



CITY OF
BAINBRIDGE ISLAND

ETHICS BOARD
SPECIAL MEETING
MONDAY, FEBRUARY 22, 2021
6:30 PM
VIA ZOOM WEBINAR

THE ETHICS BOARD WILL HOLD THIS MEETING
USING A VIRTUAL, ZOOM WEBINAR, PER GOVERNOR INSLEE'S
"STAY HOME, STAY HEALTHY" ORDERS

MEMBERS OF THE PUBLIC WILL BE ABLE TO CALL IN TO THE ZOOM MEETING

PLEASE CLICK THE LINK BELOW TO JOIN THE WEBINAR:

[HTTPS://BAINBRIDGEWA.ZOOM.US/J/97466226343](https://bainbridgewa.zoom.us/j/97466226343)

OR IPHONE ONE-TAP: 1-253-215-8782

OR TELEPHONE:1-253-215-8782

WEBINAR ID: 974 6622 6343

AGENDA

1. CALL TO ORDER – 6:30 P.M.
2. DISCLOSURE OF CONFLICTS OF INTEREST
3. REVIEW MINUTES OF 1/27/2021 AND 2/1/2021 MEETINGS
4. PUBLIC COMMENT
5. DISCUSSION WITH MARY HANCOCK, DISPUTE RESOLUTION CENTER OF KITSAP COUNTY
6. REVIEW DRAFT DETERMINATION IN EB 2020-06
7. REVIEW DRAFT DETERMINATION IN EB 2020-07
8. ANNUAL REPORT/SEARCH UPDATE
9. TRAINING
10. AGENDA FOR 3/15/2021 MEETING:
 - CONSIDER EB 2021-01
 - TRAINING UPDATE
11. ADJOURNMENT

COBI ETHICS BOARD

Regular Meeting

Monday, January 25, 2021

6:30 – 8:00 PM

VIA ZOOM WEBINAR

Minutes

1. Call to order — Meeting was called to order at 6:30 PM. Present were Karen Anderson, Jim Cash, Dona Keating, David Mallon, Tyler Weaver, and Andrew Tsoming. Dominique Cantwell has resigned from the Ethics Board.
2. Disclosure of conflict of interest — None
3. Acceptance of meeting minutes — December 21, 2020, Motion by Karen Anderson; 2nd by Jim Cash.
4. Public comment — 1 member of the public commented.
5. Motion to appoint a subcommittee (Tyler Weaver and Dona Keating) to draft the Ethics Program Annual Report by Tyler Weaver; 2nd by Karen Anderson. Agreed. Discussed topics for report include recommended changes to the Ethics Program and the Operating rules to address:
 - a. mechanisms for the public to communicate with the board;
 - b. ongoing communication pathways between Council and the Ethics Board; and
 - c. clarifying questions of complaint standing, timing, and authorship.
6. Motion to schedule a special session on February 1 at 6:30 PM for the purposes of drafting the Annual Report and reviewing ethics program training materials by Tyler Weaver; 2nd by Jim Cash. Agreed.
7. Motion to reschedule the February regular meeting to February 21 due to the President's Day holiday by Jim Cash; 2nd by David Mallon. Agreed.
8. Consideration of recording monthly Ethics Board meetings.
9. Motion to approve final determination letter for EB-2020-02 (Article II Complaint) with corrections and submit to City Clerk by Jim Cash; 2nd by Dona Keating. Agreed.
10. Motion to approve final determination letter for EB-2020-04 (Article II Complaint) by Tyler Weaver; 2nd by David Mallon. Agreed.
11. Motion to approve final determination letter for EB-2020-05 (Article II Complaint) with corrections and submit to City Clerk by Tyler Weaver; 2nd by David Mallon. Agreed.
12. Reconsideration of EB-2020-06 (Article I Complaint) — Karen Anderson has recused herself from consideration of this complaint. Motion to reconfirm EB-2020-06 as credible and submit to subcommittee (Jim Cash and Dona Keating) to draft determination letter with recommendation for mediation by Tyler Weaver; 2nd by David Mallon. Agreed.
13. Consideration of EB-2007-07 (Request for Advisory Opinion) – Motion to deem EB-2020-07 credible and submit to subcommittee (Jim Cash and Dona Keating) to draft advisory opinion by Tyler Weaver; 2nd by David Mallon. Agreed.
14. Discussion of process for drafting and review of determination letters.
15. Discussion of Ethics Program training materials.
16. Items for next regular meeting agenda, February 21 (6:30 - 8:30 PM)

- a. Review EB-2020-06 draft.
- b. Review EB-2020-07 draft.
- c. Communications with Council

17. Adjournment at 7:50 PM

COBI ETHICS BOARD

Special Meeting

Monday, February 1, 2021

6:00 PM – 7:00 PM

VIA ZOOM Webinar

Minutes

1. Call to order. Meeting was called to order at 6:30 PM. Present were: Tyler Weaver, Dona Keating, Jim Cash, Karen Anderson and Andrew Tsoming
2. Disclosure of Conflict of Interest. None
 - A. Acceptance of Meeting Minutes – Jan. 25, 2021 Special Meeting, motion by Dona Keating; 2nd by Jim Cash
3. Public Comment – Sal De Rosalia: General comments regarding Board and thanks for the work being done.
4. Annual Report to City Council - Discussion ensued. Motion to forward Report to City Council by Karen Anderson; 2nd Dona Keating
5. Training Materials and Plan – Discussion ensued. Referred to Committee for continued refining and finalization.
6. Deputy Chair Appointment – Not necessary as Deputy Chair term runs through June, 2021 per previous Board vote (see minutes November Meeting)
7. Items for Next Meeting Agenda
 - A. Approval of EB-2020-06 (Article I complaint)
 - B. Approval of EB-2020-07 (Advisory Opinion)
8. Next Meeting set for February 22, 2021 from 6:30 PM – 8:00 PM
9. Adjournment – Motion Jim Cash; 2nd Karen Anderson. Meeting adjourned 7:43PM

DRAFT DETERMINATION LETTER

2020-06

DRAFT

February ___, 2021

DETERMINATION LETTER: EB 2020-06

Submitted to City Clerk: December ___, 2020
Notice to Respondent: December 16, 2020
Forwarded to Ethics Chair: December 21, 2020
Initial Consideration: December 21, 2020
Response Deadline: February 4, 2021
Final Consideration: February ___, 2021¹

DETERMINATION: Recommendation of Mediation for Reconciliation

I. Summary of Complaint

This Complaint alleges violations of Article I, § B.1, § B.2, § B.3, and § C.2b of the City of Bainbridge Island Code of Conduct and Ethics Program, effective July 28, 2020 (“the Program”). The Complaint and its supporting documents (collectively, the “Complaint”) are attached hereto and consist of the following:

1. Article I (Code of Conduct) Ethics Complaint Form, submitted by Jane Lindley; and
2. Copy of Email dated December 10, 2020 9:40 AM from Michael Pollock to: City of Bainbridge Island Councilmembers, Kitsap County Commissioners, Brenda Fantroy-Johnson, Ashley Mathews, Representative Tarra Simmons, and the Complainant; “Subject: How ‘Good White People’ derail racial progress-no replies please to stay consistent with the Open Public Meetings Act.”

A. Alleged violation of Article I, Section B.1

The Complaint alleges that Councilmember Michael Pollock violated Article I, § B.1, which provides, in relevant part, that Councilmembers are “...committed to provide service to the people of Bainbridge Island that is courteous...”

B. Alleged violation of Article I, Section B.2

The Complaint alleges that Councilmember Michael Pollock violated Article I, § B.2, which provides, in relevant part, that Councilmembers are to “...treat one another with honesty and integrity, recognizing that trust is hard won and easily lost... in keeping with that integrity and the highest standards of this community”.

¹ The Ethics Board notes that this determination has taken more than 45 days per subcommittee reassignments. However, the Board has reached and finalized its determination as quickly as possible under its regular meeting schedule.

C. Alleged violation of Article I, Section B.3

The Complaint alleges that Councilmember Michael Pollock violated Article I, § B.3, which provides, in relevant part, that Councilmembers “...pledge to act with the standard of fairness and impartiality in the application of policies and directives and that of equality and mutual respect with regard to interpersonal conduct.”

D. Alleged violation of Article I, Section C.2b

The Complaint alleges that Councilmember Michael Pollock violated Article I, § C.2b, which provides, in relevant part, that Councilmembers are to “...sustain a culture of ethical integrity...and in all their interactions, conduct themselves in a manner that demonstrates civility and respect for others”.

II. **Impact of alleged violations against Complainant**

The Complainant indicates that, due to the above alleged violations, Councilmember Michael Pollock:

- Makes her concerned for her safety as his correspondence was attempting to paint her as a racist and put her in harm’s way;
- Pigeonholes anyone who might vote for her as racist;
- Submitted a correspondence with a subject line and article that were completely unrelated to Bainbridge Island or the process for selecting an appointee for the North Ward council seat;
- Makes her concerned for what else he would do given his willingness to transmit inflammatory emails to her, fellow council members, County Commissioners, and a State Representative; and
- Is starting “real fires” to ensure his pick for council appointee wins.

III. **Analysis of Complaint**

Chapter 42.23 RCW

In addition to the above sections, Article I, § C.2a directs Councilmembers and members of City Committees and Commissions to “...familiarize themselves with the ethical rules governing them (including Chapter 42.23 RCW and this Ethics Program) and obtain periodic education regarding such rules”. In particular, RCW 42.23.070(1) stipulates that: “No municipal officer may use his or her position to secure special privileges or exemptions for himself, herself, or others.”

Councilmember Pollock submitted his email from a City email address and signed it as a

member of City Council. This email, in turn, was addressed to County Commissioners in the position to break a 3-3 tie in City Council. While it is true that elected officials have the right to express their opinions on political subjects or candidates, it is a best practice guideline for many cities or municipalities that an official should not mislead the public into thinking they're speaking in an official capacity or on behalf of the City. An email is today's equivalent of using city letterhead, and Councilmember Pollock should not be using public resources to engage in "off-duty" speech without clarifying that his affiliation is for identification purposes only and that his comments do not imply an endorsement by the City or City Council itself.

Mutual respect, integrity, courtesy, highest standards of this community

The core purpose of adopting guidelines and Codes of Conduct of this nature is to ensure mutual respect and transparency, which sets expectations towards fostering community trust and engagement. No elected person should use his or her position in such a manner that a conflict arises between the interests of the City of Bainbridge Island and his or her personal interests. Nor should he or she use his position to circumvent the process which was underway in City Council in order to achieve a special privilege or consideration for his desired outcome, especially via means that insult or cast in a negative light the character of his fellow Councilmembers, potential appointees, or members of the public.

Other key tenets of the Code of Conduct are grounded in "courtesy", "integrity", and "mutual respect" not only toward other members of the City Council and members of the City Committees and Commission but also to "the public". By sending the referenced email, Respondent exhibited disregard for the Complainant as a member of the "public" and to the City Council as a representative on their behalf.

The intersectional issues of racial equity, housing, and the environment are legitimate and deserving of informed and focused consideration and effort. Sending inflammatory emails with inferential or careless accusations of racism, particularly to achieve political ends, is a disservice to such critically important issues.

As sworn, City Officials, Councilmembers are entrusted by the community to uphold the tenets of the Code of Conduct. The people have the right to expect from their elected representatives at all levels of government the highest standard of integrity, honesty and fairness in their dealings.

This means abstaining from the distribution or dissemination of materials or any communications which may be considered discriminatory or in a context that may be construed as a personal attack, sexist, racist, or as a form of harassment.

A. Article I, Section B.1

The Ethics Board finds it credible that Councilmember Michael Pollock violated Article I, § B.1 by transmitting an inflammatory email with that potentially disparaged or maligned not only the Complainant but his fellow Councilmembers. In doing so, his

actions were not committed to providing service to the people of Bainbridge Island in a courteous manner.

B. Article I, Section B.2

The Ethics Board finds it credible that Councilmember Michael Pollock violated Article I, § B.2 by sending an email via his City account, and to County Commissioners who would have been decision makers in the event of a 3-3 tie. By circumventing the process and suggesting Councilmembers and the Complainant were complicit in racist behavior as "...'good White people' who were derailing racial progress", he failed to act with integrity and the highest standards of this community.

C. Article I, Section B.3

The Ethics Board finds it credible that Councilmember Michael Pollock violated Article I, § B.3 by submitting an email to community members, elected officials, the Complainant, and others that reflected partiality towards a Council candidate. His communication aimed to pre-empt the voting process underway with fellow City Council members, and in a manner which exhibited a lack of respect and regard for his colleagues via accusatory interpersonal conduct.

D. Article I, Section C.2b

The Ethics Board finds it credible that Councilmember Michael Pollock violated Article I, § C.2b by conducting himself in a manner which was disrespectful and uncivil towards the Complainant, fellow Councilmembers, and anyone who might disagree with his choice of Council candidate. His inflammatory email set the stage in the community whereby any such opposition might be viewed as racist or contributory, potentially causing negative or retaliatory repercussions.

Determination and Recommendation

After review, the Ethics Board finds the Complaint reasonably credible and, if the facts it asserts are true, appears to constitute a violation of Article I such that a breach has occurred.

Pursuant to Article III, Section A.4.c of the Ethics Program, "Complaints alleging conduct directed at the Complainant individually shall be presumptively referred to mediation..." The referenced email was specifically addressed to the Complainant and other individuals. Thus, the Ethics Board finds that mediation is appropriate and this Complaint is presumptively referred to mediation.

Accordingly, the Ethics Board will forward to the City Clerk a copy of (1) the Complaint and associated documentation and (2) this Determination Letter. The City Clerk is further directed to forward this document to the Complainant, Respondent, and to refer the complaint the mediation process as described in Article III Section A.5 of the Ethics Program.

DRAFT ADVISORY OPINION

2020-07

DRAFT

City of Bainbridge Island Ethics Board

Advisory Opinion

Case # EB2020-07

Date Filed: December 30, 2020

Requestor: Michael Pollock

Advisory Opinion Issued: February __, 2021

I. *Questions Presented*

Requestor seeks Code of Conduct educational feedback regarding emails recently exchanged between him and several parties regarding what he perceived to be racial equality issues during City Council's selection of a final appointee to a vacant Council seat. Subsequent to these emails, an Article I Complaint (hereinafter, "Complaint") was filed against him by one of the two remaining candidates, also the recipient of the emails. The Request for Advisory Opinion (hereinafter, "Request") is attached in its entirety.

Due to the phrasing of the Request, it was necessary for the Ethics Board to extract the relevant substance of the clarifications sought. They are below:

A. Requestor Queries

(1) How to have respectful, yet meaningful discussions on race equity, diversity, and inclusion.

(2) How to keep discussions focused on how to take meaningful actionable steps to address racial inequities and to increase diversity and inclusiveness in our local government in a manner which respects the core values of respect, integrity, trust, etc. as adopted by the City of Bainbridge Island.

(3) Were the emails sent, including to County Commissioners, a violation of the Code of Conduct as a method of attempting to resolve a 3-3- tie?

(4) Was there a Code of Conduct violation when Requestor suggested a debate between the finalists as a means of resolving the 3-3- tie?

II. Applicable Provisions of the Ethics Program

The Complaint alleged violations of Article I, § B.1, § B.2, § B.3, and § C.2b of the City of Bainbridge Island Code of Conduct and Ethics Program, effective July 28, 2020 (“the Program”). Related allegations included the following:

A. Alleged violation of Article I, Section B.1

The Complaint alleged that Councilmember Michael Pollock violated Article I, § B.1, which provides, in relevant part, that Councilmembers are “...committed to provide service to the people of Bainbridge Island that is courteous...”

B. Alleged violation of Article I, Section B.2

The Complaint alleged that Councilmember Michael Pollock violated Article I, § B.2, which provides, in relevant part, that Councilmembers are to “...treat one another with honesty and integrity, recognizing that trust is hard won and easily lost... in keeping with that integrity and the highest standards of this community”.

C. Alleged violation of Article I, Section B.3

The Complaint alleged that Councilmember Michael Pollock violated Article I, § B.3, which provides, in relevant part, that Councilmembers are to “...pledge to act with the standard of fairness and impartiality in the application of policies and directives and that of equality and mutual respect with regard to interpersonal conduct”.

D. Alleged violation of Article I, Section C.2b

The Complaint alleged that Councilmember Michael Pollock violated Article I, § C.2b, which provides, in relevant part, that Councilmembers are to “...sustain a culture of ethical integrity...and in all their interactions, conduct themselves in a manner that demonstrates civility and respect for others”.

III. Findings

(1) How to have respectful, yet meaningful discussions on race equity, diversity, and inclusion.

In the future, personal correspondence should be represented as such with clear language indicating the opinions are not shared by the City or its Council.

Discussions towards improving our equity landscape are challenging in even the best environments. Efforts should be undertaken with sincerity, forethought, authenticity, and the assistance, wherever possible, of those trained and highly qualified to facilitate effective and productive results.

(2) How to keep discussions focused on how to take meaningful actionable steps to address racial inequities and to increase diversity and inclusiveness in our local

government in a manner which respects the core values of respect, integrity, trust, etc. as adopted by the City of Bainbridge Island.

See response to #1 above.

(3) Were the emails sent, including to County Commissioners, a violation of the Code of Conduct as a method of attempting to resolve a 3-3- tie?

Yes. See Determination Letter for EB 2020-06.

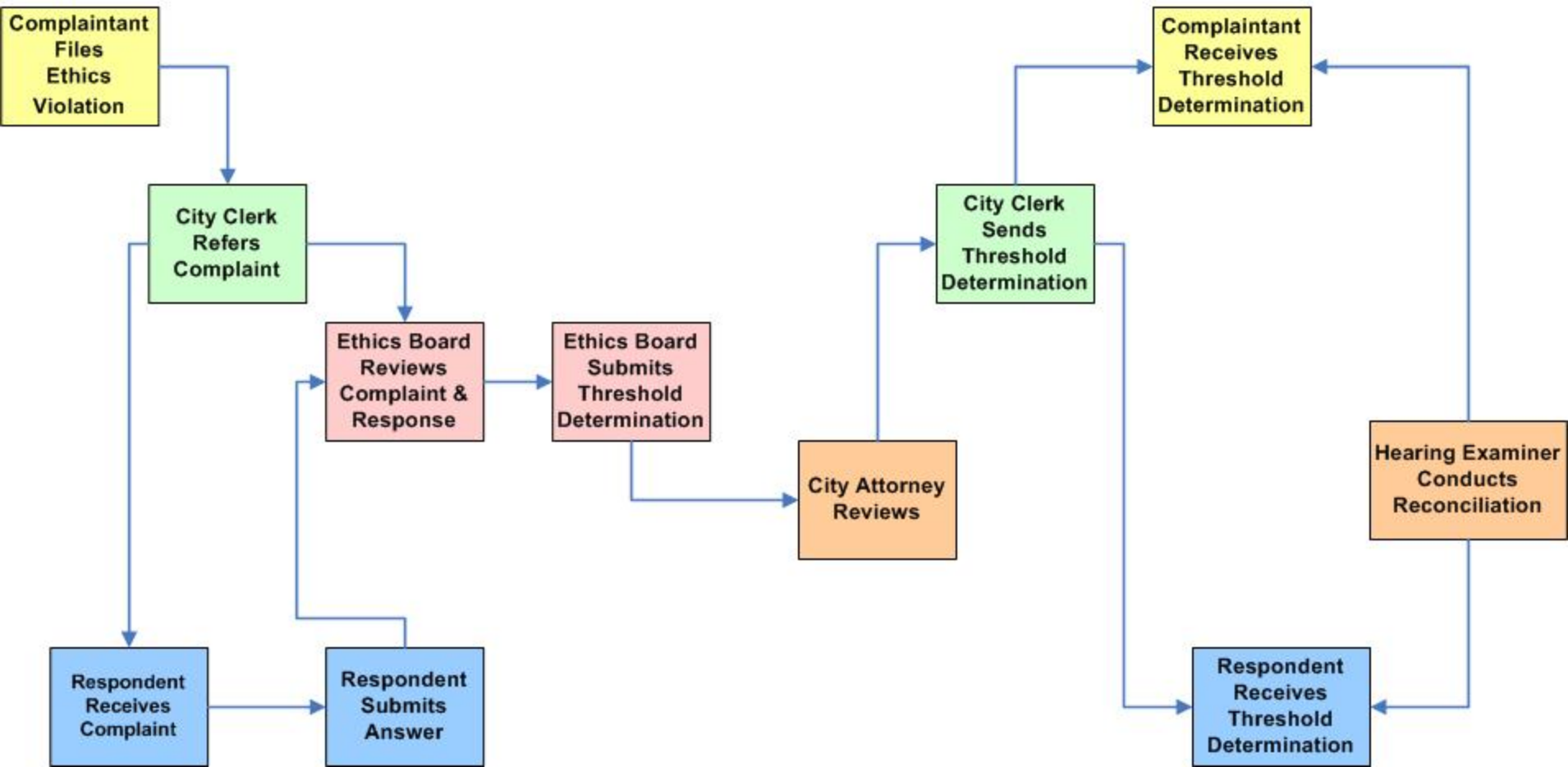
(4) Was there a Code of Conduct violation when Requestor suggested a debate between the finalists as a means of resolving the 3-3- tie?

The Ethics Board does not have the authority to offer an advisory or educational opinion on whether suggesting a debate between the finalists as a means of resolving the 3-3- tie is a Code of Conduct violation.

IV. **Conclusion**

The Board submits this Opinion to the City Clerk for publication, pursuant to Article III, § D.2.

Ethics Complaint Process Summary





CITY OF BAINBRIDGE ISLAND ETHICS PROGRAM

Code of Conduct & Code of Ethics

TRAINING

BASED ON RESOLUTION NO. 2020-13

INTRODUCTION

**APPLIES TO: ALL THOSE ASSOCIATED WITH THE CITY
GOVERNMENT,**

INCLUDING

**COUNCIL MEMBERS AND MEMBERS OF CITY COMMITTEES
AND COMMISSIONS**

CODE OF CONDUCT

PURPOSE:

To promote and maintain the highest standards of personal and professional conduct among City Council Members and the members of City Committees and Commissions, and

To provide the optimal operation of a democratic government which is fair and accountable to the people of the City of Bainbridge Island.

CODE OF CONDUCT – CORE VALUES

We pledge to:

- Provide Service which is **Courteous, Cost Effective, and Continuously Improving.**
- Treat one another with **Honesty and Integrity**; pledging to promote balanced, consistent, and lawful policies and directives.
- Act with the standards of **Equality, Fairness, and Mutual Respect.**
- Accept **Responsibility** for **Stewardship** of public resources as well as accountability, and to give **Recognition.**

CODE OF CONDUCT – PRINCIPLES

Obligation to the Public to:

- Act to promote public good
- Preserve public's trust
- Be transparent and honest in all public statements and written statements

Obligations to Others to:

- Be familiar with the governing Code of Ethics (including RCW Chapter 42.23)
- Conduct oneself in a manner demonstrating civility and respect for others

Obligation Regarding the Use of Public Resources

Commitment to good stewardship in use and allocation of public monies, property, and other resources to:

- Ensure public resources are used and conserved for public good
- Act In a responsible manner
- Consider both present and future needs of the community
- Seek guidance from staff and other experts, including City Attorney, as appropriate
- Ensure paid experts and consultants shall be impartial and free of conflicts of interest

CODE OF ETHICS

GIFTS AND COMPENSATION

NO Councilmember or member of a City Committee or Commission or any member of their immediate family shall directly or indirectly accept any gifts for a matter connected with or related to their services or duties with the City of Bainbridge Island or accept any non-City compensation for the performance or non-performance of these service or duties.

EXCEPTIONS to Gift Limitations

- Unsolicited items or services with a value of fifty (50) dollars or less, such as promotional t-shirts, pens, calendars, etc.
- Gifts from other City officers, officials, or employees or their family members on appropriate occasions,
- Gifts appropriate to the occasion and reasonable and customary when a familial, social, or official relationship of the giver for occasions such as weddings, funerals, illness, holidays, and ground-breaking ceremonies.
- Campaign contributions as permitted and reported in accordance with law.

- Awards publicly presented by nonprofit organizations in recognition of public service—IF the award is NOT extraordinary when viewed in light of the position held by the recipient.
- Gifts from visiting other governmental agencies or hosting visitors from other governmental agencies, when it would be a breach of protocol to refuse, PROVIDED that any such gifts received shall become the property of the City of Bainbridge Island.
- As approved by the Mayor, if the Mayor is the recipient, by the Deputy Mayor or the Mayor Pro Tem for reasonable and necessary costs to attend a conference or meeting directly related to official or ceremonial duties.

GIFTS TO IMMEDIATE FAMILY

A member of a Councilmember or City Committee or Commission member's immediate family:

- May accept a gift arising from an independent relationship **IF** the Councilmember or member of a City Committee or Commission does **not** significantly benefit from the gift; and that it
- Cannot be reasonable inferred that the gift was intended to influence the Councilmember or City Committee or Commission member in the performance of their duties.

USE OF CITY PROPERTY BY COUNCILMEMBERS

No councilmember shall request, permit, or use City vehicles, equipment, materials, or property for personal use, personal convenience, or profit. The only exception may be for limited incidental personal use or emergency circumstances.

CONFIDENTIALITY

Except as required by law, a Councilmember, a former Councilmember, or current or former member of a City Committee or Commission shall NOT DISCLOSE or USE PRIVILEGED, CONFIDENTIAL, or PROPRIETARY INFORMATION obtained in Executive Session or otherwise in the course of their duties as a result of their position.

CONFLICT OF INTEREST – General

NO Councilmember or a member of a City Commission or Committee shall take any direct official action on a matter if they or a member of their immediate family:

- Have any substantial direct or indirect contractual employment related to the matter; or
- Have other significant financial or private interest in that matter (which includes serving on a Board of Directors for any organization but does not, for Council members, or include appointment members to the Salary Commission; or personal property within the meaning of this section.

CONFLICT OF INTEREST – EXCEPTIONS for Councilmembers

Conflict of Interest shall not apply when a Councilmember:

- a. Is required to take or participate in an action base on the rule of necessity;
- b. Acts as their own representative before the City Council, Hearing Examiner, or any other City board, commission , or agency--- provided that the individual does not also participate in any way in the deliberations or decision of the City Council, Hearing Examiner, or that board, commission, or agency related to that matter;
- c. Acquires an interest in bonds or other instruments of indebtedness issued by the City IF acquired and held on the same terms available to the general public;
- d. Officially participates in the development and ado9ption of the City's budget; or establishes the pay or benefit plan of City officers, officials, or employees;
- e. Makes decisions on any legislation of general application unless these actions directly affect or appear to affect, the officials' or immediate family member's employment; or
- f. Serves on the governing boy of a organization or entity as part of their official duties as a Councilmember of the City.

Conflict of Interest shall NOT apply when a member of a City Committee or Commission:

- a. Discloses a potential conflict of interest related to member's ownership or lease of certain real property or of a business located in a certain area of the City the basis for possibly providing the basis for appointment a City Committee or Commissions.
- b. Fully discloses the basis for declaring a potential Conflict of Interest on the public record of the respective City Committee or Commission and the Committee or Commission votes to allow the ember to participate in the discussion of the vote; of
- c. Is required to take action or participate I an action based on the rule of necessity.

DISCLOSURE FOR COUNCILMEMBERS

All Councilmembers are required:

- to comply with the Washington State Public Disclosure Commission requirements for financial disclosure,
- to publicly disclose their financial interest in any matter that comes before them,
- to annually complete a Conflict of Interest statement to be submitted to the City Clerk by April 15th,
- To take action or participate in an action based jupon the rule of necessity.

CONFLICT OF INTEREST – AFTER LEAVING ELECTED CITY OFFICE

For two (2) years after leaving elected City office NO FORMER COUNCILMEMBER:

- shall obtain employment in which they will take direct or indirect advantage of matters on which they took direct official action during their service with the City, this includes contractual negotiations or solicitations of business unavailable to others.
- shall engage in any act or litigation in which the City is involved, on behalf of any other person or entity when the act or litigation involves an issue on which the Councilmember took direct official action while in elected City office.

CONFLICT OF INTEREST – MEMBERS OF CITY COMMITTEES OR COMMISSIONS AND EMPLOYMENT

While serving on a City Committee or Commission and for two (2) years after leaving such position, no member of a City Committee or Commission shall obtain employment in which they will take direct or indirect advantage of matters which they as a member of a City Committee or Commission recommended to the City Council. This includes applying for positions or contracts with the City when the City Committee or Commission on which the member served, recommended funding for such position or contract.

CONFLICT OF INTEREST – FAMILY MEMBERS OF COUNCILMEMBERS

Appointment of Family Members

Unless a waiver is obtained from the Ethics Board, no Councilmember shall appoint or hire a member of their immediate family for any type of employment with the City. This includes, but is not limited to, full time employment, part-time employment, permanent employment, temporary employment, and contract employment.

Supervision of Family Members

NO Councilmember shall supervise or be in direct line of supervision over a member of their immediate family. If a Councilmember is placed in a direct line of supervision of a member of their immediate family, they shall have three (30 months to come into compliance or to obtain a waiver from the Ethics Board.

Waivers

Waivers may be sought from the Ethics Board in accordance with Article III of Resolution NO. 2020-13.

CONFLICT OF INTEREST – CONTRACTORS

Contractors are required when submitting bids to the City to affirm that neither the contractor nor any agent of the contractor has made any prohibited gift to a Councilmember who is involved in direct action on a bid, or had a relationship to such Councilmember, that would create a conflict of interest for that Councilmember under the City’s Code of Conduct and Code of Ethics.

CONFLICT OF INTEREST – INDIVIDUALS SERVING ON CITY COMMITTEES AND COMMISSIONS

All individuals serving on City Committees and Commissions shall sign upon appointment and reappointment the Conflict of Interest statement as provided by the City

CONFLICT OF INTEREST – INDIVIDUALS SERVING ON THE ETHICS BOARD

No member of the Ethics Board shall participate in the review of complaints or requests for advisory opinions relating to the conduct of a Councilmember where that member of the ethics Board is or was a member of a political action committee that supports, supported, opposes, or opposed the election or reelection of the Councilmember in question.

CONDUCT OF PUBLIC MEETINGS

Councilmember or City Committees' or Commissioners' meetings shall be conducted in a manner to maximize transparency of relationships among individuals or groups which could affect decision making.

Councilmember or City Committees' or Commissioners' meetings shall have a standing agenda item for disclosure of possible or potential conflicts of interest with persons or issues on the agenda. If necessary, discussion among the members may be undertaken to judge the significance of disclosed relationships and whether a possible conflict of interest exists.