			
	Failure to Respond to Conflict of Interest Inquiry			
	Failure to Provide Proof of Residency			
B	Unlawful Discrimination			
	Failure to Comply with ADA Reasonable Accommodation Requests			

III. BHNA **Formal Recognition** is contingent upon an adopted and signed Resolution and Agreement for Formal Recognition via the City of Oregon City. According to information provided by the city attorney & city recorders office there is **NO COMPLETE RECORD ON FILE** to indicate BHNA compliance Ref. [Commission Work Session 01.08.2013](#) EXAMPLE: [Two Rivers Neighborhood Association *signed* Resolution & Agreement](#) (see attachments - Public Records Request & Incomplete BHNA Resolution and Agreement & City Attorney and CIC compliance record request)

Public Records Request - BHNA Resolution

Jaime Reed <jreed@orcify.org>
To: M Sierra <sierra318@gmail.com>
Cc: recorderteam <recorderteam@orcify.org>

Fri, Mar 2, 2018 at 10:17 AM

Ms. Sierra,

Our City Attorney also confirmed that they did not have a copy of the agreement at their offices.

In accordance with our policy, you have reached 30 minutes of free staff labor for a public records request, at which point we begin charging for labor.

<https://www.orcity.org/cityrecorder/public-records-request-policy-and-form>

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3 attachments

 Reasonable Accommodation Request May 2018 Attachments.zip
1611K

 MILLER SIERRA Grievance against BHNA timeline.pdf
43K

 Miller VA Service Connected Disability Letter 12 2017.pdf
156K

Public Records Request

City of Oregon City

625 Center St.

Oregon City, OR 97045

503-657-0891

<https://orc.city.seamlessdocs.com/f/PublicRecords>



Name: Michael Miller & Miranda Sierra	Phone: _____
Address: _____	E-mail: sierra318@gmail.com
City/State/Zip _____	

Provide detailed description of documents requested:

City of Oregon City Legal Recognition of Barclay Hills Neighborhood Association (BHNA)

Resolution & Agreement document requested must be:

1. Adopted
2. Signed & Approved by Mayor, City Attorney, & City Recorder

Reference File No 13-047 4a

Name: Recognition of Neighborhood Associations

VIDEO: http://oregon-city.granicus.com/MediaPlayer.php?view_id=2&clip_id=1019

REQUESTOR TO READ AND SIGN UPON SUBMITTING REQUEST

I understand that every person has a right to inspect any public record of a public body in this state, except as otherwise provided by ORS 192.496 to 192.505. I understand that the documents or records requested may not be immediately available for my review and that I may need to make an appointment to review the documents or records. I acknowledge that there may be a cost for the research time to retrieve the requested records and costs for duplication of requested documents. If research time is required, I understand I will be notified of the estimated cost prior to retrieving the documents or records. I also understand that prepayment for research time and copies may be required. I acknowledge that any documents or records made available to review must not be disassembled and must be left intact, and that I cannot make copies myself.

Michael Miller & Miranda Sierra

Key: 67c7ec57908bf813b10b964a2943a52

02/28/2018

Signature of Requestor

Date

Business Name (if applicable): _____

Jaime Reed

Key: 1078d712f538c12a60b13f908b8437f

Karl R. Riggs

Key: 31828023b6e0f138707be62a202740ab