



Legislation Details (With Text)

File #: PC 18-108 **Version:** 1 **Name:** 1st Reading of Ordinance No. 18-1012CIC Removal of Grievance from Municipal Code

Type: Planning Item **Status:** Public Hearing

File created: 8/6/2018 **In control:** City Commission

On agenda: 8/15/2018 **Final action:**

Title: First Reading of Ordinance No. 18-1012, Revising Chapter 2.30 Citizen Involvement Committee (CIC) of the Oregon City Municipal Code

Sponsors: Laura Terway

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Ordinance No. 18-1012, 3. Exhibit A Chapter 2.30 Citizen Involvement Committee - Redline Changes, 4. Exhibit B CIC Memorandum to City Commission, 5. Exhibit C 2018 Prioritized Work Plan, 6. Exhibit D 2017-2019 CIC Goals, 7. Exhibit E OCMC 2.30.060 - Grievances

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------|--------------------------|--------|
| 8/15/2018 | 1 | City Commission | approve on first reading | Pass |

First Reading of Ordinance No. 18-1012, Revising Chapter 2.30 Citizen Involvement Committee (CIC) of the Oregon City Municipal Code

RECOMMENDED ACTION (Motion):

Staff recommends approval and first reading of Ordinance No. 18-1012, removing Chapter 2.30.060- Grievances from the Oregon City Municipal Code.

BACKGROUND:

At the July 10, 2018 City Commission work session, the City Commission considered a request by the Citizen Involvement Committee's (CIC) request to remove Chapter 2.30.060- Grievances from the Oregon City Municipal Code (OCMC) and recommended that staff return at a future meeting for a formal public hearing.

This Grievance review process is part of the CIC adopted 2017-2019 Goals and 2018 Prioritized Work Plan.

Work Plan #2

Goal 4: Review grievance process, code and submission requirements

**Learn history of CIC Grievance Process and purpose of adopting it as part of city code.*

**Review the process, code and submission requirements to help make the process clearer for all parties*

**Recommend ways the grievance process could be improved.*

**CIC reviews, provides a recommendation for any code amendments, and implements process recommendations as applicable.*

The following actions followed at CIC meetings (prior to the City Commission work session):

1. **March 5, 2018 CIC Meeting**-CIC Chair Amy Willhite shared the background of the Grievance process, including the reading of the previous by-laws.
2. **April 2, 2018 CIC Meeting**- Group discussion on goals and purpose of the grievance process
 - a. *What do you think is the overall goal of the Grievance process and what should be CIC's role?*
 - b. *What do you think is the benefit of processing Grievances through the CIC? How does it help further the goals and purpose of CIC?*
 - c. *Do you still think the CIC should have a Grievance process in City Code? Has something changed your opinion?*
 - d. *Anything else you want to add that you feel is important to share?*
3. **April 2, 2018 CIC Meeting**- CIC requested the City Commission place a stay to a date certain on accepting new Grievances until CIC reviews existing Grievance code and processes.
4. **April 2, 2018 CIC Meeting**- A subcommittee/working group was created to go over existing code/process and recommend revisions.
5. **April 18, 2018 City Commission Meeting**- City Commission formally suspended OCMC 2.030.060 Grievance while the CIC completes its work plan.
6. **April 25, 2018 CIC subcommittee/working Group**

After discussing various ways the Grievance process could be improved, the group was unable to recommend any specific code changes. Rather, they found the following:

 1. *While we recognize the importance of allowing for members of the public to have an avenue by which they may appeal or argue against the actions of a neighborhood association or the CIC, we also believe that having a grievance process which only adds to the confusion and delays progress is not helpful.*
 2. *The neighborhood associations do not report to the CIC, and the CIC has no authority over the neighborhood associations. Therefore, any grievance committee formed by the CIC has no authority over the neighborhood associations.*
 3. *In the absence of authority over the neighborhood associations, no action or finding by a grievance committee has any power or any method of enforcement behind it.*

Therefore, the CIC should recommend to the City Commission that Code Section 2.30.060- Grievances be removed from the code in its entirety. Citizens should be encouraged to use the public comment process, as well as mediation services provided by Clackamas County Resolution Services and other steps as allowed by law.
7. **May 7, 2018 CIC Meeting**- The CIC reviewed and discuss the findings from the Grievance subcommittee/study group and voted to recommend to the City Commission that the Grievance process should be removed from OCMC 2.30.060.