



City of Yakima

# **News Release**

**Subject: Open Public Meetings Act Complaint Settlement**

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## **City Settles Open Public Meetings Act Complaint**

The City of Yakima has agreed to settle a complaint filed earlier this year that contended the City violated the state Open Public Meetings Act ("OPMA") because it did not provide proper public notice of a Greater Yakima Chamber of Commerce ("Chamber") luncheon this past May at which Yakima City Council members spoke. Under the settlement agreement, the City will pay plaintiff Arthur West \$13,000.

"In agreeing to settle, the City is not saying the allegations in the complaint are necessarily supported by state law," said City Manager Cliff Moore. "While notice of the Chamber luncheon was not provided, by settling the complaint, the City is responding appropriately to what it believes is a gray area of the OPMA," said Moore. "The settlement amount is much less than what it would have cost the City to resolve the claim in court."

West filed a claim in Yakima County Superior Court in mid-August in which he stated the City violated the OPMA when a quorum (more than three members) of Yakima City Council members conducted a "meeting" and took "action" during the Chamber's annual State of the City luncheon on May 14<sup>th</sup> without providing proper public notice. "Meeting" is defined in the OPMA as a meeting at which, "...action is taken."

In the complaint, West contended the Chamber luncheon met the OPMA definition of a "meeting" and that the Council members who spoke at the luncheon took "action" as defined in the OPMA. West further claimed that because the luncheon met those definitions and a quorum of the Council attended, the meeting should have been properly noticed in the same way all other meetings of the Council are.

Four Council members spoke at the May 14<sup>th</sup> luncheon about City programs, projects, and strategic objectives and responded to audience questions. Audience members paid to attend the luncheon, which West also claimed was a violation of the OPMA because he said public meetings of governing bodies are supposed to be open to anyone.

"The City of Yakima is committed to open and transparent government," said Moore. "In settling this lawsuit, the City agrees to provide all necessary notice of future State of the City luncheons and to make its best effort to make such luncheons available to community members regardless of their ability to pay to attend."

The full text of the settlement agreement is attached to this news release.