

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO)	ORDINANCE NO. 16-1373
CODE SECTION 2.02.120 AND DECLARING)	
AN EMERGENCY)	Introduced by Metro Attorney Alison R. Kean
)	in concurrence with Council President Tom
)	Hughes
)	

WHEREAS, Ordinance No. 14-1343, adopted by the Metro Council on October 30, 2014, substantially amended the Metro Code of Ethics (Metro Code Chapter 2.17) to conform to state law amendments to the Oregon Ethics Act (Oregon Revised Statutes Chapter 244); and

WHEREAS, it is now necessary to remove outdated and duplicative provisions of the Metro Personnel Code in order to be consistent with the updated Metro Code of Ethics and the Oregon Ethics Act; now therefore,

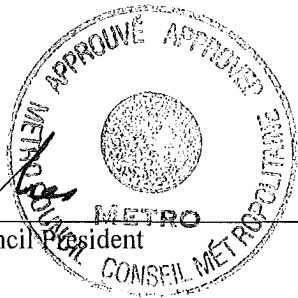
THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. Metro Code Chapter 2.02.120 is hereby deleted in its entirety, as set forth in the attached Exhibit "A," and is of no further force and effect.
2. That this Ordinance being necessary for the health, safety, and welfare of the Metro area to ensure consistent ethical governance of Metro, an emergency is declared to exist, and this Ordinance shall take effect immediately, pursuant to Metro Charter Section 38(1).

ADOPTED by the Metro Council this 14 day of April 2016.

Tom Hughes

 Tom Hughes, Council President



Attest:
Alexandra Eldridge

 Alexandra Eldridge, Recording Secretary

Approved as to Form:
Alison R. Kean

 Alison R. Kean, Metro Attorney

Exhibit "A" to Ordinance No. 16-1373

METRO CODE – TITLE II ADMINISTRATION AND PROCEDURES

CHAPTER 2.02 PERSONNEL CODE

Sections 2.02.120 Ethical Requirements for Employees, Officers, Elected and Appointed Officials

~~2.02.120 Ethical Requirements for Employees, Officers, Elected and Appointed Officials~~

~~(a) The purpose of this section is to establish a Code of Ethics for Metro public officials which is consistent with current public policy established by the Oregon Legislative Assembly. Failure to comply with the provisions of this Code shall be grounds for disciplinary action for employees of Metro.~~

~~(b) "Public official" means any employee, officer, elected official or appointed member of a board, commission or committee of Metro.~~

~~(c) All public officials of Metro shall strictly comply with the following requirements:~~

~~(1) No public official shall use official position or office to obtain financial gain for the public official, other than official salary, honoraria or reimbursement of expenses, or for any member of the household of the public official, or for any business with which the public official is associated.~~

~~(2) No public official or candidate for office or a member of the household of the public official or candidate shall solicit or receive, whether directly or indirectly, during any calendar year, any gift or gifts with an aggregate value in excess of \$100 from any single source who could reasonably be known to have a legislative or administrative interest in any governmental agency in which the official has or the candidate, if elected, would have any official position or over which the official exercises or the candidate, if elected, would exercise any authority.~~

~~(3) No public official shall solicit or receive, either directly or indirectly, and no person shall offer or give to any public official any~~

~~pledge or promise of future employment, based on any understanding that such public official's vote, official action or judgment would be influenced thereby.~~

~~(4) No public official shall further the personal gain of the public official through the use of confidential information gained in the course of or by reason of the official position or activities of the public official in any way.~~

~~(5) No person shall offer during any calendar year any gifts with an aggregate value in excess of \$100 to any public official or candidate therefor or a member of the household of the public official or candidate if the person has a legislative or administrative interest in a governmental agency in which the official has or the candidate, if elected, would have any official position or over which the official exercises or the candidate, if elected, would exercise any authority.~~

~~(d) The Auditor and every member of the Council of Metro shall be required to comply with the reporting requirements established by ORS 244.060, including the filing of a Statement of Economic Interest on an annual basis as required by state law. A copy of the Statement of Economic Interest shall be filed with the Chief Operating Officer at the time of filing with the appropriate state agency.~~

~~(e) The Chief Operating Officer, the Metro Attorney, the Chief Financial Officer, and all members of the Metropolitan Exposition Recreation Commission and all Department Directors shall file annually with the Chief Operating Officer a Statement of Economic Interest which is substantially consistent with that required by ORS 244.060.~~

~~(f) Public officials shall comply with the following requirements regarding the declaration of potential conflicts of interest and recording the notice of a potential conflict:~~

~~(1) If the public official is an elected public official or an appointed public official serving on a board or commission, announce publicly the nature of the potential conflict prior to taking~~

~~any action thereon in the capacity of a public official.~~

~~(2) If the public official is any other appointed official subject to this chapter, notify in writing the person who appointed the public official to office of the nature of the potential conflict, and request that the appointing authority dispose of the matter giving rise to the potential conflict. Upon receipt of the request, the appointing authority shall designate within a reasonable time an alternate to dispose of the matter, or shall direct the official to dispose of the matter in a manner specified by the appointing authority.~~

~~(3) Nothing in subsection (1) of this section requires any public official to announce a potential conflict of interest more than once on the occasion which the matter out of which the potential conflict arises is discussed or debated.~~

~~(4) Nothing in this section authorizes a public official to vote if the official is otherwise prohibited from doing so.~~

~~(5) When a public official gives notice of a potential conflict of interest, the potential conflict shall be recorded in the official records of the public body.~~

~~(Ordinance No. 89-305A, Sec. 3. Amended by Ordinance No. 94-523B; Ordinance No. 02-965A, Sec. 1; and renumbered by Ordinance No. 05-1082, Sec. 1.)~~
