



Oregon

Kate Brown, Governor

Government Ethics Commission

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Sent via USPS and email

Philip S Griffin
52490 SE 2nd St STE 100
Scappoose OR 97056

Stephen Topaz
PO Box 278
St. Helens OR 97051

Dear Mr. Griffin and Mr. Topaz:

We received your correspondence concerning the City of St. Helens on 8/19/2019.

The Oregon Government Ethics Commission has jurisdiction over meetings of the governing body of a public body who may have violated the executive session provision of Oregon Public Meetings Law (ORS 192.660). In order to be within the jurisdiction of the Commission, the meeting must be an executive session meeting of the governing body (City Council) of a public body (City of St. Helens). An executive session is defined as "any meeting or part of a meeting of a governing body which is closed to certain persons for deliberation on certain matters." The definition of meeting is "the convening of a governing body of a public body for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter. 'Meeting' does not include any on-site inspection of any project or program..." [ORS 192.610 (2) and (5)]

The agenda you provided shows that this was a meeting convened by a private firm and not by the St. Helens City Council. The Commission does not have jurisdiction over illegal meetings of a governing body nor does the Commission have jurisdiction over other provisions of the Oregon Public Meetings law aside from ORS 192.660 and 192.685.

In the future, if you wish to file a complaint concerning an allegedly improper executive session, the complaint is not against a public body (City) or even a governing body (Council), but it is filed against each individual member of the governing body in attendance at the alleged improper executive session and should include the public body's records of the executive session (City agenda, City Council meeting minutes, etc.)

For the reasons stated above, no further action will be taken at this time based on the information you submitted.

Sincerely,

Ronald A Bersin
Executive Director

RAB/drh

