



Ethics Law Policy

Port of The Dalles Ethics Law

- ⦿ Applies to all elected and appointed officials, employees and volunteers of the Port of The Dalles.
- ⦿ Prohibits use of public office for financial gain
- ⦿ Requires public disclosure of financial conflicts of interest
- ⦿ Limits gifts that an official of the Port of The Dalles may receive per calendar year
- ⦿ As per Oregon Revised Statutes, Chapter 244

Purpose

The purpose of this policy is to establish ethical standards of conduct for all Port of The Dalles public officials in accordance with Oregon Government Ethics law.

Financial Gain

Each public official is prohibited from using the position as a public official to receive certain financial benefits if the opportunity for the financial benefit would not otherwise be available but for the position held by the public official. In addition, each public official is prohibited from using or attempting to use the official position to obtain financial benefits for a relative or a member of the public official's household, or for a business with which the public official, a relative, or a member of the public official's household is associated.

The following is a list of financial benefits that may be received. These include:

- ⦿ Official compensation
- ⦿ Reimbursement of expenses
- ⦿ Honorarium
- ⦿ Unsolicited awards for professional achievement
- ⦿ Some gifts

Gifts

No public official shall solicit or receive any gift(s) with a total value of more than \$50 from any single source who could reasonably be known to have a financial interest in the official actions of that public official. A gift is defined as something of value given to a

public official, for which the official does not pay an equal value. Gifts of entertainment are included in the \$50 gift limit.

This does not mean that an official cannot receive any gifts. The law only restricts gifts from sources that have an administrative or legislative interest in the public official's actions, and does allow the public official to receive up to \$50 worth of gifts from each source. In addition, unlimited gifts may be accepted from a source that does not have a legislative or administrative interest in the public official, and the public official may accept unlimited gifts from specified relatives.

Conflict of Interest

Oregon Government Ethics law identifies and defines two types of conflicts of interest: actual conflict of interest and potential conflict of interest.

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 action that would affect the financial interest of the official, the official's relative or a business with which the official or a relative of the official is associated.

A public official is met with a potential conflict of interest when the public official participates in action that could affect the financial interest of the official, a relative of that official or a business with which the official or the relative of that official is associated.

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:

- ⦿ Potential Conflict of Interest: Following the public announcement, the public official may participate in official action on the issue that gave rise to the conflict of interest.

- ⦿ Actual Conflict of Interest: Following the public announcement, the public official must refrain from further participation in official action on the issue that gave rise to the conflict of interest.

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 and refrain from any discussion, but may participate in the vote required for official action by the governing body. These circumstances do not often occur. This provision does not apply in situations where there are insufficient votes because of a member's absence when the governing body is convened. Rather, it applies in circumstances when all members of the governing body are present and the number of members who must refrain due to actual conflicts of interest make it impossible for the governing body to take official action.

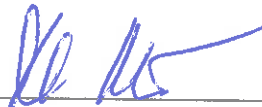
Approved this ____ day of August, 2016.

Port of The Dalles:



Greg Weast, President
Port of The Dalles Commission

Attest:



David A. Griffith, Secretary
Port of The Dalles Commission

PORT OF THE DALLES AGENDA ITEM COVER SHEET

Meeting Date: August 10, 2016

Subject: F-5.) Single Owner of multiple boathouses

Background:

The existing Port Policy with regard to Offering/Entering into Boathouse & Annual Marina Space Rental was adopted February 13, 2002. In 2004 the Policy was amended to remove the word "Annual" from the policy. The historical memory of those around at the time this Policy was adopted say it was to provide the Port resolution to problems and issues the Port was dealing with at the Marina.

Staff Recommendation:

Motion to enforce the existing Policy or

Motion to make changes to the existing Policy to more accurately reflect the current Marina operation.

Fiscal Impact: None