

Tuesday  
11/14/03

Nancy  
873-6001

Per my phone message:  
Jim Dennis keeps chartered member  
of SBF Mt Gate representing SNA.

As to the letter to be mailed today -  
I object for notice & comment.  
I want the letter changed.  
In the place of a post script  
I want this sentence:

"The neighborhood representative objects  
to this letter for failure of notice  
& fair opportunity to comment."

I'll write & mail follow up letter stating same.

Thanks

Dennis

783-1570

Dennis Keepes

5-16-03

✓ Has not been getting notices of meetings.  
Wants this on next agenda. Thinks he has  
not received an agenda/notice since last  
November. Has received:

- notice of consent decree walk
- copy of grant support ltr. from  
Nancy Hendrickson

✓ Want 40-mile Loop completed from St. Johns  
neighborhood to Kelly Pt. Park.

→ Get packet to him ASAP.

→ Also - send packet to SJNA chair, w/  
SBMC letter & recs that went to Brydon.

Robin Plance

SJNA

May 16, 2003

Dear Mr. Keepes,

I've just been made aware that you've not received the agendas or summary notes for the S & B Mgmt Committee meetings the last several months. I take full responsibility for the oversight; certainly it was unintentional. During that period of time those monthly materials were sent by e-mail and your name and address were inadvertently omitted. You're on a one-person list to have those materials sent by U.S. mail. I will make sure it happens in the future. I apologize for any inconvenience this may have caused you. Today I am sending, by separate cover, a packet including: agendas from Dec '02 to Apr '03 and meeting summaries from Dec '02 to Mar '03 (there was no meeting in Nov '02). In addition, Elaine Stewart has included: a committee letter to Council President Bragdon regarding trails (with attachments) and trail sub-committee notes.

Again, I apologize for the oversight. Please do contact me, if I can be of help.

Sincerely,

Patricia Sullivan  
Secretary  
Metro Parks & Greenspaces  
(503) 797-1870

5/27/03

TO: Metro  
Smith Bybee Lakes Mgt Comte Chair  
600 NE Grand Ave  
Portland OR 97232

FR: Dennis Keepes  
9622 N Pier Park PL  
Portland OR 97203

RE: Grievance re notice

Dear SBLMC Chair,

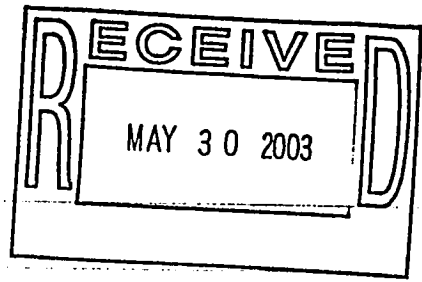
I've not received any notice for any meetings approximately Nov 02 thru April 03.  
St Johns Neib Assn (SJNA) is a charter member of SBLMC. I am duly elected by  
SJNA to rep SJNA at SBLMC. Failure of notice has harmed myself and SJNA.  
Please remedy.

Thank you,  
Dennis Keepes



cc Metro, Chief Operations Officer, Jordan  
600 NE Grand Ave, Pld OR 97232

U  
5/29/03



Dear Mr Jordan

I phoned Metro about the attached grievance. I was told to write a short statement, give a copy to write chair and cc a copy to you. I've done this.

I was also told there's no formal grievance procedure, the chair would write a reply. You would help remedy.

OK. If this is true, please confirm. If not, please let me know procedure.

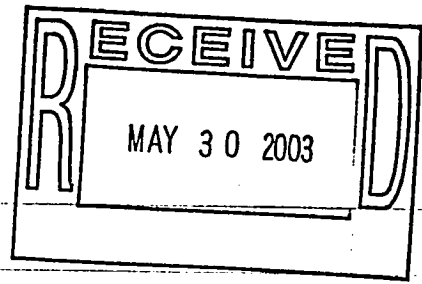
Thanks  
Dennis  
283-1570

Jim -  
Mike J. would like you to formulate a response & then send up for his review.

Thanks

RB  
x1537

U  
5/28/03



Dear Mr Jordan

I phoned Metro about the attached grievance.  
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give a copy to route chair and  
cc a copy to you.  
I've done this.

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OK. If this is true, please confirm.  
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Thanks

Dennis

283-1570

# M E M O R A N D U M

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736  
TEL 503 797 1700 | FAX 503 797 1797

*file*



**METRO**

**To:** Michael Jordan, Chief Operating Officer

**cc:** Jim Desmond, Parks and Greenspaces Director  
Dan Cooper, Metro Attorney

**From:** Elaine Stewart, *EMS* Smith and Bybee Lakes Wildlife Area Manager

**Date:** May 28, 2003

**Subject:** Complaint regarding Smith and Bybee Lakes Management Committee notices

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I received the attached letter at the Smith and Bybee Lakes Management Committee meeting last night. The representative from the St. Johns Neighborhood Association, Dennis Keepes, is complaining that he has not been notified of committee meetings and has not received mailings including agendas, meeting notes and other business of the committee. His mailings did slip through the cracks, and we have provided a full set of all the committee materials to him. Keepes would like to speak to the Metro Council about this issue. He has also stated that he would like a remedy – to have all of the committee's actions since November voided.

Jim Desmond is meeting with you on Monday, and this is on his list of discussion items for that meeting.

emailed to  
SBMC 6/3/03

6/1/03

TO: Metro

Smith Bybee Lakes Mgt Comte Chair  
600 NE Grand Ave  
Portland OR 97232

FR: Dennis Keeper

9672 N Pica Park Pl  
Portland OR 97203

Dear SBLMC Chair, et al,

Per our discussion at SBLMC meeting:  
I've requested that notification of SBLMC meetings  
be placed on agenda at next SNA gen meet.  
SNA gen meetings are 7 pm, 2<sup>nd</sup> Monday,  
St Johns Comm Ctr, 8427 N. Central.

You're invited.

Thanks  
Dennis

\* SNA = St. Johns Neic Assn





METRO

June 6, 2003

Dennis Keepes  
9622 N Pier Park Place  
Portland OR 97203

Dear Mr. Keepes,


I received your May 28, 2003, letter inquiring on the status of your grievance regarding the Smith and Bybee Lakes Management Committee materials. It is my understanding that you received apologies from both Metro staff involved, and that you now have copies of notes of all meetings for which you did not receive notice.

Metro and the management committee regret that you did not receive the materials that should have gone to you as the St. Johns Neighborhood Association representative on the committee. Metro staff began sending materials to the other management committee members via electronic mail last year. Although they were aware that you do not have email and were to have received your materials by regular mail, your mailings were often inadvertently overlooked. I have instructed staff to implement measures to ensure that this does not happen again.

I would also like to ask your assistance in ensuring that your neighborhood association remains involved. The management committee meetings are held on the fourth Tuesday of the month, at 5:30 p.m., at the Metro building; they have been held at this time and place for many years. All management committee members should be aware of this schedule, and should call the committee's staff if they suspect a meeting is imminent but have not received materials. If you ever have questions about the meeting schedule or materials, please call Elaine Stewart at 503-797-1515.

We will not ask the committee to set aside any actions it took in your absence. But by copy of this letter, I am asking the committee chair to allow you some time at the next meeting to ask questions or voice any concerns you may have about business that transpired at the meetings you missed.

Sincerely,



Michael Jordan  
Chief Operating Officer

cc: Frank Opila, Chair, Smith and Bybee Lakes Management Committee  
Jim Desmond, Director, Regional Parks and Greenspaces Department  
Elaine Stewart, Manager, Smith and Bybee Lakes Wildlife Area

**METRO**

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Sincerely,

A handwritten signature in black ink that reads "Michael Jordan".  
Michael Jordan  
Chief Operating Officercc: Frank Opila, Chair, Smith and Bybee Lakes Management Committee  
Jim Desmond, Director, Regional Parks and Greenspaces Department  
Elaine Stewart, Manager, Smith and Bybee Lakes Wildlife Area



**METRO**

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Portland OR 97203

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Sincerely,

Michael Jordan  
Chief Operating Officer

cc: Frank Opila, Chair, Smith and Bybee Lakes Management Committee  
Jim Desmond, Director, Regional Parks and Greenspaces Department  
Elaine Stewart, Manager, Smith and Bybee Lakes Wildlife Area

6/16/03

TO: Metro  
Smith Bybee Lakes Mgt Comte (SBLMC) Chair  
600 NE Grand Ave  
Portland, OR 97232

FR: Dennis Keepes  
9622 N Pier Park Pl  
Portland, OR 97203

RE: Grievance re notice

Dear SBLMC Chair,

St Johns Neib Assn (SJNA) held her general meeting 6/9/03. The failure of notification of SBLMC meetings was discussed. SJNA voted unanimously that we should stand up, advocate and pursue our right to lawful notice.

Thank you,

  
Dennis Keepes for SJNA

cc Metro Chief Operations Officer Jordan

6/24/03

TO: SBLMC

FR: SJNA

RE: 5/03 meeting minutes

Please add to paragraph 4:  
(The paragraph above is not true. /s/ Keepes for SJNA.)

Thank you,

*Dennis Keepes*  
Keepes for SJNA

6/24/03

TO: SBLMC

FR: SJNA

RE: Grievance

SJNA moves to go to executive session.

Thank you,

*Dennis Keepea*

Keepea for SJNA

6/24/03

TO: SBLMC  
FR: SJNA  
RE: Grievance

I've received and read Metro's letter of 6/6/03.

SJNA appeals this decision. SJNA again requests her hearing.

Thank you,

*Dennis Keepea*  
Keepea for SJNA



6/24/03

TO: SBLMC  
FR: SJNA  
RE: Grievance

SJNA requests references to all SBLMC actions during course of grievance, Nov 02 - May 03, including but not limited to, all correspondence, all e-mails, all minutes, all motions all seconds etc. ....

Thank you,

*Dennis Keepes*  
Keepes for SJNA

**From:** Jim Desmond  
**To:** Rex Burkholder  
**Date:** 8/19/03 11:06AM  
**Subject:** Fwd: Keepes chronology

Rex,  
attached is a summary chronology of the St Johns Neighborhood Ass'n flap.  
My additions and comments:

1. We made a clerical error not keeping up Keepes' notice when we moved to e-mail. There is no way to "redo" that error, which Michael Jordan, myself and my staff have personally apologized to Keepes for.
2. The meetings took place and the committee has rejected Keepes's motion to set aside all action taken in his absence. There is no legal reqmt I am aware of that requires the committee to do as Keepes asks. Also note that the meetings have been held at same time and place for about 8 years and Keepes attended relatively few when he was getting notice.
3. I called Mr Keepes and spoke to him at some length in early June just when he got Jordan's letter. (Elaine, please get Rex a copy of that letter). I calmly asked him what relief he wanted at this point (were there specific actions taken by the committee he wanted reopened?). I got back only a demand that Patricia Sullivan be fired, which I told him was not going to happen, and then I got a long angry speech about the U.S. Constitution, due process (?), lawsuits, etc. I listened, said very little, reiterated the apology and the fact it would not happen again. I let him know I had asked the Committee to give him time to discuss and perhaps reconsider any specific action taken in meetings he got no notice of (he had all minutes etc. by that time). The committee did give him time at its June 24 meeting but the conversation wasn't productive; please see summary.
4. I don't know what more we can do at this point. The committee seems fine and in the end this is a committee issue not just Metro.
5. I do not believe we have much if any legal exposure here.

JD

Jim Desmond  
Director  
Metro Parks and Greenspaces  
600 NE Grand Avenue  
Portland, OR 97232  
(503) 797-1914  
desmondj@metro.dst.or.us

**CC:** Dan Cooper; Dan Kromer; Elaine Stewart

## Dennis Keepes/SJNA Chronology

- May 16, 2003 Stewart received phone call from Dennis Keepes, notifying her that he had not received notices of SBMC meetings since November. He had received only two notices, both had been sent to him by committee members responsible for the activities. Stewart apologized; summarized committee activities and actions that had occurred since November; assured Keepes that he would receive a full package of all meeting notes, correspondence and other materials immediately; and stated that this omission would not happen again. Keepes requested the issue be placed on the SBMC agenda for the May 27 meeting.
- May 16 Sullivan mailed a complete packet to Keepes, with a written apology from her. Stewart and Sullivan deduced that Keepes had indeed not received any materials distributed by Sullivan because she had been providing them to an email list of SBMC members; Keepes did not have email and was consistently overlooked because his mailing label was on a different page than the other recipients of hard-copy materials.
- May 16 Full packet of SBMC materials also sent to SJNA chair Robin Plance.
- May 27 Keepes attended SBMC meeting and submitted a written "grievance" and request for a remedy to the chair. At the meeting, he verbally requested a hearing in front of the Metro Council and a specific remedy, that all business conducted by the SBMC from November 2002 until the present meeting be voided.
- May 28 Stewart forwarded Keepes' grievance to Jordan, Cooper and Desmond.
- May 28 Cooper voice mail to Desmond reminding staff to comply with public meetings law, including sending meeting notices to whomever requests them.
- May 30 Jordan received letter from Keepes confirming procedures he was told by phone (Keepes had spoken with someone on the 3<sup>rd</sup> floor; I do not know who).
- June 1 Keepes letter to SBMC chair and Metro, noting that he requested the issue be placed on the agenda for the next SJNA general meeting.
- June 6 Jordan letter to Keepes, expressing regret for oversight and advising him that Metro will not ask SBMC to set aside any actions it took in his absence.
- June 16 Keepes letter to SBMC chair and Metro, notifying of the SJNA vote to "pursue our right to lawful notice".
- June 17 Keepes voice mail to Stewart, stating he cannot find the SBMC "charter". Stewart returned call, informed him there was no charter, and mailed a copy of the management plan to him.
- June 24 SBMC meeting provided time on the agenda for Keepes' questions and/or

comments regarding actions taken during his absence. Keepes submitted 3 memos to SBMC: 1) modification to meeting notes to state "The paragraph...is not true...", 2) motion to go to executive session [not seconded], 3) "appeal" of the June 6 letter from Jordan. He gave a 4<sup>th</sup> memo to the chair after the meeting had ended, requesting references to all SBMC actions during the course of his grievance [he had already received all material that Stewart could compile for him in the May 16 mailing].

- June 27 Bragdon, Burkholder and Stacey received phone calls from Keepes regarding the issue. Burkholder informed Keepes that he felt the response from Jordan et al. was reasonable and sufficient. [I do not know the response from Bragdon.]
- Early July Stewart and Sullivan discussed notification; both seasonal representatives from SJNA (Keepes in winter, Piltz in summer) will receive all packets year-round.
- July 22 SBMC meeting – Ray Piltz represented SJNA; Keepes was not present. Piltz did not raise issue of notification.