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**MEMORANDUM**

TO: Board of County Commissioners (BCC)

FROM: Angela Hajihashemi, Assistant County Counsel

DATE: September 9, 2025

RE: Proposed Public Meetings Law Grievance Response Process

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**REQUEST:** Board approval of a response process for public meeting law grievances.

**BACKGROUND:** County Counsel proposes below a process and related steps to address grievances that allege a violation of Oregon public meetings law under ORS 192.705. This process will apply to grievances involving public meetings by advisory groups and the Board of County Commissioners.

**1. Proposed process for complaint review**

- Within 21 days of receipt of a grievance, Counsel will provide the grievant an acknowledgement of receipt and either a denial or admission that the conduct of the County was in violation of Oregon public meetings law.
- If a violation is admitted, Counsel will advise the BCC on whether to rescind the decision, as well as acknowledge the error, within 45 days in public session.
  - Additionally, County Counsel's office will provide written guidance on modifying past practices to prevent future violations.
- Counsel will also file their response to the grievant with the Oregon Government Ethics Commission (OGE) in accordance with statute. If needed, Counsel's office will seek advice from the OGE prior to responding to a grievant.

Records of grievances received and answered will be tracked within CLIO (an internal software system) and available at the request of the internal auditor's office.

With this organization, a possible risk is that County Counsel may give the client conflicting advice in from the staff attorney. For example, while in Executive Session, County Counsel may advise that an issue does not need to go to public session. A grievance is received and the staff attorney, unaware that the issue was discussed in Executive Session, gives conflicting advice to the Board on public meetings law.

Therefore, collaboration between the assigned assistant legal counsel and County Counsel will be critical. Especially in situations where corrective action or admission of wrongdoing on the part of the County is required, County Counsel should be the main point of contact for the Board, the County Administrator and any impacted departments.

## **2. Related steps for process implementation: email, posted language and training**

Counsel would create a specific email inbox for grievances. This account can mirror the functions of the existing [civilrights@clackamas.us](mailto:civilrights@clackamas.us). Access to this account should be limited to County Counsel, the designated assistant counsel and a paralegal (for calendaring purposes only). Possible email account names include [publicmeetgrievances@clackamas.us](mailto:publicmeetgrievances@clackamas.us).

Along with the email, Counsel suggests adding this statement to the Board's webpage and the records management webpage:

*Written grievances alleging a Public Meetings Law violation shall be submitted to Clackamas County Counsel. Written grievances may be submitted electronically to [email], by mail or in person to 2051 Kaen Road, Oregon City, Oregon 97045, ATTN: County Counsel, Monday through Thursday, 7am to 6 pm. Grievances will be reviewed in order received and in accordance with ORS 192.705.*

Counsel will collaborate with PGA for formatting and exact word choice.

Counsel will train a staff attorney and paralegal on statutory timelines and obligations under statute. Designated assistant legal counsel and paralegal should be familiar with the statutory timelines set forth under ORS 192.705. The paralegal will add relevant response dates and deadlines into both the calendars of the assistant legal counsel and County Counsel. The designated assistant legal counsel will work to draft and produce a response in advance of deadline for review by County Counsel.

Counsel estimates this process will take one week to establish, with additional time necessary to fully train staff after implementation. Within the first six months after establishing the process, Counsel or the designated staff attorney will provide an update to the County Administrator regarding the process and propose adjustments as needed.

**RECOMMENDATION:** The Board approve the public meeting law grievance response process as proposed.