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*enhancing the quality
of neighborhoods
through
community participation*

**Cty of Portland, Office of Neighborhood of Involvement
Great – Guidelines Review Committee Meeting**

Tuesday, January 13, 2004

8:30 AM to 10:00 AM, Lovejoy Room, Portland City Hall

MINUTES AND SUMMARY NOTES

Members Present:

Patricia Gardner, Co-Chair Pearl District Neighborhood Association
Moshe Lenske, Co-Chair Woodstock Neighborhood Association

Kathy Bambeck Bridlemile Neighborhood Association
Leonard Gard Southwest Neighborhoods, Inc.
Brian Hoop Office of Neighborhood Involvement
Stanley Lewis Downtown Community Association
Michael O'Malley Irvington Community Association
Mark Sieber Neighbors West/Northwest
Ruth Spetter City Attorney's Office

Absent:

Nancy Chapin Alliance of PDX Neighborhood Bus. Assocs.
Raymond Hites Lents Neighborhood Association
Jerry Powell At-Large

Visitors

Lee Perlman Media
Amalia Alarcon-Gaddie Office of Neighborhood Involvement

*Decisions by this group are subject to change at future meetings.
Opportunities for public input are at the end of meeting and future workshops.
The committee has approved these summary notes and they are final.*

Approval of Minutes

Minutes were not considered for the December 9, 2003 meeting.

Minutes

Leonard, Mark and Brian will be on a subcommittee to draft new language.

Summary of Notes for January 13, 2004

- Group general agrees to take out complaint process and focus on substantial grievance issues. Clearly articulate step by step process for each level of appealing a grievance, what is the role of the association, a coalition and ONI.

Grievances Process

Questions brought up:

- What is proper subject matter for a grievance?
- Need to clarify what is a frivolous grievance?
- Should ONI funded mediation program assist with resolving conflicts before they are grievances?
- Do we set minimum criteria for associations and coalitions for processing grievances?
- Should we include violations of bylaws of a neighborhood association and/or neighborhood coalition, even if its not related to the ONI standards?
- Should we require a public hearing for the grievance that would happen before it gets to ONI?
- Should coalitions be required to hear appeals from associations?
- Are coalitions held to City contract to respond to grievances from one of their associations?
- What is appealable to ONI?
- Who makes the final decision at ONI?
- What are penalties for violation of the standards other than de-recognition? Are there any?
- Do we incorporate sample bylaws language for grievances in the appendix?

Issue of whether or not to have two-tiers of complaints and grievances:

- Some feel proposed language is too complex and a two-tier track of complaints and grievances in unnecessary. Associations and coalitions should be capable of resolving differences through dialogue on their own. Grievances are meant to be a last resort.
- Brian lays out his proposal to take out complaints and outline a step by step process for resolving grievances from associations, to coalitions, to ONI.

Issue of neighborhood association bylaws and grievances:

- Concern that ONI should not get involved with association bylaws. Concern that ONI should not have a role in personal one-on-one conflicts within an association.
- Need to have grievance/appeals process to protect individuals from petty demagoguery.
- Leonard proposes that we include model language for grievances in an appendix.
- Comment that ONI is ultimately responsible for system and approves the bylaws. There needs to be acknowledgement that associations need to follow expectations outlined by ONI. Associations should have responsibility to articulate their reasons for their decisions.
- Suggestion made that any association bylaws issue is related to ONI Standards since ONI requires associations to have bylaws.
- Grievances of election process is an important issue. Associations are vulnerable to abuse with people organizing blocks of people showing up and taking over a group. ONI would look at minutes and interview participants to determine if there has been a process violation, not content.
- Problem is when small associations struggle to get enough people to participate in elections. Someone opposed to the outcome can usually find a process violation.

Issue of coalitions of grievances:

- Two members feel strongly that coalitions should not be required to consider appeals from their neighborhood associations.
- Argument made coalitions are meant to serve all associations and not rule over them. They should be able to choose whether to respond to an appeal.
- ONI would have problems with coalitions not taking responsibility to resolve conflicts. City should not police behavior nor do extensive research in petty personal issues.
- Argument made that ONI sets the standards and therefore they need to resolve grievances. Coalitions are not contractually obligated to resolve grievances.
- Primary job of coalition staff is to provide advice/technical assistance for volunteers who want to know if they are following the rules correctly.

Role of ONI:

- Concern raised that the City is increasingly removing itself from an appellate system. Example: Council chose to recuse themselves from a land use issue.
- ONI staff role is to research issue, identify solution, and concur with director who makes final decision. Or they state his/her designee.
- Concern the only penalty for ignoring a grievance ruling is ultimately de-recognition which ONI is reluctant to go that far unless there is a major violation of the ONI Standards. Used rarely.

Areas of agreement:

- Clearly outline the criteria for each appeal level.
- ONI should only have a role in substantial grievance issues.
- General agreement that an open hearing should take place at the neighborhood level and not make that a requirement at the ONI level.

Other ideas:

- Suggestion to list things that are not grievable such as personal comments, petty squabbles, etc.
- Suggestion that we need to include a written response of any findings the parties made to assist ONI with determination.
- Suggestion to use language such as "an association will review the facts and make a determination that a reasonable person would find appropriate."
- Need to review role of the mediation program to assist with grievances that involve groups. Currently the mediation program says they only work on person to person issues.

The committee has approved these summary notes and they are final. The information contained in this document is preliminary and informal in nature and does not necessarily reflect the views or adopted policies of the City of Portland or the final outcomes of this project; the reader should exercise caution in its interpretation.

NEXT MEETINGS

Tuesday, February 10, 2004

8:30 AM - 10:30 AM, City Hall, Lovejoy Room, 1221 SW 4th Avenue

Tuesday, February 24, 2004

8:30 AM - 10:30 AM, City Hall, Lovejoy Room, 1221 SW 4th Avenue

Prepared by: Brian Hoop, Office of Neighborhood Involvement