



Legislation Details (With Text)

File #: PC 17-067 **Version:** 1 **Name:**
Type: Planning Item **Status:** Agenda Ready
File created: 5/26/2017 **In control:** Citizen Involvement Committee
On agenda: 6/5/2017 **Final action:**
Title: Grievance Against the Chair and Vice Chair of the Citizen Involvement Committee (CIC)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Commission Report- Draft Findings, 2. Chapter 2.30 of the Oregon City Municipal Code, 3. Grievance, 4. Information Submitted Prior to the April 3, 2017 GC Meeting, 5. Information Submitted Since April 3 2017, 6. Information added at the May 1, 2017 GC Meeting, 7. Findings and Recommendations of the Grievance Committee regarding the grievance filed by Miranda Sierra against Karin Morey and Amy Willhite

Date	Ver.	Action By	Action	Result
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Grievance Against the Chair and Vice Chair of the Citizen Involvement Committee (CIC)

RECOMMENDED ACTION (Motion): Staff recommends the Grievance Committee review and, amend as needed, the formal report for this grievance.

BACKGROUND:

On February 15th, 2017 the City received a grievance against the Chair and Vice Chair of the Citizen Involvement Committee (CIC). The Grievance Committee (GC) convened and signed a letter recommending the parties seek to reconcile their differences through mediation. In response to requests from multiple parties 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.

Until a recommendation of the Grievance Committee is made, the Grievance Committee will convene monthly, on the first Monday of each month 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 shall 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:

1. 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.
2. The person / group named in the grievance shall be allotted a maximum of 15 minutes to speak about the grievance.
3. Any member of the public in favor of the grievance shall be allotted a maximum of 3 minutes to speak about the grievance.
4. Any member of the public in opposition of the grievance shall be allotted a maximum of 3 minutes to speak about the grievance.
5. The person or group whom submitted the grievance will 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.

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 a 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.

At the May 1, 2017 Grievance Committee Meeting, the Grievance Committee heard testimony, closed the record and deliberated. They found that Miranda Sierra was not adversely affected by an action of the CIC and dismissed the grievance. The committee members also provided two recommendations to the CIC for future work items: 1. The CIC should consider adding more detail to the by-laws concerning the elements of a grievance and 2. The CIC should encourage the City Commission to update the city's social media policy to reflect today's realities about social media.

At the June 5, 2017 Grievance Committee Meeting, the Grievance Committee will review and, amend as needed, the draft findings as the formal report for this grievance. The record is closed. No new testimony will be accepted at this meeting.

At the June 5, 2017 CIC meeting, the CIC will hear the GC 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. Any member who is a party to, or is directly impacted by, the grievance or the recommendation, must

recuse themselves from voting. 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 written report will be reviewed by the City Attorney, or designee to identify if there is sufficient findings of why the decision is being made. The CIC will vote on the final recommendation.

The CIC decision will be mailed and emailed to all parties whom 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.

BUDGET IMPACT:

Amount:

FY(s):

Funding Source: