

Bainbridge Island Ethics Board
Advisory Opinion AO-2016-01
Adopted 2/22/2016

Councilmember Tollefson inquires about Ethics rules regarding his official service as a city councilmember on the board of Housing Kitsap. He points out that Housing Kitsap has submitted several proposals relevant to council action on the disposition of the Suzuki property.

From its website, Housing Kitsap is a public body organized under the Housing Authorities Law of the State of Washington. It has a Board of Commissioners comprised of three Kitsap County Commissioners and Mayors (or appointee) of Poulsbo, Bainbridge Island and Port Orchard. Councilmembers are assigned by the Council to serve on Housing Kitsap and on other regional public bodies.

The Ethics Program, Section D.1.b prohibits elected officials from taking official action on behalf of the City if he or she “has other financial or private interest in that matter (which includes serving on a Board of Directors for any organization)”. Aside from the issue of personal gain, members of Boards of Directors of a private organization (e.g. church, foundation, private school) may have a fiduciary or other responsibility to that organization. In the event that an organization’s private interest is affected by particular actions of the city, dual responsibilities to Board and City are in conflict.

In the case of public bodies such as Housing Kitsap, there is no separate private interest. There may in fact be competing interests among different jurisdictions for distribution of resources. However, the structure of such regional bodies is explicitly designed by the State and Local governments to iron out the collective and competing interests of citizens in the region.

With regard to City Council action, the Ethics Board believes that official service on the board of Housing Kitsap or other regional public bodies does not represent a conflict of interest, and does not prevent taking official action on matters that concern the regional body.