



CITY OF SWEET HOME CITY COUNCIL AGENDA

February 10, 2026, 6:30 PM
Sweet Home City Hall, 3225 Main Street
Sweet Home, OR 97386

WIFI Passcode: guestwifi

PLEASE silence all cell phones – Anyone who wishes to speak, please sign in.

Mission Statement

The City of Sweet Home will work to build an economically strong community with an efficient and effective local government that will provide infrastructure and essential services to the citizens we serve. As efficient stewards of the valuable assets available, we will be responsive to the community while planning and preparing for the future.

Meeting Information

This meeting is open to the public in person and virtually. The City of Sweet Home is streaming the meeting via the Microsoft Teams platform and asks the public to consider this option. There will be opportunity for public input via the live stream. To view the meeting live, visit <http://live.sweethomeor.gov>. If you do not have access to the internet, you can call in to 971-203-2871 and enter the meeting ID followed by the # sign to be logged in to the call. Meeting ID: 882 329 760

This video stream and call in options are allowed under Council Rules, meet the requirements for Oregon Public Meeting Law, and have been approved by the Mayor and Chairperson of the meeting.

I. Call to Order & Pledge of Allegiance

II. Roll Call

III. Consent Agenda

- a) Approval of Minutes:
 - i) [2026-01-27 City Council Work Session Minutes](#)
 - ii) [2026-01-27 City Council Meeting Minutes](#)
 - iii) [2026-02-03 City Council Executive Session Minutes](#)
- b) Council Action:
 - i) [Request for Council Action – City Council Response to Personnel Complaint](#)

IV. Recognition of Visitors & Hearing of Petitions

V. New Business

- a) [Request for Council Action – Board & Committee Reappointments](#)
- b) [Request for Council Action – Resolution No. 1 for 2026 – Adopting the Sweet Home Public Library Donor Naming Rights Policy](#)
- c) [Request for Council Action – Resolution No. 2 for 2026 – Appointing a Budget Officer](#)

VI. Reports of Committees

Administration, Finance & Property Committee – President Pro Tem Thorstad

The location of the meeting is accessible to the disabled. If you have a disability that requires accommodation, advanced notice is requested by notifying the City Manager's Office at 541-367-8969.

Community Health Committee – Councilor Bronson

- [2026-01-28 Community Health Committee Meeting Minutes](#)

Library Advisory Board – Councilor Augsburger

Park & Tree Committee – Councilor Hegge

- [2026-01-21 Park & Tree Committee Meeting Minutes](#)

Planning Commission

- [2026-01-15 Planning Commission Meeting Minutes](#)

Area Commission on Transportation – Councilor Sanchez, Councilor Bronson (alternate)

- [2026-2027 CWACTION Work Plan](#)

Chamber of Commerce – Councilor Hegge

Council of Governments – Councilor Bronson, Councilor Sanchez (alternate)

Solid Waste Advisory Council – Councilor Richards

VII. Department Reports

Library

- [Library Report – January 2026](#)

Planning & Building

- [Planning & Building Report – January 2026](#)

Public Works

- [Public Works Report – December 2025 & January 2026](#)

Finance

- [Finance Report – January 2026](#)

Police

- [Police Department Report – January 2026](#)

City Attorney

VIII. Reports of City Officials

City Manager's Report

- [LOC 2025 Research Review](#)
- [Statement of Economic Interest Filing](#)

Mayor's Report

IX. Council Business for Good of the Order

X. Adjournment



CITY OF SWEET HOME CITY COUNCIL WORK SESSION MINUTES

January 27, 2026, 5:30 PM
Sweet Home City Hall, 3225 Main Street
Sweet Home, OR 97386

Mission Statement

The City of Sweet Home will work to build an economically strong community with an efficient and effective local government that will provide infrastructure and essential services to the citizens we serve. As efficient stewards of the valuable assets available, we will be responsive to the community while planning and preparing for the future.

Call to Order & Pledge of Allegiance

The meeting was called to order at 5:30 PM.

Roll Call

PRESENT

Mayor Susan Coleman
President Pro Tem Josh Thorstad
Councilor Chelsea Augsburger
Councilor Ken Bronson
Councilor Aaron Hegge
Councilor Dylan Richards
Councilor Angelita Sanchez

STAFF

Jason Ogden, City Manager / Police Chief
Cecily Hope Pretty, Deputy City Manager
Blair Larsen, City Attorney
Angela Clegg, Planning & Building Manager
Adam Leisinger, Special Projects Manager
Greg Springman, Public Works Advisor

MEDIA

Sarah Brown, The New Era

GUESTS

Gary Jarvis, Vice Chair, Charter Review Committee

Work Session

a) Proposed Charter Amendments

City Manager Ogden stated that City Attorney Larsen prepared a memo in response to questions raised in the prior City Council Work Session.

City Attorney Larsen reviewed the proposal regarding absences and the potential disqualification from running for office after 10 unexcused absences. He noted that there was not a lot of case law to rely on for guidance but that the proposal did not appear to violate constitutional law. He added that the City Council may want to consider modifying the way absences would be defined as excused but that it was highly irregular for requested excusals not to be granted in recent City history.

Councilor Richards expressed support for the language as proposed.

Councilor Bronson asked of absence from the City from 30 days without excusal leading to a vacancy. City Attorney Larsen stated that the general consensus from other City Attorneys in Oregon was that the

30 days only applied to absences from City Council meetings and stated that Council could request clarification in the Charter language to that effect.

Mayor Coleman recognized Vice Chair Jarvis to speak.

Vice Chair Jarvis stated that he interpreted the section to refer to a seated Councilor no longer residing in the City.

City Attorney Larsen read the proposed language regarding removal from office in full.

Councilor Bronson stated that the definition of attendance should be defined more clearly. City Attorney Larsen stated that it was left intentionally vague to allow for potential future methods of attendance.

Councilor Sanchez expressed concern that the proposal would infringe on a potential candidate's First Amendment rights. Councilor Augsburger expressed same but expressed support for a process to remove a Councilor if they were not performing their duties as an elected official. Councilor Richards expressed support for same. Councilor Hegge also expressed concern with disqualification from office.

President Pro Tem Thorstad expressed support for accountability through attendance standards.

Councilor Hegge suggested modifying the proposal so that 10 unexcused absences resulted in removal from office under proposed Section 4.1 rather than disqualification from a future election under proposed Section 3.1.

There was consensus to remove the proposal regarding 10 absences leading to disqualification from a future election under proposed Section 3.1.

City Attorney Larsen noticed a redundancy in proposed Section 4.1 regarding 30 days versus 60 days and requested City Council input.

Councilor Richards expressed support for a longer period of time than 30 days.

Councilor Bronson requested clarifying language to state that the intent of the section was for those not residing in the City for more than 30 days. Councilor Hegge stated that residency was addressed by the section discussing qualifications necessary for office. Councilor Bronson expressed support for clearer language. There was consensus for same. Councilor Sanchez requested clarifying language regarding Council consent where such language appears.

There was consensus for language to clarify residency within the City.

Mayor Coleman requested feedback on proposed Section 4.1(a) regarding "upon the incumbent's absence from meetings of the Council for 60 days without the consent of the Council."

Councilor Sanche suggested referral to Council Rules to ensure a standard is defined.

There was consensus to define consent in the City Council Rules. There was additional consensus to add a clause referring to the Council Rules.

Mayor Coleman requested feedback regarding proposed Section 5.6 establishing Public Comment time.

Councilor Richards expressed support for leaving Public Comment subject to Council Rules.

Councilor Sanchez expressed support for guaranteeing Public Comment through the Charter.

Mayor Coleman expressed support for Public Comment periods but stated the Councilors should also engage the public in other ways outside of formal Public Comment. She expressed concern with codifying time limits through the Charter.

Councilor Augsburger expressed support for protecting Public Comment through the Charter but not for a specific time period.

There was consensus to enshrine the Public Comment in the Charter but to leave time limits to the City Council Rules.

Adjournment

There being no further discussion, the meeting was adjourned at 6:32 PM.

Mayor

ATTEST:

City Manager – Ex Officio City Recorder

DRAFT



CITY OF SWEET HOME CITY COUNCIL MEETING MINUTES

January 27, 2026, 6:30 PM
Sweet Home City Hall, 3225 Main Street
Sweet Home, OR 97386

Mission Statement

The City of Sweet Home will work to build an economically strong community with an efficient and effective local government that will provide infrastructure and essential services to the citizens we serve. As efficient stewards of the valuable assets available, we will be responsive to the community while planning and preparing for the future.

Call to Order & Pledge of Allegiance

The meeting was called to order at 6:37 PM.

Roll Call

PRESENT

Mayor Susan Coleman
President Pro Tem Josh Thorstad
Councilor Chelsea Augsburger
Councilor Ken Bronson
Councilor Aaron Hegge
Councilor Dylan Richards
Councilor Angelita Sanchez

STAFF

Jason Ogden, City Manager / Police Chief
Cecily Hope Pretty, Deputy City Manager
Blair Larsen, City Attorney
Angela Clegg, Planning & Building Manager
Adam Leisinger, Special Projects Manager
Greg Springman, Public Works Advisor

MEDIA

Sarah Brown, The New Era

GUESTS

Gary Jarvis, 2941 Foothills Drive, Sweet Home, OR 97386

Consent Agenda

Approval of Minutes:

- a) 2025-01-13 City Council Meeting Minutes

AYE: Coleman, Thorstad, Augsburger, Bronson, Hegge, Richards, Sanchez

NAY: None

Recognition of Visitors & Hearing of Petitions

Gary Jarvis stated that he had received incomplete information regarding the removal of an air quality monitor from the Fire District and expressed gratitude that a new one would be installed at the School District.

New Business

- a) Request for Council Action – Approving the Public Works Advisor Contract

City Manager Ogden highlighted Mr. Springman's expertise and the advantageous arrangement to the City to retain his services on a part-time basis.

Councilor Richards moved to approve the contract as proposed. President Pro Tem Thorstad seconded the motion. The motion carried by the following vote:

AYE: Coleman, Thorstad, Augsburger, Bronson, Hegge, Richards, Sanchez

NAY: None

- b) Request for Council Action – Resolution No. 1 for 2026 – Adopting the Sweet Home Public Library Donor Naming Rights Policy

This item was pulled from consideration by staff.

Reports of Committees

Administration, Finance & Property Committee – President Pro Tem Thorstad

Community Health Committee – Councilor Bronson

Library Advisory Board – Councilor Augsburger

Park & Tree Committee – Councilor Hegge

Planning Commission

Area Commission on Transportation – Councilor Sanchez, Councilor Bronson (alternate)

Chamber of Commerce – Councilor Hegge

Council of Governments – Councilor Bronson, Councilor Sanchez (alternate)

Solid Waste Advisory Council – Councilor Richards

Councilor Bronson

Councilor Hegge stated that the Sweet Home Chamber of Commerce held their annual member meeting and voted in Shelly Larson as President and Christy Duncan as Vice President.

Department Reports

Library

Planning & Building

- a) • Planning & Building Report – December 2025

Public Works

Finance

Police

City Attorney

City Manager Ogden stated that due to increased staffing, the Traffic Safety Officer would be returning to full patrol related to traffic enforcement.

Reports of City Officials

City Manager's Report

- a) Air Quality Monitor Update

City Manager Ogden stated that he would attend Water Day at the capitol the following week to advocate on behalf of the City. He highlighted Deputy City Manager Pretty's appointment to the League of Oregon Cities Transportation Policy Committee. He noted that the DEQ would be installing the new air quality monitor at the school district before the summer. He invited Councilors to attend the annual Chamber

Banquet in February. He highlighted the fabrication of metal fish by the Sweet Home High School metal shop class to be installed in the medians on Highway 20.

Mayor's Report

Mayor Coleman congratulated Councilor Hegge for his receipt of the Rotarian Award. She thanked Mr. Hart at the high school and highlighted the Sweet Home Ad Hoc Arts and Culture Committee's influence to support the project. She thanked staff for creating a temporary City logo highlighting the 250th anniversary of the nation's founding.

Council Business for Good of the Order

Councilor Sanchez highlighted the beginning of the short session at the state legislature and noted the work of outgoing Senator Cedric Hayden.

Adjournment

There being no further discussion, the meeting was adjourned at 6:51 PM.

Mayor

ATTEST:

City Manager – Ex Officio City Recorder



CITY OF SWEET HOME CITY COUNCIL EXECUTIVE SESSION MINUTES

February 03, 2026, 5:30 PM
Sweet Home City Hall, 3225 Main Street
Sweet Home, OR 97386

Call to Order

The meeting was called to order at 5:30 PM.

Roll Call

PRESENT

Mayor Susan Coleman
President Pro Tem Josh Thorstad
Councilor Chelsea Augsburger
Councilor Ken Bronson
Councilor Aaron Hegge (5:53 PM)
Councilor Dylan Richards
Councilor Angelita Sanchez

STAFF

Jason Ogden, City Manager / Police Chief
Blair Larsen, City Attorney

MEDIA

Sarah Brown, The New Era

Executive Session

Mayor Coleman read the Executive Session statement at 5:30 PM.

The Sweet Home City Council Executive Session is held pursuant to:

ORS 192.660(2)(b) to consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member, or individual agent who does not request an open hearing.

Official representation of the news media and designated staff shall be allowed to attend the Executive Session. All other members of the audience are asked to remain outside the room during the Executive Session. Representatives of the news media are specifically directed not to report on any of the discussions during Executive Session, except to state the general subject of the session as previously announced. No formal actions may be taken in Executive Session.

Formal actions to be taken, if any, as a result of the Executive Session will be conducted during the Council's regular session.

Adjournment

There being no further discussion, the meeting was adjourned at 6:22 PM.

Mayor

ATTEST:

City Manager – Ex Officio City Recorder



REQUEST FOR COUNCIL ACTION

Title: Council Response to Personnel Complaint

Preferred Agenda: February 10, 2026

Submitted By: Blair Larsen, City Attorney

Reviewed By: N/A

Type of Action: Motion ☒ Resolution ☐ Reading ☐

Relevant Code/Policy:

Towards Council Goal: NA

Attachments: Complaint Response Letter

Purpose of this RCA:

The purpose of this RCA is to approve a response letter to a complaint regarding a Council-appointed employee, the City Manager

Background/Context:

On January 22, 2026, the Sweet Home Police Department received a complaint regarding supervisory actions made by the Police Chief, Jason Ogden. As Chief Ogden has also been appointed City Manager, the City Council is the only body capable of reviewing complaints about him. An executive session was held on February 3 to review the complaint and supporting evidence. The attached letter contains the Council's response from that meeting.

The Challenge/Problem:

How does the Council respond to complaints regarding Council-appointed employees?

Issues and Financial Impacts:

No issues or impacts identified.

Elements of a Stable Solution:

A stable solution is an appropriate response to the complaint from the City Council.

Options:

1. Do nothing: The complainant will receive no response.
2. Move to approve the letter as proposed and authorize the Mayor to sign it on behalf of the City Council: The attached letter will be signed by the Mayor and mailed to the complainant.

3. Move to approve the letter with amendments and authorize the Mayor to sign it on behalf of the City Council: The City Council may direct that revisions to the letter be made before it is signed and mailed.

Recommendation:

Staff recommends option #2: Move to approve the letter as proposed and authorize the Mayor to sign it on behalf of the City Council.



City of Sweet Home City Council

City of Sweet Home
3225 Main Street
Sweet Home, OR 97386
www.sweethomeor.gov

[REDACTED]
Sweet Home, OR

[REDACTED]

This letter is in response to the emailed complaint you submitted to the Sweet Home Police Department on January 22, 2026, alleging supervisory failure, improper arrest authorization and failure to de-escalate during an incident on [REDACTED]. The “supervising sergeant (name and badge number unknown)” mentioned in your complaint is Police Chief Jason Ogden, who also serves as the City Manager. Consequently, your complaint has been reviewed by the City Council, who are responsible for overseeing the City Manager.

The Sweet Home City Council takes complaints against Council-appointed staff very seriously and does not tolerate violations of the law or City policy. When the Council received this complaint, an executive session was scheduled to review the complaint, the evidence, applicable City policies, and consider whether any disciplinary measures were necessary. This executive session took place on February 3, and this response letter was approved by the Council in open session on February 10, 2026.

Your complaint alleges that on the date in question, Chief Ogden:

- Failed to assess whether probable cause supported arrest escalation
- Failed to ensure proper handling of a compliant arrestee
- Failed to intervene to prevent unnecessary or excessive force
- Failed to ensure accommodation of disclosed medical and mental health conditions.
- Authorized an arrest without adequate de-escalation
- Failed to assess credibility of alleged [REDACTED]
- Failed to ensure accommodation of a disclosed surgical injury
- Failed to intervene to stop use of force after compliance
- Approved the mischaracterization of compliance as “resistance.”

The policies applicable to your complaint are Sweet Home Police Department Policy Manual, Policy 300, Use of Force, sections 300.5 (Reporting the Use of Force), 300.6 (Medical Considerations) and 300.7 (Supervisor Responsibilities). These policies are public documents, and can be viewed at <https://www.sweethomeor.gov/media/33831>.

After careful review of your complaint, the applicable city policies, and the available video evidence, the City Council has found the complaint to be unfounded. The Council’s findings regarding each of your allegations are as follows:

“Failure to assess whether probable cause supported arrest escalation” and “Failure to assess credibility of alleged [REDACTED]”

Body-worn camera footage from the incident shows that when Chief Ogden arrived, [REDACTED] briefed him on the situation and the evidence supporting probable cause for the



arrest, which included what he, [REDACTED] saw and heard. This, along with his own interaction with you allowed Chief Ogden to assess that there was sufficient probable cause for the arrest, and that the allegation of [REDACTED] was credible.

“Failure to ensure proper handling of a compliant arrestee”

Video evidence indicates that when you exited your vehicle, you began reaching back toward the storage compartment of the door of the vehicle, which required officers to restrain you to ensure that you were not reaching for a weapon or other dangerous object. The evidence also shows continued non-compliance as the officers attempted to follow the appropriate arrest procedures, including applying handcuffs. While you may have been initially compliant by getting out of the vehicle, the body-worn camera footage shows that you immediately became non-compliant, necessitating the use of force. Chief Ogden did not fail to ensure proper handling of a compliant arrestee, because, for all practical purposes, there was no compliance.

“Failure to intervene to prevent unnecessary or excessive force” and “failure to intervene to stop use of force after compliance”

Video evidence confirms that the amount of force exerted was the minimum amount necessary to ensure compliance and was not excessive. Body-worn camera footage shows that compliance did not occur until just before you were placed in [REDACTED]'s patrol vehicle and does not show any force used after compliance.

“Failure to ensure accommodation of disclosed medical and mental health conditions and failure to ensure accommodation of a disclosed surgical injury”

Body-worn camera footage does not reveal disclosure of medical conditions, including a recent surgery, until after the use of force became necessary, making it impossible for Chief Ogden to ensure accommodation of any medical conditions or injury. Additionally, there is no mention of any mental health conditions during the arrest.

“Authorization of an arrest without adequate de-escalation”

Video evidence shows Chief Ogden attempting to de-escalate the situation prior to the arrest, which appears to have resulted in your initial compliance by exiting your vehicle. Chief Ogden's 'authorization' of your arrest was not necessary, because probable cause for your arrest already existed. De-escalation of the situation does not remove probable cause and does not prevent an arrest from being authorized.

“Supervisory approval of mischaracterizing of compliance as ‘resistance.’”

Body-worn camera footage does not indicate that Chief Ogden ever referred to your actions as resistance. [REDACTED] and [REDACTED] both told you to “stop resisting,” and it was clear from the video recording that you were not in compliance with their instructions.

The City Council finds that the available evidence does not indicate any violations of law or of Sweet Home Police Department policy, nor does it show a reasonable basis for your complaint. It is the Council's understanding that the charges against you arising out of this incident have not been fully adjudicated, and that you have an attorney representing you. Consequently, no public records requests regarding this incident can be released at this time; however, all of the evidence in this case can be obtained through your attorney.



If there is additional evidence not currently in possession of the Sweet Home Police Department that you believe contradicts the City Council's findings, please email Mayor Coleman, at coleman@sweethomeor.gov so that she can arrange for the Council to review it.

Respectfully,

Susan Coleman
Mayor, City of Sweet Home

On behalf of the Sweet Home City Council:

President Pro Tem Joshua Thorstad
Councilor Chelsea Augsburger
Councilor Ken Bronson
Councilor Aaron Hegge
Councilor Dylan Richards
Councilor Angelita Sanchez



REQUEST FOR COUNCIL ACTION

Title: Request for Council Action – Board & Committee Reappointments

Preferred Agenda: February 10, 2026

Submitted By: Cecily Hope Pretty, Deputy City Manager

Reviewed By: Jason Ogden, City Manager

Type of Action: Resolution ☐ Motion ☒ Roll Call ☐ Other ☐

Relevant Code/Policy: SHMC Chapter 2.10, Chapter 2.12

Towards Council Goal: Be an Effective & Efficient Government

Attachments: N/A

Purpose of this RCA:

To make reappointments to the Community Health Committee.

Background/Context:

Three members of the Community Health Committee held terms that expired December 31, 2025. They have been operating in holdover status since that time. All three members have served on the Committee since its codification in 2024 and each has expressed their interest in continuing to serve. There have been no other interested applicants to this Committee. The reapplicants are:

- Bob Dalton
- Dr. Larry Horton
- Michael Grenz

Reappointment would be for terms expiring December 31, 2029.

Two members of the Library held terms that expired, one on December 31, 2024 and one on December 31, 2025. A third holds a term that will expire on February 22, 2026. All three members have expressed their interest in continuing to serve and there have been no other interested applicants to the Board. The reapplicants are:

- Caryn Wise
- Jim Corley
- Kelsey Hicks

Staff proposes realigning term dates to align with Sweet Home Municipal Code Chapter 2.12, which would have terms expiring on June 30th. If approved, the expiration of terms would be as follows:

- Caryn Wise: June 30, 2028
- Jim Corley: June 30, 2029
- Kelsey Hicks: June 30, 2030

The Challenge/Problem:

The boards and committees of the City of Sweet Home serve an important role in reviewing information and concerns relevant to their charges and making recommendations to the City Council. Not filling available seats leads to inefficiencies in this recommendation process and does not allow engaged citizens the opportunity to serve in this advisory capacity for the benefit of the community.

Issues and Financial Impacts:

There are no issues or financial impacts identified as a result of this appointment.

Elements of a Stable Solution:

Timely approval of qualified applicants.

Options:

1. Do nothing: Members will continue to operate in holdover status until they step down or are reappointed.
2. Direct staff to solicit additional applicants.
3. Approve the recommended applicants: Move to reappoint the applicants as proposed.

Recommendation:

Staff recommends option 3: Move to reappoint the applicants as recommended.



REQUEST FOR COUNCIL ACTION

Title: Request for Council Action – Resolution No. 1 for 2026 – Adopting the Sweet Home Public Library Donor Naming Rights Policy

Preferred Agenda: February 10, 2026

Submitted By: Megan Dazey, Library Services Director

Reviewed By: Jason Ogden, City Manager / Police Chief

Type of Action: Motion ☐ Resolution ☒ Reading ☐ Roll Call ☐

Relevant Code/Policy: Resolution No. 32 for 2016

Towards Council Goal: Desirable Community, Effective Government, Infrastructure, Essential Services, Economic Strength

Attachments: Resolution No. 1 for 2026
Sweet Home Public Library Donor Naming Rights Policy
Resolution No. 32 for 2016

Purpose of this RCA:

The purpose of this RCA is to adopt the Sweet Home Public Library Donor Naming Rights Policy as an addendum to the City's existing naming policy for publicly owned facilities. This RCA will only apply to Donations earmarked for the SHPL and will supplement Resolution 32 for 2016.

Background/Context:

In anticipation of a potential new facility or relocation of the Sweet Home Public Library, and in light of several recent memorial donations, the Library has identified the need to establish a Donor Naming Rights Policy to ensure that all donations are recognized and administered in an equitable and consistent manner. The Library Advisory Board and City Attorney have reviewed the proposed policy and approved it as currently written.

The Challenge/Problem:

In recent years, the Library has received both large and small donations. While some donors request specific forms of recognition or benefits and others do not, the Library seeks to establish a fair and equitable framework for acknowledging and managing all donations, particularly in anticipation of future fundraising efforts related to a potential new facility.

Issues and Financial Impacts:

There are no impacts associated with approval of this policy. Guaranteed recognition of donors tied to established donation levels will ensure clear and consistent treatment of donations.

Elements of a Stable Solution:

Adoption of a plan to ensure Library's continued mission to treat all members of the community equally.

Options:

1. Do nothing: The Library's will continue to take in donations as they are received.
2. Move to approve Resolution No. 1 for 2026 as proposed: Library staff will implement the Sweet Home Public Library Donor Naming Rights Policy as written.
3. Move to approve Resolution No. 1 for 2026 with amendments: City Council may propose revisions to the policy for approval.

Recommendation:

Staff recommends option #2: Move to approve Resolution No. 1 for 2026 as proposed.

RESOLUTION NO. 1 FOR 2026

A RESOLUTION ADOPTING THE SWEET HOME LIBRARY NAMING RIGHTS POLICY AND AMENDING RESOLUTION NO. 32 FOR 2016

WHEREAS, the City Council of the City of Sweet Home recognizes the need to establish a policy for recognizing persons who have supported the Sweet Home Public Library through substantial financial contributions towards a new facility; and

WHEREAS, the City Council recognizes that proper recognition of such donors may conflict with the existing facility naming policy, currently outlined in Resolution No. 32 for 2016; and

WHEREAS, the City Council wishes to establish a policy for encouraging donations to the Sweet Home Public Library and recognizing and honoring such donors.

NOW, THEREFORE, THE CITY OF SWEET HOME DOES RESOLVE AS FOLLOWS:

Section 1. The City of Sweet Home adopts the Sweet Home Public Library Naming Rights Policy contained in Attachment A.

Section 2. For the purposes of applications to name any Sweet Home Public Library Facilities only, while the donation of land, facilities, or funds for the acquisition, renovation or maintenance of City-owned property does not constitute an obligation or establish a right to name any library facility or assets, the City will make every effort to approve such applications. The City recognizes that failure to approve an application for the naming of Public Library facilities may result in the return of funding to the original donor, if the donor so chooses.

Section 3. Any conflict between the existing Public Facility Naming Policy contained in Resolution No. 32 for 2016 and this Resolution shall be resolved in favor of this Resolution.

Section 4. Effective Date. This Resolution shall be in full force and effect from and after its passage.

PASSED by the Council and approved by the Mayor, this 10th day of February, 2026.

Mayor

ATTEST:

City Manager - Ex Officio City Recorder



Attachment A

Sweet Home Public Library Naming Rights Policy

Purpose:

The Sweet Home Public Library (SHPL) seeks to recognize persons who have supported the Library through substantial financial contributions towards a new or upgraded facility. The SHPL provides naming opportunities in recognition of individuals and corporations for significant financial contributions. These naming opportunities may include, but are not limited to naming the new building, rooms or designated areas in the building, furnishings, equipment, library collections (whole collections or individual items) by way of a designated plaque or nameplate.

Only individuals and organizations whose action and/or programs are compatible with the mission, policies, goals and values of the SHPL will be considered in naming rooms in a building, furnishings and equipment, library collections, or by way of a designated plaque or nameplate.

This policy shall serve as a supplement to any existing naming or donation policies. In case of conflict with other approved policies, this policy shall take precedence.

General Definitions:

The Naming Rights Policy includes exterior and internal features, which may name the building, rooms in a building, furnishings, equipment, library collections (whole collections or individual items) by way of a designated plaque or nameplate. Other items may be recommended for naming after consultation with the Library Director, Library Advisory Board, and Sweet Home City Council.

1. The *building* will encompass the entire exterior of the “new” building and will include the name of the Library itself, i.e. “*The O'Brien Memorial Library.*”
2. A *room* in a building may include an enclosed rooms, designated areas such a story-time corner, or interior wall.
3. A *designated plaque or nameplate* may include a inscribed commemorative thin, flat plate or tablet of metal, porcelain, etc., intended for ornament, as on a wall, or set in a piece of furniture, or a name plate affixed to a book.
4. A *collection* is groups of books, media, and other library collection items.
5. *Furnishings and equipment* include furniture, computers, and similar articles that are not a fixed part of the building and have a short life span.
6. *Financial contributions* include outright gifts of money, securities, in-kind donations, and endowments.

Naming Regulations:

1. A naming opportunity must be consistent with the Library's mission and goals.
2. The naming of a building, room in a building, furnishings and equipment, library collections, or by way of a designated plaque or nameplate shall be finalized only after the financial commitment by the individual or corporation has been honored in full and not on the basis of a pledge for future funds.
3. Recognition will be for 7 years, or for the life of the room, or 20 years for the building, unless the individual or corporation provides continuing or additional support.
4. The Library will recognize a major financial contribution for the purchase of furnishings and equipment, library collections or other by placing the name of the benefactor on a designated plaque or nameplate within the facility.
5. Name/Donation recognition in individual books will be for the life of the book. Books with no circulation in three years or more may be removed from the collection.

Request Procedures:

1. Proposals for naming the building, rooms in a building, furnishings, equipment, library collections, may be submitted at any time during the year to the Library Director for review via the City of Sweet Home Naming Application.
2. The Library Director will submit applications to the Library Advisory Board, and if approved, will submit applications to the Sweet Home City Council for final approval.
3. The Library Advisory Board and Library Director will approve the design, wording, and placement of any permanent plaques, inscriptions, or other recognitions.

Recognition of Gift Levels/Sponsorships:

- Small Study Room (2-4 persons): \$15,000
- Medium Study Room (4+ persons): \$20,000
- Public Service/Circulation Desk (x2): \$7,000
- Shelf Range (8-10 foot section; multiple available in public areas): \$5,000
- Staff Area: \$75,000
- Director's Office: \$25,000
- Librarian's Office (x2): \$15,000
- Tween Area: \$75,000
- Teen Area: \$100,000
- Adult Area: \$150,000
- Large Meeting Room: \$200,000
- Children's Area: \$400,000

- Furniture: \$50 + cost of item
- Books: \$5 + cost of item
- Building: \$1,000,000

Other areas will be determined by the Board according to the amount of donation and subject to the same request procedures.

Monetary gifts (other than those associated with naming rights and sponsorships) of \$50,000 or more may be recognized on a designated plaque or nameplate.

These monetary guidelines will be reviewed and revised as needed.

Gifts/Donations

Donations of materials/equipment and funds to purchase materials/equipment will be accepted with the understanding that SHPL reserves the right to determine if, and in what manner, the donated items will be used. SHPL will make a good faith effort to use monies in accordance with the wishes of the donor(s) and the instructions of the Gift/Donations Form. SHPL may refuse proposed gifts if restrictions are counter to SHPL or City of Sweet Home policies.

Gifts of materials/equipment and items donated become the property of SHPL, and are accepted with the understanding that they are subject to the same selection criteria as purchased materials/equipment. Items not selected for the collection may be passed on to another institution or library, or to the Friends of the Library for sale. All proceeds from the sale of donated materials will go to the Friends of the Library to benefit SHPL. Acknowledgement of gifts for tax records may be provided, but appraisal of the value of donated items is not made.

Morality Clause

SHPL is a public-serving institution whose mission is dependent on maintaining the trust and goodwill of the community. In the event that the Donor/Named Individual, or any principal or public representative thereof, engages in, or is credibly alleged to have engaged in, any act or conduct involving moral turpitude, is convicted of a felony, or is otherwise involved in any situation or controversy that in the reasonable judgment of SHPL, Library Advisory Board, or the City of Sweet Home may cause public disrepute, contempt, scandal, or otherwise harm the reputation of SHPL, SHPL shall have the right, upon written notice to the Donor, to terminate this Agreement and immediately remove the Donor/Named Individual's name. In such event, SHPL shall have no obligation to return any portion of the donation.

RESOLUTION 32 for 2016

**A RESOLUTION OF THE SWEET HOME CITY COUNCIL ESTABLISHING A POLICY
FOR NAMING PUBLICLY OWNED PROPERTIES OR FACILITIES**

WHEREAS, the City Council of the City of Sweet Home recognizes the need to establish a policy for naming parks, buildings and other city owned properties or facilities; and

WHEREAS, the City Council recognizes that there are City-owned properties and facilities which already have names commonly known throughout the community; and

WHEREAS, the City Council wishes to establish a procedure for recognizing and honoring persons by naming publically owned facilities after them; and

**NOW THEREFORE, THE SWEET HOME CITY COUNCIL HEREBY RESOLVES AS
FOLLOWS:**

Section 1. The City of Sweet Home adopts the following Public Facility Naming Policy:

- I. PURPOSE: To establish a uniform policy which will provide direction regarding naming or renaming city owned land, facilities, parks, and buildings, which are compatible with the community interest and which will enhance the values and heritage of the City of Sweet Home.
- II. GENERAL:
 - a. This policy establishes the guidelines, criteria and process for naming or renaming of city-owned property.
 - b. The City Council shall have the final authority to name and rename any or all City-owned property or portion thereof. This shall include the authority to revoke the name of a City-owned property. Names which would be detrimental to the mission or image of the City of Sweet Home will not be used to identify City-owned property.
 - c. The donation of land, facilities, or funds for the acquisition, renovation or maintenance of City-owned property shall not constitute an obligation or establish a right to name any land or facilities granted to the City.

- d. It is the intent of the City Council to keep the name of any existing park, City-owned facility or other City-owned property unless there are compelling reasons to consider a name change.
- e. Official street names and addresses shall be established by the City of Sweet Home in accordance with the policies and procedures already outlined in City policy and Ordinance; the naming of streets and creation of addresses do not fall under this policy.
- f. All costs including staff time, labor and materials associated with the installation of plaques, monuments, and signs will be borne by the individual, group or organization sponsoring the request.

III. NAMING CRITERIA:

- a. The size, wording and materials of any memorial or sign associated with the name of a City-owned property shall be reviewed by City staff for compliance with the City's Sign Code. Content of such shall be reviewed by staff and approved by the City Council prior to production.
- b. Whenever possible, naming shall begin early in the development and/or acquisition of City-owned property.
- c. Names shall be appropriate to the park, building or other City-owned facility and are encouraged to reflect the following:
 - i. history, flora, fauna, geographic area, or natural geologic features related to the City of Sweet Home;
 - ii. significant historical events, cultural attributes, local landmarks, or a historical figure; or
 - iii. City's ethnic and cultural diversity.
- d. Signs shall be written using the English alphabet.
- e. The City Council may consider the following when making a determination regarding names which honor individuals or families:
 - i. Have they made a lasting and significant contribution to the protection of natural, cultural, or historic resources of the City of Sweet Home; or
 - ii. Have they made significant contribution to the betterment of a specific City-owned property; or
 - iii. Have they made a substantial contribution to the advancement of recreational opportunities within the City of Sweet Home; or

- iv. Are they associated with an economic development or redevelopment activity the City is undertaking; or
 - v. Have they had a positive impact on the lives of Sweet Home residents; or
 - vi. Have they volunteered or worked for the city for ten (10) years or more; or
 - vii. Have they distinguished themselves through military service; or
 - viii. Are they a current or past resident of Sweet Home who has distinguished themselves?
- f. The City Council may name city-owned property after an individual who has served as a city official or was an employee of the City of Sweet Home provided that:
 - i. They no longer work for the city; and,
 - ii. They made a contribution over and above the normal duties required by their position; or
 - iii. They had a positive impact on the past and future development of programs, projects or facilities within the City of Sweet Home; or
 - iv. They have made significant volunteer contributions to the community outside the scope of their job; or
 - v. They have had exceptionally long tenure with the City of Sweet Home (at least ten (10) years); or
 - vi. There is significant public support for a memorial to the city official or city employee on the occasion of their death or retirement.

IV. PROCEDURE:

- a. A request to name or rename City-owned property shall be made on an application specifically designed for this purpose (Exhibit A).
- b. Fees associated with administrative and hard costs may be assessed and are the responsibility of the applicant. The administrative and processing fees shall be established by the Sweet Home City Council and shall be reflected on the City's fee schedule.

The fees shown below are intended as a guideline to the applicant. Fees will be assessed on actual costs and will be due throughout the process at the time when expenditures are to be made or prior to staff review. An

applicant may choose to submit fees in a lump sum at the beginning of the process; any unused fees will be returned at the completion of the project.

The City Council has to right to adjust fees at their discretion upon application and consideration at a regularly scheduled City Council meeting.

Action	Fee
Notification of Public Hearing – legal notice includes staff time to process	\$ 400
Packaging, Mailing & Posting	\$ Actual Cost
Cost of Dedication Ceremony	\$ Actual Cost

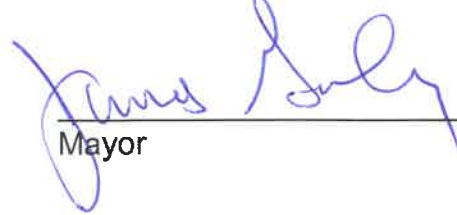
- c. The applicant shall supply clear evidence that the proposed name meets the naming requirements outlined in this policy (See Naming Criteria).
- d. The application will be reviewed by the Sweet Home City Council at a regular City Council meeting. All requests will be given the same consideration without regard to the source of the nomination. Upon a motion by the Council, the application may be sent to committee for further review.
- e. The City Council may return the application to the applicant for further clarification if they so desire.
- f. After City Council review of the application a notice of intent to name a City-owned property shall be posted in public places and published at least once in the City's paper of record for a thirty (30) day review process prior to City Council decision.
- g. After the thirty (30) day review period is completed a public hearing shall be placed on the agenda of the next regular meeting of the City Council.
- h. City Council will make a decision regarding the proposed name at the same City Council meeting.

If the City Council rejects an application the applicant must wait a minimum of six (6) months before resubmitting the name for consideration.

Section 2. This policy shall take effect on the date of its adoption by the Sweet Home City Council.

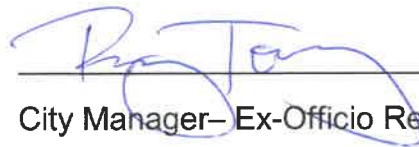
ADOPTED this 13th day of December 2016, by the City Council of the City of Sweet Home.

APPROVED BY:



Mayor

ATTEST:



City Manager—Ex-Officio Recorder

City of Sweet Home

Application for Naming Publicly Owned Facilities



The Sweet Home City Council has sole responsibility for establishing formal legal names for City-owned facilities. The policy for naming Publicly Owned Facilities is attached. Please complete the following form and return completed form and the appropriate fees to City Hall for consideration.

Publicly Owned Facilities or Property Considered for Naming:	
Current Name:	Proposed Name:

Applicants Name:			
Organization:			
Contact Info:	Address:		
	City	State:	Zip:
	Email:		Phone:

Please provide an explanation of why the City should take this action:

For Official Use Only			
Date:	Received By:	Fee Pd:	Receipt #:

<i>Application Review:</i>	<i>Date:</i>	<i>Recommendations (Approve, Approve with Conditions, Deny):</i>
() <i>Library Board</i>	_____	_____
() <i>Park Board</i>	_____	_____
() <i>Traffic Safety</i>	_____	_____
() <i>Tree Commission</i>	_____	_____
() <i>City Council</i>	_____	_____
()	_____	_____

RESOLUTION NO. 2 FOR 2026

**A RESOLUTION APPOINTING THE CITY OF SWEET HOME BUDGET OFFICER
FOR FISCAL YEAR 2026-2027**

WHEREAS, Oregon Local Budget Law, ORS 294.331, requires that a Budget Officer be appointed by the City Council or designated by Charter for each budget cycle; and

WHEREAS, the Budget Officer is responsible for preparing the proposed budget for presentation to the Budget Committee, publishing required notices, and compliance with Oregon Local Budget Law;

NOW, THEREFORE, THE CITY OF SWEET HOME DOES RESOLVE AS FOLLOWS:

Section 1. The City Manager is appointed as the Budget Officer.

Section 2. This Resolution shall be in full force and effect from and after its passage.

PASSED by the Council and approved by the Mayor, this 10th day of February, 2026.

Mayor

ATTEST:

City Manager - Ex Officio City Recorder



Community Health Committee Meeting Minutes

January 28, 2026, 4:00 PM
Sweet Home City Hall, 3225 Main Street
Sweet Home, OR 97386

Mission Statement

The City of Sweet Home will work to build an economically strong community with an efficient and effective local government that will provide infrastructure and essential services to the citizens we serve. As efficient stewards of the valuable assets available, we will be responsive to the community while planning and preparing for the future.

Call to Order & Pledge of Allegiance

The meeting was called to order at 4:00 PM.

Roll Call

PRESENT

Vice Chair Bob Dalton
Committee Member Dr. Larry Horton
Committee Member Wanda Jones
Committee Member Dick Knowles
Committee Member Shirley Schumacher

ABSENT

Chair Kelsey Ann Wray
Committee Member Michael Grenz

COUNCIL

Councilor Ken Bronson, Council Liaison

STAFF

Jason Ogden, City Manager / Police Chief
Cecily Hope Pretty, Deputy City Manager
Adam Leisinger, Special Projects Manager

GUESTS

Dr. Jeannie Davis, Western University

Approval of Minutes

- a) 2025-11-19 Community Health Committee Meeting Minutes

Committee Member Horton moved to approve the minutes of the November 19, 2025 Community Health Committee meeting. Committee Member Knowles seconded the motion. The motion carried by the following vote:

AYE: Dalton, Horton, Jones, Knowles, Schumacher

NAY: None

ABSENT: Grenz, Wray

Recognition of Visitors / Public Comment

There were no visitors to be heard.

Community Partner Presentations

- a) Western University – Dr. Jeannie Davis

Vice Chair Dalton invited Dr. Davis to speak.

Dr. Davis stated that she had been with the medical school for more than 15 years and had always worked with people who were provided with information to be able to act as a patient with an assigned condition and provide a practice environment for students to interact with them. She noted that the focus was shifting to working with patients with lived experience with certain conditions. She highlighted that medical providers in rural communities in particular were exposed to all manner of patients. She invited community members with cerebral palsy and/or intellectual and developmental disabilities to sign up to attend a workshop at Western University to interact with students. She noted the focus on communication with patients in addition to caring for them.

Vice Chair Dalton asked of the desired outcome for the data gathered through the program. Dr. Davis stated that the goal was to use it to inform future curriculum development.

Discussion ensued regarding bringing the pilot program to Sweet Home in the future.

No action was required for this item.

Old Business

- a) Samaritan Health Labor & Delivery Update

Deputy City Manager Pretty shared a recent press release from Samaritan Health regarding the suspension of labor and delivery services due to workforce shortages.

No action was required for this item.

- b) Communication Board Update

Deputy City Manager Pretty stated that \$875 had been raised to date with \$1,625 remaining. Discussion ensued on opportunities to raise additional funds.

No action was required for this item.

New Business

- a) Community Outreach

Vice Chair Dalton encouraged the Committee to look for opportunities for more public interaction and education.

Committee Member Horton highlighted Committee Member Jones' connecting of Linn County's suicide prevention program to the Rotary Club to generate interest and community connections.

Committee Member Schumacher expressed support for bringing additional awareness regarding emergency preparedness.

No action was required for this item.

- b) City Council Goals/Committee Goal-Setting

Vice Chair Dalton asked of the timeline for City Council goal-setting. City Manager Ogden stated that goal-setting would begin at the end of February.

Vice Chair Dalton stated that he asked Committee Members for their input regarding what a healthy community looks like and utilize that to inform Council's potential goals.

Deputy City Manager Pretty encouraged the Committee to attend the next regular City Council meeting's Public Comment period to advocate for their desired goals before the Council's goal-setting process begins.

No action was required for this item.

- c) City Council Presentations

This item was addressed with previous new business. No action was required for this item.

Committee Business for the Good of the Order

Suicide Prevention Training

Vice Chair Dalton stated that there was an upcoming suicide prevention training with details in the Committee packet. He noted that he requested input from the Committee on their accomplishments and potential future goals.

Deputy City Manager Pretty stated that the Sweet Home Public Library would host suicide prevention training on March 9, 2026 sponsored by Linn County Health Services. She noted that registration is required. She added that staff was working on a grant application to install a fitness park next to City Hall and requested the Committee's support.

Adjournment

There being no further discussion, the meeting was adjourned at 4:52 PM.

Chair

ATTEST:

City Manager – Ex Officio City Recorder



CITY OF SWEET HOME PARKS & TREE COMMITTEE MINUTES

January 21, 2026, 8:30 AM
3225 Main Street, Sweet Home, OR 97386

WIFI Passcode: guestwifi

PLEASE silence all cell phones – Anyone who wishes to speak, please sign in.

Mission Statement

The City of Sweet Home will work to build an economically strong community with an efficient and effective local government that will provide infrastructure and essential services to the citizens we serve. As efficient stewards of the valuable assets available, we will be responsive to the community while planning and preparing for the future.

The meeting was called to order at 8:33 AM

Roll Call of Park and Tree Committee Members:

PRESENT

Member Matthew Bechtel
Vice Chair Lena Tucker
Member Nancy Patton
Member Melanie Jones
Member Scott Swanson
Councilor Aaron Hegge
Member Debra Northern (8:39)

STAFF

Angela Clegg, Planning & Building Manager
Dominic Valloni, Public Works Operations Manager
Sean Hegge, Crew Lead: Facilities and Parks
Adam Leisinger, Special Projects Manager

GUESTS

Candy Snyder, Beautification Committee

Time Reports None

Meeting Minutes

2025-11-19 Park & Tree Committee Meeting Minutes

A motion to approve the 2025-11-19 Park & Tree Committee Meeting Minutes was made by Member Jones and seconded by Member Bechtel. The motion carried by the following vote:

AYE: Member Bechtel, Vice Chair Tucker, Member Patton, Member Jones, Member Swanson

NAY: None

ABSENT: Member Northern (arrived at 8:39 AM)

Public Comment. None

Beautification Committee Update

Candy Snyder provided a report to the Committee. Candy highlighted the lollipop planter project and those involved making it happen. Candy turned her volunteer hours sheet to Manager Clegg.

Manager Valloni provided additional information on the metal fish being made by the high school that will be installed in the median.

Committee Member Bechtel stated that he thought the lollipop planters looked great. He suggested that they be painted with metallic paint next year.

Vice Chair Tucker stated that she was pleased that there was very little damage to the lollipops. She then asked Candy if the beautification committee needed any help in the next month. Candy stated that the Committee will start meeting and weeding again in March. Candy's priority is to get the flowers order for the median and the hanging planters.

Member Patton asked if the pots that were used for the lollipops could be used again and put flowers in them. Candy stated that it will be difficult because the lollipops are secured with concrete and have pea gravel on top. Manager Clegg stated that the difficulty having flowers in them is the watering through the summer. Having businesses assistance has not been successful in the past. Vice Chair suggested an 'adopt a flower pot' program in the future.

Old Business

Arbor Day / Bloom & Brews: April 25th at Sankey Park

Manager Clegg provided a copy of the flyer to the Park & Tree Committee members. Clegg stated that the Committee will still oversee their Arbor Day booth and will still give the proclamation as required by Tree City USA program. The Arbor Day booth will be a part of the full celebration, but City Staff will coordinate the remainder of the event.

Vice Chair Tucker reminded the Committee that they will be planting the trees in the winter and not on the day of the celebration. Manager Clegg confirmed that the Tree City USA committee approved of that.

Sankey Park Phase III

Manager Clegg stated that the grant extension has been approved, and the completion date goal is June 30th. Clegg informed the committee that they are currently working on the construction contracts, and as soon as those are approved and signed construction activity should start.

Vice Chair Tucker asked which section will start first, the trail or the bandstand. Manager Clegg stated that she is unsure, it will depend on weather and which section is ready to move forward. Vice Chair Tucker asked about doing a celebration for the project. Manager Clegg stated that the goal is to combine the completion celebration with the 4th of July celebration that is being planned. Vice Chair Tucker asked about doing a groundbreaking for the project. Manager Clegg said she can suggest that to Management. A groundbreaking was done when the playground was constructed.

Member Bechtel asked if the bridge would remain closed during construction. Member Clegg stated that the bridge will remain closed unless there are events in the park that require the bridge to be open. Because of vandalism staff decided to keep the bridge closed permanently.

New Business

Fiscal Year 2026-2027 Project Priorities

The Park and Tree Committee was tasked with making a list of their fiscal year 2026-2027 priority projects and then narrowing down their list for recommendations to City Council. The Committee discussed each item on the list prior to making their recommendations. Staff will then forward their

recommendations for consideration by the City Council. The priorities and recommendations are as follows:

FY26-27 Project Priorities

- Brainstorming Session:
 - Strawberry Park
 - Weddle Bridge
 - Park Maintenance
 - Quarry Park
 - Splash Pad
 - Trail System Connectivity
 - Northside Park ADA Access
 - Northside Park sport courts and playground
 - Emerald Ash Borer (EAB)
 - Skate Park
 - Hobart Park

Fiscal Year 2026-2027 priorities to recommend to City Council:

- Northside Park sport courts and playground
- Strawberry Park
- Weddle Bridge
- Trails
- Quarry Park
- Upper Sankey Park
- Creating a park on the east side of Sweet Home

Tree Planting

Manager Clegg informed the Committee that there will be a planting on February 5th and 6th for the project on the north side of Ames Creek behind the Boys & Girls Club. This project is in partnership with the South Santiam Watershed Council (SSWC) and they could use volunteers for the planting. Vice Chair Tucker asked what type of plants would be going in. Crew Lead Hegge stated that they will be planting native shrubs along the creek outside of the covered weed barrier area. Manager Valloni stated that they are planting approximately 2,500 shrubs. Manager Clegg will inform the committee when a start time has been chosen. Manager Valloni stated that there will be students from the high school that will be assisting with the planting. Member Patton asked if there would be shovels available. Manager Valloni stated that members would need to bring their own shovels if they chose to volunteer.

Round Table Discussions

Member Patton discussed photographs she had provided to staff of a bridge in Stayton. Manager Clegg explained that the Stayton bridge is a different bridge type than Weddle Bridge, and therefore the City would not be able to replicate Stayton's approach. She also noted that if Weddle Bridge receives a historic designation, the City may be limited in the type of construction allowed. Manager Clegg stated that staff can further review the process as the designation effort moves forward. Manager Leisinger reported that he contacted Lincoln County and learned that many of their bridges remain open to traffic, which allows them to receive assistance from ODOT. He added that many of those bridges are modern structures with a historic-style façade, an option that would not be permitted if Weddle Bridge is designated as historic. Manager Leisinger also described the specific bridge type classification of Weddle Bridge. Manager Clegg explained that the purpose of pursuing historic designation is to help identify potential funding sources. Because Weddle Bridge is no longer used for transportation, it does not qualify for ODOT funding, and staff will need to research alternative funding options.

Manager Clegg informed the Committee that Sweet Home was awarded Tree City USA designation again. It is the 39th year of being awarded.

Member Bechtel asked if the budget and finance committee came up with extra funding could they move forward with the 42nd and Osage park. Manager Clegg explained the reasons why that project was put on hold. She explained that besides playground equipment, infrastructure for bathrooms, sidewalks, and parking will need to be constructed. The infrastructure costs are what the City can't afford at this time.

Vice Chair Tucker asked if they could still have plant and tree giveaways at their Arbor Day booth. Manager Clegg said they could.

Member Patton asked how the Blooms and Brews Festival came about. Manager Leisinger described the process for deciding on events in the City. With the conclusion of the Jamboree the City is looking at events to bring people to Sweet Home. There were further discussions about past events.

Adjournment

The meeting was adjourned at 10:00 AM



CITY OF SWEET HOME PLANNING COMMISSION MINUTES

January 15, 2026, 6:30 PM
Sweet Home City Hall, 3225 Main Street
Sweet Home, OR 97386

WIFI Passcode: guestwifi

PLEASE silence all cell phones – Anyone who wishes to speak, please sign in.

Call to Order and Pledge of Allegiance

The meeting was called to order at 6:34 PM

Roll Call of Commissioners

PRESENT

Commissioner Brandy Wysong-Frick
Commissioner Henry Wolthuis
Vice Chair Jamie Melcher
Commissioner Nancy White

ABSENT

Chairperson Laura Wood
Commissioner Joe Graybill

STAFF

Angela Clegg, Planning and Building Manager
Ray Grundy, Planning & Building Permit Technician
Adam Leisinger, Special Projects Manager

GUESTS

Sudip Lamichhane, 4824 Hwy 20, Sweet Home, 97386

Public Comment.

No comments were made.

Meeting Minutes:

a) 2025-09-18 Planning Commission Meeting Minutes

Vice Chair Melcher stated that the motion should read as "A motion to recommend city council to approve application ZMA25-01."

Commissioner White made a motion to approve the amended meeting minutes of September 18, 2025, and Commissioner Wolthuis seconded it. The motion carried by the following vote:

Voting Yea: Commissioner Wysong-Frick, Commissioner Wolthuis, Vice Chair Melcher,
Commissioner White

Voting Nay: None

Absent: Commissioner Graybill, Chairperson Wood

Chair and Vice Chair Elections

Manager Clegg asked commissioners what their preference was for voting on chair and vice chair. They were advised of the options to take a vote during the current session or wait to have a full commission before the votes were cast. All commissioners were in favor of waiting for a full commission with all commissioners present to vote.

Public Hearings

Conditional Use Application CU25-02 Staff Report

The Public Hearing was opened at 6:37 PM

Vice Chair Melcher asked the commissioners if they had any personal biases, conflicts of interest, or ex parte information. All commissioners answered no.

Manager Clegg presented the staff report to the Commission. The applicant is requesting a conditional use permit to construct a fuel station containing two (2) gasoline pumps and one underground fuel storage tank in the south parking lot of the Hilltop Market, north of Highway 20. The applicant is applying for Conditional Use per SHMC 17.20.040 (I): Other uses compatible with the purpose and intent of the zone, and whose off-site impacts would not significantly exceed those of the other conditionally permitted uses listed in this section. Tax Lot 1900 contains approximately 23,522 square feet (0.54 acres) and is located in the Commercial Highway (C-2) zone. Based on a review of the FEMA flood insurance rate map, Panel 41043C0916G, dated September 29, 2010, the subject property is not in the Special Flood Hazard Area. Based on a review of the Statewide Wetlands Inventory and a review of the National Wetlands Inventory Map, the subject property does not contain inventoried wetlands. The subject property has frontage on Highway 20. The subject property has city water and sewer services.

The purpose of the C-2 zone is to provide areas suitable and desirable for highway-related commercial enterprises intended to meet the business needs of area residents and highway travelers. The C-2 zone is appropriate in areas along or near U.S. Highway 20 east and west of downtown Sweet Home that have developed with commercial activities or that have potential for such activity as long as sufficient vehicular access control is maintained. The proposed use shall be required to comply with the development standards set forth in SHMC Chapter 17.20.060. Staff find that the proposed fuel station meets the applicable development standards and is compatible with the purpose and intent of the Commercial Highway Zone.

Unless otherwise specified by this Development Code, the following minimum dimensional standards apply to all development within the C-2 (Commercial Highway) zone. There is no minimum lot area or minimum lot width. Required setbacks in the C-2 zone are as follows: a 20-foot front yard setback, a 0-foot interior side yard setback, a 20-foot street side yard setback, and a 0-foot rear yard setback. Where a side or rear yard is a residential zone, a minimum 10-foot setback is required. The maximum allowed structure height is 35 feet, and the maximum lot coverage is 100 percent. Most fuel stations within the Sweet Home city limits include convenience or mini mart uses, and the proposed development is consistent with this pattern. Additionally, there are no fuel stations located on the east end of Sweet Home, making this an appropriate and desirable location for the proposed use. Staff find that the site's size, shape, location, topography, existing improvements, and natural features are adequate to accommodate the proposed use.

The proposed development is considered timely, as adequate transportation systems, public facilities, and public services currently exist or are planned to serve the subject site. The property is located within the C-2 (Commercial Highway) zone along U.S. Highway 20, an area specifically intended to accommodate highway-oriented commercial uses with sufficient vehicular access. The proposed fuel station is located within the existing parking area of an established commercial use and will utilize existing access, circulation, and infrastructure.

The subject property abuts Commercial Highway properties on all sides. There are multi-family residential units to the northeast of the property but not directly abutting the subject property. The

proposed use is compatible with the surrounding development and will not alter the character of the area or interfere with the continued use of neighboring properties.

Staff have not identified any negative impacts on adjacent properties. To ensure compliance with the standards listed in the SHMC, staff have included proposed conditions of approval that are listed in Section IV of this report.

This provision of the SHMC allows the Planning Commission to impose conditions of approval. This is an opportunity for the Planning Commission to determine if conditions are needed to ensure compliance with the "decision criteria as well as the best interests of the surrounding properties, the neighborhood, and the city as a whole. To ensure compliance with the standards listed in the SHMC, staff have included proposed conditions of approval listed in Section IV of this report. These conditions are primarily a customized list of existing local, state, and federal standards that apply to the application.

If the Planning Commission approves this application, staff recommend that the conditions of approval listed below be required in order to ensure that the application is consistent with the findings in the Review and Decision Criteria (Section III) and as required by the Sweet Home Municipal Code and other provisions of law. Appeals to the Land Use Board of Appeals (LUBA) may only be based on Review and Decision Criteria contained in Section III.

Recommended Conditions of Approval for CU25-02: The applicant/property owner shall show safe and adequate vehicular access on the building permit site plan. The applicant/property owner shall demonstrate that their development meets fire code, environmental and hazardous materials standards.³ The applicant/property owner shall obtain and comply with all applicable local, state, and federal permits and requirements. Copies of all required permits and licenses shall be submitted to the Sweet Home Community and Economic Development Department for inclusion in the record for CU25-02.

PLANNING COMMISSION ACTION: In acting on a Conditional Use permit application, the Planning Commission will hold a public hearing at which it may either approve or deny the application. If the application is denied, the action must be based on the applicable review and decision criteria. If approved, the Planning Commission may impose conditions of approval. Staff's recommended conditions are included in Section IV.

Appeal Period: Pursuant to ORS 227.175, the Planning Commission may establish an appeal period of not less than 12 days from the date the written notice of the Planning Commission's decision is mailed. Staff's recommendation is that the Planning Commission's decision on this matter be subject to a **12-day appeal period** from the date that the notice of decision is mailed.

Order: After the Planning Commission decides, staff recommend that the Planning Commission direct staff to prepare an order that is signed by the Chairperson of the Planning Commission. The Order would memorialize the decision and provide the official list of conditions (if any) that apply to the approval if the application is approved.

Motion: After opening the public hearing and receiving testimony, the Planning Commission's options include the following:

1. Move to approve Application CU25-02
2. Move to deny Application CU25-02
3. Move to continue the public hearing.
4. Other

Manager Clegg closed the staff report presentation and asked if the planning commissioners had any questions.

Questions from Commissioners:

Commissioner Wysong-Frick asked about the layout of the pumps, and if they will be more geared towards servicing trucks and boats. Commissioner Wysong-Frick shared Commissioner Wolthuis's concerns of property access.

Commissioner Wolthuis expressed concern about the gas station's access through the Spoleto's parking lot, citing potential infringement on their property. Manager Clegg clarified it was all owned by the same person.

Commissioner White inquired about potential interference with the laundromat.

Vice Chair Melcher inquired about the required setbacks for the fuel pumps, and the traffic pattern assigned for the pumps.

Applicant Testimony:

Mr. Lamichhane opened with an introduction of himself. He stated that he has been in Sweet Home for 7 years, moving here from California. He owns two businesses: Foster Lake Market and Hilltop Market. He stated that residents have expressed a strong desire for a fuel station on that side of town and often inquire about his plans for its installation.

Additional Questions from the Commissioners:

Commissioner Wysong-Frick asked about letters and notices being sent out, and if any were returned. Manager Clegg assured her that they were sent to properties within a 300-foot radius; none were returned.

Commissioner Wolthuis asked about ownership of the property; the applicant clarified that it is owned by him. Commissioner Wolthuis added that he has no problems with it and will be voting for it.

Testimony in Favor: None

Testimony in Opposition: None

Neutral Testimony: None

Public hearing was closed at 6:50 PM

Discussion of the Commissioners:

Commissioner White said that coming off of the pass with her motor home to find a gas station that offers access to her motor home can sometimes be a problem and would be nice to have a gas station with easy access in and out.

Commissioner Wysong-Frick stated that she was surprised that it was never thought about before and noted that there isn't a gas station on that side of town. She also noted the number of subdivisions and housing going in on the east side of town that could benefit from it.

Vice Chair Melcher stated the benefits it would have for summer recreation at the lake, and the convenience of being able to get gas without driving all the way into town.

All commissioners concur that the construction of this gas station would be advantageous to the community on that side of town.

A motion to approve Application CU25-02 was made by Commissioner White and was seconded by Commissioner Wolthuis. The motion carried by the following vote:

Voting Yea: Commissioner Wysong-Frick, Commissioner Wolthuis, Vice Chair Melcher, Commissioner White, and Commissioner Graybill.

Voting Nay: None

Absent: Commissioner Graybill, Chairperson Wood

Application CU25-03

Opened at 6:56 PM

Manager Clegg informed the Commission that she had received an email from the applicant on January 14, 2026 asking to withdraw the application.

Closed at 6:57 PM

Application CU25-04

Opened at 6:58

Manager Clegg informed the Commission that she had received an email from the applicant on January 14, 2026 asking to withdraw the application.

Closed at 6:58

Staff Updates:

Manager Clegg introduced her new Planning & Building Permit Technician, Ray Grundy, and gave an update that the city now has an engineering technician, and the Community and Economic Development is now fully staffed.

Manager Clegg shared that the department is working on a few subdivisions and has a lot of duplexes it is taking in. She added that HB458 has made duplexes very popular.

Manager Clegg referred to the zone changes made previously for potential multi-family units that could commence in the near future.

Planning Commission Business

None.

Adjournment

The meeting was adjourned at 7:01 PM

Jamie Melcher, Vice Chair
Sweet Home Planning Commission

Respectfully submitted by Ray Grundy, Planning & Building Permit Technician

Work Plan

Approved at the December 18, 2025 CWACT Meeting

Cascades West Area Commission on Transportation

2026-2027

Introduction

Area Commissions on Transportation (ACTs) offer venues to discuss regional transportation issues and provide input to the Oregon Transportation Commission (OTC) to inform their decisions. Per the [OTC ACT Policy on Formation and Operation](#), each ACT is expected to prepare a two-year Work Plan that identifies their areas of interest and priorities. Doing so is intended to help focus the work of each ACT and clarify how the group will engage and inform regional and statewide issues. The Work Plan is pre-populated with statewide items that the OTC and ODOT have identified will benefit from ACT engagement. Within this Work Plan the ACT should identify the topics to be covered over the next two years, recognizing things will arise that will require ACT attention that are not yet anticipated. Any identified topic should have a transportation nexus and be tailored to the ACTs ability to contribute or influence.

The Cascades West Area Commission on Transportation (CWACT) received its charter (*Appendix 1*) from the Oregon Transportation Commission in October 1998. For nearly a decade prior to this date the Transportation Advisory Committee of Oregon Cascades West Council of Governments (OCWCOG) served in many respects as an Area Commission on Transportation, providing a forum for regional transportation dialogue, coordination, and decision-making. The CWACT continues to operate as a standing commission of the Oregon Cascades West Council of Governments, wherein the OCWCOG Board of Directors appoints CWACT members annually.

The Cascades West Area Commission on Transportation operates under the following mission statement:

The concerns of the Cascades West Area Commission on Transportation (CWACT) shall include issues that affect the regional transportation system and its links to areas beyond the region. The Commission recognizes that developing and improving the transportation system is a long-term process. Therefore, CWACT strives to build and sustain the consensus and support for project priorities, plans and policies that benefit the region's transportation system.

This work plan summarizes the approach of the CWACT to advance its mission over the work plan period.

ACT Officers (2025)

Pat Malone, Benton County Commissioner, Chair

Walter Chuck, Lincoln County Commissioner, Chair-Elect

ACT Officers (2026)

Walter Chuck, Lincoln County Commissioner, Chair

Roger Nyquist, Linn County Commissioner, Chair-Elect

ACT Officers (2027)

Linn County Commissioner, Chair

Benton County Commissioner, Chair-Elect

Membership and Organization

Each public jurisdiction within the three counties is eligible to participate as a CWACT member. The current voting membership includes up to twenty cities, three counties, two port districts, an intermodal facility, and the Confederated Tribes of Siletz Indians. Representatives of jurisdictions are elected officials and alternates may be local jurisdiction staff members. Additionally, each county can appoint two private sector members and the current representatives have substantial backgrounds in private business, transit, bike/ped, rail, freight and ports. The ODOT Area Manager also serves as a voting member. Any transit or transportation district within the three counties can appoint a voting member as well.

Ex officio (non-voting) members include all state legislators that represent portions of the three counties, the Oregon Coastal Zone Management Association, a staff member of the Corvallis Area Metropolitan Planning Organization, a staff member of the Albany Area Metropolitan Planning Organization and the Chairs of the Cascades West Senior Services Advisory Council and the Cascades West Disability Services Council. Additionally, a member of the Mid-Willamette Valley ACT (MWACT) serves as an ex-officio member, and a CWACT member serves as an ex-officio member of MWACT.

The organizational structure is outlined in the attached Bylaws that were adopted in April, 1999, and amended in 2001, January 2005, and April 2023. CWACT jurisdictions believe its current membership broadly and accurately represent the integrated transportation interests in the three-county area. Refer to *Appendix 2* for a list of full committee members and their affiliation.

CWACT has a written protocol with the Albany Area Metropolitan Planning Organization (MPO) and the Corvallis Area MPO to ensure coordinated efforts.

Public Involvement

CWACT members encourage and support stakeholder participation and public involvement in regional transportation items. As indicated in its Bylaws, CWACT encourages and supports public involvement by implementing the methods outlined in the attached Policy on Formation and Operation of Area Commissions on Transportation, adopted by the Oregon Transportation Commission on June 13, 2003. The Cascades West Area Commission on Transportation uses videoconferencing technology for its bimonthly meetings. With the large size of the CWACT region videoconferencing allows the public to be involved in meetings without the need to travel long distances.

Refer to *Appendix 3* for more details on the public involvement process.

Interest Areas and Priorities

Appendices 4 & 5 provide a regional list of prior interest areas gathered during a Technical Advisory Committee brainstorming on June 15th, 2021 and a summarized priorities memo from the October 24th, 2024 full commission meeting. These may be summarized as shown below along with the associated two-year goals.

CWACT Interest Areas and Priorities:

- Bring funding and attention to Cascades West Region to improve the transportation system and benefit our members (Goals 1, 3 and 4)
- Emphasize priority corridors to improve safety between key destinations (Goals 1-4)
- Emphasize regional transit connections and work to connect major destinations (Large Employers, airports, transit centers, etc.) in the Cascades West region with frequent and reliable service (Goals 1-4)
- Emphasize regional multi-modal network connections and work to connect major destinations in the Cascade West Region with safe off-street options (Goals 1-4)
- Address growing popularity of the coast as a destination and the subsequent transportation challenges it brings including congestion and evacuation planning (Goals 1 and 4)
- Improve coordination between the ACT and DLCD. Land use and transportation are interconnected and better coordination is needed (Goals 1 and 4)

Two-Year Goals and Initiatives

Goals relate to the ACT priorities articulated above and have related outcomes.

Goal 1: Have more influence over ODOT project selection in the Cascades West Region

Goal 2: Maintain a regional project priority list

Goal 3: Reinforce Oregon Transportation Commission feedback loop when CWACT input is requested

Goal 4: Leverage state and federal funding opportunities to support local efforts to apply for priority projects

Meeting Topic Plan

CWACT expects to cover and discuss the following statewide topics:

- STIP/CIP funding
 - 2024-2027 current projects
 - 2027-2030 STIP development: This phase will focus on introducing the public to the STIP and the funding constraints for the 2027-2030 STIP. ODOT seeking ACT input on funding priorities.
 - Capital Investment Plan
- Grant opportunities

- Federal
 - Federal Lands Access Program
- State
 - Connect Oregon (expected in 2026)
 - Oregon Community Paths
 - Safe Routes to School Grants
 - Statewide Transportation Improvement Fund
- Policy & planning updates
 - Oregon Highway Plan (ACT engagement in this plan update to begin in 2024)
- Issues of statewide interest (e.g., revenue and funding discussions)
- Identify regional funding needs and priorities
 - See ACT Priorities topic above
- Equity and transportation
 - Engage diverse voices
 - Consider equity in transportation plans, projects, and processes
- Emerging Issues
 - Vehicle electrification, micro-mobility, etc.

Calendar Plan

Meeting	Primary Topics	Secondary Topics
Holiday 2025	- CIP Funding Priorities - Regional Funding needs and priorities	CWACT Region Construction Update
February 2026	- Member Orientation - Membership Updates - CIP/STIP - Work Plan	HB 2154 - County Designated Safety Corridors
April 2026	- Grant Opportunities (Connect Oregon) - Oregon Highway Plan	
June 2026	- Revenue and Funding Discussions - Membership Updates	Emerging Issues – Micro-mobility
August 2026 (Optional summer recess)	n/a	n/a
October 2026	Grant Opportunities (Connect Oregon & Oregon Community Paths)	

Meeting	Primary Topics	Secondary Topics
Holiday 2026 (Tentative)	Revenue and Funding Discussions	CWACT Region Construction Update
February 2027	- Member Orientation - Membership Updates - Grant Opportunities	Transportation Policy Changes
April 2027	Oregon Highway Plan	- Transportation Plans Updates (as needed) - Regional Funding Needs and Priorities
June 2027	Revenue and Funding Discussions	
August 2027 (Optional summer recess)	n/a	n/a
October 2027	Grant Opportunities	Transportation Policy Changes

Appendices

Appendix 1: Charter Letter



Oregon
John A. Fitzhugh, M.D., Governor

Oregon Transportation Commission
355 Capitol St. NE
Salem, OR 97310

October 14, 1998

FILE CODE:

Grace Crunican, Director
Oregon Department of Transportation
135 Transportation Building
Salem, OR 97310

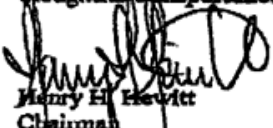
Authorization of Initial Charter for the Cascades West Area Commission on Transportation

The Oregon Transportation Commission (OTC) has considered the proposal for formation of the Cascades West Area Commission on Transportation and has reviewed the initial charter offered for this area commission. The Cascades West Area Commission on Transportation is granted on initial charter authorizing the formation and operation of the area commission.

The charter recognizes the Cascades West Area Commission on Transportation as an official advisory body to the OTC on transportation issues within and affecting the Benton, Linn, and Lincoln county area of Oregon. The charter is subject to the following provisions:

- The charter is effective through June 2000 and is subject to renewal for subsequent periods of time upon approval of the OTC;
- The area commission will make periodic progress reports to the OTC on its formation and work;
- The area commission is authorized to perform all of the functions recommended by the State Advisory Committee of the Oregon Transportation Initiative.

The Oregon Transportation Commission commends the leaders of the Cascades West for their willingness to partner with us in planning and developing a safe and efficient transportation system for our citizens. We look forward to our work together as we strive to enhance Oregon's livability and economic opportunities through thoughtful transportation investments.


Henry H. Hewitt
Chairman

Cc: Oregon Transportation Commission Members
Gary Johnson
Dave Bishop → Bob P. Sims

Appendix 2: Full Commission Members (As of December 18th, 2025)

First	Last	Represents
Rob	Emmons	City of Albany
Christine	Van Drimmelen	City of Albany
Ava	Olson	City of Corvallis
Rory	Rowan	City of Corvallis
Kathy	Short	City of Depoe Bay
Ron	Whitlatch	City of Lebanon
Dominic	Conti	City of Lebanon
Rick	Mark	City of Lincoln City
Mitch	Parson	City of Lincoln City
Mike	Hickam	City of Millersburg
Mark	Raum	City of Millersburg
Lisa	Lindner	City of Monroe
Jeanni	Cuthbertson	City of Monroe
Derrick	Tokos	City of Newport
Jan	Kaplan	City of Newport
Rich	Saalsaa	City of Philomath
Jessica	Andrade	City of Philomath
Angelita	Sanchez	City of Sweet Home
Ken	Bronson	City of Sweet Home
Joe	Samaniego	City of Tangent
Frank	Silvia	City of Toledo
Jerry	Townsend	City of Waldport
Greg	Dunn	City of Waldport
Barry	Collins	City of Yachats
Catherine	Whitten-Carey	City of Yachats
Pam	Barlow-Lind	Confederated Tribes of Siletz Indians
Robert	Kentta	Confederated Tribes of Siletz Indians
Gary	Stockhoff	County- Benton
Pat	Malone	County- Benton
Sarah	Bronstein	County- Benton - Private Sector
Walter	Chuck	County- Lincoln
Sherrie	Springer	County- Linn
Roger	Nyquist	County- Linn
Janet	Steele	County- Linn - Private Sector
Gil	Sylvia	Port of Newport
Jeff	Lackey	Port of Newport
Christine	Hildebrant	ODOT
James	Feldmann	ODOT

Appendix 3: Public Involvement

Public Involvement

ACT meetings will comply with the meetings of the Oregon Public Meetings Laws, ORS 192.610 to 192.690. "Meeting" means the convening of a governing body of a public body for which a quorum is required to make a decision or deliberate toward a decision on any matter." ORS 192.610(5). Meetings include information-gathering sessions, working lunches and electronic meetings. All ACT meetings will be open to public attendance and any members of the public may attend any meeting of the ACT.

A. MINIMUM REQUIREMENTS FOR REGULARLY SCHEDULED MEETINGS

The Act will conduct all meetings in accordance with the following minimum requirements and will strive to meet the preferred standards. The regular meeting requirements will be supplemented with the methods found in Table 1 if the meeting falls into the following additional categories:

Developing project priorities for Draft STIP using approved criteria.

Draft STIP public hearing.

Special meetings.

Electronic meetings.

Meeting Notice

- Advance notice to interested persons and stakeholder groups on ACT mailing list and to new media which have requested notice.
- Notices must include time, place, agenda (principal subjects) and name of person and telephone number (including TTY number) at the public body to contact to make a request for an interpreter for the hearing impaired or for other communication aids.
- A good faith effort must be made to provide an interpreter for hearing-impaired persons on receipt of proper notice. ORS 192.630(5).

Meeting Materials

- For decision items, distribute information to everyone in attendance at the meeting.
- Provide time on the agenda for general public comment.

Meeting Schedule

- If regularly scheduled meetings are not possible, the minimum standard is to provide extra public notification by following the Preferred method of meeting notification.

Meeting Location

- Meets accessibility requirements of the Americans with Disabilities Act (ADA).
- No meeting may be held in buildings where discrimination (race, sex, age, national origin, color, creed, disability) is practiced. ORS 192.630(3).
- Generally held within the geographic boundaries of the ACT's jurisdiction. Training sessions may be held anywhere.
- Contains adequate seating facilities to encourage attendance by the general public.

Meeting Minutes – Minutes shall be prepared for all ACT meetings. Minutes must include at least:

- Members present.
- All motions, proposals and resolutions proposals, and their dispositions.

- Results of all votes/decisions. Secret ballots prohibited.
- Substance of all discussion.
- Reference of all documents discussed (confidentiality of records exempt from disclosure may be protected).
- After each ACT meeting the ACT shall prepare and distribute the minutes prior to the next ACT meeting.
- As appropriate to the Area, meeting minutes shall be provided in languages other than English.⁷
- Minutes must be preserved for a reasonable time.

B. PREFERRED STANDARD FOR REGULAR MEETINGS

In addition to the minimum requirements, the preferred standard for regular meetings includes:

Meeting Notice

- One week advance notice.
- Notices posted at local public institutions (city hall, library, community center, etc.).
- Notices posted on ACT website, along with links to meeting agendas, past meeting minutes, technical materials and documentation.

Meeting Materials

- Provide advance agenda one week prior to the meeting, either on the ACT website or through the mail.
- For decision items, provide technical materials and supporting documentation one week prior to the ACT meeting. Materials can be distributed through the ACT website and/or through the mail.
- Provide copies of all correspondence received prior to the meeting to the ACT members and the public attending the meeting.

Meeting Schedule

- Regular schedule (e.g., meetings at 1:00 p.m. on the last Thursday of each month).

Meeting Location

- Easily accessible by public transportation.

Meeting Minutes

- Post minutes from the meeting on the ACT website.

C. EXECUTIVE SESSIONS

The responsibilities of the ACT do not include work permitted in an executive session (ORS 192.660).

D. CONTROL OF MEETINGS

- The presiding officer has inherent authority to keep order at meetings – can “reasonably” regulate the use of cameras and tape recorders.
- No smoking is permitted at any meeting of the ACT.

E. ROLES AND RESPONSIBILITIES

Roles and responsibilities of parties engaged in public involvement activities on behalf of ACT will be designated in the joint agreement identified in Section V.B., Staffing and Financial Support.

F. PUBLIC COMMENT

The public shall be provided opportunities to speak to the merits of the proposals before the ACT and to forward their own proposals. Public commentary may be taken at any time during the ACT meeting. Copies of all correspondence received prior to the meeting shall be available for ACT members and the public at the meeting. The ACT public involvement process shall demonstrate explicit consideration and response to public input during the planning and program development process.

[illegible]

	plus - Minimum 24 hours Notice							
Electronic Requirements apply to all meetings by electronic means (e.g., personal computers)	- Same as Minimum for meeting type listed above. All procedural and formal requirements apply (minutes, notices, etc.). ORS 192.670.	- Same as Preferred for appropriate meeting type listed above.	- Same as Regular Meetings	- Same as Regular Meetings	- Same as Regular Meetings	- Same as Regular Meetings	- Same as Regular Meetings plus - Room with “listening” device	- Same as Regular Meetings

Appendix 4: Regional projects list updated from TAC Brainstorm on June 6th, 2021

Safety	Congestion Mitigation	Bike/Pedestrian	Bridges	Planning
U.S. 20 Intersection safety improvements at Knox Butte Road	I-5 Corridor improvements between Knox Butte and U.S. 20 (Albany, Linn County)	U.S. 20 Shared use path extension from Riverside Drive to Looney Lane (Linn County)	U.S. 20 Railroad bridge replacement at U.S. 20 near 59th Street (Sweet Home, Linn County)	U.S. 20 high capacity transit study (Lincoln, Benton & Linn counties)
U.S. 20 Intersection safety improvements pedestrian/safety improvements from Toledo to Newport (Lincoln County)	I-5 Park & Ride improvements at OR 34, including EV charging (Linn County)	U.S. 20 Shared use path on north side of U.S. 20 from 60th Street to Quartzville Drive (Sweet Home, Linn County)	OR 229 Bridge modification (City of Siletz, Lincoln County)	Corvallis to Sea Trail study
OR 34 Intersection safety improvements at Riverside Drive and Orleans Drive (Benton County)	U.S. 20 Signal improvements in North Albany (Albany, Benton County)	U.S. 20 Corvallis to Albany path, including segment from HP to downtown Corvallis (Benton County)	General bridge/culvert replacement/improvements (Lincoln, Benton & Linn counties)	U.S. 20 Shared use path from North Albany into downtown study (Albany, Linn County)
OR 99W Intersection safety improvements at Granger Avenue (Benton County)	U.S. 20/OR 34 Signal improvements (Corvallis, Benton County)	U.S. 20 enhanced crossings (rectangular rapid flashing beacon) at Benton Street and Eads Street (Newport, Lincoln County)		U.S. 20 Shared use path from Merlo to Rainwater study (Benton County)
U.S. 101 Safety improvements from East Devils Lake Road to Logan Road, also congestion mitigation and bike/ped (Lincoln City, Lincoln County)	U.S. 20 Signal improvements at 1st Avenue and Lyons Street, right turn north onto bridge (Albany, Benton County)	U.S. 20/OR 34 Couplet west segment completion (Philomath, Benton County)		U.S. 101 Yaquina Bay Bridge replacement study (Newport, Lincoln County)

Safety	Congestion Mitigation	Bike/Pedestrian	Bridges	Planning
OR 226 Intersection safety improvement at Richardson Gap Road (Linn County)	OR 99W Signal improvements/added capacity from Circle Boulevard to Elks Drive (Corvallis, Benton County)	OR 99W Shared use path between north Corvallis and Adair Village (Benton County)		Coastal evacuation route improvements, including south of Yaquina Bay to U.S. 20 (Lincoln County)
OR 226 Safety & ADA improvements (Scio, Linn County)		U.S. 101 sidewalk from NW 25th Street to NW 36th Street (Newport, Lincoln County)		Bellfountain Road freight route study (Benton County)
		U.S. 101 enhanced crossings (rectangular rapid flashing beacon) at NW 60th, NW 55th, and NW 31st (Newport, Lincoln County)		Regional EV charging station plan (Lincoln, Benton & Linn counties)
		U.S. 101 Oregon Coast Trail & Oregon Coast Bike Route completion (Lincoln County)		
		U.S. 101 Signal improvements at SE 40th Street with shared use path connection to 35th Street and sidewalk connection to Ferry Street (Newport, Lincoln County)		
		OR 164 Shared use path between Millersburg and Jefferson (Linn County)		

Appendix 5: Updated and prioritized project list from October 24th, 2024 Full Commission meeting

Primary

Project	Type of Project	Notes
Evacuation Routes and Messaging (Lincoln County)	Planning/Implementation	
U.S. 101 Beverly Beach Road Stabilization (Lincoln County)	Scoping/Design/Construction	
U.S. 20/OR 34 Philomath Boulevard Safety and Efficiency Improvements (Benton County)	Design/Construction	SW 15th to SW 53rd improvements identified by CAMPO
I-5 Corridor Improvements/Widening at Millersburg Interchange and U.S. 20 Interchange (Linn County)	Scoping/Design/Construction	Validate previous work and narrow down needs

Secondary

Project	Type of Project	Notes
U.S. 101 Yaquina Bay Bridge Replacement (Lincoln County)	Scoping	
SW 53rd Railroad Underpass (Benton County)	Design/Construction	
Corvallis to Albany Path (Benton County)	Design/Construction	
U.S. 20 Long Term Improvements (Lincoln, Benton, Linn County)	Design/Construction	
U.S. 20 East Junction (Toledo, Lincoln County)	Design/Construction	Road sinking and drainage issues



City of Sweet Home
 Sweet Home Public Library
 1101 13th Avenue
 Sweet Home, OR 97386
 541-367-5007

Sweet Home Public Library

Statistics

January 2026	This month January 2026	Last month December 2025	Previous year 2025	Year to date 2026
Patron Activity				
Door count	4168	3,288	45,306	4168
Program participants (all ages)	259	109	4,414	259
Total programs (all ages)	23	17	322	23
Circulation and Renewals				
Checkouts & renewals	6147	5572	73,684	6147
E-audio & E-book checkouts	952	812	9,233	952
Total items checked out	7099	6,384	82,920	7099
Public Computers				
Logins	315	260	2,932	315
Resource Sharing Savings				
Cost savings	\$5372.66	\$4862.21	\$64,434.93	\$5372.66
Items borrowed by consortium libraries	417	341	4,616	417
Items borrowed from consortium libraries	443	506	5,662	443
Volunteer Hours				
Hours worked by volunteers	62.75	40	401	62.75
New Library Patrons				
New patron cards issued	40	12	449	40

Events this month: Our kids clothing drive/giveaway saw 30+ people stop by to shop. The SmashBros was a fun tween & teen event.

Building updates: The handicap door has had all of the upgrade work done on it (replacement switches and new electrical) and is working great. This was paid for by the Libraries Transforming Communities Grant from ALA. Adaptable art supplies and upgraded ADA signage was also purchased with this grant.

Items of note: Our Little Free Pantry continues to have donations and users everyday. We are still seeing more need than what we have in donations. Our Seed Lending Library opened up on Feb 1st. We have a lot of donations of a wide variety of seeds this year!



Sweet Home Public Library

Newsletter February 2026

February Events

Saturday 2/7 1-3pm

Book Talk with author Chris Patchell

-

Saturday 2/14 1-3pm

Valentine's Day Tea Party - All Ages Welcome

-

Tuesdays 4pm

Lego Creators Club Ages 6+

-

Wednesdays 3pm Afternoon Movie All Ages Welcome

2/4 Inside Out

2/11 Inside Out 2

2/18 Toy Story

2/25 Toy Story 2

-

Thursdays 10am

Baby and Toddler Storytime & Craft

-

Thursdays 11am

Preschooler Storytime & Craft

-

Fridays 9am

Walking Group All Ages Welcome

-

Friday 2/6 6-8pm

Teen Game Night

-

Friday 2/20 6-8pm

Teen Movie Night

Community Read

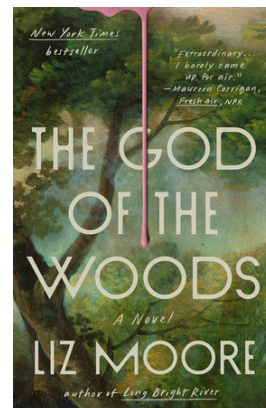
Our Next Community Read is

The God of the Woods

by Liz Moore

After a boy vanishes in the woods, his sister later disappears in the same wilderness. The Van Laar family's dark secrets resurface as questions arise about both mysterious disappearances. This haunting thriller promises to be an immersive read!

Discussion dates to be announced soon. Stop by the Library to pick up your free copy while supplies last.



2025 by the numbers

ITEMS CHECKED OUT

82,920

ITEMS IN THE LIBRARY COLLECTION

31,171

SWEET HOME POPULATION IN 2025

10,265

LIBRARY VISITS IN 2025

NUMBER OF PROGRAMS OFFERED

322

NUMBER OF PROGRAM ATTENDEES

4,414

BUSIEST DAY OF THE WEEK

THURSDAYS

BUSIEST MONTH

APRIL

FIVE MOST POPULAR COLLECTIONS BY CHECKOUTS

MOVIES (21,942)

PICTURE BOOKS (10,239)

E-BOOKS/E-AUDIOBOOKS (9,233)

ADULT FICTION (5,642)

CHILDREN'S FICTION (4,689)



New Books

Groundhog Vs. Cupid by Todd Tarpley

A self-important groundhog is excited for the big day when his shadow (or lack thereof) will decide if winter is over. But he finds himself overlooked as people stock up on candy hearts, write romantic couplets, and hope to be struck by Cupid's arrow! For ages 4-8

Muk 'n' Honey Treehouse Trouble by Brett Bean

Meet Honey Bunny and Muk Muk Moose: the inventor duo who make whimsical creations to help the forest, even if it takes them a few times to get it right! For ages 6-9

Chainsaw Man series by Tatsuki Fujimoto

Denji was a small-time devil hunter just trying to survive in a harsh world. After being killed on a job, he is revived by his pet devil Pochita and becomes something new and dangerous—Chainsaw Man! For ages 15+

Alchemised by SenLinYu

A former alchemist with missing memories fights to survive in a world ruled by necromancers while uncovering secrets hidden within her mind. For dark / romantic fantasy fans

100 Rules for Living to 100 by Dick Van Dyke

Through stories of his pivotal childhood, moments on film sets, his expansive family, and finding love late in life, Dick reflects on both the joyful times and the challenges that shaped him. His indefatigable spirit and positive attitude will surely inspire readers to count the blessings in their own lives, persevere through the hard times, and appreciate the beauty and complexity of being human.

Contact US

shpl@sweethomeor.gov

www.sweethomeor.gov/library

541-367-5007



Staff Spotlight- Fun Facts

Name: Megan Dazey

Position: Library Director

How long have you been at SHPL? 4.5 years

What was your favorite movie of 2025? K-Pop Demon Hunters

What is your hidden talent? Finding items that are in the wrong place in the library!

What was your first job? Pulling tansy from goat pastures

Weirdest food combo you love? Peanut butter and pickle sandwiches

What is your favorite Library program? Our Summer Reading water fights at Sankey Park!

Megan was recently elected Treasurer for the Association of Rural and Small Libraries. The 2025 conference was held in Albuquerque where Walter White and Jessie Pinkman also hang out.



Seed Lending Library

Our Seed Lending Library is now open and ready to hand out seeds!

Stop in and pick out seed packets when you are ready to plant your garden. Please only take what you will use.

Thank you to our generous seed donors:

Adaptive Seeds

A.P. Whaley Seed Company

Territorial Seeds

Lake Valley Seed

Snake River Seeds

Giving Grounds Seeds

Seed Savers Exchange

Sweet Home Farmer's Market

Citizens of Sweet Home





City of Sweet Home
Community and Economic Development Department
3225 Main Street, Sweet Home, OR 97386 541-367-8113

TO: City Council
Jason Ogden, City Manager
Interested Parties
FROM: Angela Clegg, Planning and Building Manager
DATE: February 10, 2026
SUBJECT: Planning, Building & Engineering Department Report – January 2025

The Community and Economic Development Department consist of the City's Building, Planning, Engineering, and Parks and Recreation programs. The following is a summary of activities and notes on current projects from January 1 to January 31, 2025.

1. BUILDING

SUMMARY OF BUILDING PROGRAM PERMITS ISSUED					
Permit Category	January 2026	December 2025	2026 YTD	2025 Total	2021-2025 5 Year Average
Residential 1 and 2 Family Dwellings	3	4	3	26	25
Residential Demolition	5	0	5	8	8
Residential Manufactured Dwellings	0	1	0	5	6.4
Residential Mechanical	12	5	12	83	101
Residential Plumbing	3	1	3	22	24.6
Residential Sign	0	0	0	0	0.2
Residential Site Development	0	0	0	1	0.6
Residential Structural	3	4	3	86	53.2
Commercial Alarm or Suppression Systems	0	0	0	0	3.2
Commercial Demolition	0	0	0	0	2.2
Commercial Mechanical	0	1	0	14	16
Commercial Plumbing	0	1	0	4	7.2
Commercial Phased	0	0	0	2	0.4
Commercial Site Development	0	0	0	0	2
Commercial Structural	2	0	2	17	29.6
Total Permits	28	17	28	268	279.6
Value Estimate of All Permits	\$1,038,185.00	\$1,414,391.00	\$1,038,185.00	\$16,442,382.20	\$18,543,818.64
Fees Collected	\$46,321.14	\$34,847.44	\$46,321.14	\$205,035.76	225,821.32

Developments of note: For your reference, below are some developments of note that were previously reported. Any changes are noted with **bold text**.

There have been no recent developments of note.

2. PLANNING

- Summary of **Final Decisions** on Planning Division Applications:

Application Type	January 2026	December 2025	2026 YTD	2025 Total	2021-2025 5 Year Average
Adjustments	0	0	0	0	0.4
Annexations	0	0	0	0	0.2
Code Amendments	0	0	0	1	1.4
Comp Plan Amendments	0	0	0	0	0.2
Conditional Use	0	0	0	2	5.4
Fence Permit	1	0	1	36	36
Home Occupation	0	0	0	2	0.6
MFU	0	0	0	2	0.4
Partition	0	0	0	11	10.6
Planned Development/ Subdivision	0	0	0	0	1.6
Property Line Adjustments	0	1	0	7	8
Temp RV Permit	1	1	1	1	5
Vacation	0	0	0	0	0
Variance	0	0	0	0	1
Zoning Map Amendment	0	0	0	1	1.2

- Total Planning Division Applications **Submitted**:

Total Applications	6	2	6	26	72
Total Fees Collected	\$1,475.00	\$975.00	\$1,475.00	\$9,055.00	\$14,644.68

- 6 Land Use Application were submitted in January.
- 5 Land Use Applications are pending final approval and 1 was withdrawn.
- The Planning Commission last met for a regular meeting on January 15th.

3. ENGINEERING

Application Type	January 2026	December 2025	2026 YTD	2025 Total	2023-2025 Average
ROW	\$120.00	\$300.00	\$120.00	\$2,520.00	\$1,510.00
SC Inspections	\$100.00	\$220.00	\$100.00	\$2,522.00	\$1,180.67
Erosion Control	0	0	0	\$150.00	\$325.00
Parks SDC	\$5,059.76	\$1,264.94	\$5,059.76	\$27,494.86	\$24,317.86
Sewer SDC	\$18,306.28	\$9,153.14	\$18,306.28	\$118,883.95	\$90,235.33
Storm SDC	\$4,140.56	\$1,035.14	\$4,140.56	\$20,259.48	\$20,065.49
Streets SDC	\$12,413.48	\$3,103.37	\$12,413.48	\$67,023.26	\$70,801.80
Water SDC	\$28,271.68	\$8,317.92	\$28,271.68	\$122,064.23	\$102,437.32
Total	\$68,411.76	\$23,394.51	\$68,411.76	\$360,917.78	\$285,851.32

The Engineering Technician joined the City of Sweet Home in December 2025. Since that time, he has been learning the City's procedures and programs while also taking on a number of responsibilities. Notably, he has:

- Created maps, including an interactive road closure, tax lots, public notice, and updated zoning maps.
- Organized map data and departmental documents and developed internal how-to documentation for staff use.

4. PARKS

- The Park and Tree Committee last met on November 19th. The December meeting was cancelled due to weather.
- Staff applied and received a grant from the Oregon Park and Recreation Department for Phase III of Sankey Park improvements, which will provide trail connections (including ADA access) to the upper portion of the park and seating in the hillside.
 - Staff has tentatively awarded a contractor the bid for the ADA trail and sidewalk portion of the project. Council approval of the final construction contract is anticipated in February 2026.
 - **The extension for the OPRD Grant was approved.**

5. SPECIAL EVENTS, RENTALS, AND MEMBERSHIPS

Application Type	January 2026	December 2025	2026 YTD	2025 Total	2023-2025 Average
Chair & Table Rental	0	0	0	\$250.00	\$300.00
Gazebo Rental	0	0	0	\$800.00	\$671.72
Hut Rental	0	0	0	\$267.50	\$172.52
Racquetball Membership	\$257.00	\$10.00	\$257.00	\$10.00	\$264.08
Weddle Bridge Rental	0	0	0	\$0	\$78.35
Total Fees Collected	\$257.00	\$10.00	\$257.00	\$1,327.50	\$1,486.67

MEMORANDUM



TO: City Council
FROM: Greg Springman, Public Works Consultant
DATE: February 10, 2026
SUBJECT: PW Monthly Report – Dec. 2025 – Jan. 2026

This memorandum provides a brief periodic update of specific projects, Water Treatment Plant (WTP) and Wastewater Treatment Plant (WWTP) operations and maintenance (O&M), and other activities performed by the Public Works Department.

WWTP Activities - Mahler Water Reclamation Facility

December 2025:

- 111.10 million gallons (MG) of wastewater treated this month
- 6.96 MG max daily flow discharged
- 3.58 MG average daily flow discharged

January 2026:

- 79.60 million gallons (MG) of wastewater treated this month
- 4.41 MG max daily flow discharged
- 2.57 MG average daily flow discharged

Compliance:

- Wastewater plant had two sewer system overflows (SSO) in December, 2025. The WWTP process has had “zero” process violations for the last 20 months.
- The City received a Notice of Civil Penalty from DEQ for wastewater discharge violations from the Wastewater Treatment Facility into Ames Creek and South Santiam River between October, 2022 through May, 2024. Staff will met with DEQ to discuss it in detail. DEQ and the City staff agreed to modify the Notice of Penalty. City is waiting for DEQ’s response. The City will have the opportunity to do Supplemental Environmental Project (SEP) in lieu of the fine.

O&M Projects:

- Staff submitted the annual EPA/DEQ Biosolids Report for 2025.
- Staff submitted the annual State Fire Marshal Report.
- Mahler Water Reclamation Facility Project has been fully designed and is waiting for funding. Staff have completed the WIFIA application and submitted the \$25,000 application fee but are waiting for financial documents (completed FY23 Audit and an updated Credit Rating Report for the City). Once the audit is completed, the application will be submitted.

WTP Activities - Sweet Home Water Treatment Plant

December 2025:

- 29.31 MG finish water treated this month

- 1.60 MG max daily demand
- 0.95 MG average daily demand

January 2026:

- 30.61 MG finish water treated this month
- 1.61 MG max daily demand
- 1.06 MG average daily demand

Compliance:

- No process violations for December 2025 & January 2026.

Raw Turbidity NTUs:

- Levels currently range are less than 50 NTUs during the month of December 2025 & January 2026. NTU's are currently less than 10 NTUs.

O&M Projects:

- US Army Corps ceased annual Green Peter Reservoir drawdown operations on December 7, 2025.

Engineering Projects

- Ongoing ROW inspections throughout the community.
- Ongoing Coulter subdivision inspections.
- Ongoing Plan review for Public Works right of way (ROW) projects.
- Staff worked with Developer for pavement repair plan for Coulter subdivision.
- Completed Water Loss tracking spreadsheet.
- Assisted other Department with developing "Road Closers" application in our GIS system.
- Initiated "ORalert" program access for City Officials.

Public Works Field Activities

Water Division

- Staff continued with water distribution system leak detection citywide. Found and repaired 3 large water leaks. Water loss was down to 28% from 45%
- Staff continue to locate all City owned utilities for contractors throughout the service area.
- Staff is trying to schedule the water line replacement project of approx. 300' of 6" main on 8th Ave from Dogwood to Cedar. Including 6 services and 1 hydrant.

Collections System Division

- Staff started sewer main cleaning throughout the service area.
- Staff started to inspect the sewer mains with CCTV inspections.
- Collections staff started winter Infiltration and Inflow (I&I) flow monitoring in basins 8, 13, & 16.

Streets Division

- Staff cleaned ditches for stormwater.
- Staff continues with a small amount asphalt patch work for water leak repairs.
- Scheduled weekly street sweeping is ongoing.
- Staff completed the fall leaf collection season on Thursday, December 18, 2025.

Parks & Facilities Division

- Staff working on Supplemental Environmental Project (SEP) east of Ames Creek in Sankey Park. All vegetation has been mowed, sprayed and debris removed. Silage traps will be put in place mid-October. Traps will remain in place for 1 year. Native planting is happening on February 5, 2026.
- Staff built a 16' picnic bench for Ashbrook.
- Staff maintained City parks, cleaned restrooms, and collected garbage from public trash cans.
- Working on Park benches in-house as well as starting shelving for the library.

Stormwater Division

- Staff are cleaning storm drain lines as needed.
- Staff are cleaning storm ditches along street easements as time allows.

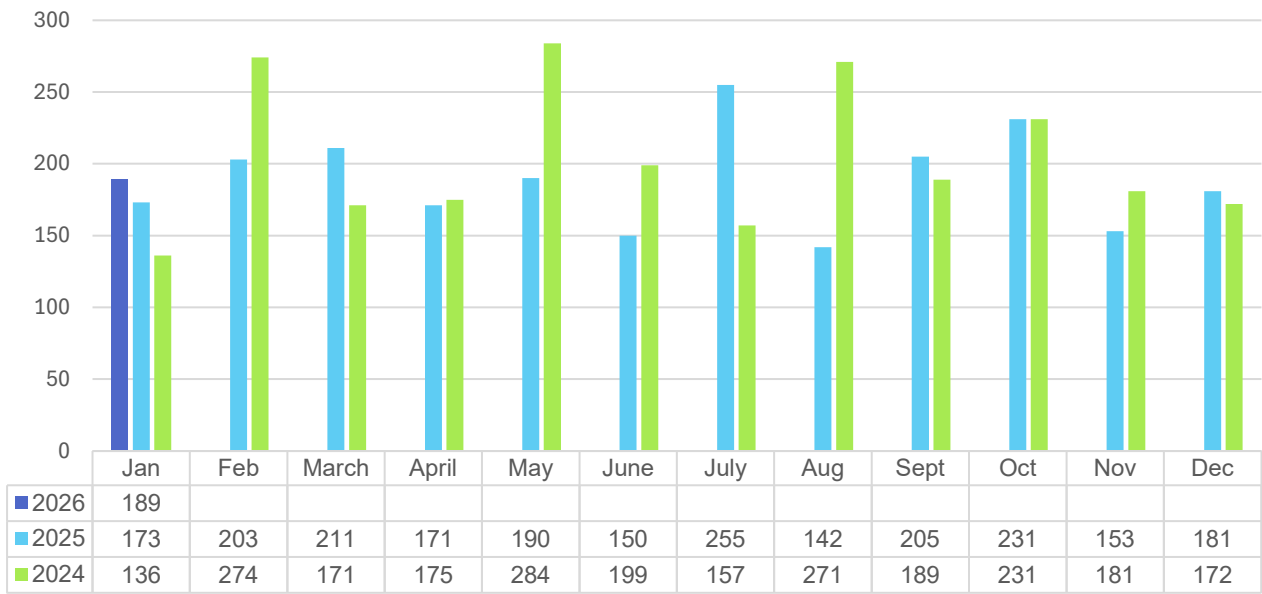
Finance Department

January 2026

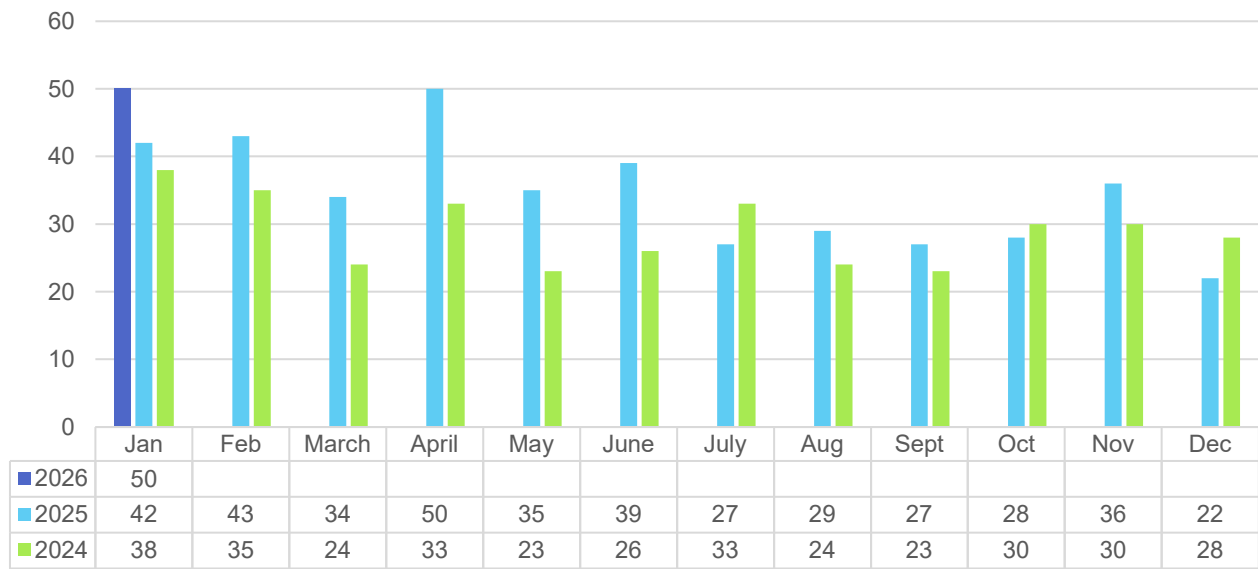
Finance Activities

Payroll was processed for 75 employees.

Accounts Payable Payments Processed

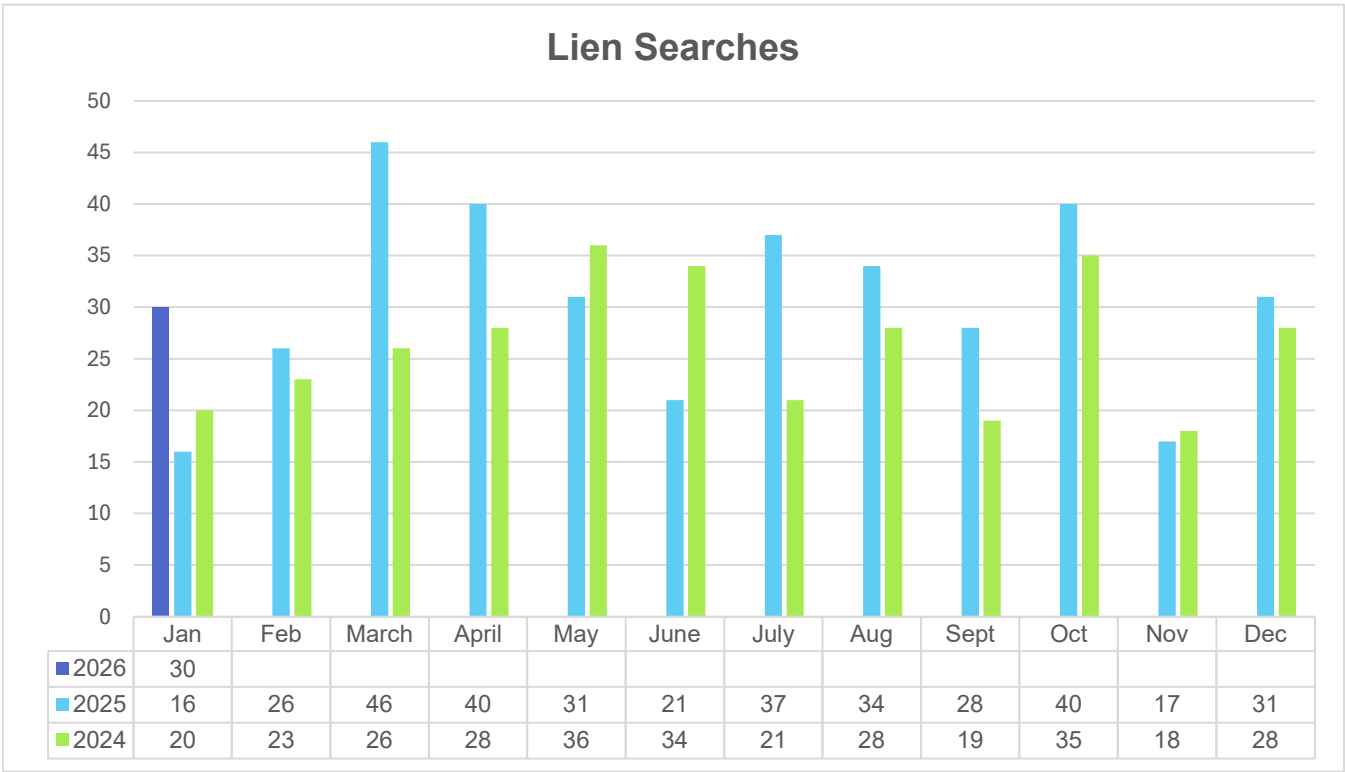


Passports Processed



Finance Department

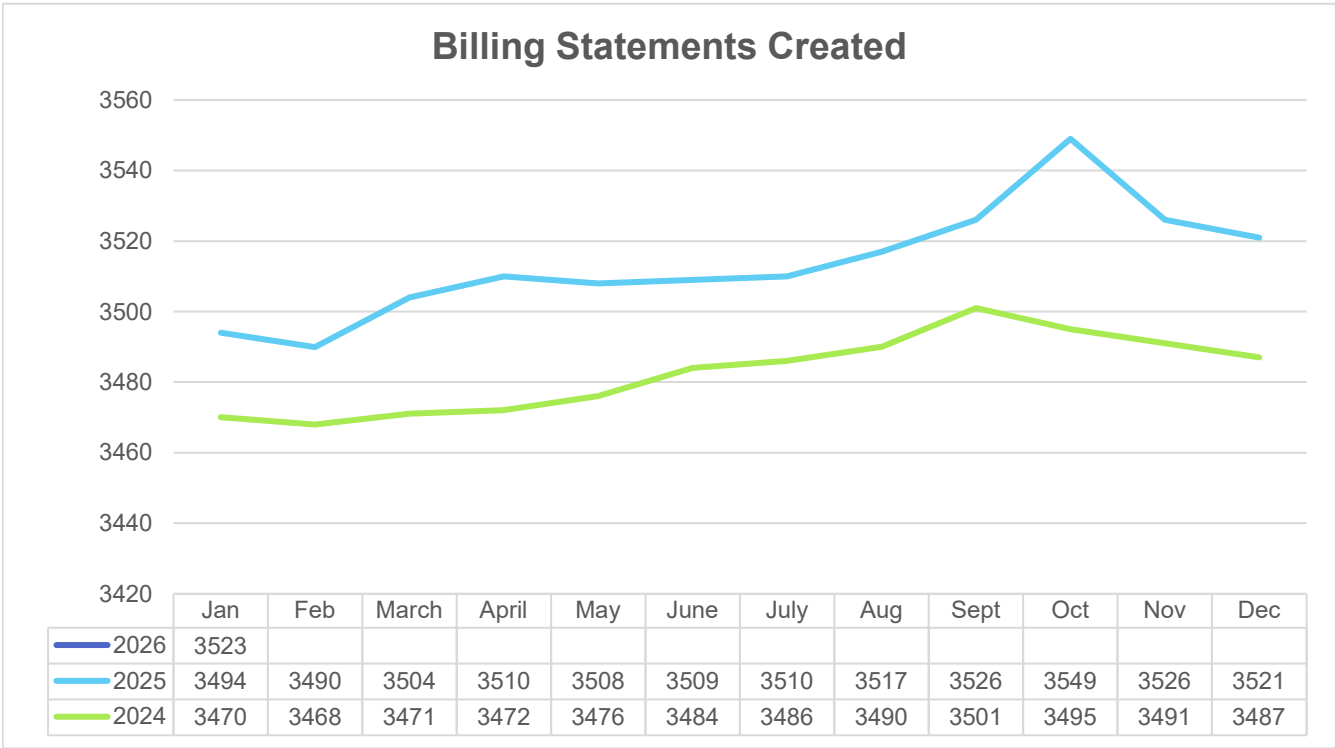
January 2026



Finance Department

January 2026

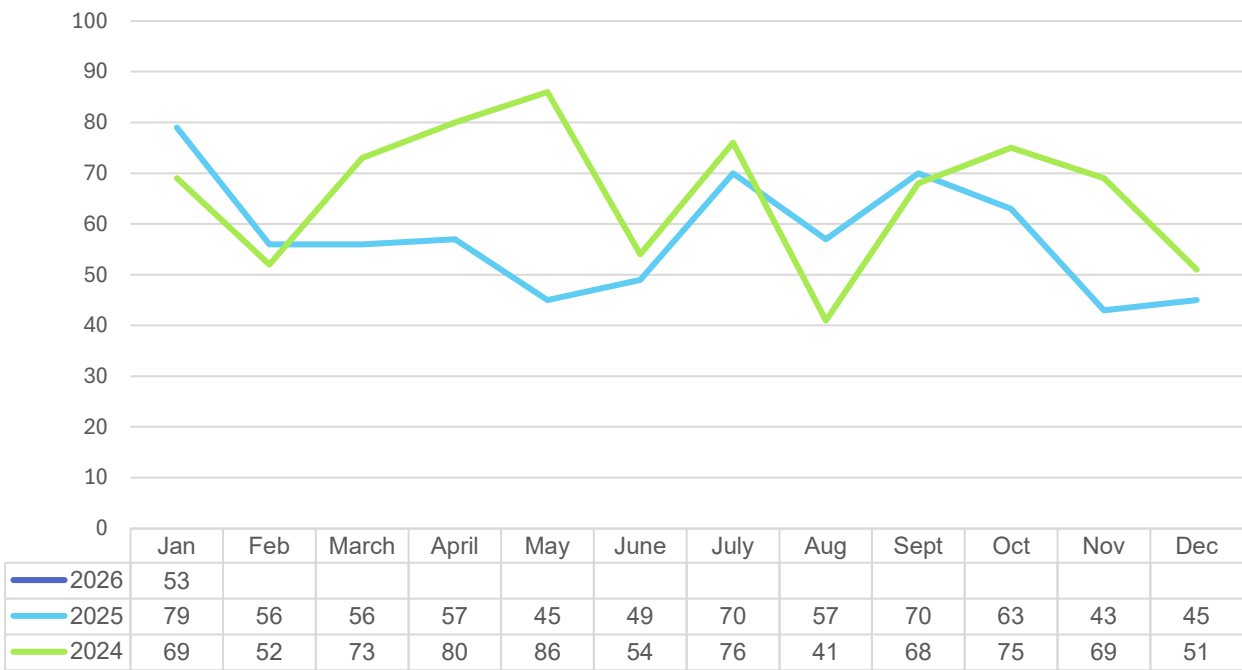
Utility Billing Activities



Statements Mailed



Turn Off History



Submitted by:

Cindi Robeck
Financial Operations Manager
crobeck@sweethomeor.gov

October 2023 Council Report-Traffic

CITATIONS ISSUED	Jan-26	Jan-25	2026 TO DATE	2025 TO DATE	YEAR TO DATE CHANGE
Chapter 803 Vehicle Title and Registration (Fail to Register Vehicle, Fail to Renew Registration, Altered Plate, Switched Plates, Fail to Display Plate, etc.)	3	3	3	3	0.00%
Chapter 806 Financial Responsibility Law (Driving Uninsured, Fail to Carry Proof of Insurance, False Info Regarding Liability Insurance, etc.)	17	21	17	21	-23.53%
Chapter 807 Driving Privileges, Licenses and Permits (No Operator License, Fail to Carry and Present License, Fail to Change Name and/or Address on Operator License, etc.)	3	2	3	2	33.33%
Chapter 811 Rules of the Road for Drivers (Speeding, DWS, Reckless Driving, Careless Driving, Hit and Run, Fail to Obey Traffic Control Device, Follow too Close, Illegal Parking, Fail to Yield to Pedestrian, Fail to Wear Seatbelt, etc.)	17	34	17	34	-50.00%
Chapter 813 Driving Under Influence of Intoxicants (Drive Under Influence of Intoxicants, Refuse the Breath Test, etc.)	0	2	0	2	-100.00%
Chapter 814 Pedestrians; Passengers; Livestock; Motorized Wheelchairs; Motorcycles; Bicycles (Improper Use of Lanes, No Motorcycle Helmet, Bicyclist failing to Signal, etc)	0	0	0	0	0.00%
Chapter 815 Vehicle Equipment Generally (Improper Fenders or Mud Guards, Unreasonable Noise, Obstructed Vehicle Windows, etc.)	0	1	0	1	-100.00%
Chapter 816 Vehicle Equipment (Operate Without Lighting Equipment, Operate Without Tail Lights, etc)	0	1	0	1	-100.00%
Chapter 818 -821 (Vehicle limits, abandoned vehicle, special provisions, off road vehicles)	0	0	0	0	0.00%
TOTAL CITATIONS ISSUED	40	64	40	64	-60.00%
TOTAL PERSONS CITED	22	34	22	34	-54.55%
TOTAL WARNINGS ISSUED	97	153	97	153	-57.73%
TOTAL OFFICER INITIATED TRAFFIC STOPS	121	185	121	185	-52.89%

MOTOR VEHICLE CRASHES	Jan-26	Jan-25	2026 TO DATE	2025 TO DATE	YEAR TO DATE CHANGE
MVC-FATAL	0	0	0	0	0.00%
MVC-INJURY	2	5	2	5	-60.00%
MVC-NON INJURY	8	5	8	5	37.50%
HIT & RUN VEHICLE INJURY	1	1	1	1	0.00%
HIT & RUN PROPERTY	1	3	1	3	-66.67%
TOTAL CRASHES	12	14	12	14	-14.29%

CRASHES INVOLVING DUII ARREST	0	1	0	1	-100.00%
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OCTOBER 2023 COUNCIL REPORT-CALLS FOR SERVICE

	Jan-26	Jan-25	2026 TO DATE	2025 TO DATE	YEAR TO DATE CHANGE
CALLS FOR SERVICE					
PERSON CRIMES (Homicide, Assault, Harassment, Sex Crimes, Menacing, Reckless Endanger, Kidnap, Domestic Violence, Elder & Child Abuse, etc)	9	22	9	22	-59.09%
PROPERTY CRIMES (Arson, Burglary, Theft, Criminal Mischief, Motor Vehicle Theft, Robbery, Unlawful Entry into Motor Vehicle, Reckless Burning, etc)	33	43	33	43	-23.26%
SOCIETY CRIMES (Drive Under Influence of Intoxicants, Disorderly Conduct, Resisting Arrest, Criminal Trespass, Escape, Runaway, Drug Offenses, Weapon Offenses, etc)	17	21	17	21	-19.05%
OREGON SPECIFIC CRIMES (Protective Custodies, Traffic Crimes other than DUII, Warrant Arrests)	52	55	52	55	-5.45%
TOTAL CRIMES REPORTED	111	141	111	141	-21.28%
TOTAL CRIMES CLEARED	92	110	92	110	-16.36%
NON CRIMINAL CALLS FOR SERVICE (Abandoned Vehicles, Agency Assists, 911 hangups, Alarm Calls, Ambulance Assist, Animal Calls, Death Investigations, Disturbances, Domestic Disputes, Juvenile, Motor Vehicle Crashes, Public Assists, Suspicious Activity, Traffic, Trespass Warnings, etc)	690	643	690	643	7.31%
TOTAL CALLS FOR SERVICE	801	784	801	784	2.17%
TOTAL INCIDENT NUMBERS ISSUED	760	717	760	717	6.00%
TOTAL CAD NUMBERS ISSUED	1403	1432	1403	1432	-2.07%

	Jan-26	Jan-25	2026 TO DATE	2025 TO DATE	YEAR TO DATE CHANGE
CUSTODIES					
TOTAL PERSONS TAKEN INTO CUSTODY	56	59	56	59	-5.08%
TOTAL ADULTS ARRESTED	53	59	53	59	-10.17%
TOTAL JUVENILES IN CUSTODY	3	0	3	0	100.00%
TOTAL CHARGES	106	115	106	115	-7.83%
TOTAL ADULT CHARGES	101	115	101	115	-12.17%
TOTAL JUVENILE CHARGES	5	0	5	0	100.00%

RESEARCH



LEAGUE OF OREGON CITIES 2025 RESEARCH REVIEW

By Paul Aljets

JANUARY 2026

2025 LOC Research Review

January 2026

Paul Aljets, Aljets Consulting

The League of Oregon Cities' 2025 research shows trends in city governance marked by ongoing structural limits, but not crisis. Oregon cities are growing more skilled and adaptable to changing circumstances. However, they struggle with a revenue-expenditure gap. This is due to limits on property taxes, low franchise and state shared revenues, and rising costs from inflation, labor, aging infrastructure, and regulations. Cities mainly use small, non-structural changes to adapt. They have increased fees, developed charges, modernized billing and asset management, and eased enforcement. Cities tend to do this instead of creating new revenue sources or expanding services. Infrastructure risks are often being put off instead of addressed. Growth-related costs are shifting financial burdens to housing. At the same time, political pressures are leading to many waivers and accommodations. Governance remains stable but demographically narrow. The findings show a path of managed austerity. Cities are keeping operations steady and maintaining trust, even in a tight and fragile financial situation.

Introduction

The League of Oregon Cities has created many research reports over the years. Some years have seen as few as six, while other years have seen more than a dozen. Often, surveys are used to collect this data. Without reading every research report from the LOC each year, it is difficult to often know which research findings stand out. For this reason, the LOC has decided to begin an annual review of research findings to give member cities and LOC staff a quick assessment of the state of research findings in the subjects studies that year.

This year, LOC conducted the following:

- State of the Cities Survey;
- Water Rates Survey;
- System Development Charges Survey;
- Franchise Fee (ROW) Survey;
- City Electeds Demographics Survey; and
- State Shared Revenue Report

This year had no incidental survey (meaning all surveys are periodically conducted on a set schedule and there were no “one-off” surveys) and most of these were more technical. The following is a recap of the key findings of each survey.

2025 State of the Cities Survey

Every two years, the LOC conducts a survey to gauge the general fiscal condition of the cities in Oregon. Sixty-eight percent of cities have seen an increase in service demand, compared to 56% in 2021. Additionally, the financial outlook is significantly more distressing. In the past, 90% of cities indicated they were better able or able to meet their financial needs compared to the previous year. This year’s survey shows only 70% respond in the same way. Overall, this year’s survey indicated a considerable lack of certainty for cities across the state.

For most cities, the primary sources of revenue are property taxes and utility franchise fees. Studies by the LOC since 2016 reveal franchise fee revenues often do not keep pace with inflation. Additionally, the property tax constraints from Measures 5 and 50 have created a system that limits the amount of taxable revenue available to local governments. This means that traditional revenue sources for cities are steadily shrinking, forcing local governments to either rely on alternative revenues, cut spending, or eliminate services.

While most cities reported financial conditions as stable or improving over the last year, a marked decline in optimism for future fiscal health is evident. Cities have reacted by adjusting their financial practices; the majority increased fees, charges, and licenses, while maintaining or slightly increasing service levels and city employee numbers. There is a clear trend of operating cost hikes, likely due to inflation, with some cities also reporting staff and service cuts in departments such as city hall, libraries, and social services. These adjustments have not been uniformly sufficient.

Other findings include the following:

- Fiscal capacity is deteriorating: Only 10% of cities reported being better able to meet financial needs in 2025, down from 19% in 2023 and 39% in 2021.
- Service demand continues to rise: 70% of cities reported increased service demand, compared to 68% in 2023 and 56% in 2021.
- Fee reliance is widespread: 71% of cities increased fees, charges, or licenses in FY2025, up from 59% in 2023.
- Cost pressures are structural: Inflation, wages, PERS, healthcare, infrastructure, and regulatory mandates were overwhelmingly cited as drivers outpacing revenue growth.
- Trend (2021–2025): Cities reporting they are *less able* to meet financial needs rose from 10% (2021) to 19% (2023) to 35% (2025), indicating a steady decline in fiscal resilience.

2025 Water Rates Survey

The 2025 League of Oregon Cities Water Rates Survey presents a comprehensive snapshot of drinking water, wastewater, and stormwater utility practices across Oregon cities. The survey shows a system facing ongoing financial and regulatory stress. It's marked by rising rates, more use of asset management systems, and increasing complexity in infrastructure and billing practices. Cities are modernizing billing and easing delinquency enforcement. They are also increasingly adopting asset management frameworks. However, they face challenges. Aging infrastructure and rising costs from inflation are big problems. Also, uneven use of long-term planning tools, like water conservation plans, adds to the challenge.

Key findings from this survey include the following:

- Billing practices have shifted: 87% of cities bill monthly, while bi-monthly billing fell to 11%, reversing earlier small-city norms.
- Customer leniency has increased: Average time before water shutoff rose to 48.5 days, up from about 30 days in 2019.
- Penalty severity declined: Average late fees were \$14.36, and average interest rates fell sharply to 1.2%, down from 4.6% in 2023.
- Asset management adoption expanded: A majority of cities now report using formal asset management frameworks, particularly among larger jurisdictions.
- Trend (2019–2025): Cities have steadily extended delinquency timelines while reducing financial penalties, indicating a long-term shift toward affordability over enforcement.

2025 System Development Charges (SDC) Survey

The 2025 League of Oregon Cities System Development Charges (SDC) Survey highlights a continued expansion in the adoption and use of SDCs. Ninety percent of respondent cities now collect SDCs, up from 76% in 2022. Larger cities are most likely to enact SDCs, while smaller and rural areas remain less active. Revenue trends show declines in SDC collections since a 2022 peak, particularly in the largest cities, though mid-sized cities have experienced gains. Residential SDC estimates have risen sharply while non-residential charges have moderated, shifting more of the financial burden toward housing development. Waivers and accommodations remain common (offered by one-half of cities) especially to encourage affordable housing and small business

projects. Water and sewer SDCs are the most common. Parks, transportation, and stormwater SDCs differ significantly based on region and population size.

Key findings from this survey include the following:

- SDCs are now nearly universal: 90% of respondent cities collect SDCs, up from 76% in 2022 and 82% in 2019.
- Residential costs increased sharply: Estimated residential SDCs rose substantially statewide, while non-residential charges moderated.
- Revenue peaked then declined: Aggregate SDC revenue has declined since a 2022 peak, especially in the largest cities, despite rising per-unit charges.
- Accommodations are common: 50% of cities offer waivers or reductions, primarily for affordable housing and small business development.
- Trend (2016–2025): The share of cities offering SDC accommodations increased from 31% (2019) to 54% (2022) to 50% (2025), indicating normalization of fee flexibility.

2025 Franchise Agreement / Right-of-Way Survey

This 2025 League of Oregon Cities survey finds that telecommunications and cable franchises remain some of the largest city revenue sources, but the average amount is declining. Larger cities generate substantially higher revenues, though smaller cities are becoming more proactive in adopting right-of-way and permit fees. Despite this, inflation-adjusted revenues from both telecommunications and cable franchises have declined steadily since 2016—an annual loss of roughly \$3,000 to \$5,000 per franchise category. The findings suggest that franchise revenues, though vital to city budgets, are eroding in real value, and cities will need to adapt revenue frameworks to ensure fiscal sustainability in a changing digital landscape.

Key findings from this survey include the following:

- Telecom agreements dominate ROW revenue: Telecommunications franchises are the largest ROW revenue source for most cities.
- Governance is formalized: 88% of cities establish telecom franchises by ordinance, with an average term of about 10 years.
- Fee diversification increased: 37% of cities charge ROW permit fees, up from 20% in 2022, with smaller cities increasingly participating.
- City property leasing is significant: 44% of cities host telecom facilities on city property, with average lease rates around \$1,500/month.
- Trend (2015–2025): Cities have gradually expanded ROW fee tools as telecom infrastructure footprints shrink, though revenue growth has not kept pace with inflation.

2025 City Elected Officials Demographics Survey

The 2025 City Electeds Demographics Survey reveals that Oregon’s city officials are predominantly older, well-educated, and more affluent than the general population, with a growing representation of women in elected roles. While most officials are over 60 and nearly one-half are retired, some regions, like Northeastern Oregon, show notable involvement of younger residents. Female

officials now slightly outnumber males, particularly in smaller cities, marking a continued shift since 2018. The majority of elected officials statewide identify as White/Caucasian, and most hold at least a bachelor's degree, though educational attainment has slightly declined since 2022. Politically, elected officials trend as liberal overall, especially in larger cities, while smaller cities remain more conservative. Support for local autonomy remains strong, though slightly diminished compared to previous surveys.

Key findings from this survey include the following:

- Officials skew older: Most respondents are over age 60, and nearly 50% are retired, especially in cities under 490 population.
- Gender composition shifted: Women now represent 53% of elected officials, up from 47% male, reversing prior patterns.
- Educational attainment remains high: About 60% hold at least a bachelor's degree, though this declined from about 68% in 2022.
- Racial diversity remains limited: 89% of respondents identify as White/Caucasian, broadly consistent across city sizes.
- Politically, officials in larger cities trend liberal, while smaller cities trend conservative, reinforcing urban–rural ideological differences.

2025 State Shared Revenue Report

State shared revenues remain a foundational but insufficient component of city general funds. Highway Trust Fund revenues provide the largest per-capita distribution and have benefited from past transportation legislation, though long-term growth is uncertain due to vehicle efficiency and electrification. Liquor revenues continue to grow modestly but are offset by rising state-level costs that reduce net distributions to cities.

Marijuana tax revenues remain substantially reduced under the post-Measure 110 distribution formula, and cigarette tax revenues continue a long-term decline. The 9-1-1 tax increase has improved funding for emergency communications but does not fully cover system costs and is time limited. Overall, state shared revenues provide stability but do not materially improve cities' fiscal capacity or offset structural revenue constraints.

Key findings from this survey include the following:

- Highway Trust Fund revenues remain the largest state shared revenue source, totaling approximately \$238 million for cities statewide.
- Liquor revenues distributed to cities total roughly \$36.9 million, but net distributions are reduced by rising state-level costs, including OLCC capital projects.
- Marijuana tax distributions to cities fell by approximately 74% after Measure 110, and now total about \$4.5 million annually, indexed to inflation.
- Cigarette tax revenues continue a long-term decline, with cities receiving only about 2 cents per pack sold.
- 9-1-1 tax revenues increased following rate hikes but still cover less than 25% of total PSAP operating costs statewide.

Analysis of All Findings

If we integrate the findings in all subject areas studied in 2025, we see a pattern emerge in the data that is likely familiar to city electeds and staff alike. Cities are not experiencing sudden fiscal collapse but are also not recovering capacity. Instead, they are maintaining service continuity through incremental adjustments while core constraints remain unresolved.

Persistent Revenue–Expenditure Gap

Across all reports, a consistent finding is that costs are outpacing revenue growth. Inflation, employee wages and benefits (including PERS), infrastructure maintenance, and regulatory mandates continue to rise faster than legally constrained revenues. Only 10% of cities report being better able to meet financial needs than the prior year, while 35% report being less able, and the majority report being “about the same,” a condition that reflects stasis rather than stability. Property taxes remain capped by Measures 5 and 50, and neither franchise fees nor state shared revenues have grown sufficiently to offset these pressures. This is also likely the case for other secondary revenue sources that were not studied this year.

Increasing Reliance on Fees and Charges

With property tax limitations, cities increasingly rely on fees as fiscal adjustment tools. This pattern is evident across water rates, SDCs, franchise fees, and licenses. For example, 71% of cities increased fees or charges in FY2025, while only 22% added any new revenue source. Water and sewer utilities show steady rate increases, while SDC adoption has expanded to 90% of respondent cities, up from 76% in 2022. These tools boost revenue slightly, but don’t change cities’ long-term financial strength.

Infrastructure Stress and Deferred Risk

Infrastructure finance is a central concern across reports. Utility systems face aging assets and rising capital needs, yet rate increases remain difficult. Cities have improved technical management (adopting asset management systems and modern billing) but financial gaps persist. Utilities are getting more flexible with customers. In 2025, the average wait time before a water shutoff is 48.5 days. Late fees have dropped to around \$14. Plus, interest rates are at 1.2%, down from 4.6% in 2023. These practices preserve affordability but shift financial risk back onto cities.

Growth-related infrastructure funding increasingly depends on SDCs, particularly for housing. Residential SDC estimates have risen sharply, while non-residential charges have moderated, shifting more infrastructure cost to housing development. Half of cities now provide SDC waivers or accommodations, mainly for affordable housing. This shows the tension between funding infrastructure and making development easier. The result is a partial undercut of city revenue.

Constrained but Stabilizing Revenue Sources

Franchise fees and state shared revenues remain essential but (adjusted for inflation) in steady decline. Telecom franchises usually last around 10 years and are based on local laws. About 45% of cities have telecom facilities on public land. These generate average lease revenues of about \$1,500 a month for each site. However, technological changes and inflation have limited growth. State shared revenues provide some baseline stability but are insufficient to cover the gap. Even the largest shared source, the Highway Trust Fund (about \$238 million statewide), faces long-term uncertainty due to fuel efficiency and electrification.

Governance Capacity and Demographic Stability

Local governance maintains institutional stability, although it appears to lack demographic diversity. Elected officials are mostly older and well-educated. Most are over 60, and nearly half are retired, especially in smaller cities. Women now comprise 53% of elected officials statewide, marking a meaningful shift since 2018. Racial and ethnic diversity remains limited, with 89% identifying as White/Caucasian. These findings are mostly expected. However, they also raise questions about long-term representation and leadership renewal.

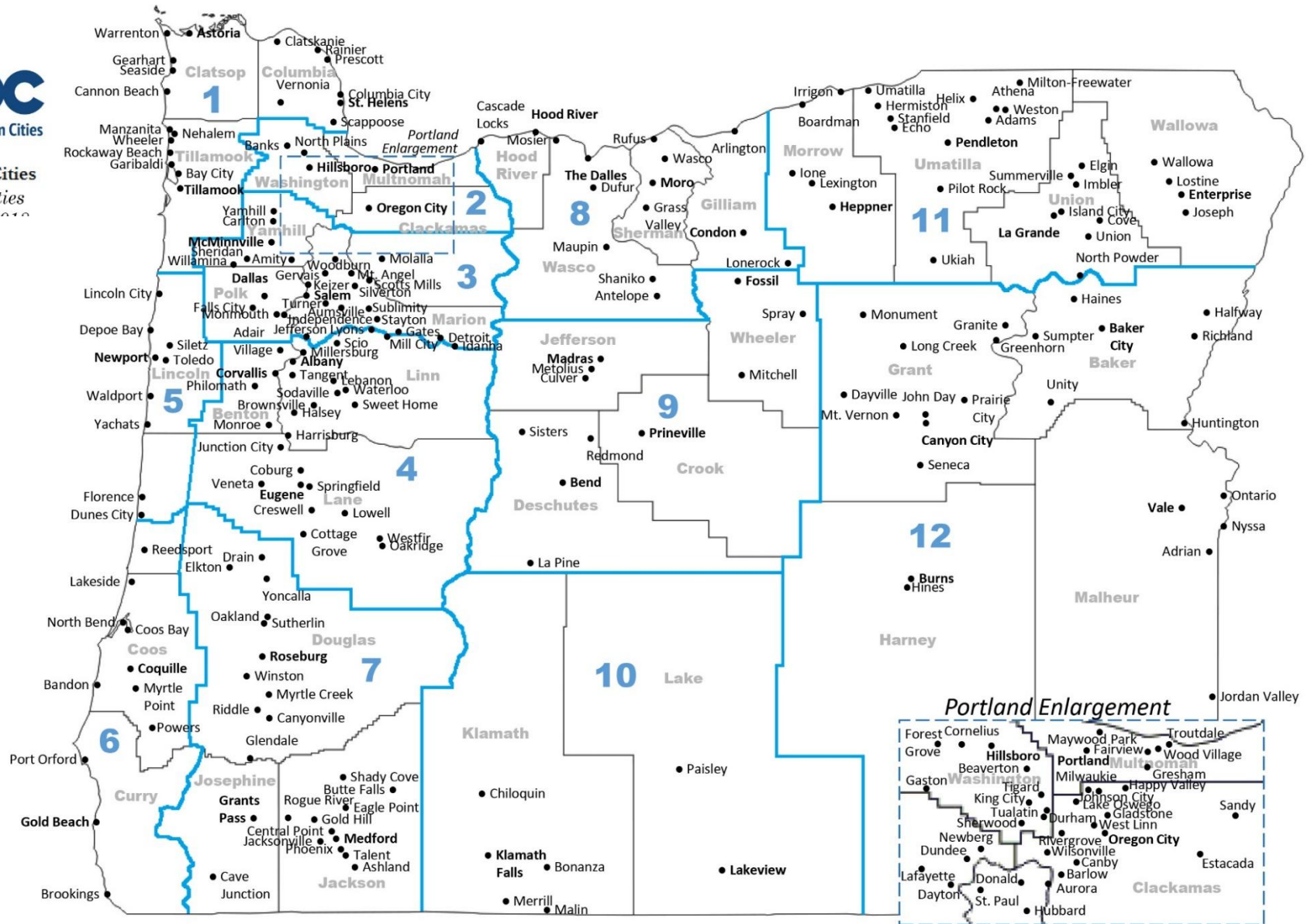
Overall City Trends in 2025

When combined, the LOC research findings point to a pattern of managed austerity. Cities are changing by using tech upgrades, adjusting fees, and being careful with enforcement. They are not focusing on major fiscal reforms as these are often beyond their control. Infrastructure risks are being deferred, service levels are largely held flat revenue is constrained. This trajectory is sustainable in the short term but gradually may erode fiscal resilience, particularly for smaller cities with limited administrative capacity and fewer revenue options. In short, Oregon cities in 2025 are managing well despite budget cuts. They keep operations stable and maintain public trust. However, their ability to handle unexpected issues or invest in future needs is shrinking.

Appendix A: Map of Small Cities Regions



Member Cities
Small Cities
Region 2025



Appendix B: Population Quintile and Regional Breakdowns

Quintile Ranges	# Cities	% Cities
1st Quintile <500	48	19.8%
2nd Quintile 501-1350	48	19.8%
3rd Quintile 1351-3275	48	19.8%
4th Quintile 3276-10650	48	19.8%
5th Quintile >10650	49	20.2%
Small Cities <5000	161	66.5%
Top 5 % >45000	12	5.0%

	Region 1	Region 2	Region 3	Region 4	Region 5	Region 6	Region 7	Region 8	Region 9	Region 10	Region 11	Region 12	
	N. Coast	Metro	N. Willamette	S. Willamette	C. Coast	S. Coast	S. Oregon	Gorge	C. Oregon	SC Oregon	NE Oregon	E. Oregon	TOTALS
1st Quintile	3	1	4	3	0	0	2	9	3	2	8	13	48
2nd Quintile	2	4	5	7	2	2	5	3	1	3	10	4	48
3rd Quintile	8	2	9	4	3	3	6	1	2	1	5	4	48
4th Quintile	5	5	10	6	3	5	6	1	2	0	3	2	48
5th Quintile	1	19	7	6	1	1	5	1	3	1	3	1	49
TOTALS	19	31	35	26	9	11	24	15	11	7	29	24	241
	8%	13%	15%	11%	4%	5%	10%	6%	5%	3%	12%	10%	100%

OREGON GOVERNMENT ETHICS LAW

A GUIDE FOR PUBLIC OFFICIALS



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DISCLAIMER

This guide has been approved by the Oregon Government Ethics Commission pursuant to ORS 244.320. ORS 244.320 requires this publication to explain in understandable terms the requirements of Oregon Government Ethics law and the Oregon Government Ethics Commission's interpretation of those requirements. Toward that end, statutes and rules have been summarized and paraphrased in this guide. The discussion in this guide should not be used as a substitute for a review of the specific statutes and rules.

There may be other laws or regulations not within the jurisdiction of the Commission that apply to actions or transactions described in this guide.

A penalty may not be imposed under ORS Chapter 244 for any good faith action taken in reliance on the advice in this guide. "In reliance on" the advice in this guide means that the fact circumstances of the action taken are the same fact circumstances that serve as the basis for advice in this guide.

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INTRODUCTION

In 1974, voters approved a statewide ballot measure to create the Oregon Government Ethics Commission (Commission). The measure established laws that are contained in Chapter 244 of the Oregon Revised Statutes (ORS).

When the Commission was established, it was given jurisdiction to implement and enforce the provisions in ORS Chapter 244 related to the conduct of public officials. In addition, the Commission has jurisdiction for ORS 171.725 to 171.785 and 171.992, related to lobbying regulations, and ORS 192.660 and 192.685, the executive session provisions of Oregon Public Meetings law.

This Guide for Public Officials includes a discussion of some provisions that may also apply to lobbying activities. This is especially true when a lobbying activity involves paying the expenses for meals, lodging, travel, entertainment or other financial benefits of a legislative or executive official. Under specific circumstances, ORS Chapter 244 allows the payment of such expenses, but the public official may have a reporting requirement under ORS Chapter 244 and the source of the payment may be required to register as a lobbyist or report the expenditure. The Commission publishes a guide for lobbyists and clients or employers of lobbyists regulated under provisions in ORS Chapter 171. If you have questions regarding registering as a lobbyist, lobbying activity or reports for lobbying expenditures, please refer to our Guide to Lobbying in Oregon, which is available on our website.

ORS 192.660 lists the specific criteria a governing body must use when convening an executive session. Under this statutory authority, executive sessions are limited to discussion of specific matters. This guide does not discuss that portion of the Oregon Public Meetings law, but there is a detailed discussion of executive sessions, as set out in ORS 192.660, in the Attorney General's Public Records and Meetings Manual, available on-line at <https://www.doj.state.or.us/oregon-department-of-justice/public-records/attorney-generals-public-records-and-meetings-manual/>

This guide will discuss how the provisions in ORS Chapter 244 apply to public officials and will summarize Commission procedures. It should be used in conjunction with applicable statutes and rules, but should not be used as a substitute for a review of the statutes and rules. It is intended to be a useful discussion, in understandable terms, of topics and issues that are often the focus of inquiries the Commission receives from public officials and citizens.

You will find links to ORS Chapter 244, ORS Chapter 171.725 to 171.785 and 171.992, ORS 192.660 and ORS 192.685, relevant Oregon Administrative Rules (OAR), and other publications referenced in this guide on the Commission's website at <https://www.oregon.gov/ogec/Pages/default.aspx>. Questions or comments may be submitted to the Commission by email at ogec.mail@oregon.gov, by telephone to 503-378-5105, or by fax to 503-373-1456.

JURISDICTION

The jurisdiction of the Oregon Government Ethics Commission is limited to provisions in ORS Chapter 244, ORS 171.725 to 171.785 and 171.992, and ORS 192.660 and 192.685. Other Oregon statutes may also regulate the activities of elected officials and public employees. Some examples are:



- The Elections Division of the Secretary of State's Office regulates campaign finance and campaign activities.
- Federal, state, or local law enforcement has jurisdiction over alleged criminal activity.
- The Oregon Bureau of Labor and Industries investigates cases involving employment-related sexual harassment or discrimination on the basis of race, religion, disability or gender.
- The initial enforcement of the Public Records law lies with County District Attorneys and the Department of Justice.
- Enforcement of the Oregon Public Meetings law lies with the Oregon Circuit Courts, except that the Commission also has jurisdiction over the execution session provisions in ORS 192.660 and 192.685.

There are occasions when a public official engages in conduct that may be viewed as "unethical," but that conduct may not be governed by Oregon Government Ethics law. The following are some examples of conduct by public officials that may not be within the authority of the Commission to address:

An elected official making promises or claims that are not acted upon.

Public officials mismanaging or exercising poor judgment when administering public money.

Public officials being rude or unmannerly.

A person's private behavior unrelated to their actions as a public official.

While the conduct described above may not be addressed in Oregon Government Ethics law, other statutes and public agency policies may prohibit or redress the behavior. Please contact the Commission staff if you need further clarification regarding how the Oregon Government Ethics law may apply to circumstances you may encounter.

PUBLIC OFFICIAL: AN OVERVIEW

The provisions in Oregon Government Ethics law restrict some choices, decisions or actions of a public official. The restrictions placed on public officials are different than those placed on private citizens because service in a public office is a public trust and the provisions in ORS Chapter 244 were enacted to provide one safeguard for that trust.

Public officials must know that they are held personally responsible for complying with the provisions in Oregon Government Ethics law. This means that each public official must make a personal judgment in deciding such matters as the use of official position for financial gain, what gifts are appropriate to accept, when to disclose the nature of conflicts of interest, and the employment of relatives or household members. If a public official fails to comply with the operative statutes, a violation cannot be dismissed by placing the blame on the public official's government employer or the governing body represented by the public official.

One provision, which is the cornerstone of Oregon Government Ethics law, prohibits public officials from using or attempting to use their official positions or offices to obtain a financial benefit for themselves, relatives or businesses with which they are associated if that financial benefit or opportunity for financial gain would not otherwise be available but for the position or office held.

Oregon Government Ethics law limits and restricts public officials and their relatives as to gifts they may solicit or accept. Under specific circumstances, public officials may accept certain gifts. This guide will discuss those provisions. Public officials are allowed to receive salary and reimbursed expenses from their own government agencies.

Another provision that frequently applies to public officials when engaged in official actions is the requirement to disclose the nature of conflicts of interest. This guide will discuss the definition of a conflict of interest, the distinction between actual and potential conflicts of interest, and describe how a public official must disclose and dispose of a conflict of interest.

For some public officials who are elected to offices or hold other select positions, there is a requirement to file an Annual Verified Statement of Economic Interest. This guide will discuss that filing requirement.

It is important for both public officials and members of the general public served by public officials to know that the provisions in Oregon Government Ethics law apply to the actions and conduct of individual public officials and not to the actions of state and local governing bodies or government agencies. Each individual public official is personally responsible for complying with provisions in ORS Chapter 244. Before taking official action, making a decision, participating in an event, or accepting a gift that may raise potential ethics law violations, each public official must make a personal judgment. The Commission staff is available to discuss the issues and offer guidance in making such judgments.

The statutes and rules discussed or illustrated in this guide do not and cannot address every set of circumstances a public official may encounter. Since compliance is the personal responsibility of each public official, public officials need to familiarize themselves with the wide variety of resources that offer information or training on the provisions in Oregon Government Ethics law.

In addition to the statutes in ORS Chapter 244 and the Oregon Administrative Rules (OAR) in Chapter 199, see <https://www.oregon.gov/ogec/Pages/default.aspx>, the Commission's website, which offers information, training and links to this guide, ORS Chapter 244 and OAR Chapter 199. The Commission offers a variety of free training resources and many government agencies also offer internal training to their employees or the agencies may request training from the Commission's trainers. There are a number of membership organizations, such as The League of Oregon Cities, Association of Oregon Counties, Oregon School Boards Association and the Special Districts Association of Oregon, that provide training to public officials. It is imperative for government agencies or organizations that employ or represent public officials to ensure their public officials receive training in Oregon Government Ethics law. Those that fail to provide this training do a disservice to the public officials who they employ or who represent them.



A PUBLIC OFFICIAL

Are you a public official?

“Public official” is defined in ORS 244.020 as the First Partner and any person who, when an alleged violation of ORS Chapter 244 occurs, is serving the State of Oregon or any of its political subdivisions or any other public body as defined in ORS 174.109 as an elected official, appointed official, employee or agent, irrespective of whether the person is compensated for the services.

There are approximately 200,000 public officials in Oregon. You are a public official if you are:

- The First Partner, defined as the spouse, domestic partner or an individual who primarily has a personal relationship with the Governor.
- Elected or appointed to an office or position with a state, county, regional, or city government.
- Elected or appointed to an office or position with a special district.
- An employee of a state, county, city, intergovernmental agency or special district.
- An unpaid volunteer for a state, county, regional, city, intergovernmental agency, or special district.
- An agent of the State of Oregon or any of its political subdivisions.

The Commission has adopted, by rule, additional language used to clarify the use of “agent” in the definition of “public official.” The following clarification is in OAR 199-005-0035(7):

As defined in ORS 244.020(15), a public official includes the First Person and anyone serving the State of Oregon or any of its political subdivisions or any other public body in any of the listed capacities, including as an “agent.” An “agent” means any individual performing governmental functions. Governmental functions are services provided on behalf of the government as distinguished from services provided to the government. This may include private contractors and volunteers, depending on the circumstances. This term shall be interpreted to be consistent with Attorney General Opinion No. 8214 (1990).

If I am a volunteer, does that make me a public official?

The Commission recognizes that there are those who volunteer to work without compensation for many state and local government agencies, boards, commissions and special districts. Volunteers may be elected, appointed or selected by the government agency or public body to hold a position or office or to provide services. Among the public officials who volunteer, there are elected or appointed members of state boards or commissions, city councils, planning commissions, fire district boards, school district boards, and many others. There are also many who apply and are selected to perform duties for a government agency, board or commission without compensation, such as firefighters, reserve law enforcement officers, and parks or recreation staff members.

If the position for which you have volunteered serves the State of Oregon or any of its political subdivisions or any other public body, irrespective of whether you are compensated, you are a public official.

How are relatives and household members of public officials affected by Oregon Government Ethics law?

Public officials must always comply with state law when participating in official actions that could result in personal financial benefits and also when participating in official actions that could result in financial benefits for a relative or household member. Public officials should also know there may be limits and restrictions on gifts their relatives or household members may accept when offered.

There are provisions in ORS Chapter 244 that restrict or prohibit a public official from using or attempting to use official actions of the position held to benefit a relative or household member, limit the value of financial benefits accepted by a relative or household member of the public official, or require the public official to disclose the nature of a conflict of interest when a relative may receive a financial benefit. There are provisions that place restrictions on a public official regarding the employment or supervision of a relative or household member. These provisions are discussed more comprehensively in the use of position or office section starting on page 17, the gifts section starting on page 26, the conflicts of interest section starting on page 11, and the nepotism section starting on page 35.

Who is a relative?

Public officials need to know how Oregon Government Ethics law defines a “relative.” In everyday conversation the term “relative” is applied to a spectrum of individuals with “family ties” broader than those defined as relatives in ORS 244.020(16). When a provision in ORS Chapter 244 refers to “relative,” it means one of the following:

- The spouse, parent, stepparent, child, sibling, stepsibling, son-in-law or daughter-in-law of the public official or candidate;
- The parent, stepparent, child, sibling, stepsibling, son-in-law or daughter-in-law of

- the spouse of the public official or candidate;
- Any Individual for whom the public official or candidate has a legal support obligation
- Any Individual for whom the public official provides benefits arising from the public official's public employment
- Any Individual from whom the public official or candidate receives benefits arising from the individual's employment.

For purposes of the last two bulleted items, examples of benefits may include, but is not limited to, elements of an official compensation package such as insurance, tuition or retirement benefits.

Who is a “member of the household”?

Public officials need to know how Oregon Government Ethics law defines “member of the household” because there are provisions in ORS Chapter 244 that prohibit a public official from using or attempting to use their official position to financially benefit a member of their household.

A “member of the household” is any person who resides with the public official or candidate. [ORS 244.020] This definition includes any individual who resides in the same dwelling as the public official, regardless of whether that individual pays rent or not, and regardless of whether that individual is a relative or not.

What is a business with which a person is associated?

There are provisions in ORS Chapter 244 that restrict or prohibit a public official from using their position to benefit a business with which the public official or the public official's relative or household member is associated. Other provisions also require the public official to disclose the nature of a conflict of interest when their official actions would or could financially impact a business with which the official or their relative is associated.

As with the definition of relative, public officials need to know how Oregon Government Ethics law defines what a “business” is and how it defines a “business with which the person is associated.” The same sound judgment a public official exercises when participating in actions that could result in a financial benefit to the public official or a relative of the public official should be used when participating in actions that could result in a financial impact to a business with which the public official or the official's relative is associated.

ORS 244.020(2) provides the definition of a “**business**” for the purposes of the application of Oregon Government Ethics law. A “business” is a self-employed individual and any legal entity that has been formed for the purpose of producing economic gain.

- Excluded from this definition are income-producing corporations that are not-for-profit and tax exempt under section 501(c) of the Internal Revenue Code, if a public

official or a relative is associated only as a member, as a member of the board of directors, or in another unpaid position.

Example: An elected County Commissioner is a member of a credit union that operates without profit and is tax exempt under section 501(c) of the Internal Revenue Code. Because the public official is associated with the credit union only as a member, the credit union is not considered a “business” under the definition in Oregon Government Ethics law.

Example: The son of an elected city councilor is a teller employed by a credit union that operates without profit and is tax exempt under section 501(c) of the Internal Revenue Code. Because the public official’s relative is a paid employee of the credit union, the city councilor’s association with the credit union does not meet the exclusion above, and the credit union would be considered a “business” under the definition in Oregon Government Ethics law.

- Also excluded from the definition of business are entities, such as state and local governments or special districts, which are not formed for the purpose of producing income.

Example: An advisory board for the Department of Education awards grants to county, city or other local government entities. The advisory board’s members include public officials who are employed by a city police department and by a local fire district. These public officials would not have conflicts of interest when awarding grants to the city or to the fire district, because these government entities do not meet the statutory definition of a “business.”

Once a public official determines that an entity qualifies as a “business,” the public official must also determine if it is a “business with which the person is associated.” In accordance with ORS 244.020(3), a business is a **“business with which the person is associated”** for a public official or the relative or household member of the public official in any of the following circumstances:

- When a person, or their relative is a director, officer, owner, employee or agent of a private business or a closely held corporation.

Example: The Eugene City Recorder is a public official and her daughter is the president and owner of a private landscaping business. That business would be “a business with which the City Recorder’s relative is associated.”

- When a person or their relative currently holds, or held during the preceding calendar year, stock, stock options, an equity interest or debt instrument worth \$1,000 or more in a **private business or closely held corporation**.

Example: The Mayor of Seaside's brother currently holds an equity interest of more than \$1,000 in a private business owned by a college friend. This would be a "business with which the Mayor's relative is associated."

- When a person or their relative currently owns, or has owned during the preceding calendar year, stock, stock options, an equity interest, or debt instruments of \$100,000 or more in a **publicly held corporation**.

Example: The procurement officer for the City of Portland recently inherited stock worth \$110,000 in Nike, which is a publicly held corporation. Nike is a "business with which the procurement officer is associated."

- When a person or their relative is a director or officer of a **publicly held corporation**.

Example: A Planning Commissioner for Washington County is the son of a member of the Board of Directors for Intel, a publicly held corporation. Intel is a "business with which the Planning Commissioner's relative is associated."

- When a public official is required by ORS 244.050 to file an Annual Verified Statement of Economic Interest and the business is required to be listed as a source of household income, per ORS 244.060.

Example: A Bend city councilor is required to file an Annual Verified Statement of Economic Interest (SEI). A member of the city councilor's household, not a relative, is a paid employee of a private business. The private business which employs the household member would be a "business with which the city councilor is associated" if it provides 10% or more of the councilor's annual household income.



CONFLICTS OF INTEREST

How does a public official know when they are met with a conflict of interest and, if met with one, what must they do?

Oregon Government Ethics law identifies and defines two types of conflicts of interest. An **actual conflict of interest** is defined in ORS 244.020(1) and a **potential conflict of interest** is defined in ORS 244.020(13). In brief, a public official is met with a conflict of interest when participating in official action which would or could result in a financial benefit or detriment to the public official, a relative of the public official or a business with which either is associated.



The difference between an actual conflict of interest and a potential conflict of interest is determined by the words “**would**” and “**could**.” A public official is met with an **actual** conflict of interest when the public official participates in an official action, decision, or recommendation that **would** affect the financial interest of the official, their relative, or a business with which they or their relative is associated. A public official is met with a **potential** conflict of interest when the public official participates in an official action, decision, or recommendation that **could** affect the financial interest of the official, their relative, or a business with which they or their relative is associated. The following hypothetical circumstances are offered to illustrate the difference between actual and potential conflicts of interest and what is not a conflict of interest:

- **POTENTIAL CONFLICT OF INTEREST:** A school district has decided to construct a new elementary school and the school board is at the stage of developing criteria for the construction bid process. A recently elected school board member’s son owns a construction company in town. The school board member would be met with a potential conflict of interest when participating in official actions to develop the bid criteria, because the official actions she takes **could** financially impact her son’s construction company, a business with which her relative is associated.
- **ACTUAL CONFLICT OF INTEREST:** A school district is soliciting bids for the construction of a new elementary school. The bid deadline was last week and the district Superintendent has notified the school board that there are four qualified bids and the school board will be awarding the bid to one of the four bidders at their upcoming meeting. One of the qualified bids was submitted by the construction company owned by a school board member’s son. The school board member would be met with an actual conflict of interest when awarding this bid because the effect of her decision **would** have a financial impact (either positive or negative) on her son’s construction company, a business with which her relative is associated.

- **NO CONFLICT OF INTEREST:** A school district is soliciting bids for the construction of a new elementary school. One of the qualified bids was submitted by a construction company owned by a board member's best friend but neither the board member nor any relative are associated with the construction company. The school board member would **not** be met with a conflict of interest when awarding this bid because the effect of her official decision **would not or could not** have a financial impact on herself, a relative, or a business with which she or her relative is associated.

What if I am met with a conflict of interest?

A public official must announce or disclose the nature of a conflict of interest. The way the disclosure is made depends on the position held. The following public officials must use the methods described below:

Legislative Assembly:

Members must announce the nature of the conflict of interest in a manner pursuant to the rules of the house in which they serve. The Oregon Attorney General has determined that only the Legislative Assembly may investigate and sanction its members for violations of conflict of interest disclosure rules in ORS 244.120. [49 Op. Atty. Gen. 167 (1999) issued on February 24, 1999]

Judges:

Judges must remove themselves from cases giving rise to the conflict of interest or advise the parties of the nature of the conflict of interest. [ORS 244.120(1)(b)]

Public Employees:

Public officials who are hired as public employees, agents, or who volunteer with their public bodies must provide **written notice** to the person who appointed or employed them (their "appointing authority"). The notice must describe the nature of the conflict of interest with which they are met and request that their appointing authority dispose of the conflict. This written disclosure to the appointing authority satisfies the requirements of ORS 244.120 for the employee. The appointing authority must then designate an alternate person to handle the matter or direct the public official in how to dispose of the matter. [ORS 244.120(1)(c)]

Example of Disclosure and Disposal: A County employee's job includes issuing building permits. An application concerns property owned by the employee's stepfather. The employee would be met with a conflict of interest and would need to make a written disclosure of his conflict to his appointing authority, in this case his department supervisor, and ask that the supervisor dispose of the conflict. Once the employee makes the written disclosure, he has complied with the conflict of interest statute. Upon receipt of a written disclosure from an employee, the supervisor must respond by either delegating an alternative person to handle the matter or directing the public official in how to dispose of the matter. **Note:** If the supervisor directs the public official to dispose of the conflict by handling his

relative's permit the same as any other permit, the supervisor could be asking an employee to take official actions that may violate the prohibited use of position statute, ORS 244.040(1). See page 17.

Elected Officials or Appointed Members of Boards and Commissions:

Elected officials (other than legislators) and those appointed to Boards and Commissions must publicly announce the nature of the conflict of interest before participating in any allowable official action on the issue giving rise to the conflict of interest. [ORS 244.120(2)(a) and ORS 244.120(2)(b)] The announcement must be made in a public meeting, or if no public meeting is available, by other means reasonably determined to notify members of the public of the public official's disclosure. For elected officials who do not hold regular public meetings, such as a Sheriff, District Attorney, or the Secretary of State, other means of compliance could be through a press release or by posting the disclosure on the public body's website.

- **Potential Conflict of Interest:** Following the public announcement of the nature of a potential conflict of interest, elected officials (other than legislators) and those appointed to Boards and Commissions, may participate in official action on the issue that gave rise to the conflict of interest.

Example: A city has decided to solicit bids to develop a new computer system and the city councilors are developing criteria for the bid process. A city councilor's brother works for an IT firm in town. The councilor would be met with a **potential** conflict of interest when participating in official actions to develop the bid criteria, because the official actions she takes **could** financially impact her brother's employer, a business with which her relative is associated. The councilor should publicly disclose the nature of her conflict of interest at the council meeting when the development of bid criteria comes up for consideration. Following the public disclosure, she may continue to participate in discussions and votes on the issue.

- **Actual Conflict of Interest:** Following the public announcement of the nature of an actual conflict of interest, the public official must ordinarily refrain from further participation in official action on the issue that gives rise to the conflict of interest. [ORS 244.120(2)(b)(A)]

Example: The city council is meeting to award a bid for a new IT project. Qualified bidders include a company that employs a city councilor's brother. The city councilor has an **actual** conflict of interest because the effect of her decision **would** have a financial affect, whether positive or negative, on a business with which her brother is associated. The city councilor must publicly announce the nature of her conflict of interest at the meeting and then refrain from any discussion or vote on the matter.

Exception: If a public official is met with an actual conflict of interest and the public official's vote is necessary to meet the minimum number of votes required for official action, the public official may vote. The public official must make the required announcement of their conflict of interest and refrain from any discussion or debate, but may participate in the vote required for official action by the governing body. [ORS 244.120(2)(b)(B)]

Example: In the scenario above, the city councilor would be met with an actual conflict of interest. The city council has 5 members and it takes 3 votes for board action. At the time of this meeting, one seat is vacant, another member is absent, and the member with the actual conflict is present, but conflicted, leaving the city council without the requisite 3 votes to take action. In this instance, following her public disclosure, the conflicted city councilor must refrain from any discussion or debate on the issue, but she may vote in order for the council to take action. Alternatively, the council may choose to delay the vote until a later meeting when more city councilors are present.

The following circumstances may exempt a public official from the requirement to make a public announcement or give a written notice describing the nature of a conflict of interest:

- If the conflict of interest arises from a membership or interest held in a particular business, industry, occupation or other class **and** that membership is a prerequisite for holding the public official position. [ORS 244.020(13)(a)]

Example: The Oregon Medical Board requires that one Board member must be a practicing physician, any official action taken by the physician board member that affects all physicians to the same degree would be exempt from the conflict of interest requirements. The physician Board member need not disclose a conflict of interest and may participate in taking official action on the issue.

- If the financial impact of the official action would impact the public official, their relative, or a business with which they or their relative is associated, to the same degree as other members of an identifiable group or "class." The Commission has the authority to identify a group or class and determine the minimum size of that "class." [ORS 244.020(13)(b) and ORS 244.290(3)(a)] The number of persons affected **to the same degree** as the public official will help to determine whether this exception applies.

Only the Commission may determine whether a "class" exemption exists. A written request must be made to the Commission to make that determination in advance. If a public official determines that a "class" exception applies in their situation, without benefit of Commission advice, the Commission may later determine that a "class" exception does not apply to the situation, and could find a violation.

Example: A city council is considering a change to the local transient lodging tax collected and remitted to the city by hotels and motels. One of the city councilors owns a motel. The effect of official actions taken by the city councilor concerning this tax would impact all motel owners within the city. The Commission may determine that the city councilor is part of an identifiable group or “class” of 200 city motel/hotel owners, who would be affected to the same degree and thus exempt from the conflict of interest disclosure and participation restrictions.

Example: A city council is considering a change to the local transient lodging tax collected and remitted to the city by motels. One of the city councilors is a motel owner. The effect of official actions taken by the city councilor concerning this tax would impact all motel owners within the city. The Commission declined to find that the class exemption applies due to the size of the “class” because there are only 3 motels in the city, 2 of which are owned by the councilor. The class exemption would not apply in these circumstances and the councilor must comply with the conflict of interest disclosure and participation restrictions.

Example: A city council is considering a proposal to construct a by-pass route around the city’s business district. The city’s business district includes many businesses and restaurants, including a coffee shop owned by one of the city councilors and a drive-thru espresso stand owned by another resident. The effect of the by-pass would not affect all business owners in the city to the same degree. The class exemption would not apply in these circumstances and the councilor who owns the coffee shop must comply with the conflict of interest disclosure and participation restrictions.

- If the conflict of interest arises from a directorship on the board of, or membership in, a nonprofit corporation that is tax-exempt under 501(c) of the Internal Revenue Code. [ORS 244.020(13)(c)]

Example: A city councilor is also a board member of the local YMCA, a tax-exempt 501(c) organization. The decision, as a city councilor, to award a grant to that YMCA would be exempt from the conflict of interest disclosure and participation restrictions. [ORS 244.020(13)(c)]

How is the public announcement or written disclosure of the nature of a conflict of interest recorded?

- The public body served by the public official is required to record the disclosure of the nature of the conflict of interest in the public body’s official records (e.g. personnel file, meeting minutes, audio/video recording). It is to the public official’s benefit to ensure their conflict disclosure is recorded in their public body’s records. [ORS 244.130(1)]

Is a public official required to make an announcement of the nature of a conflict of interest each time the issue giving rise to the conflict of interest is discussed or acted upon?

Each time a public official is met with a conflict of interest, the nature of the conflict must be disclosed.

- For example, an elected member of the city council when met with a conflict of interest would have to make the public announcement one time, but only one time, ***in each meeting*** of the city council when the matter was raised. If the matter giving rise to the conflict of interest is raised at another meeting, the disclosure must be made again at that meeting.
- Public officials who are employees would need to submit separate written notices on each occasion when a conflict of interest arises. As an example, an employee in a city planning department would have to give a separate written notice before each occasion when they needed to take an official action involving property owned by a relative. [ORS 244.120(3)]

If a public official failed to announce the nature of a conflict of interest and participated in official action, is the official action voided?

- **No.** Any official action that is taken may not be voided by any court solely by reason of the failure of the public official to disclose an actual or potential conflict of interest. [ORS 244.130(2)] Even though the action may not be voided, the public official could face potential personal liability for the violation.



USE OF POSITION OR OFFICE

What are the provisions of law that prohibit a public official from using the position or office held for financial gain or avoidance of financial detriment?

ORS 244.040(1) prohibits every public official from using or attempting to use the position held as a public official to obtain a financial benefit, if the opportunity for the financial benefit would not otherwise be available but for the position held by the public official. The prohibited financial benefit can be either an opportunity for personal financial gain or an opportunity to avoid incurring a personal expense.



Not only is a public official prohibited from using the position as a public official to receive personal financial benefits, but the public official is prohibited from using or attempting to use their position as a public official to obtain financial benefits for a relative or a member of the public official's household. Also prohibited is using or attempting to use the public official's position to obtain financial benefits for a business with which the public official, a relative, or a member of the public official's household is associated.

There are a variety of actions that a public official may take or participate in that could constitute the prohibited use or attempted use of the public official's position. The use of a position could be voting in a public meeting, placing a signature on a government agency's document, making a recommendation, making a purchase with government agency funds, or using a government agency's time or resources (computers, vehicles, machinery) to obtain a personal financial benefit or avoid a personal cost.

The following examples are offered to illustrate what may constitute prohibited use or attempted use of office or position. Please note that this is not an exhaustive list:

- The mayor of a city signs a contract obligating the city to pay for janitorial services provided by a business owned by the mayor's relative.
- An executive director of an agency is ordering 10 new laptops for the agency, which qualifies for a bulk purchase discount of \$150 per laptop. He adds 2 laptops for his family to the agency's order to personally take advantage of the discount, and then reimburses the agency for the discounted cost of his personal laptops.
- A city billing clerk alters water use records so that the amount billed to the clerk's parents will be less than the actual amount due.
- A volunteer firefighter borrows the fire district's power washer to prepare the exterior of the volunteer's personal residence for painting.
- A county public works employee stores a motor home that is owned by the employee's parents in a county building used for storing heavy equipment.
- An employee of a state agency has a private business and uses the agency's computer to conduct the activities of the private business.

- A county commissioner uses the county's pickup truck to haul his own personal boat to and from his vacation home.
- A school district superintendent hires her sister's consulting business to provide an in-service training to teachers in her district.
- A teacher solicits her students' parents to hire her for paid tutoring services.

NOTE: While these examples are offered to illustrate the use of a public official's position prohibited by ORS 244.040(1), the examples illustrate occasions where a public official may also be met with a conflict of interest as defined in ORS 244.020(1) and (13). The provisions in ORS 244.040 apply regardless of whether a public official has properly disclosed a conflict of interest. [ORS 244.040(7)]. For further information, refer to the detailed discussion of conflicts of interest starting on page 11.

There are some additional prohibitions on how current and even former public officials use their offices or positions.

- ORS 244.040(3) prohibits a public official from, directly or indirectly, soliciting or accepting the promise of future employment based on the understanding that the offer is influenced by the public official's vote, official action or judgment.
- Public officials often have access to or manage information that is confidential and not available to members of the general public. ORS 244.040(4) specifically prohibits public officials from using or attempting to use confidential information gained because of the position held to further their own personal gain.
- ORS 244.040(5) prohibits a **former** public official from attempting to use confidential information for **any** person's financial gain if that confidential information was obtained while holding the position as a public official, from which access to the confidential information was obtained.
- ORS 244.040(6) also has a single provision to address circumstances created when public officials, who are members of the governing body of a public body, own or are associated with a specific type of business. The type of business is one that may occasionally send a representative of the business to appear before the governing body on behalf of a client for a fee. Public officials who are members of governing bodies and who own or are employed by businesses, such as a law, engineering, or architectural firm, may encounter circumstances in which this provision may apply.

Example: A member of a city council is an architect. A client developer of the architect's firm has a proposed subdivision to be approved by the city council. The architect/councilor may not appear before the city council on behalf of the client developer. Another person from the architect's firm may represent the client developer before the city council, but not the architect/councilor.

Aside from ORS 244.040, are there other prohibitions on public officials using their positions to avoid a personal financial detriment?

Yes. ORS 244.049 prohibits a holder of public office or candidates for public office from using public moneys or moneys received from a third party to make payments in connection with a non-disclosure agreement relating to workplace harassment if the alleged harassment occurred when the holder of public office or candidate was acting in that capacity. This prohibition applies to a person holding, or a candidate for, any elected state, county, district, city office or position.

Are there any circumstances in which a public official may use their position to accept financial benefits that would not otherwise be available but for holding the position as a public official?

Yes. ORS 244.040(2) provides a list of financial benefits that would not otherwise be available to public officials but for holding the position as a public official. The following financial benefits are not prohibited and may be accepted by a public official, and some may also be accepted by a public official's relative or member of the public official's household:

Not Prohibited:

- **Official Compensation:** Public officials may accept any financial benefit that is identified by the public body they serve as part of the “official compensation package” of the public official. If the public body identifies such benefits as salary, health insurance or various paid allowances in the employment agreement or contract of a public official, those financial benefits are part of the “official compensation package.” [ORS 244.040(2)(a)]



OAR 199-005-0035(3) provides a definition of “official compensation package”: An “official compensation package” means the wages and other benefits provided to the public official. To be part of the public official's “official compensation package”, the wages and benefits must have been specifically approved by the public body in a formal manner, such as through a union contract, an employment contract, or other adopted personnel policies that apply generally to employees or other public officials. “Official compensation package” also includes the direct payment of a public official's expenses by the public body, in accordance with the public body's policies.

- **Reimbursement of Expenses:** A public official may accept payments from the public official's public body as reimbursement for expenses the public official has personally paid while conducting the public body's business. [ORS 244.040(2)(c)]



The “reimbursement of expenses” means the payment by a public body to a public official serving that public body, of expenses incurred in the conduct of official duties on behalf of the public body. Any such repayment must comply with any applicable laws and policies governing the eligibility of such repayment. [OAR 199-005-0035(4)]

If the payment of a public official’s personal expenses does not meet this definition, it may be a financial benefit prohibited or restricted by other provisions in ORS Chapter 244. There are occasions when someone will refer to the payment of a public official’s expenses by a person or entity other than the public official’s public body as a reimbursement of expenses. That is not the reimbursement of expenses as used in ORS 244.040(2)(c) and defined in OAR 199-005-0035(4).

- **Honoraria:** Most public officials are allowed to accept honoraria by ORS 244.040(2)(b) as defined in ORS 244.020(8). A public official must know how an honorarium is defined because there are many occasions when someone will offer them a financial benefit and call it an honorarium, but it does not meet the definition of honorarium in ORS 244.020(8).



For a payment to be defined as an honorarium, it must be made for a service, like a speech or other service rendered in connection with an event, for which no price is set and for which the public official required no fixed amount to be paid in return for providing the service. A payment or something of economic value given to a public official in exchange for services provided by the public official is an honorarium when the setting of the price has been prevented by custom or propriety.

A public official may not receive an honorarium when performing a service in the course of their duties as a public official. A public official may not accept honoraria if the value exceeds \$50, unless the honoraria is received for services performed in relation to the private profession, occupation, avocation, or expertise of the public official or candidate. [ORS 244.042(3)(a) and (b)].

Public officials must be sure, when they are offered a payment or something of economic value and it is referred to as an honorarium, that it does meet the definition in ORS 244.020(8). If it does not meet this definition, it may be a financial benefit prohibited or restricted by other provisions in ORS Chapter 244.

NOTE: The Governor, First Partner, Secretary of State, State Treasurer, Attorney General, and Commissioner of the Bureau of Labor and Industries are explicitly prohibited by ORS 244.042(4) from soliciting or receiving an honorarium, money or any other consideration for **any** speaking engagement or presentation.

- Awards for Professional Achievement: Public officials may accept an award, if the public official has not solicited the award, and the award is offered to recognize a professional achievement of the public official. [ORS 244.040(2)(d)]



Awards for professional achievement should not be confused with awards of appreciation, allowed by ORS 244.020(7)(b)(C), an honorarium allowed by ORS 244.040(2)(b), or gifts that are allowed or restricted by other provisions in ORS Chapter 244.

Awards for professional achievement are best illustrated by awards that denote national or international recognition of a public official's achievement, such as receipt of the Nobel Prize. These awards may also be offered by public or private organizations in the state that are meant to recognize a public official for a distinguished career, such as Oregon's Teacher of the Year award made by the Oregon Department of Education which includes a monetary prize and travel funds. Professional achievements recognized may be identified as a single accomplishment or an accomplishment achieved during a period of time, such as a calendar year or a public official's career upon retirement.

- Contributions to Legal Expense Trust Fund: There are provisions in ORS 244.209 that allow public officials to establish legal expense trust funds that are approved by the Commission. ORS 244.040(2)(h) allows a public official who has established this trust fund to solicit, accept and be the trustee for contributions to the established fund. This is discussed in a separate section of the Guide p.41.



- Certain Gifts: Public officials may accept some gifts without limitation on the quantity or aggregate value of gifts. Acceptance of these gifts does not constitute a prohibited use of office. See allowable gifts, page 33. [ORS 244.040(2)(e) to (g)]



PRIVATE EMPLOYMENT OF PUBLIC OFFICIAL

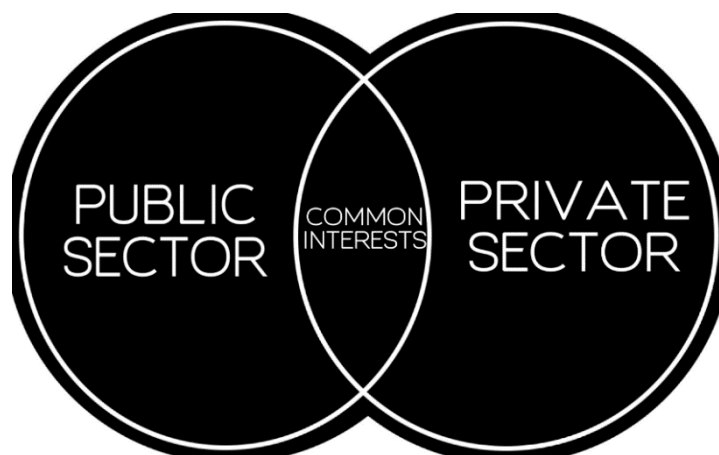
Does Oregon Government Ethics law prohibit a public official from owning a private business or working for a private employer while continuing employment with or holding a position with a public body?

No. As mentioned earlier, many public officials are volunteers, meaning there is little or no compensation for the public position. Other public officials may receive compensation from their public bodies, but still choose to seek additional sources of income. Some work for a private business and others establish a private business of their own. **NOTE: This guide does not address other statutes or agency policies that may limit private employment for public officials.**

In general, public officials may obtain employment with a private employer or engage in private income producing activity of their own, but they must keep a separation between their public positions and their outside employment or private business interests. The Commission has created the following guidelines for public officials to follow in order to avoid violating Oregon Government Ethics law when engaged in private employment or a personally owned business.

GUIDELINES FOR OUTSIDE EMPLOYMENT OF PUBLIC OFFICIALS

1. Public officials must not use their public position to create the opportunity for additional personal income.
2. Public officials may not use a government agency's supplies, facilities, equipment, employees, records or any other public resources to engage in their private employment or business interests.
3. Public officials are not to engage in private business interests or other employment activities on their government agency's time.
4. Confidential information gained as a public official is not to be used to obtain a financial benefit for the public official, a relative or member of the public official's household or a business with which any are associated.



EMPLOYMENT OF FORMER PUBLIC OFFICIALS

What are the restrictions on employment after I resign, retire or leave my public official position?

- ORS 244.040(1) prohibits public officials from using their official positions or offices to create a new employment opportunity; otherwise, most former public officials may enter the private work force with few restrictions.
- ORS 244.040(5) prohibits a former public official from using or attempting to use confidential information for the personal gain of any person if the confidential information was obtained while holding the position as a public official.
- Oregon Government Ethics law restricts the subsequent employment of certain public officials. The restrictions apply to positions listed below:

ORS 244.045(1) State Agencies:

Director of the Department of Consumer and Business Services
Administrator of the Division of Financial Regulation
Administrator of the Oregon Liquor Control Commission
Director of the Oregon State Lottery
Public Utility Commissioner

1. One year restriction on accepting employment from or gaining financial benefits from a private employer in the activity, occupation or industry that was regulated by the agency for which the public official was the Director, Administrator or Commissioner.
2. Two year restriction on lobbying, appearing as a representative before the agency, or otherwise attempting to influence the agency for which the public official was the Director, Administrator or Commissioner.
3. Two year restriction on disclosing confidential information gained as the Director, Administrator or Commissioner for the agency.

ORS 244.045(2) Department of Justice:

Deputy Attorney Generals
Assistant Attorney Generals

Two year restriction from lobbying or appearing before an agency that they represented while employed by the Department of Justice.

ORS 244.045(3) Office of the Treasurer:

State Treasurer
Deputy State Treasurer

1. One year restriction from accepting employment from or being retained by a private entity with which there was negotiation or contract awarding \$25,000 in a single year by the office of the State Treasurer or Oregon Investment Council.
2. One year restriction from accepting employment from or being retained by a private entity with which there was investment of \$50,000 in one year by the office of the State Treasurer or Oregon Investment Council.
3. One year restriction from being a lobbyist for an investment institution, manager or consultant, or from representing an investment institution, manager, or consultant, before the office of State Treasurer or Oregon Investment Council.

ORS 244.045(4) Public Officials who invested public funds:

1. Two year restriction from being a lobbyist or appearing before the agency, board or commission for which public funds were invested.
2. Two year restriction from influencing or trying to influence the agency, board or commission.
3. Two year restriction from disclosing confidential information gained through employment.

ORS 244.045(5) Department of State Police:

Member of State Police who has been designated by law and was responsible for supervising, directing or administering programs related to Native American tribal gaming or the Oregon State Lottery

1. One year restriction from accepting employment from or gaining financial benefit related to gaming from the Lottery or a Native American Tribe.
2. One year restriction from gaining financial benefit from a private employer who sells gaming equipment or services.
3. One year restriction from trying to influence the Department of State Police or from disclosing confidential information.

Exceptions include subsequent employment with the state police, appointment as an Oregon State Lottery Commissioner, Tribal Gaming Commissioner or lottery game retailer, or personal gaming activities.

ORS 244.045(6) Legislative Assembly
Representative
Senator

A person who has been a member of the Legislative Assembly, may not, within one year after ceasing to be a member of the Legislative Assembly, receive money or other consideration for lobbying as defined in ORS 171.725.

How would Oregon Government Ethics law apply when a former public official is employed by a business that has a contract with the public body previously represented by the former public official?



In addition to the restrictions on specific positions identified above, the restriction in ORS 244.047 applies to all former public officials. After a public official ceases serving a public body or being employed in a position as a public official, that public official may not have a direct beneficial financial interest in a public contract for two years after the date the contract was authorized by the person acting in their capacity as a public official.

Whether a public official authorizes a contract individually as an employee of a public body, or participated in the authorization of a contract in their official capacity as a member of a board, commission, council, bureau, committee or other governing body, the person is restricted from financially benefiting from that public contract for two years after the date of authorization. [ORS 244.047]

“Authorized by” is defined in OAR 199-005-0035(6) as follows:

As used in ORS 244.047, a public contract is “authorized by” a public official if the public official performed a significant role in the selection of a contractor or the execution of the contract. A significant role can include recommending approval or signing of the contract, including serving on a selection committee or team, or having the final authorizing authority for the contract.

GIFTS

Oregon Government Ethics law establishes restrictions on the value of gifts that can be accepted by a public official. If the source of a gift to a public official has a legislative or administrative interest in the decisions or votes of the public official, the public official can only accept gifts from that source when the aggregate value of gifts from that source does not exceed \$50 in a calendar year. [ORS 244.025].



The following framework of conditions applies when public officials, their relatives, or members of their households are offered gifts. To decide if a gift, or “something of value,” can be accepted with or without restrictions, the public official must analyze the offer and the source of the offer. As will be apparent in the following discussion, the burden of any decision on accepting a gift rests solely with the individual public official.

What counts as a “gift”?

When Oregon Government Ethics law uses the word “gift” it has the meaning in ORS 244.020(7)(a):

“Gift” means something of economic value given to a public official, a candidate or a relative or member of the household of the public official or candidate:

(A) Without valuable consideration of equivalent value, including the full or partial forgiveness of indebtedness, which is not extended to others who are not public officials or candidates or the relatives or members of the household of public officials or candidates on the same terms and conditions; or

(B) For valuable consideration less than that required from others who are not public officials or candidates.

In other words, a “gift” is something of economic value that is offered to:

- A public official or candidate or to relatives or members of the household of a public official or candidate,
- Without cost or at a discount or as a forgiven debt, and,
- The offer is not made or available to members of the general public who are not public officials, candidates, or their relatives or household members on the same terms and conditions.

Example: At a conference exclusively for city and county officials, a public official buys a raffle ticket and wins a big screen television. The television is a gift because the value of the television exceeds the cost of the raffle ticket and the opportunity to enter the raffle and win the television was not available to members of the general public on the same terms and conditions.

Example: Outside of a grocery store, a public official buys a raffle ticket from a local scout troop and wins a big screen television. The television is not a gift because, although the value of the television exceeds the cost of the raffle ticket, the opportunity to enter the raffle and win the television was available to members of the general public on the same terms and conditions.

Once a public official or candidate has determined that an offer is a gift, because it is something of economic value that is not offered to members of the general public who are not public officials or candidates on the same terms and conditions, the public official or candidate must then determine if the value of the gift, combined with any other gifts from the same source during the calendar year, exceeds \$50. If so, the public official must then determine if the source of the gift has a legislative or administrative interest.

Any discussion of gifts must begin with the reminder that if the source of a gift to a public official or candidate **does not** have a legislative or administrative interest in the decisions or votes of the public official or candidate if elected, the public official or candidate can accept unlimited gifts from that source. [ORS 244.040(2)(f)]

What is a “Legislative or Administrative Interest”?



Whether there is a legislative or administrative interest is pivotal to any decision a public official or a candidate, if elected, makes on accepting gifts. It will mean the difference between being allowed to accept gifts without limits, accepting gifts with an annual limit of \$50 on the aggregate value, or accepting gifts which are specified exceptions under ORS 244.020(7).

The definition of a legislative or administrative interest is set forth in ORS 244.020(10):

“‘Legislative or administrative interest’ means an economic interest, distinct from that of the general public, in:

- (a) Any matter subject to the decision or vote of the public official acting in the public official’s capacity as a public official; or
- (b) Any matter that would be subject to the decision or vote of the candidate who, if elected, would be acting in the capacity of a public official.”

When analyzing a set of circumstances and applying “legislative or administrative interest,” there are several factors to consider:

Source: The Commission adopted a rule that identifies the source of a gift as the person or entity that makes the ultimate and final payment of the gift's expense. OAR 199-005-0030 places two burdens on a public official who accepts gifts. The public official must know the identity of the source and, if applicable, avoid exceeding the limit on the aggregate value of gifts accepted from that source. [OAR 199-005-0030(2)]

Distinct from that of the general public:

With regard to gifts, this phrase refers to a distinct economic interest held by the source of a gift. That economic interest is in the financial gain or loss that could result from any votes cast or decisions made by a public official. If the source of a gift would realize a financial gain or detriment from matters subject to the vote or decision of a public official, that source has an economic interest in that public official. That economic interest is “distinct from that of the general public” if the potential financial gain or detriment is distinct from the financial impact that would be realized by members of the general public from the matters subject to votes or decisions of that same public official.



There are decisions or votes that have an economic impact on single individuals or individuals from specific businesses or groups that are distinct from the economic impact on members of the general public. On the other hand, there are many votes or decisions made by public officials that have the same general economic impact on individuals, businesses, organizations and members of the general public. Some examples of decisions or votes that would likely have an economic impact on members of the general public would be those that change water usage rates for residential users, fees for pet licenses, or fines for parking violations.

To illustrate, private contractors have an economic interest in any public official who has the authority to decide or vote to award them contracts. The economic interest of these contractors is distinct from the economic interest held by members of the general public in those decisions or votes.

To further illustrate, real estate developers have an economic interest in any public official who has the authority to decide or vote to approve their land use applications or building permits. The economic interest of these developers is distinct from the economic interest held by members of the general public in those decisions or votes.

Vote: This has the common meaning of to vote as an elected member of a

governing body of a public body or as an appointed member of a committee, commission or board appointed by a governing body, Oregon Legislative Assembly, or the Office of the Governor.

Decision: A public official makes a decision when the public official exercises the authority given to the public official to commit the public body to a particular course of action. [OAR 199-005-0003(2)].



Whether to accept or reject the offer of a gift must be made individually by each public official. There will be some public officials who may accept unlimited gifts from a source and other public officials within the same public body that would have restrictions on gifts have the same authority, responsibilities or duties. Some may vote and make decisions, others may do one but not the other, and many will not vote or make decisions. This means that when gifts are offered to two or more public officials, one public official may be allowed to accept the gift without limits, and another public official may not be able to accept the gift at all, or may only be able to accept it with limits as to value or with other restrictions.

Example: A cellular service provider offers a discounted cell-phone plan for first responders. The discounted plan is available only to first responders who work for state or local governments. Because the discounted cell-phone plan is not available to members of the general public on the same terms and conditions, it is a gift subject to the restrictions and limitations in ORS 244.025. First responders who are in positions to make official decisions for their agencies that could financially affect the cellular service provider, such as Fire Chiefs or board members, could not accept the discounted cell-phone plan since the discount totals more than \$50 in a calendar year; however, first responders who are not in positions to make official decisions for their agencies that could financially affect the cellular service provider could accept the discounted cell-phone plan.

What obligations are placed on the giver of a gift?

Sources who offer gifts or other financial benefits to public officials must also be aware of the provisions in ORS Chapter 244. While the specific gift of paid expenses may be allowed by ORS 244.020(7)(b)(F), ORS 244.100(1) requires the source of this gift, if over \$50, to notify the public official in writing of the aggregate value of the paid expenses. There is also a notice requirement in ORS 244.100(2) for the source of an honorarium when the value exceeds \$15. Lobbyists, clients or employers of lobbyists, and others who provide gifts or financial benefits to public officials should also familiarize themselves with the provisions in ORS 171.725 through ORS 171.992 and Divisions 5 and 10 of Chapter 199 in the Oregon Administrative Rules. The Commission has published a “Guide to Lobbying in Oregon” that provides a summary of these regulations and rules.

What gifts may a public official accept regardless of value?

While gifts from a source with a legislative or administrative interest in the decisions or

votes of a public official may only be accepted up to the \$50 limit, there are some gifts that are excluded from the definition of a “gift,” when offered under specific conditions or when prerequisites are met. If the offer of a gift is excluded from the definition of a “gift,” the offer may be accepted by a public official, regardless of value.

The value of gifts that are allowed as exclusions does not have to be included when calculating the aggregate value of gifts received from that source in one calendar year. [ORS 244.020(7)(b)] Although some gifts are allowed by these exclusions, it should be remembered that a source may have a notice requirement or there may be reporting requirements for the public official or the source. If you are a public official accepting gifts or a source offering gifts, it is important that you become familiar with the requirements that may apply to you.

ORS 244.020(7)(b) provides a description of the **GIFTS THAT ARE ALLOWED** as exclusions to the definition of a “gift.” **NOTE:** Not all of these exclusions apply to gifts offered to candidates. These exclusions include:

- Campaign contributions as defined in ORS 260.005. [ORS 244.020(7)(b)(A)]
- Contributions to a legal expense trust fund established under ORS 244.209. [ORS 244.020(7)(b)(G)]
- Gifts from relatives or members of the household of public officials or candidates. [ORS 244.020(7)(b)(B)]
- Anything of economic value received by a public official or candidate, their relatives or members of their household when:

The receiving is part of the usual and customary practice of the person’s business, employment, or volunteer position with any non-profit or for-profit entity; [ORS 244.020(7)(b)(O)(i)] **and**

The receiving bears no relationship to the person’s holding the official position or public office. [ORS 244.020(7)(b)(O)(ii)]

- Unsolicited gifts with a resale value of less than \$25 and in the form of items similar to a token, plaque, trophy and desk or wall mementos. [ORS 244.020(7)(b)(C); OAR199-005-0010]
- Publications, subscriptions or other informational material related to the public official’s duties. [ORS 244.020(7)(b)(D)]
- Waivers or discounts for registration fees or materials related to continuing education or to satisfy a professional licensing requirement for a public official or candidate. [ORS 244.020(7)(b)(J)]

- Entertainment for a public official or candidate and their relatives or members of their households when the entertainment is incidental to the main purpose of the event. [ORS 244.020(7)(b)(M); OAR 199-005-0001; OAR 199-005-0025]
- Entertainment for a public official, a relative of the public official or a member of the public official's household when the public official is acting in an official capacity and representing a government agency for a ceremonial purpose. [ORS 244.020(7)(b)(N); OAR 199-005-0025(2)]
- Cost of admission or food and beverage consumed by the public official, a relative of the public official, a member of the public official's household or staff when they are accompanying the public official, who is representing a government agency, at a reception, meal or meeting held by an organization. [ORS 244.020(7)(b)(E); OAR 199-005-0015; OAR 199-005-0001]
- Food or beverage consumed by a public official or candidate at a reception where the food and beverage is an incidental part of the reception and there was no admission charged. [ORS 244.020(7)(b)(L); OAR 199-005-0001(3)]
- When public officials travel together inside the state to an event bearing a relationship to the office held and the public official appears in an official capacity, a public official may accept the travel related expenses paid by the accompanying public official. [ORS 244.020(7)(b)(K)]
- Payment of reasonable expenses if a public official is scheduled to speak, make a presentation, participate on a panel or represent a government agency at a convention, conference, fact-finding trip or other meeting. The paid expenses for this exception can only be accepted from another government agency, Native American Tribe, an organization to which a public body pays membership dues, or not-for-profit organizations that are tax exempt under 501(c)(3). [ORS 244.020(7)(b)(F); OAR 199-005-0020; OAR 199-005-0001]
- Payment of reasonable food, lodging or travel expenses for a public official, an accompanying relative, member of household, or staff, may be accepted when the public official is representing their government agency at one of the following: [ORS 244.020(7)(b)(H); OAR 199-005-0020; OAR 199-005-0001]
 - Officially sanctioned trade promotion or fact-finding mission; [ORS 244.020(7)(b)(H)(i)] **or**
 - Officially designated negotiation or economic development activity when receipt has been approved in advance. [ORS 244.020(7)(b)(H)(ii)]

[NOTE: Who may officially sanction and officially designate these events, and how to do so, is addressed in OAR 199-005-0020(3)(b).]

- Payment to a public school employee of reasonable expenses for accompanying students on an educational trip. [ORS 244.020(7)(b)(P)]
- Food and beverage when acting in an official capacity in the following circumstances: [ORS 244.020(7)(b)(I)]
 - In association with a financial transaction or business agreement between a government agency and another public body or a private entity, including such actions as a review, approval or execution of documents or closing a borrowing or investment transaction; [ORS 244.020(7)(b)(I)(i)]
 - When the office of the Treasurer is engaged in business related to proposed investment or borrowing; [ORS 244.020(7)(b)(I)(ii)]
 - When the office of the Treasurer is meeting with a governance, advisory or policy making body of an entity in which the Treasurer's office has invested money. [ORS 244.020(7)(b)(I)(iii)]

GIFTS AS AN EXCEPTION TO THE USE OF OFFICE PROHIBITION IN ORS 244.040

As covered in more detail in the discussion beginning on page 17, public officials are prohibited from using or attempting to use the position they hold to obtain a prohibited financial benefit. [ORS 244.040(1)] As covered in more detail in the discussion beginning on page 26, Oregon Government Ethics law does not prohibit public officials from accepting gifts, but it does place on each individual public official the personal responsibility to understand there are circumstances when the aggregate value of gifts may be restricted. [ORS 244.025] These provisions of Oregon Government Ethics law often converge and require analysis by public officials to determine whether the opportunity to obtain financial benefits represents the use of an official position prohibited by ORS 244.040(1) or a gift addressed with other provisions in ORS Chapter 244 [ORS 244.020(7), ORS 244.025 or ORS 244.040(2)(e),(f) and (g)].



ORS 244.040 was amended in 2007 to make the acceptance of gifts that comply with ORS 244.020(7) and ORS 244.025 exceptions to the prohibition on public officials' use or attempted use of an official position to gain financial benefits. [ORS 244.040(2)(e), (f) and (g)] If a public official, relative, or household member accepts a permissible gift or a financial benefit that qualifies as an exception to the definition of a gift, ORS 244.040(1) does **not** prohibit its acceptance. If a public official, relative, or household member accepts a gift that exceeds the restrictions or limitations set forth in ORS 244.025, then that gift would not qualify under the exceptions set forth in ORS 244.040(e), (f) and (g). Acceptance of that gift could constitute a violation of both ORS 244.025 and ORS 244.040(1).

When the Commission applies Oregon Government Ethics law to "something of economic value" offered to a public official that meets the definition of "gift," it will first be analyzed to determine whether it is a violation of ORS 244.025. If the Commission determines that acceptance of the gift constitutes a violation of ORS 244.025 (unlawful acceptance of a gift), it will then determine if it also constitutes a violation of ORS 244.040(1) (prohibited use of office).

The following are examples to illustrate the Commission's approach:

- The mayor of a town on the Oregon coast was a college roommate with Bob Smith, who now manages a company that owns many golf courses in Oregon and other states. One of the company's golf courses is in the mayor's town. The mayor and

Bob have remained friends ever since college. Recently, Bob invited the mayor to join him at the Masters' Tournament in Augusta, offering to fly him there on Bob's private jet, stay in Bob's condo, and host him at a private booth at the Tournament. The value of this trip exceeds \$50, and Bob has a legislative or administrative interest in the mayor's decisions as a public official, as one of Bob's golf courses is in the mayor's town. Since the value of the trip exceeds \$50, is not extended to others who are not public officials on the same terms and conditions, and is from a source with a legislative or administrative interest, it is a gift that the mayor cannot accept without violating ORS 244.025(1). It also does not qualify as an exception to ORS 244.040(1). [ORS 244.040(2)(e)]. Bob has been inviting his old college friend on this trip for at least 10 years, long before the friend was elected mayor recently. This and other evidence indicates that the mayor received this offer because he and Bob are friends, not because he is the town's mayor; therefore, the offer of this trip does not represent a financial gain that would not be available to the mayor but for his holding his public office. Thus, if the mayor accepted the gift of this trip, the mayor would violate ORS 244.025(1) (acceptance of an unlawful gift), but would not violate ORS 244.040(1) (prohibited use of office).

- A public works director for B City holds weekly breakfast meetings at a local diner. The public works director invites five main contractors in B City, all of whom do business with the city, to attend these meetings. The contractors take turns picking up the tab for the public works director's breakfast. Because the public works director has the authority to recommend the contractors for projects with the city, the contractors have economic interests distinct from that of the general public in the public works directors' decisions or recommendations. Over the course of a calendar year, each contractor pays for at least ten meals for the public works director, at a total aggregate cost exceeding \$50. These meals constitute unlawful gifts to the public works director, as their value exceeds \$50, they are not extended to others who are not public officials on the same terms and conditions, and they are from sources with distinct economic interests in the public works director's decisions or recommendations. The contractors would not pay for these meals if he were not the public works director. Thus, in addition to violating ORS 244.025(1), by accepting these meals the public works director also violates ORS 244.040(1).

The responsibility for judgments and decisions made in order to comply with the various provisions in Oregon Government Ethics law rests with the individual public official who faces the circumstances that require a judgment or decision. That is true of questions regarding gifts, use of an official position, announcing the nature of conflicts of interest and the many situations addressed in ORS Chapter 244.

NEPOTISM



Does Oregon Government Ethics law prevent two or more relatives from being employees of the same public body?

No. Public officials who are relatives can be employed by the same public body employer at the same time, or serve at the same time on the same governing body of a public body.

ORS Chapter 244 does, however, does address the issue of “nepotism.” The definitions of “member of household” and “relative” found in ORS Chapters 244.020(11) and 244.020(16) apply here: See page 7.

What are the provisions that address nepotism?

Public officials are restricted from participating in personnel actions taken by the public agency that would impact the *paid employment* of a relative or member of the public official’s household. If a public official has a relative or household member who has applied to be or serves as an *unpaid volunteer*, the public official may participate in any personnel action that involves the relative or member of the household.

Personnel actions addressed by this statute include:

- Appointing, employing or promoting a relative or member of the public official’s household; or
- Discharging, firing or demoting a relative or member of the public official’s household.

ORS 244.177(1)(a) provides that a public official may not appoint, employ or promote (or discharge, fire or demote) a relative or member of their household from a position with the public body that the public official serves or over which the public official exercises jurisdiction or control, unless the public official complies with the conflict of interest requirements of ORS Chapter 244. Even if the public official discloses a conflict of interest, a public official who takes such a personnel action for a relative or member of their household could still be found in violation of the use of office provisions of ORS 244.040(1).

Separately, ORS 244.177(1)(b) directs that a public official may not participate in any interview, discussion or debate regarding such personnel actions involving a relative or member of the public official’s household.

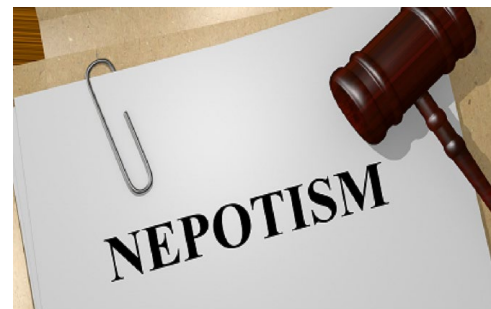
A public official who is assigned duties that include performing “ministerial acts” related

to any stage of a relative's employment is not prohibited from performing such acts. "Ministerial acts" would include mailing or filing forms or correspondence, taking and relaying messages, scheduling appointments or preparing documents and minutes for public meetings. A public official may serve as a reference or provide a recommendation for a relative who has applied for a position of employment, promotion, or is subject to any personnel action.

Exception: Public officials may not, however, participate in appointing a relative or member of the household to an unpaid position on the governing body of the public body that the public official serves or over which the public official exercises jurisdiction or control. [ORS 244.177(3)(a) and (b)]

Can public officials supervise their relatives or members of their households?

Nepotism also applies to supervision of relatives or members of the public official's household. ORS 244.179(1) prohibits public officials from directly supervising relatives or members of their household in paid positions. The public official may supervise an unpaid volunteer serving the public body, unless the volunteer position is as a member of a governing body of the public body. [ORS 244.179(3)]



Policy Exception: ORS 244.179(4) permits a public body to adopt policies that specify when a public official, acting in an official capacity for the public body, may directly supervise a relative or member of the public official's household in a paid position. OAR 199-005-0080 provides guidance to public bodies in developing such policies. Absent such a policy, a public official may not directly supervise a remunerated person who is a relative or member of the public official's household. [ORS 244.179(1)]

Direct supervision of a paid relative or household member includes official actions that would financially impact their relative or household member, such as:

- Conducting performance reviews
- Approving leave or vacation time
- Recommending or approving pay changes
- Assigning shifts
- Approving overtime
- Authorizing or approving reimbursements or travel expenses
- Authorizing worksite assignments or teleworking

Exception: Public officials who are elected members of the Oregon Legislative Assembly are not prohibited from participating in employment actions, including supervision of their relatives or household members on their personal staff [ORS 244.177(2)].

ANNUAL VERIFIED STATEMENT OF ECONOMIC INTEREST



There are approximately 5,500 Oregon public officials who must file an **Annual Verified Statement of Economic Interest (SEI)** with the Oregon Government Ethics Commission **by April 15** of each calendar year. The SEIs are now filed electronically through the Commission's Electronic Filing System (EFS).

ORS 244.050 identifies the public officials who are required to file SEIs. Please refer to that statute to see if your specific office or position requires you to file an SEI. In general, public officials who hold the following positions are required to file:

- State public officials who hold elected or appointed executive, legislative or judicial positions. This includes those who have been appointed to positions on certain boards or commissions.
- In counties, all elected officials, such as commissioners, assessors, surveyors, treasurers and sheriffs must file. Planning commission members and the county's principal administrator must also file.
- In cities, all elected officials, the city manager or principal administrator, municipal judges and planning commission members must file.
- Administrative and financial officers in school districts, education service districts and community college districts must file.
- Some members of the board of directors for certain special districts must file.
- Candidates for some elected public offices are also required to file.

The Commission staff has identified by jurisdiction the public officials whose position requires them to file the SEI. Each jurisdiction (city, county, executive department, board or commission, etc.) has a person (jurisdictional contact) who acts as the Commission's point of contact for that jurisdiction. [OAR 199-020-0005(1)]

The **jurisdictional contact (JC)** for each jurisdiction has an important role as a liaison between the Commission and the SEI filers in their jurisdiction. It is through the JC that the Commission obtains the current name, address and email address of each public official who is required to file. When there is a change in who holds a position through resignation, appointment or election, the JC periodically updates their jurisdictional records and beginning in January of each year the JC is asked to update and verify the required filers in the EFS system. Any necessary changes or updates in EFS are due by February 15. [OAR 199-020-0005(2)]

As with other provisions in Oregon Government Ethics law, it is each public official's personal responsibility to ensure they comply with the requirement to complete and submit the SEI by April 15. Those public officials who must file an SEI are well served if the JC for their jurisdiction ensures that the Commission has the correct name and email address of the public official. The JC should ensure that each SEI filer has been advised of the reporting requirements. Each filer should also receive information as to the procedures the jurisdiction follows to assist the filer in meeting the SEI filing requirement.

Again, the requirement to file the SEI is the personal responsibility of each public official. Each public official should comply and file timely, as the civil penalties for late filing are \$10 for each of the first 14 days after the filing deadline and \$50 for each day thereafter until the aggregate penalty reaches the maximum of \$5,000. [ORS 244.350(4)(c)]

SEI Filing

NOTE: Only public officials who hold a position that is required to file, and who hold that position on April 15 of the year the SEI is due, must file an SEI.

SEIs are filed online through the Commission's Electronic Filing System (EFS). Notifications and instructions for e-filing will be sent to SEI filers electronically via email addresses initially supplied in EFS by the JC and updated when necessary.

The following is a brief description of the information requested in the SEI electronic filing. The information needed to complete the filing pertains to the previous calendar year.

- Name, address and a brief description of each business in which a position as officer or director was held by the filer or household member. [ORS 244.060(1)]

Name, address and a brief description of each business through which the filer or household member did business. [ORS 244.060(2)]

Name, address, and brief **description** of the **sources** (*not amounts*) of income for the filer and household members that represent 10 percent or more of the annual household income. [ORS 244.060(3)]

Example: An SEI filer resides only with a spouse and their annual household income from the prior year is derived from the spouse's job at Walmart, the spouse's retirement, and the public official's salary as an employee at a public university. The respective "sources" would be: "Walmart", "Social Security" and "XX University"; respective "descriptions" would be "spouse's wages", "spouse's retirement" and "filer's salary".

- Ownership interests held by the filer or household members in real property, **except for their principal residence**, located within the geographic boundaries of the jurisdiction in which the filer holds the position or seeks to hold. [ORS 244.060(4)(a) and (b)] **NOTE: SEI filers who serve statewide and members of the Legislative**

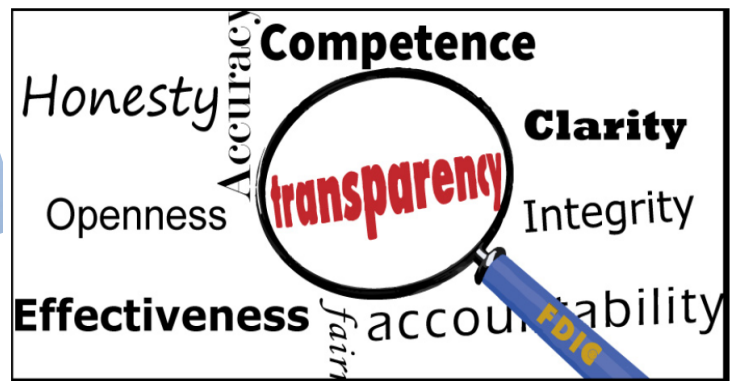
Assembly must report real property held within the entire state of Oregon. This applies to candidates for statewide office and the Legislative Assembly.

- Honoraria or other items allowed by ORS 244.042 that exceed \$15 in value given to the filer or household members. Include a description of the honoraria or item and the date and time of the event when the item was received. [ORS 244.060(7)] Remember that honorarium cannot exceed \$50. [ORS 244.042(3)(a)]
- Name of each lobbyist associated with any business with which the filer or household member is associated, unless the association is through stock held in publicly traded corporations. [ORS 244.090]
- If the public official received over \$50 from an entity when participating in a convention, fact-finding mission, trip, or other meeting as allowed by ORS 244.020(7)(b)(F), list the name and address of the entity that paid the expenses. Include the event date, aggregate expenses paid and the purpose for participation. [ORS 244.060(5) and ORS 244.100(1)] [Not required for candidates]
- If the public official received over \$50 from an entity when participating in a trade promotion, fact-finding mission, negotiations or economic development activities as allowed by ORS 244.020(7)(b)(H), list the name and address of the person that paid the expenses. Include the event date, aggregate expenses paid and nature of the event. [ORS 244.060(6)] [Not required for candidates]
 - **EXCEPTION:** Expenses paid by the public body to their own public officials need not be reported by the public official under ORS 244.060 [OAR 199-005-0035(4)].

The following is required if the information requested relates to an individual or business that has been doing, is doing or could reasonably be expected to do business with the filer's governmental jurisdiction, has a legislative or administrative interest in the filer's governmental jurisdiction, or over which the filer exercises any authority:

- Name, address and description of each source of income (taxable or not) that exceeds \$1,000 for the filer or a household member. [ORS 244.060(8)]
- Name of each person the filer or a household member owes or has owed \$1,000 or more in the previous calendar year. Include the date of the loan and the interest rate. Debts on retail contracts or with regulated financial institutions are excluded. [ORS 244.070(1)]
- Name, address and description of nature of each business in which filer or household member has beneficial interest over \$1,000 or investment held in stocks or securities over \$1,000. Exemptions include mutual funds, blind trusts, deposits in financial institutions, credit union shares and the cash value of life insurance policies. [ORS 244.070(2)]

- Name of each person from whom the filer received a fee of over \$1,000 for services, unless disclosure is prohibited by law or a professional code of ethics. [ORS 244.070(3)]



LEGAL EXPENSE TRUST FUND

The Oregon Government Ethics Commission can authorize a public official to establish a legal expense trust fund to be used to defray expenses incurred for a legal defense in any civil, criminal or other legal proceeding or investigation that relates to or arises from the course and scope of duties of the person as a public official. [ORS 244.205]

The provisions regarding the establishment of this fund are detailed in ORS 244.205 through ORS 244.221. If a public official is considering the need to establish a legal expense trust fund, these provisions should be reviewed. The Commission staff is available to provide guidance on the procedures. The following are some of the significant elements of a legal expense trust fund:

- A public official may only have one trust fund at any one time. [ORS 244.205(4)]
- The application to establish the fund must be submitted to the Commission for review and authorization. ORS 244.209 details what information and documents must accompany the application.
- The public official may act as the public official's fund trustee. [ORS 244.211(2)]
- Once authorized and established, any person may contribute to the fund. [ORS 244.213(1)]
- Contributions from a principal campaign committee are not allowed. [ORS 244.213(3)]
- Funds must be maintained in a single exclusive account [ORS 244.215].
- Quarterly reports of contributions and expenditures from the fund are required. [ORS 244.217]
- The fund may be terminated within six months after the legal proceeding for which the fund was established has been concluded. [ORS 244.219]
- When terminated, remaining funds must be returned to contributors on a pro rata basis. [ORS 244.221(1)]
- If the legal proceeding for which the fund was initiated resulted in any financial award or money judgment in favor of the public official, such moneys shall be distributed in the following order: outstanding legal expenses, to trust fund contributors on a pro rata basis, and to the public official or, if required by the trust agreement, to an organization exempt from taxation under section 501(c)(3) of the IRS Code. [ORS 244.221(2)]

Once established, can the public official solicit funds in order to pay for the cost of a legal defense?

Yes. An exception to the prohibited use of office provision explicitly allows a public official to solicit and accept funds for the official's legal expense trust fund. [ORS 244.040(2)(h)] Also, contributions to a legal expense trust fund are excluded from the definition of a "gift." [ORS 244.020(7)(b)(G)]

OREGON GOVERNMENT ETHICS COMMISSION

The Governor appoints all nine members of the Commission and each appointee is confirmed by the Senate. The commissioners are recommended as follows: [ORS 244.250]

- 2 Recommended by the Senate Democratic leadership
- 2 Recommended by the Senate Republican leadership
- 2 Recommended by the House Democratic leadership
- 2 Recommended by the House Republican leadership
- 1 Recommended by the Governor

The Commission members select a chairperson and vice chairperson annually. No more than three commissioners with the same political party affiliation may be appointed to the Commission to serve at the same time. The commissioners are limited to one four-year term, but if an appointee fills an unfinished term they can be reappointed to a subsequent four year term.

The Commission is administered by an executive director, who is selected by the Commission. Legal counsel is provided by the Oregon Department of Justice. Commission staff provide administration, training, guidance, issue written opinions and advice, and conduct investigations when complaints are filed with the Commission.

Training:

The Commission has designated training as one of its highest priorities. It has two staff positions to provide free training to public officials and lobbyists on the laws and regulations under its jurisdiction. Training is provided through presentations at training events, web-based training, informational links on the website, topical handouts and guidance offered when inquiries are received. Contact the Commission to obtain free training through our website at <https://www.oregon.gov/ogec/training/Pages/default.aspx>



Advice:



Questions regarding the Commission's laws, regulations and procedures are a welcome daily occurrence. Timely and accurate answers are a primary objective of the staff. All members of the Commission staff are cross-trained in the laws and regulations under the Commission's jurisdictions. Guidance and information is provided either informally, over the telephone at 503-378-5105, by e-mail at ogec.mail@oregon.gov, or in the following written formal advice and opinions:

- **Staff Advice:** ORS 244.284 provides for informal staff advice, which may be offered in several forms, such as in person, by telephone, e-mail or letter. In a letter of advice, the proposed, hypothetical or actual facts are restated as presented in

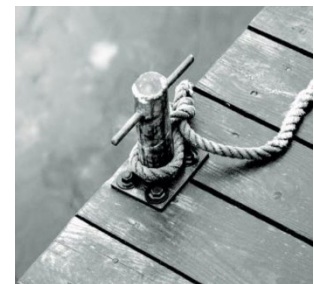
the request, along with the relevant statutes and administrative rules. The advice will discuss how the law applies to the questions asked or raised by the fact circumstances presented in the request.

- **Staff Advisory Opinion:** ORS 244.282 authorizes the executive director to issue a staff advisory opinion upon receipt of a written request. The Commission must respond to any request for a staff advisory opinion within 30 days, unless the executive director extends the deadline by an additional 30 days. The staff advisory opinion is issued in a letter that restates the proposed, hypothetical or actual facts presented in the written request and identifies the relevant statutes and administrative rules. The opinion will discuss how the law applies to the questions asked or raised by the fact circumstances presented in the request.
- **Commission Advisory Opinion:** ORS 244.280 authorizes the Commission to prepare and adopt by vote a Commission Advisory Opinion. Commission advisory opinions are reviewed by legal counsel before being adopted by the Commissioners. The opinion will identify the relevant statutes and administrative rules and will discuss how the law applies to the questions asked or raised by the fact circumstances provided in the request. The Commission must respond to any request for a Commission Advisory Opinion within 60 days, unless the Commission extends the deadline by an additional 60 days.

Public officials who request advice or formal opinions must describe the specific facts and circumstances that provide the basis for questions about how the Oregon Government Ethics law may apply. The facts and circumstances may be hypothetical or actual, but must be prospective, describing a proposed transaction or action, not one that has already occurred. If actual circumstances indicate that a violation may have already occurred, the staff cannot provide advice or an opinion because to do so could compromise the Commission's objectivity if a complaint were to be filed. As described below, whether a public official relied on Commission advice or opinions is relevant to sanctions, in the event a complaint is filed against the public official.

If a person requests, receives or relies on any of the advice or opinions authorized by ORS 244.280 through ORS 244.284, does that person have what is referred to as “safe harbor”?

There is no “safe harbor,” if the term is understood to mean that any person who relies on any advice or opinions offered by the Commission or the staff is protected from being a respondent to a complaint or from being found in violation of laws within the jurisdiction of the Commission.



There is, however, specific and conditional protection for any person who has requested and relied in good faith upon advice or an opinion from the Commission or its staff. The conditions and protection is as follows:

- The fact circumstances described in the request must not misrepresent, misstate or omit material facts.
- Reliance on the advice or opinion means that the action or transactions of the person were those described or suggested in the advice or opinion.
- The protection applies only during the penalty phase, after the Commission has determined that a violation has occurred. If there was reliance on staff advice or a Staff Advisory Opinion, the Commission may consider the reliance during the penalty phase. If reliance was on a Commission Advisory Opinion, the Commission may not impose a penalty.

The specific protections for the different forms of advice are as follows:

Staff Advice: If the Commission makes a finding that a public official violated provisions of law within its jurisdiction, and that public official acted in accordance with staff advice offered under the authority of ORS 244.284, the Commission may consider that information when sanctioning the violation. [ORS 244.284(2)] The Commission is not prevented from finding a violation, but the sanction imposed could be affected.

Staff Advisory Opinion: If the Commission determines that a public official violated provisions of law within its jurisdiction, and the public official acted in accordance with a staff advisory opinion under the authority of ORS 244.282, in sanctioning the violation, the Commission may consider whether the public official committed the violation when acting in reliance on the staff advisory opinion. [ORS 244.282(3)] The Commission is not prevented from finding a violation in these circumstances, but any sanction is limited to issuing a written letter of reprimand, explanation, or education, unless it finds that the person omitted or misstated material facts in the request for a staff advisory opinion.

Commission Advisory Opinion: The Commission may not impose a penalty on a person for any good faith action taken by the person while relying on a Commission Advisory Opinion, unless it is determined that the person who requested the opinion omitted or misstated material facts in the opinion request. [ORS 244.280(3)] For the Commission Advisory Opinion to be a factor in preventing the imposition of a penalty, it is important to understand that the circumstances described in the request must have been an accurate description of what occurred when the respondent committed the violation, and the actions of the respondent must have been those recommended or described in the Commission Advisory Opinion. The Commission is not prevented from finding a violation in these circumstances, but could be prevented from imposing a sanction.

Any person who has not requested advice or an opinion must be cautious when trying to apply advice or opinions offered to others. The advice and opinions given are based on and tailored to the specific fact circumstances presented in a request. Fact circumstances

vary from one situation to another and they vary from one public official to another. If a person reviews an opinion or advice issued to another for circumstances the person believes similar to those now met and relies on that advice, the person must ensure the similarity is sufficient for the application of law to be the same.

It is important to remember that the provisions of law apply to the individual actions of the person or public official. There are events or occasions when more than one public official may be present and participating in their official capacities. Depending on the circumstances and conditions for an event or transaction, the law may have a different application for one public official than for other public officials.

Published advice that the Commission has issued may be found at <https://www.oregon.gov/ocec/public-records/Pages/Advice-and-Opinions.aspx>



Compliance:

The Commission has a program manager who oversees the management and administration of the various reports that are filed with the Commission. There are approximately 1,000 lobbyists who must file or renew their lobbying registrations every two years. These lobbyists, and their clients or employers, must also file lobbying activity expense reports every quarter. Additionally, there are approximately 5,500 public officials who must file the Annual Verified Statement of Economic Interest each April 15. The program manager and Commission staff are available by telephone or e-mail to provide assistance and answer questions about registration and filing requirements and procedures.

Complaint Review Procedures:

Investigations are initiated through a complaint procedure. [ORS 244.260 and ORS 171.778] Any person may file a signed, written complaint alleging that there may have been a violation of Oregon Government Ethics law, Lobbying Regulation or the executive session provisions of Oregon Public Meetings law. The complaint must identify the public official believed to have violated the law, and must state the person's reason for believing that a violation may have occurred and include any evidence that supports that belief. The complaint must identify and be signed by the person filing it. Anonymous complaints are not accepted. The executive director reviews the complaint for jurisdiction and sufficiency. If additional information is needed, the complainant is asked to provide that information.

Complaints are filed online via the “Complaint Form” found on the Commission’s website homepage at <https://www.oregon.gov/ogec/public-records/Pages/Complaints.aspx>. All complaints must be signed, either through an e-signature if submitted through the online complaint system, or an inked signature if filed by paper. NOTE: The name of the complainant is furnished to the subject of a complaint.

If there is reason to believe that a violation of laws within the jurisdiction of the Commission may have been committed, a case will be initiated upon receipt of a complaint. The Commission may also initiate a case on its own complaint by motion and vote. Before approving such a motion, the public official against whom the action may be taken is notified and given an opportunity to appear before the Commission at the meeting when the matter is discussed or acted upon.

When a case is initiated, the public official against whom the allegations are made is referred to as the respondent. The respondent is notified of the complaint and provided with the information received in the complaint and the identity of the complainant. Whether based on a complaint or a motion by the Commission, the initial stage of the case is called the preliminary review phase. The time allowed for this phase is limited to 30 days (135 days for lobby cases) and ends when the executive director finalizes the preliminary review report.

A court may enjoin the Commission from continuing its inquiry during the preliminary review phase. Also, if a complaint is made against a candidate within 61 days of an election, the candidate may make a written request for a delay. [ORS 244.260(4)(a)]

During the preliminary review phase, the Commissioners and staff can make no public comment on the matter other than to acknowledge receipt of the complaint. It is maintained as a confidential matter until the Commission meets in executive session to consider whether to dismiss the complaint or find cause to conduct an investigation. Following the Commission’s consideration of the preliminary review report in executive session, the case file is subject to public disclosure.

If the Commission votes to dismiss the complaint, the matter is concluded and both the respondent and complainant are notified. If cause is found to investigate, then an investigatory phase begins. The investigatory phase is limited to 180 days. The investigatory phase may be suspended during a pending criminal investigation if the Commission determines that its own investigation cannot be adequately completed until the criminal investigation is complete, or if a court enjoins the Commission from investigation.

During the investigatory phase, Commission investigators will solicit information and documents from the complainant, respondent, and other witnesses and sources that are identified. Before the end of the 180 day investigatory period, an investigation report will be prepared. The investigation report is reviewed by the Commission’s legal counsel before being finalized by the executive director. The investigation report is presented to the Commission in the public session portion of its meeting. The Commission will then

consider the results of the investigation and generally will vote to either dismiss the complaint or make a preliminary finding that a violation of law was committed by the respondent. The preliminary finding of a violation is based on what the Commission considers to be a preponderance of evidence sufficient to support such a finding.

If a preliminary finding of violation is made, the respondent will be offered the opportunity to request a contested case hearing. At any time, either during the investigative phase or after a preliminary finding of violation is made, the respondent is encouraged to negotiate a settlement with the executive director, who represents the Commission in such negotiations. Most cases before the Commission are resolved through a negotiated settlement, with the terms of the agreement set forth in a Stipulated Final Order.

The Commission has a variety of sanctions available after making a finding that a violation occurred. Sanctions range from letters of education, reprimand, or explanation, to civil penalties and forfeitures. The maximum civil penalty that can be imposed for each violation of Oregon Government Ethics law is \$5,000, except for violations of ORS 244.045 (regulation of subsequent employment) where the maximum penalty is \$25,000 and for “willful” violations of ORS 244.040 (the “prohibited use of position or office” provision) where the maximum penalty is \$10,000. An additional civil penalty may be assessed equal to twice the financial gain that a respondent realized from a violation. Each violation of the executive session provisions in ORS 192.660 is subject to a maximum fine of \$1,000. Any monetary sanctions paid are deposited into the State of Oregon General Fund.

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