



CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Kevin R. McConnell, City Attorney

DATE: October 27, 2025

SUBJECT:

Consideration of Resolution No. 5924-25, a Resolution Adopting the City of Tualatin Food, Beverage and Apparel Policy for Elected and Appointed City Public Officials.

RECOMMENDATION:

Staff recommends Council adopt the Resolution.

EXECUTIVE SUMMARY:

The Oregon Government Ethics Commission's (OGE) May 9, 2025 Commission Advisory Opinion No 25-126A ("the Opinion") prohibits members of Council and City-appointed Board and Committee members from accepting food and beverage at their meetings. Per the Opinion, members of Council and appointed public officials may only accept food and beverage at their meetings if the City has adopted a formal policy or contract (e.g., ordinance, resolution, CBA, personnel rule) providing for that type of compensation (an "official compensation package"). Because the City has not done so, a member of Council or board/committee member that accepted food and beverage at a City public meeting may violate ORS 244.040(1)- Prohibited Use of Office.

The Opinion has farther reach than just meals provided to City elected and appointed officials at public meetings and extends to all instances where the City provides food and beverage (or anything else of economic value) to its elected and appointed public officials.

In lieu of adding the provision of food, beverage and other items to their official compensation packages, members of Council and board/committee members may also lawfully accept these items if a City policy authorizes such expenditures without expressly deeming them a part of an "official compensation package" (i.e., budget guidance).

This Food, Beverage and Apparel policy establishes guidelines to the City Manager concerning when City funds may be used to provide food, beverage, apparel and like items to members of Council and City-elected Board/Committee members. The Policy is intended to complement the Council's Financial Policies Manual and works to ensure compliance with applicable state ethics laws, rules and opinions.

ATTACHMENTS:

- Resolution No. 5924-25
- Food, Beverage and Apparel policy