D4C SPECIAL BOARD MEETING

1/8/25

AGENDA

6 PM DISCUSSION OF PROPOSED GRIEVANCE BYLAWS

6:10 UNRESOLVED ISSUES:

1. SANCTIONS/ENFORCEMENT

The standards are silent on the issues of what sanctions might be imposed by the D4C or what power the D4C has to enforce compliance with its decisions.

These bylaws are likewise silent on these issues. To claim the ability to impose sanctions or enforce compliance is to invite requests to use those powers. Without explicitly denying we have such authority we ought to choose not to use sanctions or other enforcement tools and leave these tools to the OCCL.

This position is consistent with the educational goals of the grievance process and insulates the D4C from the risks associated with imposing discipline. For the D4C, the better alternative to sanctions is publication.

1. PUBICATION

Every grievance is an opportunity for education regarding legal obligations and best practices for neighborhood associations. To get the full value of each grievance there must be a mechanism for distribution of the lesson. Our newspaper will provide that opportunity. Publication of grievance decisions will get the lesson out to the entire D4C community. When publication is done, we can leave the specific names of the involved individuals and the neighborhood association out of the article, the point is the decision, not the people or specific association involved.

6:20 APPROVAL OF TYVOLL/STRAHAN DECISION

6:25 VOTE ON PROPOSED BYLAWS

CITY OF PORTLAND

DISTRICT 4 COALITION

GRIEVANCE PANEL

In the Matter of Grievances:

Marie Tyvoll vs South

Burlingame Neighborhood CORRECTED

Association GRIEVANCE PANEL

RECOMMENDATIONS

And TO THE DISTRICT 4

 COALITION BOARD

Shawn Strahan vs South

Burlingame Neighborhood

Association

 Each of these appeals combines two grievances filed by these grievers regarding actions taken by the South Burlingame Neighborhood Association (SBNA) which were alleged to be contrary to SBNA bylaws and ONI Standards (2005). The grievances were heard by an SBNA grievance board which, in substantial part, denied them. A timely appeal to the District 4 Coalition Board was filed.

The District 4 Grievance Panel has reviewed these appeals and recommends that the Board consolidate them as they arise from the same circumstances and raise similar issues.

 The Panel further recommends that these consolidated appeals be dismissed. This recommendation is based on three factors, each sufficient on its own to justify dismissal.

First, except for the Strahan grievance related to correct recording of his vote in the minutes of the March 4 meeting, all the grievances raised regarding the procedures used during the SBNA meetings related to the activities of the past president of the SBNA were rendered moot by her resignation. As to the voting, the neighborhood board has already recommended a correction of the voting record, and no further review of that claim is needed.

Second, other than the failure to correctly record the Strahan vote, the injuries alleged in these grievances are not the personal injuries of the grievers resulting from a procedural violation and therefore cannot support a grievance. The ONI Standards (2005, p.31) state:

"Grievances are limited to procedural violations of a Neighborhood Association's or District Coalition's bylaws or Office of Neighborhood Involvement Standards that directly affect the outcome of a group's decision.”

 The grievance process is therefore not intended to resolve disagreements about a neighborhood association board’s priorities, policy decisions, or leadership style.

Third, the remedies sought by the grievers are not within the power of the Board to award. The Board cannot terminate the legal status of a neighborhood association or order elected SBNA officers removed and banned for life.

 IT IS HEREFORE recommended that the District 4 Coalition Board dismiss these appeals.

Signed this 31st day of August 2024.

/s/ Edward Jones

Presiding Officer

District 4 Coalition Grievance Panel