

PO Box 627
Lincoln City, OR 97367

September 16, 2015

Cathy Steere, City Recorder
City Hall, Third Floor
801 SW Hwy 101
PO Box 50
Lincoln City, OR 97367

Via Certified Mail and email: cathys@lincolncity.org

Dear Ms. Steere,

This is a public information request (PIR) under Oregon's Public Records Law (ORS 192.410 to 192.505).

I respectfully request all documentation the City of Lincoln City City Council submitted to the Oregon Government Ethics Commission (OGEC) on, or around, August 20, 2015, regarding an ethics complaint.

Please note that OGEC is required by law to release all complaint materials it receives to the public, once its Preliminary Review Phase is complete. Additionally, a representative of OGEC has stated that neither the complainant, nor the respondent, can assert that complaint materials are confidential. Additionally, a representative of OGEC has stated in writing that only OGEC is required to treat the complaint materials as confidential, but not the respondent, or complainant.

As such, the City of Lincoln City is required by law to provide the complaint documentation to the public, as it cannot claim the documentation is exempt under ORS 192.501, ORS 192.502, or other similar statutes. If the City of Lincoln City fails to produce the complaint documentation, it will be in breach of ORS 192.420(1) and/or ORS 162.305.

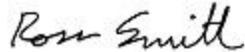
The public interest is served by this records request, as this records request will assist the citizens of Lincoln City to determine if the ethics charges against their duly elected Mayor were legally brought forward, or simply a political action to silence an opponent, as the response will be provided to the public via distribution to various news organizations as well as published on the web. For these reasons, this records request benefits the general public. Accordingly, the City of Lincoln City should furnish the requested information without charge, or at a substantially reduced fee.

While this request appears to be unrelated to any current civil actions, in an abundance of caution, your city attorney has been CC'd, pursuant to ORS 192.420(2).

To save you time and postage, please email the files to rasa7777@gmail.com. Alternatively, you could upload the files to a Google Apps for Work folder, authorize rasa7777@gmail.com access to the folder, and then email a link to the folder.

I expect a response to this PIR as soon as practicable and without unreasonable delay pursuant to ORS 192.440(2). Thank you for your prompt attention to this matter.

Yours sincerely,



Ross Smith

Enclosures: 1 (PIR)

cc: Don Williams, Mayor

cc: Richard Appicello, City Attorney

cc: Ron Chandler, City Manager