Randy Leonard, Commissioner

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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 27, 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

Kathy Bambeck Bridlemile Neighborhood Association

Nancy Chapin Alliance of PDX Neighborhood Bus. Assocs.

Leonard Gard
Raymond Hites
Brian Hoop
Stanley Lewis
Michael O'Malley
Southwest Neighborhoods, Inc.
Lents Neighborhood Association
Office of Neighborhood Involvement
Downtown Community Association
Irvington Community Association

Jerry Powell At-Large

Mark Sieber Neighbors West/Northwest

Ruth Spetter City Attorney's Office

Absent:

Moshe Lenske, Co-Chair Woodstock Neighborhood Association

Visitors

Lee Perlman Media

Jimmy Brown 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 approved for December 13, 2003 and January 13, 2004 with no changes.

Summary of Notes for January 27, 2004

 Patricia proposes going to each of the coalition boards to present an update and discuss issues and concerns. Need to develop outreach strategy as we move near conclusion of drafting language. Mark, Leonard, and Brian developed and presented language for grievances that streamlined language into two steps, grievances and appeals. Mark further merged earlier work to shorten language where there was duplication of steps.

Key issues decided:

- Agree to set minimum requirements regarding grievances to go in all association bylaws.
- □ Agree to minimum number of days to submit a grievance after an incident.
- □ Agree that coalitions need to have a role with resolving appeals of grievances from neighborhood associations.
- □ Agree not to list types of remedies at ONI's disposal.

Grievances Process

Questions brought up:

Concern raised if an association can have their own process or will they be required to follow this process. Is this optional or not?

Purpose statement:

- Neighborhood associations in NW are required to keep copies of records relating to grievances.
- □ Group agrees to take out sentence: "Complying with these grievance procedures does not take away any legal options…"

Section B: Definitions:

Group agrees to minor grammatical changes in definition of grievance.

Section D: Required Grievance Procedures:

- □ Group agrees to concept to require minimum components in the grievance procedures of neighborhood associations. Group agrees to take out fifth sentence: "There is no intention to supersede Grievance procedures of associations..." and replace at beginning with: "These are the minimum components of a grievance procedure that shall be included in the grievance sections of all neighborhood associations and neighborhood office bylaws."
- Discussion on how much time to allow to file a grievance. Concern raised that 14 days is too short to allow someone to learn about the actions of an association. Suggestion made that people should not have to be held to timelines since they may not know about the actions till much later.
- Group agrees to language that a fair timeline shall be established to process grievances and a grievant shall have a minimum of 45 days to submit a grievance after the incident.
- □ Concern raised about word "reasoning informing" a decision... in the third sentence. Group agrees to qualify this by saying "reasoning supporting" a decision.
- Group agrees to take out in fourth sentence: "Subsequent appeals need not be open to the public." But leave in: "The initial hearing of a grievance must be open to the public."
- □ Group agrees to change language in the sixth and seventh sentences to change "designate" to "provide." It would read: "Bylaws of a neighborhood association must <u>provide</u> that a grievance against the neighborhood association…."

- □ Group agrees to reorder numbering/lettering. Group agrees Grievances against ONI need to be a separate sub-section that is not subject to being in association bylaws. Take out sentence starting: "ONI has the exclusive right to determine whether a grievance meets the threshold criterion…" The final resolution is the responsibility of the Director of ONI is adequate.
- □ Group agrees to clean up language regarding mailing final decisions to read: "A response will be sent within 24 hours via United States Postal Service to both the grievant and respondent."

Section E: Appeal Process

- □ Discussion about whether or not the respondent, such as an association that is not happy with a coalition decision, can they appeal? Group agrees both parties have right to appeal.
- Group agrees to clean up introductory language to read: "In the following instances a decision in respect to a grievance may be appealed by either party."
- Discussion about whether or not an appeal against a neighborhood association can bypass the coalitions and go directly to ONI. While there is disagreement (two coalitions currently do not want the role of resolving grievances) the group agrees that coalitions need to be part of appeals.
- □ Group agrees to reorder numbering and lettering of appeal section.
- □ Group agrees to use word "appellant" instead of "grievant". Need to define "appellant."
- □ Group agrees to take out requirements for maximum number of pages and requiring copies.
- ☐ Group agrees to cut out duplicative sentence relating to what ONI does when they get a grievance. Take out: "and if the grievant has exhausted all attempts to resolve the original grievance..."
- □ Discussion about whether or not to list types of remedies at ONI's disposal. Group agrees to take out any list of types of remedies. Consider adding to ONI Responsibilities section.
- Group agrees to use the words "final resolution" instead of "final adjudication".

Tasks to do:

- □ Need to define "appellant."
- Consider at next meeting whether to have a statute of limitations, do we allow grievances that are several years old, for example?
- □ Consider at next meeting whether or not to consider double jeopardy.
- Suggestion to revisit ONI section to clarify grievances that can be made.
- Consider adding to Responsibilities of ONI section what remedies are at ONI's disposal to deal with grievances, such as de-recognition.
- Consider changing reference to "officer of ONI" to simply say "ONI."

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, March 9, 2004 8:30 AM - 10:30 AM, City Hall, Lovejoy Room, 1221 SW 4th Avenue

Tuesday, March 23, 2004 8:30 AM - 10:30 AM, City Hall, Lovejoy Room, 1221 SW 4th Avenue

Prepared by: Brian Hoop, Office of Neighborhood Involvement