



Citizen Involvement Committee

PO Box 3040 | Oregon City OR 97045
Ph (503) 722-3789 | Fax (503) 722-3880

CITIZEN INVOLVEMENT COMMITTEE (CIC) GRIEVANCE APPLICATION

File Number: **GC 18-01**

Applicant(s):

Applicant(s) Signature: _____ Date: 04.02.2018

Applicant(s) Name Printed: MICHAEL MILLER AND MIRANDA SIERRA

Mailing Address: 507 CASCADE ST OREGON CITY OR 97045

Phone: 503.922.1137 Email: mikemiller.devildog@protonmail.com
SIERRA318@GMAIL.COM

Representative(s):

Representative(s) Signature: _____ Date: _____

Representative (s) Name Printed: _____

Mailing Address: _____

Phone: _____ Email: _____

All signatures represented certify the information submitted is correct.

Neighborhood Association Involvement

Identify if the grievance is being filed on behalf of a neighborhood association or group.

☒ No

☐ Yes Identify Group: _____

Party Being Grieved

The task of the Grievance Committee is to study any grievances by those whom consider themselves adversely affected by the CIC or a neighborhood association. Please indicate specifically all individuals or groups the grievance is being filed against.

☒ The Citizen Involvement Committee

☐ Neighborhood Association: _____

Person(s)/Group(s): _____

Person(s)/Group(s): _____

Person(s)/Group(s): _____

Reason for the Grievance

Identify the reason the Grievance is being filed. Please attach additional pages, if needed.

DETRIMENTAL FAILURE OF
DUE PROCESS

- NEGLIGENCE
- BREACH OF DUTY OF GOOD FAITH
AND FAIR DEALING
- MISFEASANCE

i.e. WILLFUL VIOLATION OF OCMC

REF. OCMC 2.30.060 (A)(B)(C)
OCMC 2.30.050 (E)
OCMC 2.30.020 (D)

Request to Recuse CIC Members

Any member who is a party to, or is directly impacted by, the grievance or the recommendation, must recuse themselves from being chosen for this committee. Please identify specific CIC members whom are requested to be recused.

CIC Member: ET al. PARTIES CULPABLE

Reason for Recusal: VIA PERSONAL AND PUBLIC CAPACITY

CIC Member: _____

Reason for Recusal: _____

CIC Member: _____

Reason for Recusal: _____

CIC Member: _____

Reason for Recusal: _____

REDUNDANT

Evidence to Support the Grievance

Any member who is a party to, or is directly impacted by, the grievance or the recommendation, must recuse themselves from being chosen for this committee. Please identify specific CIC members whom are requested to be recused. Please attach additional pages, if needed.

Evidence: ATTACHED NOTICE OF TORT CLAIM PURSUANT TO

Identify how this supports the grievance: ORS 30.275

SELF-EVIDENT

Evidence: _____
Identify how this supports the grievance: _____

Evidence: _____
Identify how this supports the grievance: _____

Evidence: _____
Identify how this supports the grievance: _____

Evidence: _____
Identify how this supports the grievance: _____

Submittal Requirements:

The following information is required to be submitted:

- ☒ Completed grievance application form.
- ☒ Supplemental information supporting the grievance.
- ☐ If filed on behalf of a group, documentation showing the group supports the filing of the grievance.

Applications will not be processed until complete.

Grievance Process:

Chapter 2.30.060.C.1

Once a grievance request is filed, five (5) members from the Citizen Involvement Committee will be chosen at random to staff the Grievance Committee (GC). Chapter 2.30.060.C.1 of the Oregon City Municipal Code directs the GC to recommend the parties seek to reconcile their differences through mediation prior to further review of the Grievance. If mediation fails, the GC and CIC are authorized to conduct meetings and hearings as may be necessary.

In response to a request of either party to continue to process the grievance, the Grievance Committee will proceed as identified in Chapter 2.30.060 of the Oregon City Municipal Code. The grievance and all supporting materials and evidence submitted may be inspected at no charge and copies may be obtained at reasonable cost at the Planning Division office. Any interested party may testify at the hearing(s) or submit written comments to the Community Development Director on the grievance at or prior to the hearing until the Grievance Committee closes the record. The committee is to report its progress to the CIC at each CIC meeting.

Grievance Committee Meetings

Until a recommendation of the Grievance Committee is made, the Grievance Committee will convene monthly, on the first Monday of each month (unless cancelled) at 5pm at City Hall in Commission Chambers. A majority of the committee members will constitute a quorum. The meeting will be open to the public and video recorded. At each meeting, the Grievance Committee Chair will follow Oregon City public meetings procedures and call for any ex-parte contacts, conflicts of interest or bias from the Grievance Committee. Testimony will be heard in the following order at each meeting while the record is open:

- The person / group whom submitted the grievance shall be allotted a maximum of 15 minutes to identify and explain the grievance and provide any other information.
- The person / group named in the grievance shall be allotted a maximum of 15 minutes to speak about the grievance.
- Any member of the public in favor of the grievance shall be allotted a maximum of 3 minutes to speak about the grievance.
- Any member of the public in opposition of the grievance shall be allotted a maximum of 3 minutes to speak about the grievance.
- The person or group whom submitted the grievance will be allotted a maximum of 15 minutes for rebuttal.
- The person / group named in the grievance shall be allotted a maximum of 15 minutes for rebuttal.

The Grievance Committee is permitted to ask questions of those testifying once they have completed their testimony. The questions do not count against the time of the person testifying.

Grievance Committee Recommendation

After the testimony has concluded the Grievance Committee will close the hearing and deliberate on the matter. Committee action will be determined by a majority vote of those present and voting. Once a recommendation is made, the Grievance Committee shall write report identifying each grievance, a recommendation for each grievance and findings of why that recommendation is being made. The Grievance Committee will vote on a final report before submitting the recommendation to the CIC.

CIC Final Recommendation

The CIC will hear the recommendation and vote on a final decision. The CIC process will be limited to the information contained within the record from the Grievance Committee process. No new information may be submitted. The CIC will conduct hearings and accept testimony in the same process as identified above for the Grievance Committee. The CIC will provide a written decision with each grievance, a decision for each grievance and findings of why that decision is being made. This may include accepting the Grievance Committee recommendation or amending the recommendation as necessary. The CIC will vote on the final recommendation. The CIC decision will be mailed and/or emailed to all parties who have submitted a legible address. The CIC decision is final unless called up for review by the City Commission. The CIC decision may not be appealed to the City Commission.

NOTICE of TORT CLAIM pursuant to ORS 30.275

CITY OF OREGON CITY General Damage Incident Report

Please read the entire Damage Incident Report before completing. This form should be filed with the City of Oregon City as soon as possible after the date of the incident. Cooperation in completing this form will expedite claim processing. Return completed form to:

City of Oregon City – Risk Management
625 Center Street P.O. Box 3040
Oregon City, OR 97045 - 0304
Fax: 503-496-1576

If you have any questions, please contact the Risk Manager at risk@orc.org or 503-657-0891.

Name of Claimant Michael Miller and MIRANDA SIERRA
Home Address 507 CASCADE ST OREGON CITY OR 97045
Work Address _____
Home Phone 503.922.1137 Work Phone _____
E-mail mikemiller.devildog@protonmail.com or sierra318@gmail.com
What was the damage or injury? WILLFUL VIOLATION OF OCMC 2.30.060 (A)(B)(C) Ord. No. 15-1010 § 1(Exh. 1) 9-2-2015
EXHIBIT A OCMC 2.30.050 (E) OCMC 2.30.020 (D)
Where did the injury or damage occur? COMMISSION CHAMBERS | CITY HALL | City of Oregon City
What was the day and date? MARCH 5, 2018
What was the time of day? aprox 20:15 (8:15 PM)
If this involved an injury, where was the injured person(s) taken for medical assistance? _____

Who transported the injured person(s)? _____
How did the incident occur? EXHIBIT B
Ref. File No GC 17-04 CITIZEN INVOLVEMENT COMMITTEE (CIC)
MARCH 5, 2018 CIC MEETING and (nonexistent) GRIEVANCE COMMITTEE MEETING and Signed MEMORANDUM highlight:
NEGLIGENCE | BREACH OF DUTY OF GOOD FAITH AND FAIR DEALING | MISFEASANCE
Please indicate conditions at the time of the incident (for example: dark or light, wet or dry). _____
DARK & DRY

Was this accident caused by a City employee? X Yes _____ No If yes, please give that employee's name CHRISTINA ROBERTSON-GARDINER, AICP | City of Oregon City Senior Planner
What damage and/or injury do you claim resulted from this incident? DETRIMENTAL FAILURE OF DUE PROCESS

NEGLIGENCE | BREACH OF DUTY OF GOOD FAITH AND FAIR DEALING | MISFEASANCE
What City Department Director investigated this claim? INCONCLUSIVE Ref. Citizen Involvement Committee (CIC)
Please name any other City employees involved in investigating this claim. Laura Terway, AICP | City of Oregon City Community Development Director EXHIBIT C
Have any insurance payments been made as a result of this incident? _____ Yes X No If yes, please give the name of the insurance company. _____
If signer of this claim is not the claimant, please explain your relationship. _____

TOTAL AMOUNT CLAIMED: \$1,200,000.00 (1.2 Million USD)

Please attach additional information that may be helpful in resolving this claim, such as repair estimates and photographs. Thank you.

I declare that the foregoing is true and correct.

Signature [Signature] Date 4/2/2018
+ Michael Miller CO-CLAIMANT
Witness: [Signature] Date: 04.02.2018
Miranda Sierra
Wife & Registered Caregiver of Michael Miller

ORDINANCE NO. 15-1010

**AN ORDINANCE OF THE CITY OF OREGON CITY ADOPTING CHAPTER 2.30
CITIZEN INVOLVEMENT COMMITTEE OF THE OREGON CITY MUNICIPAL CODE**

WHEREAS, the State of Oregon has adopted Statewide Planning Goals including Goal 1: Citizen Involvement to develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process (Exhibit 2); and

WHEREAS, the City encourages citizen involvement in all phases of the planning process; and

WHEREAS, the City created a policy establishing a Citizen Involvement Council (CIC) in December of 1977 to provide an active and systematic process for citizen and public agency involvement in the land-use decision making for Oregon City; and

WHEREAS, since establishment, the CIC has proven to be a successful means of communication between the City and citizens; and

WHEREAS, the City Commission wishes to codify the organization to reflect the importance of the group and specify basic rules and duties; and

WHEREAS, Title 2 of the Oregon City Municipal Code codifies numerous other groups; and

WHEREAS, Chapter 2.30 Citizen Involvement Committee shall be added to the Oregon City Municipal Code (Exhibit 1).

NOW, THEREFORE, OREGON CITY ORDAINS AS FOLLOWS:

Section 1. The City hereby adds Chapter 2.30 Citizen Involvement Committee to the Oregon City Municipal Code (Exhibit 1).

Section 2. Bylaws. Upon adoption of this Ordinance, the Citizen Involvement Council Bylaws, dated December 2, 2013, shall no longer be in effect.

Section 3. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

Section 4. Effectiveness. This Ordinance shall take effect 30 days from the date of adoption.

Read for the first time at a regular meeting of the City Commission held on the 19th day of August, and the City Commission finally enacted the foregoing ordinance this 2nd day of September 2015.

DAN HOLLADAY, Mayor

Attested to this 2nd day of September 2015,

Approved as to legal sufficiency:

Kattie Riggs, City Recorder

City Attorney

Attachments:

- Exhibit 1. Chapter 2.30 of the Oregon City Municipal Code
- Exhibit 2. Oregon Statewide Planning Goals and Guidelines: Goal 1



Chapter 2.30 – Citizen Involvement Committee

2.30.010 - Created.

The citizen involvement committee (CIC) is hereby created for the City of Oregon City. The CIC shall foster public participation and education regarding land use for the citizens of Oregon City on behalf of the City Commission and perform other duties as identified within this chapter.

2.30.020 - Duties.

The duties of the CIC include, but are not limited to, the following:

- A. Encourage public participation and knowledge of land use in Oregon City.
- B. Encourage public participation in other government activities as they impact neighborhood programs.
- C. Provide information to the City Commission and the public.
- D. Address grievances of the CIC and of neighborhood associations.
- E. Assist with requests from the City Commission.

2.30.030 Membership.

- A. The CIC shall consist of one primary member and one alternate member from each City recognized neighborhood association.
- B. Each neighborhood association shall provide a primary and alternate member nomination for appointment by the Mayor. Each primary and alternate member appointed shall have first been nominated by the neighborhood association of which they represent.
- C. Members shall be appointed for two years. Terms of the office shall commence on the first day of the calendar year.
- D. The members shall reside, work in, own property, or own a business within the neighborhood association boundaries which they represent or the land outside of the City limits but inside the Urban Growth Boundary designated to be within the neighborhood association which they represent.
- E. All members shall serve without compensation.
- F. If a member is unable to attend a meeting, it is the member's responsibility to inform the City Liaison prior to the meeting being missed.
- G. Upon failure of any member to attend three consecutive meetings, misconduct or nonperformance of duty, the CIC may recommend termination of that appointment to the City Commission. A CIC member may be removed by the City Commission, after hearing, for misconduct or nonperformance of duty. The alternate member may become the primary member for the remainder of the term and the neighborhood association shall nominate a new member.

2.30.040 – Officers and staffing.

- A. Officers shall include Chairperson, Vice-Chairperson and Secretary.
 - 1. The officers shall be appointed for two years starting in January of each even year. In the event that an officer is unable to complete the specified term, a special election shall be held for the

completion of the term. Members may not serve more than two consecutive terms as a Chair, Vice-Chair or combination thereof. An officer appointment expires if a member is no longer appointed to the CIC.

2. Chairperson. The Chairperson shall preside at all CIC meetings and serve as an ex-officio member on all committees. The Chairperson shall be the official spokesperson for the CIC, representing the majority position of the CIC, unless otherwise delegated in writing with the majority consent of the CIC.
 3. Vice-Chairperson. The Vice-Chairperson, in absence of the Chairperson, shall have general supervisory and directional powers over the CIC. The Vice-Chairperson shall conduct all business delegated to the Chairperson, in his or her absence.
 4. Secretary. The Secretary prepares the minutes and attendance records (as needed) of all meetings and submits the information to the City Liaison.
- B. Staffing of the CIC may include a City Commissioner Liaison and a City Liaison.
1. City Commissioner Liaison. One liaison from the City Commission may be appointed to act as a resource to CIC and attend CIC meetings. The City Commissioner Liaison will be a non-voting member of the CIC.
 2. City Liaison. The Planning Division and the City Manager's Office or their designee shall be responsible for keeping an accurate and legally sufficient record of all proceedings. In addition, the City Liaison shall create and post agendas, maintain a database of CIC members and track the CIC budget. The City Liaison(s) will be a non-voting member of the CIC. Consistent with the City Charter, the City Manager shall retain his/her discretion to suspend staffing when reasonable circumstances warrant.

2.30.050 – Organizational procedures.

- A. The CIC shall hold an official meeting every month. The CIC shall meet at such times and places as may be fixed by the committee. Special meetings may be called in accordance with the public open meetings law by the City Manager or the City Manager's designee.
- B. A majority of the members constitutes a quorum for meetings. Provided a quorum is present, voting matters shall be approved by a simple majority of the voting members present. All primary members who are present and all alternate members who are acting as primary members in the absence of the primary members are allotted one vote each on all motions.
- C. The CIC shall establish goals every two years that are consistent with the adopted Goals and Objectives of the City Commission.
- D. The CIC Chairperson or designee shall report to the City Commission once a year to provide CIC accomplishments.
- E. All meetings shall comply with ORS 192.640 and all CIC business shall comply with all applicable Federal, State, and local laws and regulations.

2.30.060 - Grievances

- A. Upon written submission of a grievance to the CIC, an ad hoc Grievance Committee will be formed to recommend resolution to the CIC for a vote.
- B. The Grievance Committee will consist of five (5) primary or alternate members chosen by the CIC Chairperson through a random lottery of CIC representatives.
 1. Any member who is a party to, or is directly impacted by, the grievance or the recommendation, must recuse themselves from being chosen for this committee.
 2. The CIC Chair will serve as an ex-officio on this committee and will not vote on any recommendation or course of action unless chosen randomly to be on the Grievance Committee.
 3. A committee Chair will be appointed by the Grievance Committee itself.

- C. The task of the Grievance Committee will be to study any grievances directed in writing to the CIC by any of its members, neighborhood associations, or any person considering themselves adversely affected by the CIC. Upon receipt of such complaint the Grievance Committee will proceed in the following manner:
1. First, it will recommend that the parties seek to reconcile their differences through mediation.
 2. If mediation fails, the committee is authorized to conduct such meetings and hearings as may be necessary to determine the facts of the matter in dispute.
 - a. A majority of the committee members will constitute a quorum.
 - b. Committee action will be determined by a majority vote of those present and voting at each committee meeting.
 - c. The committee is to report its progress to the CIC at each CIC meeting.
 - d. The committee shall submit a written report with a recommendation for the resolution of the grievance to the CIC.
 - e. The CIC will hear the recommendation and vote on a final decision.
 - f. The CIC decision is final unless called up for review by the City Commission. The CIC decision is final and may not be appealed to the City Commission.

2.30.070 - Conflict of interest.

A member of the CIC shall not participate in any committee proceeding or action in which any of the following has or will receive a direct or substantial financial interest: the member or his/her spouse, brother, sister, child, parent, father-in-law, mother-in-law, any business in which he/she is then serving or has served within the previous two years, or any business with which he/she is negotiating for or has an arrangement or understanding concerning prospective partnership or employment. Any actual or potential interest shall be disclosed at the meeting where the action is being taken. The committee shall operate in the general public interest serving the community as a whole.

2.30.080 - Expenditures.

The CIC shall have no authority to make any expenditures on behalf of the city or to obligate the city for payment of sums of money.

Oregon's Statewide Planning Goals & Guidelines

GOAL 1: CITIZEN INVOLVEMENT

OAR 660-015-0000(1)

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The governing body charged with preparing and adopting a comprehensive plan shall adopt and publicize a program for citizen involvement that clearly defines the procedures by which the general public will be involved in the on-going land-use planning process.

The citizen involvement program shall be appropriate to the scale of the planning effort. The program shall provide for continuity of citizen participation and of information that enables citizens to identify and comprehend the issues.

Federal, state and regional agencies, and special- purpose districts shall coordinate their planning efforts with the affected governing bodies and make use of existing local citizen involvement programs established by counties and cities.

The citizen involvement program shall incorporate the following components:

1. Citizen Involvement -- To provide for widespread citizen involvement.

The citizen involvement program shall involve a cross-section of affected citizens in all phases of the planning process. As a component, the program for citizen involvement shall include an officially recognized committee for

citizen involvement (CCI) broadly representative of geographic areas and interests related to land use and land-use decisions. Committee members shall be selected by an open, well-publicized public process.

The committee for citizen involvement shall be responsible for assisting the governing body with the development of a program that promotes and enhances citizen involvement in land-use planning, assisting in the implementation of the citizen involvement program, and evaluating the process being used for citizen involvement.

If the governing body wishes to assume the responsibility for development as well as adoption and implementation of the citizen involvement program or to assign such responsibilities to a planning commission, a letter shall be submitted to the Land Conservation and Development Commission for the state Citizen Involvement Advisory Committee's review and recommendation stating the rationale for selecting this option, as well as indicating the mechanism to be used for an evaluation of the citizen involvement program. If the planning commission is to be used in lieu of an independent CCI, its members shall be selected by an open, well-publicized public process.

2. Communication -- To assure effective two-way communication with citizens.

Mechanisms shall be established which provide for effective communication between citizens and elected and appointed officials.

3. Citizen Influence -- To provide the opportunity for citizens to be involved in all phases of the planning process.

Citizens shall have the opportunity to be involved in the phases of the planning process as set forth and defined in the goals and guidelines for Land Use Planning, including Preparation of Plans and Implementation Measures, Plan Content, Plan Adoption, Minor Changes and Major Revisions in the Plan, and Implementation Measures.

4. Technical Information -- To assure that technical information is available in an understandable form.

Information necessary to reach policy decisions shall be available in a simplified, understandable form. Assistance shall be provided to interpret and effectively use technical information. A copy of all technical information shall be available at a local public library or other location open to the public.

5. Feedback Mechanisms -- To assure that citizens will receive a response from policy-makers.

Recommendations resulting from the citizen involvement program shall be retained and made available for public assessment. Citizens who have participated in this program shall receive a response from policy-makers. The rationale used to reach land-use policy

decisions shall be available in the form of a written record.

6. Financial Support -- To insure funding for the citizen involvement program.

Adequate human, financial, and informational resources shall be allocated for the citizen involvement program. These allocations shall be an integral component of the planning budget. The governing body shall be responsible for obtaining and providing these resources.

A. CITIZEN INVOLVEMENT

1. A program for stimulating citizen involvement should be developed using a range of available media (including television, radio, newspapers, mailings and meetings).

2. Universities, colleges, community colleges, secondary and primary educational institutions and other agencies and institutions with interests in land-use planning should provide information on land-use education to citizens, as well as develop and offer courses in land-use education which provide for a diversity of educational backgrounds in land-use planning.

3. In the selection of members for the committee for citizen involvement, the following selection process should be observed: citizens should receive notice they can understand of the opportunity to serve on the CCI; committee appointees should receive official notification of their selection; and committee appointments should be well publicized.

B. COMMUNICATION

Newsletters, mailings, posters, mail-back questionnaires, and other

available media should be used in the citizen involvement program.

C. CITIZEN INFLUENCE

1. Data Collection - The general public through the local citizen involvement programs should have the opportunity to be involved in inventorying, recording, mapping, describing, analyzing and evaluating the elements necessary for the development of the plans.

2. Plan Preparation - The general public, through the local citizen involvement programs, should have the opportunity to participate in developing a body of sound information to identify public goals, develop policy guidelines, and evaluate alternative land conservation and development plans for the preparation of the comprehensive land-use plans.

3. Adoption Process - The general public, through the local citizen involvement programs, should have the opportunity to review and recommend changes to the proposed comprehensive land-use plans prior to the public hearing process to adopt comprehensive land-use plans.

4. Implementation - The general public, through the local citizen involvement programs, should have the opportunity to participate in the development, adoption, and application of legislation that is needed to carry out a comprehensive land-use plan.

The general public, through the local citizen involvement programs, should have the opportunity to review each proposal and application for a land conservation and development action prior to the formal consideration of such proposal and application.

5. Evaluation - The general public, through the local citizen

involvement programs, should have the opportunity to be involved in the evaluation of the comprehensive land use plans.

6. Revision - The general public, through the local citizen involvement programs, should have the opportunity to review and make recommendations on proposed changes in comprehensive land-use plans prior to the public hearing process to formally consider the proposed changes.

D. TECHNICAL INFORMATION

1. Agencies that either evaluate or implement public projects or programs (such as, but not limited to, road, sewer, and water construction, transportation, subdivision studies, and zone changes) should provide assistance to the citizen involvement program. The roles, responsibilities and timeline in the planning process of these agencies should be clearly defined and publicized.

2. Technical information should include, but not be limited to, energy, natural environment, political, legal, economic and social data, and places of cultural significance, as well as those maps and photos necessary for effective planning.

E. FEEDBACK MECHANISM

1. At the onset of the citizen involvement program, the governing body should clearly state the mechanism through which the citizens will receive a response from the policy-makers.

2. A process for quantifying and synthesizing citizens' attitudes should be developed and reported to the general public.

F. FINANCIAL SUPPORT

1. The level of funding and human resources allocated to the citizen involvement program should be sufficient to make citizen involvement an integral part of the planning process.



City of Oregon City

Meeting Agenda Citizen Involvement Committee

EXHIBIT **B**
PAGE 1 OF 5
625 Center Street
Oregon City, OR 97045
503-657-0891

Monday, March 5, 2018

Commission Chambers

Grievance Committee-meets after close of CIC Meeting

NO RECORD OF
PUBLIC MEETING
PURSUANT TO OCMC 2.30.060(A)(B)(C)
OCMC 2.30.050 (E)
OCMC 2.30.020 (D)

1. Call to Order

2. Grievances

2a [18-082](#)

November 28, 2017 Grievance

Sponsors: Christina Robertson-Gardiner

Attachments: [Staff Report](#)

[Grievance Process Memorandum](#)

[Chapter 2.30 of the Oregon City Municipal Code](#)

[Matheson Grievance Morey](#)

[Matheson Grievance Mumm](#)

[Addendum #1 Matheson Grievance -submitted by Betty Mumm](#)

[Addendum #2 Matheson Grievance -Mumm Response](#)

[Addendum #3 Matheson Grievance -Matheson Response](#)

[Sierra Grievance-Mumm](#)

[Addendum #1 Sierra Grievance -Mumm](#)

[Memo from GC -Matheson GC 17-04](#)

[Memo from GC -Sierra GC 17-04](#)

← MICHAEL MILLER
AND
MIRANDA SIERRA

3. Adjournment

[B]

2 OF 5

Public Comments: The following guidelines are given for citizens presenting information or raising issues relevant to the City but not listed on the agenda.

- *Complete a Comment Card prior to the meeting and submit it to the staff member.*
- *When the Chair calls your name, proceed to the speaker table and state your name and city of residence into the microphone.*
- *Each speaker is given 3 minutes to speak. To assist in tracking your speaking time, refer to the timer at the dais.*
- *As a general practice, Oregon City Officers do not engage in discussion with those making comments.*

Agenda Posted at City Hall, Pioneer Community Center, Library, and City Web site(oregon-city.legistar.com).

Video Streaming & Broadcasts: The meeting is streamed live on Oregon City's Web site at www.oregoncity.org and is available on demand following the meeting.

ADA: City Hall is wheelchair accessible with entry ramps and handicapped parking located on the east side of the building. Hearing devices may be requested from the City staff member prior to the meeting. Disabled individuals requiring other assistance must make their request known 48 hours preceding the meeting by contacting the City Recorder's Office at 503-657-0891.

[B]

3 OF 5



M Sierra <sierra318@gmail.com>

CG 17-02 & GC 17-03

WRONG
GRIEVANCE COMMITTEE (GC)
FILE NO

Christina Robertson-Gardiner <crobertson@orccity.org>
To: M Sierra <sierra318@gmail.com>
Cc: "awillhit@yahoo.com" <awillhit@yahoo.com>

Wed, Mar 7, 2018 at 5:51 PM

Mr. Miller and Ms Sierra,

Enclosed is a letter from the CIC from their meeting on Monday, March 5, 2018.

You have indicated in addendum #1 of the submitted Grievance that you have requested that all members of the CIC be recused from the Grievance Committee.

As such, this complaint will be put on hold until they receive direction from you that you no longer wish to recuse all the members of the CIC from the Grievance process.

Let me know if you have any questions,



Christina Robertson-Gardiner
AICP

Senior Planner

crobertson@orccity.org

City of Oregon City
Community Development Division

PO Box 3040

221 Molalla Avenue
Oregon City, Oregon 97045
503-496-1564 Direct phone
503-722-3789 City phone
503-722-3880 fax

Website: www.orccity.org | Recorder Page

PUBLIC RECORDS LAW DISCLOSURE: This e-mail is subject to the

NOTE ATTACHMENT



[B]

4 of 5



Memo from CIC-Sierra GC 17-04 Signed.pdf

55K

NO ADDITIONAL ATTACHMENTS
AS INDICATED IN MEMORANDUM



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5 OF 5

MEMORANDUM

MICHAEL MILLER

To: Miranda Sierra and all other Parties Identified in the Grievance submitted November 28, 2017

From: The Oregon City Citizen Involvement Committee, Grievance Committee

RE: GC 17-04, Submitted November 28, 2017

Date: March 5, 2018

↑
NO RECORD

On November 28, 2017, the City received a Grievance for the Citizen Involvement Committee (CIC). The general process under which the CIC shall review the Grievance is set forth in Chapter 2.30.060 of the Oregon City Municipal Code.

You have indicated in addendum #1 of the submitted Grievance that you have requested that all members of the CIC be recused from the Grievance Committee. As such, this complaint will be put on hold until we receive direction from you to proceed.

Chapter 2.30.060.C.1 of the Oregon City Municipal Code directs the GC to recommend the parties seek to reconcile their differences through mediation prior to further review of the Grievance. The CIC suggests utilizing Clackamas County Dispute Resolution Services whom may be contacted at (503) 655.8850.

If mediation has failed, the CIC is authorized to conduct meetings and hearings as may be necessary. If this should occur, a written request to continue the Grievance review process must be sent to the City. Please contact Christina Robertson-Gardiner crobertson@orccity.org or (503) 496.1564 with any additional questions or concerns.

Sincerely,

The Oregon City Citizen Involvement Committee

NO RECORD OF
← GRIEVANCE COMMITTEE
ACTIVITY PRIOR
TO CIC VOTE

Attachments:

1. Chapter 2.30 of the Oregon City Municipal Code
2. Memorandum dated February 27, 2017

NO SUCH ATTACHMENTS
DISCLOSED

EXHIBIT [C]
PAGE 1 OF 3



M Sierra <sierra318@gmail.com>

How To File a Charge of Unlawful Discrimination

Laura Terway <lterway@orcity.org>
To: M Sierra <sierra318@gmail.com>

Thu, Apr 20, 2017 at 5:08 PM

Good Afternoon,

In order to assist the City in processing your request in a timely manner, can you provide clarification as to the process you are requesting be followed? The options are as follows:

- **Filing a complaint with the City Commission.** The City has not adopted a formal process for this, but if pursued, your email will be forwarded to the City Commission members to review.
- **Filing a complaint with the City Manager.** The City has not adopted a formal process for this, but if pursued, your email will be forwarded to the City Manager for review.
- **Filing a grievance with the Citizen Involvement Committee.** This requires submittal of an application form and the grievance must be of the actions of a neighborhood association or the CIC.
- **Filing a discrimination claim in Circuit Court.** This requires you initiating a claim with the court system.

Thank you for specifying your intent so we may assure the appropriate review.

Laura Terway, AICP, Community Development Director

City of Oregon City

503.496.1553

From: M Sierra [mailto:sierra318@gmail.com]
Sent: Monday, April 17, 2017 4:07 PM
To: Laura Terway; Tony Konkol
Cc: ogec.mail@oregon.gov; Kattie Riggs
Subject: How To File a Charge of Unlawful Discrimination

Good afternoon all

Oregon City Mayor Daniel Holladay has violated my husband's civil rights. My husband, Michael Miller, is an Oregon City Citizen Resident and Disabled Military Veteran (see attachments). On January 14th, 2017 a reasonable accommodation was requested via an email to city staff concerning audio recordings of Barclay Hills Neighborhood Association (BHNA) meetings (see attachment). The following written response was received yesterday, Sunday, April 16th, 2017, and is the only city response received regarding this matter:

Dan Holladay from Barclay Hills · 1d ago

@Miller

If you bothered to attend or stick around for the NA meeting you would know that the business Mr Last is referencing appeared at the last **Barclay Hills NA meeting**. Notification of that meeting ... [View more](#) appeared at least twice on this site plus Facebook and the city website.

If you expect someone to knock on your door or call you that's not going to happen.
In Oregon City we value public involvement but that also means you have to participate.

Mayor 'Dan Holladay' posted this discriminatory comment, aimed at my disabled husband Michael Miller, via a social media website named in Oregon City's [Public Involvement Plan 05-31-2016](#) (see attachment). Furthermore, up-to-date minutes from BHNA meetings and/or audio recordings are *still* not available via the city website.

Q1: How can citizen resident file a charge of *unlawful discrimination* against the Mayor of Oregon City?

Very Respectfully,

Miranda Sierra

Wife and Registered Caregiver of Michael Miller

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

Email: sierra318@gmail.com

"Staff Sgt. Michael A Miller, CH-46E Sea Knight crew chief, Marine Medium Helicopter Squadron 161, Marine Aircraft Group 16, 3rd Marine Aircraft Wing from Marine Corps Air Station Miramar, Calif., watches for the arrival of Marines bearing a litter, April 6 The aircrew set down in a landing zone in Al Ramadi, Iraq to conduct the casualty evacuation of a Marine wounded in the fighting in the city." Photos by Sgt. Nathan K Laforte for TIME Magazine

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C



Staff Sgt. Michael A. Miller, UH-60D helicopter crew chief, Marine Medium Helicopter Squadron 167, Marine Aircraft Group 16, and Marine Aircraft Wing, 1st Marine Corps, Air Station, Al Udeid, Qatar, hold their brother's body of Marine bearing a flag, April 11. The helicopter set down in a landing zone in Al Farafra, Iraq, to conduct the casualty evacuation of a Marine wounded in the fighting in the city. Photo by Sgt. Anthony J. Scurto.



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(C)

ATTACHMENTS
TO 04.17.2017
EMAIL

Dan Holladay from Barclay Hills Fin app

@Miller

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M Sierra <sierra318@gmail.com>

Re: CIC Representatives

M Sierra <sierra318@gmail.com>

Sat, Jan 14, 2017 at 7:01 PM

To: "Mark J. Matheson" <mark.matheson@drteamsint.com>

Cc: Laura Terway <lterway@orcity.org>, Gary Avery <gavery@gavery.net>

Good evening all

Question: Since BHNA meetings are considered public record; is it possible to make audio files, formal agendas, and minutes, publically accessible from the city website? i.e <https://oregon-city.legistar.com/Calendar.aspx> or <http://www.orcity.org/community/barclay-hills-neighborhood-association>

VR

Miranda Sierra

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

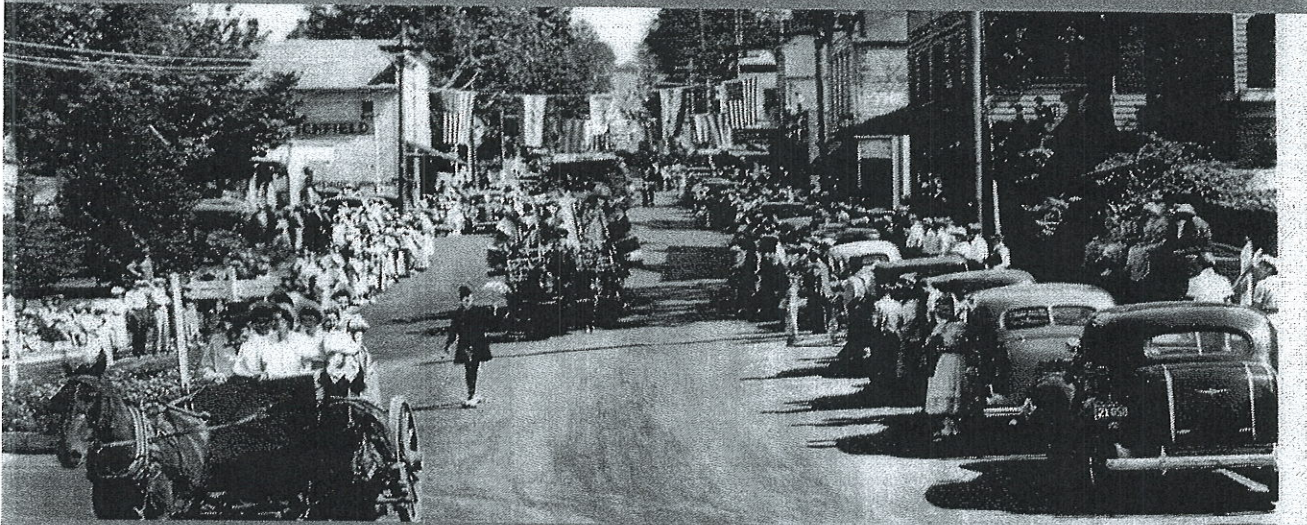
Email: sierra318@gmail.com

{Quoted text hidden}

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Ways to Reach Out

It is important to reach out to everyone in the neighborhood to encourage the broadest representation of ideas and opinions on local issues. Rapidly changing technology and the ability to use it present an ongoing challenge in disseminating quality information in the most user-friendly format. Age, ability and access may limit the usefulness of electronic communications, but computer or smart-phone accessible information may be the best means of reaching out to a growing number of residents. To meet the goal of open communication with your NA members and receiving feedback on what is important to them it is important to consider using more than one mode of communication. Also, adding diversity and incentives to NA meetings might be considered to increase attendance.



Print:

- Postcards
- Newsletters
- Article in Trail News
- Flyers
 - Posted in public places, library, stores, restaurants
 - Distributed door-to-door
 - Handed out through local businesses/realtors
- Door Hangers
- Bus placards
- Utility bill insert
- Advertisements or inserts in local newspapers
- Media releases
- Business cards
- Signs - meeting tonight, etc.

Venues/means of outreach

- School events
- City events, e.g. National Night Out
- "Tabling" at local store or other business
- Door-to-door contact in neighborhood
- Work with local realtors to identify new residents
- Welcome wagon

Electronic

- E-mail reminders, e-blasts
- Social Media (e. g. Facebook, Twitter, Instagram, NextDoor, etc.)
- Website and/or Blog
- Surveys/polls
- Local Access television
 - Public Service Announcements
 - Video of meetings
 - Promotional videos
- Skype
- Post meetings on online calendars
- Ads on other websites
- Posting on local business outdoor reader boards

Incentives/Activities

- Raffles - collaborate with other NAs to solicit coupons/free offers from local merchants
- Field Trips
- Workshops





DEPARTMENT OF VETERANS AFFAIRS
810 Vermont Ave NW
Washington, D.C. 20420

October 01, 2014

Michael Miller
507 Cascade St.
Oregon City, OR 97045

In Reply Refer to:
xxx-xx-
27/eBenefits

Dear Mr. Miller:

This letter is a summary of benefits you currently receive from the Department of Veterans Affairs (VA). We are providing this letter to disabled Veterans to use in applying for benefits such as state or local property or vehicle tax relief, civil service preference, to obtain housing entitlements, free or reduced state park annual memberships, or any other program or entitlement in which verification of VA benefits is required. Please safeguard this important document. This letter is considered an official record of your VA entitlement.

Our records contain the following information:

Personal Claim Information

Your VA claim number is: xxx-xx-

You are the Veteran.

Military Information

Your most recent, verified periods of service (up to three) include:

Branch of Service	Character of Service	Entered Active Duty	Released/Discharged
Marine Corps	Honorable	October 24, 1994	March 14, 2007

(There may be additional periods of service not listed above.)

VA Benefit Information

You have one or more service-connected disabilities: Yes

Your combined service-connected evaluation is: 40%

Your current monthly award amount is:

The effective date of the last change to your current award was: January 01, 2014

You should contact your state or local office of Veterans' affairs for information on any tax, license, or fee-related benefits for which you may be eligible. State offices of Veterans' affairs are available at <http://www.va.gov/statedva.htm>.