

RESOLUTION NO. 2024-47

A RESOLUTION ADOPTING A PUBLIC MEETINGS LAW GRIEVANCE POLICY

WHEREAS, Oregon House Bill 2805 created mandatory prerequisites for submitting Public Meetings Law complaints to the Oregon Government Ethics Commission (OGEC); and

WHEREAS, ORS 192.705 provides the requirements for filing a written grievance and the governing body's required response; and

WHEREAS, OAR 199-050-0070 clarifies the process for submitting a written grievance alleging a Public Meetings Law violation to a public body.

NOW, THEREFORE, BE IT RESOLVED THAT:

Section 1. The City Council of the City of Rockaway Beach hereby adopts the City of Rockaway Beach Public Meetings Law Grievance Policy, attached as Exhibit A.

Section 2. This Resolution shall be effective immediately upon adoption.

APPROVED AND ADOPTED BY THE CITY COUNCIL THE 11th DAY OF DECEMBER 2024.

APPROVED



Charles McNeilly, Mayor

ATTEST



Melissa Thompson, City Recorder



**CITY OF ROCKAWAY BEACH
PUBLIC MEETINGS LAW GRIEVANCE POLICY**

POLICY NUMBER: 100.3	EFFECTIVE DATE: REVIEWED: REVISED:
CATEGORY: Administration	RELATED DOCUMENTS: Resolution 2024-47 adopting this policy

- (1) The purpose of this policy is to establish and clearly communicate the City of Rockaway Beach procedure for receiving and responding to public meetings law complaints. This policy applies to all City of Rockaway Beach governing bodies as defined by state statute, and subject to the requirements of Public Meeting Law, ORS 192.610 to 192.705.
- (2) The City shall post on its website the person and contact information to whom a grievance may be submitted and the regular business hours during which in-person grievances will be accepted.
- (3) A person who believes that a City governing body has acted in violation of the Public Meetings Law may, within 30 calendar days from the date of the meeting where the alleged violation occurred, file a written grievance with the City Recorder via in-person delivery during regular business hours, first-class mail or email.
- (4) The written grievance must include the following information:
 - (a) The City governing body that allegedly violated the Public Meetings Law;
 - (b) The date of the meeting where the alleged violation occurred;
 - (c) The specific facts and circumstances that the person asserts amount to a violation of the Public Meetings Law;
 - (d) The date of the grievance; and
 - (e) The name and contact information of the person submitting the grievance.
- (5) The City Manager or designee shall, within 21 calendar days from the date the grievance was received, provide a written response to the person:
 - (a) Acknowledging receipt of the grievance; and may
 - (b) (A) Deny that the facts and circumstances as set forth in the grievance accurately reflect the conduct of the City governing body and setting forth the facts and circumstances as

City of Rockaway Beach
Public Meetings Law Grievance Policy

determined by the City and the reasons why those facts and circumstances do not amount to a violation of ORS 192.610 to 192.705;

(B) Admit that the facts and circumstances as set forth in the grievance accurately reflect the conduct of the governing body but denying that those facts and circumstances amount to a violation of ORS 192.610 to 192.705; or

(C) Admit that the conduct of the governing body amounted to a violation of ORS 192.610 to 192.705 and setting forth the steps the governing body will take to cure the violation, including but not limited to:

(i) Rescinding the decision taken by the City governing body in violation of ORS 192.610 to 192.705; or

(ii) Acknowledging in a properly noticed and conducted public meeting held within 45 days of the governing body's original decision that:

(I) The original decision was made in violation of ORS 192.610 to 192.705;

(II) Good cause exists for the City governing body to not rescind the decision; and

(III) The City governing body's practices will be modified to ensure future violations of ORS 192.610 to 192.705 do not occur.

(6) The City Manager or designee shall send a copy of the written grievance and the City governing body's response under this section to the Oregon Government Ethics Commission at the same time the City Manager or designee responds to the person who filed the grievance.