



CITY COUNCIL
March 16, 2021
Council Chambers • 411 SW 9th Street

**COUNCIL
MEMBERS**

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Council President

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Councilor

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Councilor

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Wedding
Councilor

MARCH 16, 2021

WORKSHOP AGENDA

6:00 PM

- I. CALL TO ORDER**
- II. PRESENTATIONS / DISCUSSIONS**
 - A. DEI Presentation #2
- III. TRAINING**
 - A. Ethics Training
- IV. ADJOURN**

Regular Council meetings are broadcast live on COTV11 – BendBroadband Channel 11 beginning at 6:00 p.m. on the 2nd and 4th Tuesdays of each month. Rebroadcasts are scheduled for the non-meeting Tuesdays at 6:00 p.m.

The City of Redmond encourages all citizens to participate in its programs and activities. This meeting location is accessible to people with disabilities. Requests for accommodation may include sign language interpreter service, assistive listening devices, materials in an alternate format or any other accommodation. If any accommodations are needed, please contact the ADA Coordinator at 541-504-3036 or access@ci.redmond.or.us. Requests should be made as soon as possible, but at least 3 business days prior to the scheduled meeting.

The City of Redmond does not discriminate on the basis of disability status in the admission or access to, or treatment, or employment in, its programs or activities

Policy Issue Worksheets

Topic: Diversity Equity Inclusion

Lead (City) Staff: Keith Witcosky

Other Lead (non-City): Erika McCalpine (OSU Cascades)

Purpose: Increase City Council's (and the community's) knowledge and awareness of citywide diversity, equity and inclusion and determine if City Council should take additional steps to advance a DEI initiative.

Project Objectives/Success Criteria:

- Provide City Council and any other participants with a grounded definition of what Diversity/Equity/Inclusion means.
- Provide a common understanding of key terminology that will be a part of future discussions.
- Increase overall awareness and enhanced perspectives on issues related to equity in Redmond, Central Oregon, and Oregon as a state.
- Convene an Equity Task Force to serve as forum for these conversations.

Anticipated Worksession Date: March 16, 2021

Previous Council Worksessions on this Topic:

December 3, 2019

January 19, 2021

Contributors/Subject Matter Experts (check all that apply):

Staff

Education Partners

Neighborhoods

Other jurisdictions

Business Community

Direct Customers/Users

Law Enforcement

Service Providers

Other (list):

REDMOND CITY HALL



LEGAL DEPARTMENT ETHICS TRAINING 2021

MARCH 16, 2021



ETHICS TRAINING TOPICS

- Who this applies to
- Who administers the rules
- Jurisdiction
- Gifts
- Prohibited use of office
- Conflicts of interest
- Nepotism
- Outside employment
- Statement of economic interest (SEI)

ETHICS TRAINING WHO THIS APPLIES TO

Oregon Government Ethics Law

Today's focus:

Oregon Revised Statute chapter 244 &
Administrative Rule chapter 199

All public officials in Oregon must comply
with the Oregon Government Ethics Law.



ETHICS TRAINING WHO ADMINISTERS THE RULES

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Who
Administers
the Ethics
Law?

Oregon Government Ethics Commission

- Review and Investigation
- Resolution
- Advice

<https://www.oregon.gov/ogec/public-records/Pages/Advice-and-Opinions.aspx>

ETHICS TRAINING GIFTS

Limitations on Gifts

A public official, relative or household member may not:

- Solicit or receive any gift;
- With a value exceeding \$50;
- From any single source; and
- Reasonably known to have a legislative or administrative interest.

“Legislative or Administrative Interest”

. “[A]n economic interest, distinct from that of the general public, in:

Any matter subject to the decision or vote of the public official acting in the public official’s capacity as a public official; or

Any matter that would be subject to the decision or vote of a candidate who, if elected, would be acting in the capacity of a public official.



ETHICS TRAINING GIFTS

What are Not Gifts?

- Gifts from relatives or household members.
- Admission provided to or the cost of food and beverage consumed by the public official, relative, household member, or staff member accompanying the official at a reception, meal or meeting while representing the city.
- Reasonable food, travel or lodging expenses provided to a public official, relative, household member, or staff member of a public official accompanying the official while official is representing the city on an officially sanctioned trade promotion or fact-finding mission or in officially designated negotiations or economic development activities where the receipt of expenses is approved in advance.
- Food or beverage consumed by the public official or candidate at a reception where the food or beverage is provided as an incidental part of the reception and no cost is placed on the food or beverage.

ETHICS TRAINING GIFTS

What are Not Gifts?

- Waiver or discount of registration expenses or materials provided at a continuing education event that the public official or candidate may attend to satisfy a professional licensing requirement.
- Unsolicited tokens or awards in the form of a plaque, trophy, desk item, wall memento or similar item, with a resale value reasonably expected to be less than \$25.
- Anything of economic value offered, solicited or received by the public official, candidate, relative or household member as part of the usual and customary practice or the official's private capacity that bears no relationship to the public official's or candidate's official position or public office.
- Contributions to a legal expense trust fund established for the benefit of the public official.

ETHICS TRAINING GIFTS

What to Ask Yourself Before Accepting a Gift



Is it a "gift" within the definition under ORS 244.020?



Do any exceptions apply?



Does the source have a legislative or administrative interest in my position?



Is the value greater than \$50?

Prohibited Use of Office - The “But For” Prohibition

Public officials cannot use their public positions for:

- Financial Gain or Avoidance
- Promise of Future Employment
- Use of Confidential Information Gained Through Public Office
- Representation Before the Governing Body for Fee
- For themselves, a relative or a household member

No matter how minimal

ASK: But for my position as a public official, would I have been provided with or offered the same opportunity?

ETHICS TRAINING PROHIBITED USE OF OFFICE

SLIDE / 11

Exceptions— What is *NOT* Financial Gain



Official compensation package.



Honorarium related to the public official's position with a max value of \$50 or related to a private occupation/avocation/expertise.



Reimbursement of approved expenses.



Unsolicited awards for professional achievement.



Contributions to a legal expense trust fund.

ETHICS TRAINING CONFLICTS OF INTEREST

What is a Conflict of Interest?

Participation in an official action that *would or could* result in a financial benefit to the public official, a relative or a business in which either are associated.

- Potential conflict: when the action taken by the public official *could* have a financial impact on that official, relative or business.
- Actual conflict: when the action taken by the public official *would* have a financial impact on that official, relative or business.

ETHICS TRAINING CONFLICTS OF INTEREST

A diagram for the 'Rule of Necessity'. It features a large, hand-drawn green circle. Inside the circle, the text 'Rule of Necessity' is centered at the top. Below the text is a blue icon of a gavel with radiating lines, symbolizing a legal or official action. The entire diagram is enclosed within a black rectangular border.

- An actual conflict of interest exists but the public official's vote is necessary to meet the minimum number of votes required for official action.
- The public official may vote out of necessity.
- Does not apply when there are insufficient votes because of a member's absence.

Only applies when a quorum is lacking solely because the member must refrain due to the conflict.

- Must still disclose and refrain from any discussion on the matter.

ETHICS TRAINING NEPOTISM

Nepotism

Can do



- You and your relative CAN be employed by the same public employer at the same time or serve on the same governing body at the same time.

Cannot do



- Public officials CANNOT participate in any personnel action taken by the public body that would impact the employment of a relative or member of the public official's household.
- Public officials may not directly supervise a relative or household member. * See OAR 199-005-0080

ETHICS TRAINING PRIVATE EMPLOYMENT

Guidelines for Private Employment

- Public officials are not to engage in private business activities on their city's time.
- A city's supplies, facilities, equipment, employees, records or any other public resources are not to be used to engage in private business interests.
- The position as a public official is not to be used to take official action that could have a financial impact on a private business with which the public official, a relative or member of public official's household are associated.
- 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.
- Watch for conflicts of interest.

ETHICS TRAINING STATEMENT OF ECONOMIC INTEREST

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Annual Filing Requirement

- The SEI must be filed every year by all elected officials, the city manager (or principal administrator), municipal judges and planning commission members.
 - This is not an exclusive list! See ORS 244.050.
- Completed online.
- April 15 deadline.

ETHICS TRAINING RESOURCES

Oregon Government Ethics Commission
Website: www.oregon.gov/OGEC
Email: ogec.mail@oregon.gov
Phone: 503-378-5105

City Attorney

The League of Oregon Cities

Private Attorney



REDMOND CITY HALL



LEGAL DEPARTMENT QUESTIONS?