

BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION

In the matter of

LINDA NISHIOKA, CITY COUNCILOR OF
THE CITY OF SALEM, OREGON

Case No. 25-164PJS

STIPULATED AGREEMENT AND FINAL
ORDER (183.417(3)(a))

STIPULATED AGREEMENT AND FINAL ORDER

1. Purpose.

The purpose of this Stipulated Agreement and Final Order is to release, settle, and compromise any and all claims, allegations, and charges asserted by the Oregon Government Ethics Commission (Commission) in the above-referenced case against Linda Nishioka. The parties agree this is a full, fair, and final resolution of this matter.

2. Jurisdiction.

- A. The Oregon Government Ethics Commission (Commission) is the state agency responsible for enforcing the Oregon Public Meetings Law contained in ORS 192.610 to ORS 192.705 and the implementing rules in OAR Chapter 199.
- B. Linda Nishioka (Respondent) was a City Councilor for the City of Salem, Oregon (City), which is a governing body of a public body under ORS 192.610. Respondent is also a “person” and a “public official” under ORS 192.685, ORS 244.260, ORS 244.270, ORS 244.350. As a person and public official who is a member of the governing body of a public body, Linda Nishioka was required to comply with the provisions of Public Meetings Law in ORS 192.610 to ORS 192.705.
- C. Pursuant to ORS 244.260(6)(e), the Commission made a preliminary finding of violation of ORS 192.630(1), ORS 192.630(2), ORS 192.640(1), ORS 192.650(1), OAR 199-050-0020(1) and (2), and OAR 199-050-0015(4). On October 10, 2025, the Commission moved this case to a contested case proceeding by order.
- D. Pursuant to its authority under ORS 244.260(11), the Commission proposes to enter into this Stipulated Agreement and Final Order with Linda Nishioka, a City Councilor for the City of Salem.

3. Findings of Fact and Conclusions of Law.

- A. Linda Nishioka (Respondent) was a City Councilor for the City of Salem, Oregon, which is a governing body of a public body under ORS 192.610. Respondent is also a “person” and a “public official” under ORS 192.685, ORS 244.260, ORS 244.270, ORS 244.350. As a person and public official who is a member of the governing body of a public body, Respondent was required to comply with the provisions of Public Meetings Law in ORS 192.610 to ORS 192.705.
- B. Between February 1, 2025 and February 14, 2025, Respondent participated in a convening of a meeting with a quorum of the Salem City Council, through serial electronic written communications and use of Mayor Julie Hoy as an intermediary. The convening of the meeting occurred outside of public view and without compliance with the Public Meetings Law notice and meeting minutes requirements. The matters discussed at the meeting were within the jurisdiction of the City Council to deliberate or decide and included topics involving the City’s leadership audit, City Manager Keith Stahley’s performance, and whether to terminate City Manager Keith Stahley’s employment with the City.
- C. Respondent violated ORS 192.630(1) by participating in the convening of a meeting outside of public view.
- D. The use of the serial electronic written communications and use of Mayor Julie Hoy as an intermediary was for the purpose of deliberating or deciding a matter within the Council’s jurisdiction. Specifically, the purpose was to deliberate or decide the City’s leadership audit, City Manager Keith Stahley’s performance, and whether to terminate City Manager Keith Stahley’s employment with the City.
- E. Respondent violated OAR 199-050-0020(1) and (2) by participating in the convening of a meeting outside of public view.
- F. The City Council convened the meeting without providing notice of the meeting to the public and news media as required by ORS 192.640(1).
- G. Respondent violated ORS 192.640(1) by participating in a meeting without providing notice of the meeting to the public and the news media.
- H. The City Council did not take meeting minutes or record the meeting convened as required by ORS 192.650(1).
- I. Respondent violated ORS 192.650(1) by participating in the meeting without taking meeting minutes or recording the meeting.
- J. The Commission’s investigation and files, which constitute the record, establish by a preponderance of the evidence that Respondent committed one violation

each of ORS 192.630(1), ORS 192.640(1), ORS 192.650(1), and OAR 199-050-0020(1) and (2).

4. Assessment of Penalty.

- A. ORS 244.350(2) authorizes the Commission to assess civil penalties of up to \$1,000 for each violation of ORS 192.610 to 192.705. ORS 244.350(5) authorizes the Commission to issue a letter of education.
- B. Based on the foregoing Findings of Fact and Conclusions of Law, the parties stipulate that the Commission will issue a letter of education in lieu of assessing any civil penalties.

5. Additional Terms.

- A. The Commission releases, settles and compromises any and all claims, allegations and charges that have been asserted by the Commission in the above-referenced case against Linda Nishioka.
- B. In exchange for the Commission entering into this Stipulation and Agreement, Linda Nishioka agrees not to initiate any claims, litigation, or other action against the Commission as a result of, arising out of, or in any way connected to these proceedings.
- C. By signing this agreement, Linda Nishioka agrees to waive her right to a contested case hearing as provided in ORS Chapter 183 and ORS 244.370.
- D. The parties acknowledge that this Stipulation and Agreement has been entered into by their own free will and with full understanding of its contents herein. Each party acknowledges that each has had the opportunity to seek the advice of legal counsel before entering into this agreement.

6. Binding Effect.

- A. This agreement is subject to the final approval of the Commission. Once approved by the Commission, this agreement shall be binding on both parties.
- B. This order shall be the final order relating to this matter. All information in the Commission files on this matter constitute the record in this matter.

THE ABOVE IS STIPULATED AND AGREED:

IN WITNESS WHEREOF, the parties have entered into and signed this stipulated final order on the dates set forth below.

DocuSigned by:

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Respondent: Linda Nishioka

December 1, 2025

Date

Signed by:

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David Fiskum, Chairperson
Oregon Government Ethics Commission

December 15, 2025

Date