

City of McMinnville

Executive Session Media Attendance Policy

1. Recognized News Media Organizations. The City of McMinnville recognizes all institutional news media as eligible to attend executive sessions under ORS 192.660. The City recognizes that the following meet the definition of institutional news media¹:
 - (A) Daily newspapers, non-daily, and small-market newspapers/publications, as well as those publications that are released as digital and multiplatform products; so long as such publication is formally organized for the purpose of gathering and disseminating news; or
 - (B) A newspaper or publication that the city uses for publication of public notices and that meets the requirements of ORS 193.020; or
 - (C) An entity that is formally organized and operated to regularly and continuously publish, broadcast, transmit via television, radio or the internet or otherwise disseminate news to the public, and that regularly reports on matters of public concern.
2. Recognition of Media Representatives. Representatives of news media organizations recognized pursuant to Section 1 of this policy shall be allowed to attend executive sessions, except as described below in subsection 3 of this policy, pursuant to the following process:
 - (A) The representative must provide substantial evidence persuading the City that he or she is a news reporter for the recognized news media organization. In making its determination whether to recognize the person as a representative of the news media organization, the City requires:
 - i. A press badge or identification issued by the recognized news media organization, plus proof of identity (such as a driver's license);

¹ Whether any particular publication amounts to “institutional news media” depends on particular facts demonstrating that it is formally organized for the purpose of gathering and disseminating news. Indications that an entity is institutional might include its business structure, the nature of its overall operations, regular public dissemination of news, and similar factors. Short of an affiliation with a traditional media outlet, such factors may include the existence of staff (rather than a single individual), a formal business structure within which the publication operates, and regular publication.

- ii. A recently published news article in the recognized news media organization publication or broadcast, with the person's byline, or a masthead showing the person's name as a member of the news gathering staff of the news media organization, plus proof of identity;
- iii. A letter on letterhead from an editor of the recognized news media organization in which the editor states that the reporter is covering the meeting for the news media organization, plus proof of identity; or
- iv. Any other credentials or evidence sufficient to demonstrate that the individual is a representative of the news media.

(B) Requests to be recognized as a representative of a news media organization should be made in writing on a form provided by the city. The form shall require disclosure of the person's name, and the entity for which he or she is a representative and shall require submission of evidence described in subsection 2(A) of this policy. The form shall also include a certification that the person is a representative of a recognized news media organization, that the information given is true, and that the person agrees to comply with ORS 192.660(4). The form will be made available on the city's webpage and upon request by any individual.

(C) The City Manager, or a designee, will review all submissions for sufficient proof that the submitter is, indeed, a representative of a recognized news media organization as defined by state law and recognized by this policy. If such review determines that a submitter is not a representative of a recognized news media organization, that submitter will be presented with written findings regarding such determination. Nothing shall preclude a submitter from providing additional proof or submitting again upon a change in circumstances or employment. Otherwise, upon review and recognition, said representative shall be permitted to attend executive sessions according to this policy until and unless their employment or affiliation with the recognized news media organization of their submittal ends. Representatives and news media organizations are requested to promptly notify the City of such changes in employment or affiliation.

3. Attendance at Executive Sessions.

(A) Representatives of the news media are expected to comply with ORS 192.660(4) regarding non-disclosure of specified information.

(B) Representatives of the news media are not permitted to attend executive sessions involving deliberations with persons designated to carry on labor negotiations. ORS 192.660(4).

(C) If the executive session is being held to confer with counsel about current litigation or litigation likely to be filed, the city shall exclude any member of the news media from attending if the member is a party to the litigation to be discussed or is an employee, agent or contractor of a news media organization that is a party to the litigation. ORS 192.660(5).

(D) Recording Devices Prohibited. Cameras, tape recorders and other recording devices shall not be used in executive sessions, except for any official executive session tapes made by city staff.

4. Application to Boards and Commissions. These policies and procedures shall apply to the city council and all of its boards and commissions.