

The Ethics Board will hold this meeting in person, in the City Hall Council Conference Room. Attendance may be in person or the meeting is also accessible via the Zoom meeting platform.

REMOTE MEETING ON ZOOM
PLEASE CLICK THE LINK BELOW TO JOIN THE WEBINAR:
<https://bainbridgewa.zoom.us/j/86365762700>
OR TELEPHONE: US: 1-253-205-0468
WEBINAR ID: 863 6576 2700

AGENDA

1. CALL TO ORDER / ROLL CALL – 6:30 PM

2. APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE

3. PUBLIC COMMENT

In person public comment is accepted at this time on any topic of public interest. Each commenter will have three minutes, or such amount as the meeting chair determines, to speak. Public comment is not taken on individual agenda items during the meeting. Public comment is simply received by the Board, with no response, and the Board cannot deliberate on items that are not on the agenda. Please refer to guidelines and instructions for public comment, including orderly behavior and civility in remarks, attached below.

The lack of comment is not an endorsement or a denial of the comment. Remote public comment is allowed with advance notice to the City Clerk, provided that all remote commenters shall be required to display their true name and to keep their camera turned on to show their true uncovered face while delivering their comments.

3.A Instructions for Providing Public Comment

4. REGULAR BUSINESS

4.A Approval of Minutes:

- March 12, 2025 Meeting Minutes

4.B Update: Outreach Opportunities

4.C Review Status of Pending Complaints

4.D Update: Training Subcommittee

- Ethics Board Website Updates

5. NEW BUSINESS

5.A [March 18 City Council Study Session](#)

- **Statute of Limitations**

5.B [Board Vacancy](#) and Term Expirations: Application, Selection, and Interview Process

5.C [COBI Website Refresh](#)

5.D **Operating Rules**

- [Meeting Date \(2.D.\)](#)

6. AGENDA FOR NEXT MEETING

7. NEXT MEETING DATE: May 14, 2025

8. GOOD OF THE ORDER

General comments, updates, or announcements not related to specific agenda items. This is not a forum for new business or extended discussions, but an opportunity for informal input that does not require immediate action.

9. ADJOURNMENT



Meetings are wheelchair accessible. Assisted listening devices are available in Council Chambers. If you require additional ADA accommodations, please contact the City Clerk's Office at 206-780-8604 or cityclerk@bainbridgewa.gov by noon on the day preceding the meeting.



Public Comment

Members of the public are encouraged to submit public comment to the City Advisory Committees. Interested parties may provide comment by:

- Emailing the [City Clerk \(cityclerk@bainbridgewa.gov\)](mailto:cityclerk@bainbridgewa.gov). This comment may be submitted at any time.
- Providing in-person comment at a meeting.
- Providing comment at a meeting via Zoom, in accordance with the advance notice and camera requirements.

Members of the public who wish to provide public comment in-person at a meeting should sign up to speak on the sign-in sheet. The Chair will call the people signed up on the sign-in sheet, and speakers will have three minutes (or such other time set by the Chair) to speak. The Chair or a designee will indicate when the time has elapsed.

Remote public comment is allowed with advance notice to the City by 4:00 p.m. on the business day before the meeting at cityclerk@bainbridgewa.gov, provided that all remote commenters shall be required to display their true name and to keep their camera turned on to show their true uncovered face while delivering their comments.

Guidelines for public comment are below. These guidelines were established for and approved by the City Council and also apply to all advisory boards, committees and commissions of the City Council.

Excerpts from the Governance Manual regarding public comment:

5.6 Respect and Decorum

It is the duty of the Presiding Officer and Councilmembers to maintain dignity and respect for their offices, City staff, and the public. While the Council is in session, the Councilmembers shall preserve civility, order and decorum. No member of the public shall, by conversation or otherwise, delay, disrupt, or interrupt the proceedings of the Council, nor engage in any of the prohibited behavior described below. Councilmembers and the public shall obey the proper orders of the Presiding Officer of the meeting.

5.6.1 Orderly Behavior and Civility in Remarks

Any person disrupting the business of the Council, either while addressing the Council or attending the proceedings, shall be asked to leave, or be removed from the meeting. Continued disruptions may result in a point of order by the Presiding Officer or a Councilmember pursuant to the Council's parliamentary rules, or a recess, forced removal, or adjournment as described elsewhere in this manual. Disruptive behavior includes, but is not limited to, the following:

- a) Speaking without being recognized by the Presiding Officer.
- b) Continuing to speak after the allotted time has expired.

- c) Speaking on an item at a time not designated for discussion by the public of that item, such as speaking on a quasi-judicial item at a time other than during a public hearing or closed record proceeding on the matter.
- d) Throwing objects.
- e) Speaking on an issue that is not a public topic, in violation of Section 9.12.2.
- f) Speaking in favor of or in opposition to a ballot proposition or a candidate for public office, provided, that public comment is allowed when the City Council is considering taking a collective position in favor of or in opposition to a ballot proposition as authorized in RCW 42.17A.555.
- g) Impersonating a City Councilmember or a member of the City staff.
- h) Shouting or otherwise engaging in loud or boisterous behavior.
- i) Continuing to make repetitive remarks after being requested not to do so by the Presiding Officer or a majority of the City Council.
- j) Attempting to engage the audience rather than the Council, e.g., asking audience members to stand, clap, boo or otherwise express collective support or opposition to any matter.
- k) Booing, hissing, or otherwise disrupting the comments of another speaker.
- l) Using racial slurs or other slurs directed at the color, creed, religion, ancestry, gender, sexual orientation, gender expression or identity, national origin, citizenship or immigration status, or mental, physical, or sensory disability of any individual or group, under circumstances where such words constitute “fighting words” under constitutional law.
- m) Refusing to modify conduct after being advised by the Presiding Officer that the conduct is disrupting the meeting or disobeying any other lawful order of the Presiding Officer or a majority of the City Council.

5.6.2 Permission Required to Address the Council

Persons other than Councilmembers and Administration shall be permitted to address the Council only upon recognition and introduction by the Presiding Officer of the meeting.

9.12.2 Subjects – Whether or Not on the Current Agenda

Public comments received during the public comment period may be on any public topic, whether or not on the agenda, but a comment on the subject that is covered by a public hearing at that meeting must be made during the period of the public hearing. All public comments shall be made consistent with Section 5.6.

9.12.3 Use of Microphones

Comments shall be made directly into the microphone, as it is necessary for the public record and for the audience to hear all proceedings. No comments shall be made from any other location.

COBI ETHICS BOARD
Regular Meeting
Wednesday, March 12, 2025
In-person and via Zoom

Minutes

1. CALL TO ORDER/ROLL CALL—6:30 PM

Present: Doña Keating (Chair), Hildja Saas (Deputy Chair – 6:33pm), Karen Anderson, Rafael Escandon, Rosemary Hollinger, Donna Davison, Drew Pollom (Counsel), and Peggy Nimb (City Staff).

2. APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE (:46)

Approval of March 12, 2025 Agenda

MOTION: Karen Anderson **SECOND:** Donna Davison Passed Unanimously

No conflicts of interest disclosed.

3. PUBLIC COMMENT – None received. (1:25)

3.A Instructions for Providing Public Comment

4. REGULAR BUSINESS (4:22)

4.A Approval of Minutes

February 12, 2025 Regular Meeting Minutes

MOTION: Rosemary Hollinger **SECOND:** Rafael Escandon Passed Unanimously

4.B Update: Outreach Opportunities (4:59) – Chair Keating and Dr. Escandon shared their experience recording the BARN podcast. The Board discussed the City’s updated plans for youth engagement in local government and the importance of participation by the Board since it doesn’t have a Council liaison.

Approval of Board Outreach to City for Participation in Youth Engagement Event

MOTION: Rafael Escandon **SECOND:** Doña Keating Passed Unanimously

4.C Review Status of Pending Complaints (13:00) - Three Complaints remain on hold due to recent U.S. Court of Appeals filing. No additional complaints.

4.D Update: Training Subcommittee (13:11) – The Board reviewed the PowerPoint draft and agreed to add a slide summarising existing and proposed changes, along with flowcharts for Advisory Opinions and Waivers.

Ms. Nimb reported that the survey had been distributed to Advisory Group chairs and members via staff liaisons. The Board asked her to request responses by the end of March to allow time for review and updates to training materials.

The Board also directed Ms. Nimb to request Council chamber time by late April for two members to record the initial training session, and to begin scheduling a training session during an upcoming City Council meeting, contingent on Council approval of the Resolution and related Board recommendations.

Lastly, the Board discussed drafting updates to the Article I and II Complaint Forms and revising content on the Ethics Board webpage (Complaints, Advisory Opinions, & Waivers) to reflect recent Code changes, including anonymity provisions, the statute of limitations, and the City Manager's new authority to request Advisory Opinions.

5. NEW BUSINESS (35:09)

5.A Board Member Resignation & Acknowledgment of Service

Chair Keating announced that Mark Markuly had tendered his resignation and thanked him for his service. A City certificate of appreciation was presented, and other members also expressed their gratitude. The Board briefly discussed the upcoming June 2025 term expirations for three members.

6. AGENDA FOR NEXT MEETING (37:02)

All existing items, except 5.A. An agenda item will be added to discuss the process for board vacancies, including application, interviews, and selection.

7. NEXT MEETING DATE: Wednesday, April 9, 2025, at 6:30 pm.

8. GOOD OF THE ORDER (40:23) – Chair Keating noted that Advisory Groups are scheduled to present their Annual Reports and Work Plans at the March 18 City Council Study Session. Ms. Nimb added that Council will vote to formally accept them at a future regular meeting.

9. ADJOURNMENT - 7:12 PM (42:20)

MOTION: Karen Anderson **SECOND:** Donna Davison Passed Unanimously

Doña Keating, Chair

Date

The following updates are proposed on
<https://www.bainbridgewa.gov/978/Complaints-Advisory-Opinions-Waivers>

Article I (Code of Conduct)
Ethics Complaint Form

I. Introduction:

Individuals seeking to submit an ethics complaint alleging a violation of the Code of Conduct (Article I) by a Councilmember or a member of a City Committee or Commission should complete this form and submit it, along with any supporting documents, to the City Clerk at cityclerk@bainbridgewa.gov. By submitting this form, you are indicating your willingness to participate in mediation (i.e., “reconciliation”) to resolve this dispute. Should mediation be offered, and you do not agree to participate, your complaint will be dismissed pursuant to Article III, Subsection A.5.b of the Code of Conduct and Ethics Program.

Please note: (1) The board cannot hear any complaints where the underlying incident occurred more than a year before the complaint was filed with the Board; and (2) The names of all parties and any identifying information will be redacted in the complaint, board determination, and any related documents before publication on the city website or inclusion in the Board’s agenda packets; and (3) The copies of the complaint, response, and any other documents to be provided to the parties to the complaint should not be redacted. Any of the redacted documents may be requested, unredacted, through a public records request.

Article II (Code of Ethics)
Ethics Complaint Form

I. Introduction:

Individuals seeking to submit an ethics complaint alleging a violation of the Code of Ethics (Article II) by a Councilmember or a member of a City Committee or Commission should complete this form and submit it, along with any supporting documents, to the City Clerk at cityclerk@bainbridgewa.gov.

Please note: (1) The board cannot hear any complaints where the underlying incident occurred more than a year before the complaint was filed with the Board; and (2) The names of all parties and any identifying information will be redacted in the complaint, board determination, and any related documents before publication on the city website or inclusion in the Board’s agenda

packets; (3) The copies of the complaint, response, and any other documents to be provided to the parties to the complaint should not be redacted. Any of the redacted documents may be requested, unredacted, through a public records request; and (4) Findings issued by the board that are accepted for review by the hearing examiner shall not be redacted.

Advisory Opinion Request Form

I. Introduction:

Under Article III, Section D of the Code of Conduct and Ethics Program, only Councilmembers and members of City Committees and Commissions may submit to the City Clerk a request for an advisory opinion from the Ethics Board and only for the reasons outlined in Article II, Section D. Councilmembers and members of City Committees and Commissions seeking to submit a request for an advisory opinion should complete this form and submit it to the City Clerk at cityclerk@bainbridgewa.gov.

II. Requestor Info:

Name: _____ Date: _____	Are you a (check one): <input type="checkbox"/> Councilmember; or <input type="checkbox"/> Member of a Committee or Commission; or <input type="checkbox"/> City Manager
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Complaints, Advisory Opinions, & Waivers

Complaints

Under the Code of Conduct and Ethics Program, any individual may submit to the City Clerk a complaint alleging violations of one of the following:

- The Code of Conduct (Article I) by a Councilmember or a member of a City Committee or Commission;
- The Code of Ethics (Article II) by a Councilmember or a member of a City Committee or Commission; or
- The ethics standards contained in the City of Bainbridge Island Employee Manual by a City employee other than the City Manager.

To facilitate timely review under this Ethics Program, each complaint may only allege violations of one of the three standards listed above. To the extent that an individual believes multiple standards were violated, the individual may submit multiple complaints using the forms included on this webpage.

Add:

Please note: (1) The board cannot hear any complaints where the underlying incident occurred more than a year before the complaint was filed with the Board; and (2) The names of all parties and any identifying information will be redacted in the complaint, board determination, and any related documents before publication on the city website or inclusion in the Board's agenda packets; (3) The copies of the complaint, response, and any other documents to be provided to the parties to the complaint should not be redacted. Any of the redacted documents may be requested, unredacted, through a public records request; and (4) Findings issued by the board that are accepted for review by the hearing examiner shall not be redacted.

Advisory Opinions

Under the Code of Conduct and Ethics Program, the following individuals or bodies may submit to the City Clerk a request for an advisory opinion from the Ethics Board:

- A Councilmember or member of a City Committee or Commission may request an advisory opinion from the Ethics Board as to whether their own behavior has violated or might in the future violate the Code of Conduct (Article I) or the Code of Ethics (Article II).
- The City Council may request an advisory opinion from the Ethics Board regarding City policies or practices in relation to the Code of Conduct (Article I) or the Code of Ethics (Article II).
- City Committees and Commissions may request an advisory opinion from the Ethics Board regarding operating rules or practices in relation to the Code of Conduct (Article I) or the Code of Ethics (Article II).
- A Councilmember may request an advisory opinion from the Ethics Board concerning the applicability of the Code of Ethics (Article II) to hypothetical circumstances and/or situations related to the actions, or potential actions, of a Councilmember or a member of a City Committee or Commission.

Individuals or bodies named above seeking to submit a request for an advisory opinion should complete the [Advisory Opinion Request Form](#) and submit it to the City Clerk at cityclerk@bainbridgewa.gov.

Revise:

A Councilmember, member of a City Committee or Commission, or the City Manager may request an advisory opinion from the Ethics Board as to whether their own behavior has violated or might in the future violate the Code of Conduct (Article I) or the Code of Ethics (Article II).



CITY OF
BAINBRIDGE ISLAND

CODE OF CONDUCT AND ETHICS PROGRAM

ANNUAL EDUCATION

2025-2026

AGENDA

- ▶ Program Background, Application, & Basis
- ▶ Code of Conduct
 - Core Values
 - Ethical Principles
- ▶ Code of Ethics
 - Compensation and Gifts
 - Use of City Property
 - Confidentiality
 - Conflict of Interest
 - Conduct of Public Meetings
- ▶ Opinion Process Overview

Background

The background features a white space with abstract green geometric shapes. On the right side, there are several overlapping, semi-transparent triangles and polygons in various shades of green, ranging from light lime to dark forest green. These shapes create a layered, dynamic effect. A thin, light gray line also extends from the bottom right towards the center of the page.

OVERVIEW

- ▶ COBI City Council developed the Ethics Program in 2006 to ensure that the island's government adheres to the highest standards of public service.
- ▶ The Program includes a chartered Ethics Board, now comprised of 7 community volunteers.
- ▶ The Ethics Board's Duties and Responsibilities are to:
 - Administer the Ethics Program;
 - Provide annual education for City elected officials and all City Commissions and Committees on the requirements of the Code of Conduct and Ethics Program; and
 - Provide opinions following ethics complaints or in response to requests from those associated with City government covered by the Program.

RECENT CHANGES TO CODE: ANONYMITY

- ▶ **Code of Conduct (Article I) and Code of Ethics (Article II) Complaints**
 - ▶ The names of all parties and any identifying information should be redacted in the complaint and any related documents before publication on the city website or inclusion in the Board's agenda packets.
 - ▶ Ethics board members should avoid using names and identifying information during their deliberations.
 - ▶ Advisory opinions or board determinations should have names and identifying information redacted before publication on the city website.
- ▶ **Code of Ethics (Article II) Complaints**
 - ▶ Findings issued by the board that are accepted for review by the hearing examiner shall not be redacted.

RECENT CHANGES TO CODE (continued)

- ▶ **One year limit:** The board cannot hear any complaints where the underlying incident occurred more than a year before the complaint was filed with the Board
- ▶ **City Manager can now request Advisory Opinions**
- ▶ **Ethics Training is mandatory for all City Advisory Group members and the City Council**

Note: The copies of the complaint, response, and any other documents to be provided to the parties to the complaint should not be redacted. Any of the redacted documents may be requested, unredacted, through a public records request.

THE POWERS OF THE ETHICS BOARD

- ▶ The Ethics Board was adopted by the City Council, and it only has the powers that the City Council has given to it.
- ▶ Those powers are:
 - ▶ To create its own operating rules
 - ▶ To review Code of Conduct Violations (Article I), Code of Ethics Violations (Article III)
 - ▶ To provide advisory opinions to the City Council or to the City Manager
 - ▶ To grant waivers

THE ETHICS BOARD CANNOT...

- ▶ Independently investigate or engage in independent fact-finding in relation to any complaint filed with the Board
- ▶ On its own initiative, investigate additional violations of the Code of Conduct or Ethics Code to the complaint
- ▶ Initiate any investigations
- ▶ Investigate claims from City employees. All claims made by City employees to the Board shall be forwarded to the City Manager
- ▶ Hear any complaints where the underlying incident occurred more than a year before the complaint was filed with the Board

APPLICATION & BASIS

- ▶ The Code of Conduct and Ethics applies to all those associated with city government, including elected officials and members of city committees and commissions.
- ▶ The current program is based on **RESOLUTION NO. 2020-13** and amended by **RESOLUTION NO. 2021-10**, and **2022-20** (approved respectively on August 11, 2020, May 25, 2021, and May 10, 2022).



CITY OF
BAINBRIDGE ISLAND

Code of Conduct

The background features abstract, overlapping geometric shapes in various shades of green, ranging from light lime to dark forest green. These shapes are primarily located on the right side of the page, creating a modern, layered effect. The text 'Code of Conduct' is positioned on the left side of the page in a clean, sans-serif font.

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
- ▶ To provide the optimal operation of a democratic government which is fair and accountable to the people of the City of Bainbridge Island
- ▶ The CODE OF CONDUCT includes:
 - ▶ CORE VALUES
 - ▶ ETHICAL PRINCIPLES including:
 - ▶ OBLIGATIONS TO THE PUBLIC
 - ▶ OBLIGATIONS TO OTHERS
 - ▶ OBLIGATIONS REGARDING THE USE OF PUBLIC RESOURCES
- ▶ It applies to all Councilmembers and members of City Committees, Boards, and Commissions.



CODE OF CONDUCT: CORE VALUES

A pledge to:

- ▶ Provide service that 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; and
- ▶ Accept responsibility for stewardship of public resources as well as accountability, and to give recognition.



CITY OF
BAINBRIDGE ISLAND

CODE OF CONDUCT: ETHICAL PRINCIPLES

Obligations to the Public to:

- ▶ Act to promote the public good
- ▶ Preserve the 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



CODE OF CONDUCT: ETHICAL PRINCIPLES

Obligations Regarding the Use of Public Resources:

- ▶ Commit 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

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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.



CITY OF
BAINBRIDGE ISLAND

CODE OF ETHICS: GIFTS AND COMPENSATION

The following are 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 given on appropriate occasions.
- ▶ Gifts appropriate to the occasion that would be considered reasonable and customary for a familial, social, or official relationship of the giver on occasions such as weddings, funerals, illness, holidays, or ground-breaking ceremonies.
- ▶ Campaign contributions as permitted and reported in accordance with law.



CODE OF ETHICS: GIFTS AND COMPENSATION (continued)

The following are exceptions to Gift Limitations:

- ▶ 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 as part of 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—or 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.



CODE OF ETHICS: GIFTS TO IMMEDIATE FAMILY

A Councilmember, or member of a City Committee or Commission, or their immediate family:

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



CITY OF
BAINBRIDGE ISLAND

CODE OF ETHICS: 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.



CITY OF
BAINBRIDGE ISLAND

CODE OF ETHICS: 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.



CITY OF
BAINBRIDGE ISLAND

CASE STUDY #1: THE COUNCILMEMBER AND EXECUTIVE SESSION

- ▶ Councilmember attends an executive session. There, the Council is briefed on a City plan to acquire private property using eminent domain as part of a large-scale transportation project. During a regular council meeting, the Councilmember discussed the transportation project; the Councilmember expressed concerns about the project, given the possibility of the use of eminent domain to acquire private property. A complaint is filed against the Councilmember violating the code of ethics for breach of confidentiality for disclosing confidential information from the executive session.
- ▶ Is there a credible claim for a violation of the Ethics Program?

CASE STUDY #1: THE COUNCILMEMBER AND EXECUTIVE SESSION

- ▶ **Yes.** Under Art. II, Section C, councilmembers are required not to “disclose or use privileged, confidential, or propriety information obtained in executive session or otherwise in the course of their duties as a result of their position.” Because the Councilmember had received confidential information in an executive session, which they later revealed in an open public session, there is enough evidence to show a “credible” allegation that the councilmember breached the code of ethics.

CODE OF ETHICS: 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.



CITY OF
BAINBRIDGE ISLAND

CODE OF ETHICS: CONFLICT OF INTEREST EXCEPTIONS FOR COUNCILMEMBERS

Conflict of Interest shall not apply when a Councilmember:

- ▶ Is required to take or participate in an action based on the rule of necessity;
- ▶ 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; or
- ▶ 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.



CODE OF ETHICS: CONFLICT OF INTEREST EXCEPTIONS FOR COUNCILMEMBERS, continued.

Conflict of Interest shall not apply when a Councilmember:

- ▶ Officially participates in the development and adoption of the City's budget; or establishes the pay or benefits plan of City officers, officials, or employees;
- ▶ 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
- ▶ Serves on the governing body of an organization or entity as part of their official duties as a Councilmember of the City.



CITY OF
BAINBRIDGE ISLAND

CODE OF ETHICS: CONFLICT OF INTEREST EXCEPTIONS FOR CITY COMMISSIONS OR COMMITTEES

Conflict of Interest shall **not** apply when a Member of a City Committee or Commission:

- ▶ 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 providing the basis for appointment to a City Committee or Commissions;
- ▶ 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 member to participate in the discussion of the vote; or
- ▶ Is required to take action or participate in an action based on the rule of necessity.



CODE OF ETHICS: CONFLICT OF INTEREST 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; and
- ▶ To take action or participate in an action based upon the rule of necessity.



CASE STUDY #2: THE COUNCILMEMBER AND THE VOTE FOR MAYOR

- ▶ The City Council is voting to elect a new Mayor. Councilmember A nominates themselves and advocates for their colleagues to vote for them. Councilmember B also nominates themselves. Councilmember A defeats Councilmember B, and each Councilmember votes for themselves in the final tally. A citizen filed an ethics complaint against both councilmembers, allegedly arguing that it was a conflict of interest for each councilmember to vote for themselves for mayor because they stand to gain financially due to the per diem the mayor receives as compensation for their duties.
- ▶ Is there a credible claim for a violation of the Ethics Program?

CASE STUDY #2: THE COUNCILMEMBER AND THE VOTE FOR MAYOR

► **No.** Art. II. Sec. D(1) requires that councilmembers cannot take direct action on a city business if they have a significant financial or private interest in the outcome of the action. Although it is true that the mayor receives compensation and that the Ethics Code prohibits councilmembers from taking actions that they may have a substantial financial interest in, the Ethics Code recognizes that the “conflict of interest” rules do not apply to councilmembers in certain circumstances under Art. II. Sec. D(2). The selection of the mayor falls into one of those exceptions.

CODE OF ETHICS: 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, including contractual negotiations or solicitations of business unavailable to others; or
- ▶ Shall engage in any act or litigation in which the City is involved, on behalf of any other person or entity when the action or litigation involves an issue on which the Councilmember took direct official action while in elected City office.



**CITY OF
BAINBRIDGE ISLAND**

CODE OF ETHICS: 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.



CITY OF
BAINBRIDGE ISLAND

CODE OF ETHICS: 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 (3) 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.



CODE OF ETHICS: 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.

▶ **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.



CITY OF
BAINBRIDGE ISLAND

CODE OF ETHICS: 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.



CITY OF
BAINBRIDGE ISLAND

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.



Complaint Process



THE ETHICS BOARD'S ROLE IN CODE OF CONDUCT COMPLAINTS (ARTICLE I)

The Ethics Board's role is to:

- ▶ As part of an open, public meeting, make a threshold determination of whether a complaint submitted to the Board alleging a violation of the Code of Conduct...
 - ▶ Is reasonably credible?
 - ▶ Would, if the facts asserted in the complaint were true, constitute a violation of the Code of Conduct?
- ▶ If No, then the Board issues a notice of dismissal
- ▶ If Yes, then the Board either makes a recommendation for mediation or issues an advisory opinion

THE ETHICS BOARD'S ROLE IN CODE OF ETHICS COMPLAINTS (ARTICLE II)

The Ethics Board's role is to:

- ▶ As part of an open, public meeting, make a threshold determination of whether a complaint submitted to the Board alleging a violation of the Code of Ethics...
 - ▶ Is actually related to the Code of Ethics and not the Code of Conduct?
 - ▶ Is reasonably credible?
 - ▶ Would, if the facts asserted in the complaint were true, constitute a violation of the Code of Ethics?
 - ▶ Is a material violation, not inadvertent or minor or already adequately cured, such that further proceedings on the complaint would not serve the purposes of the Code of Ethics.
- ▶ If No to any of the above, then the Board has the authority to issue a notice of dismissal.
- ▶ If Yes, then the Board has the authority to issue a determination that the complaint meets the threshold for further review. The City Clerk will then refer the complaint and response to the Hearing Examiner for consideration of Article IV proceedings.

THE ETHICS BOARD'S ROLE IN ADVISORY OPINIONS

The Ethics Board's role is to:

- ▶ At the request of City Council Members or Members of City Committee or Commissions:
 - ▶ Provide an Advisory Opinion as to whether their own behavior has violated or might in the future violate the Code of Conduct (Article I) or the Code of Ethics (Article II).
- ▶ At the request of City Council or the City Manager:
 - ▶ Provide an Advisory Opinion on City policies or practices in relation to the Code of Conduct (Article I) or the Code of Ethics (Article II).
 - ▶ Provide an Advisory Opinion on the applicability of the Code of Ethics (Article II) to hypothetical circumstances and/or situations related to the actions, or potential actions, of a Councilmember or a member of a City Committee or Commission.
- ▶ At the request of City Committees and Commissions :
 - ▶ Provide an Advisory Opinion on their practices or Operating Rules in relation to the Code of Conduct (Article I) or the Code of Ethics (Article II).

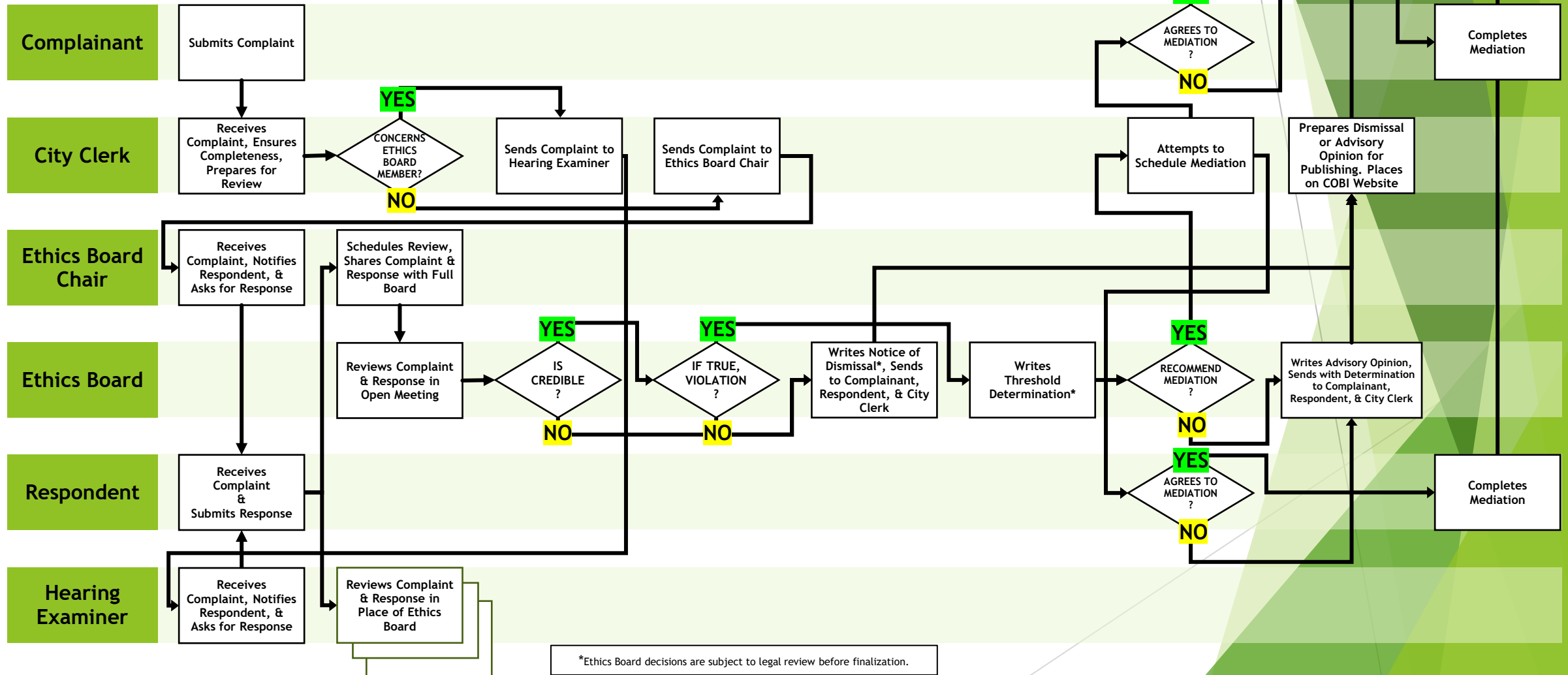
THE ETHICS BOARD'S ROLE IN GRANTING WAIVERS IN LIMITED CIRCUMSTANCES

- ▶ Councilmembers may request a waiver from the Ethics Board of the conflict of interest restrictions related to the hiring of and supervision over family members, as provided by Article II, Section G.

Ethics Complaint Process

Article III, Section A of the Code of Conduct and Ethics Program outlines the full procedure for review of complaints alleging a violation of the Code of Ethics (Article II) by a Councilmember or a member of a City Committee or Commission. This chart is a summary for educational purposes only.

Code of Conduct (Article I)

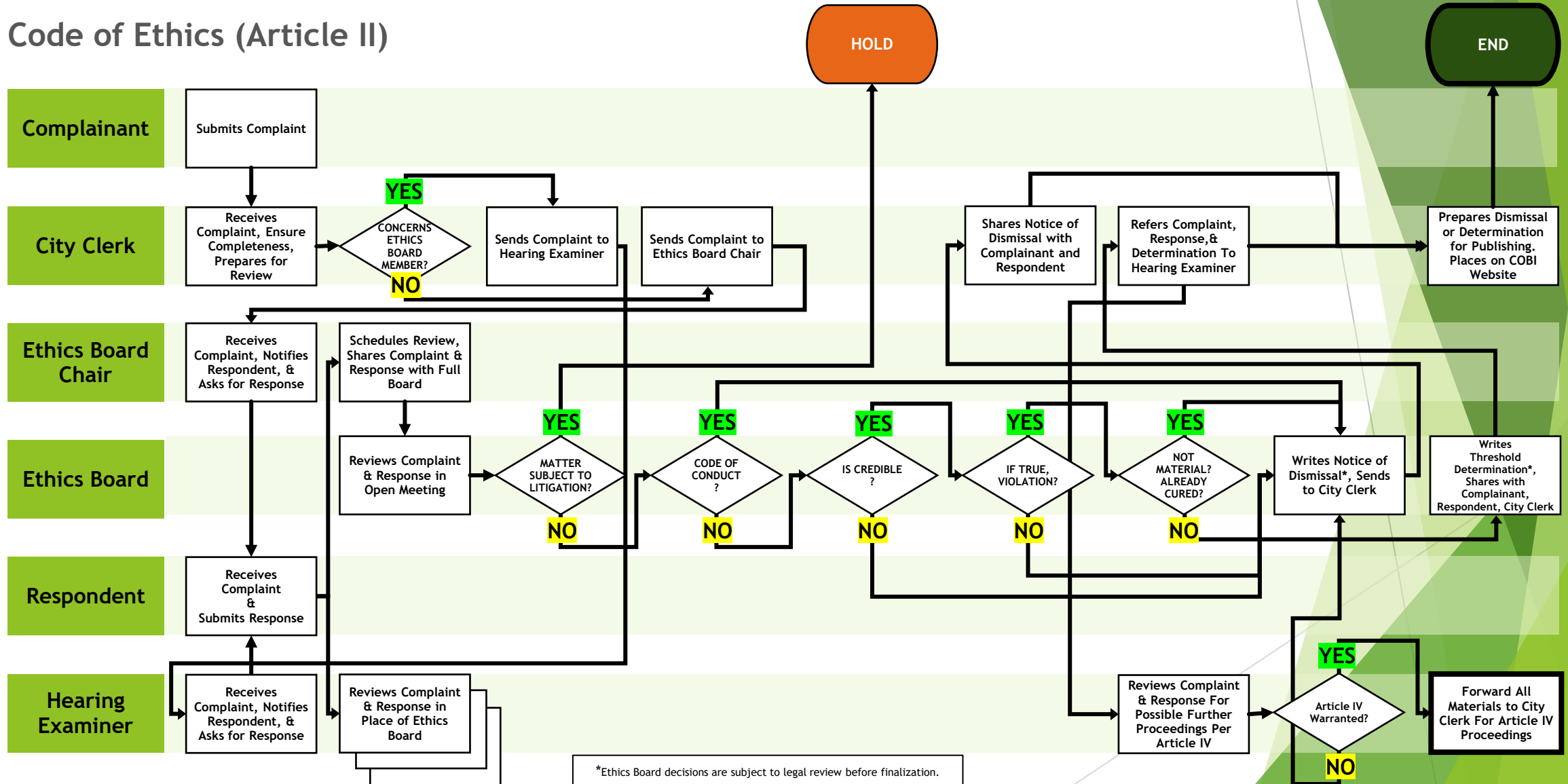


*Ethics Board decisions are subject to legal review before finalization.

Ethics Complaint Process

Article III, Section B of the Code of Conduct and Ethics Program outlines the full procedure for review of complaints alleging a violation of the Code of Ethics (Article II) by a Councilmember or a member of a City Committee or Commission. This chart is a summary for educational purposes only.

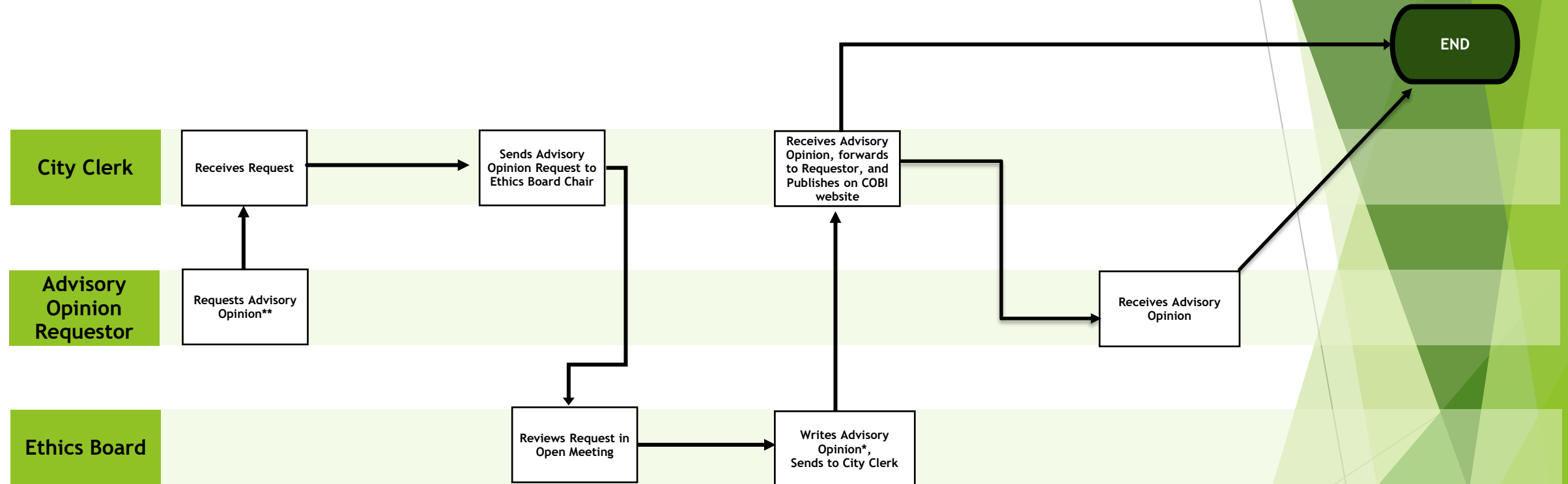
Code of Ethics (Article II)



Advisory Opinion Process

Article III, Section D of the Code of Conduct and Ethics Program outlines the full procedure for Requests for Advisory Opinions by City Councilmembers, the City Manager, or Members of City Committees or Commissions. This chart is a summary for educational purposes only.

Code of Conduct (Article I) and Code of Ethics (Article II)



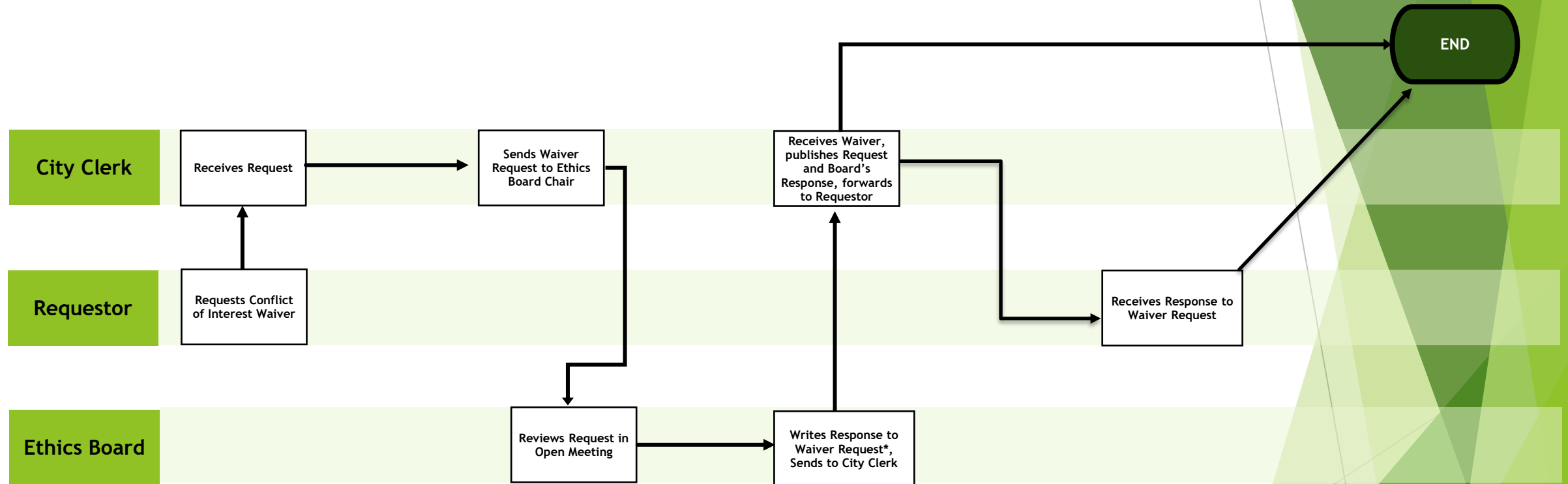
*Ethics Board advisory opinions are subject to legal review before finalization.

**Advisory opinions issued in response to requests as to whether their own behavior has violated or might in the future violate the Code of Conduct (Article I) or the Code of Ethics (Article II); or concerning the applicability of the Code of Ethics (Article II) to hypothetical circumstances and/or situations related to the actions, or potential actions, of a Councilmember or a member of a City Committee or Commission, shall not include identifying information as to the requestor or the individual(s) whose conduct is the subject of the opinion unless otherwise agreed in writing by both the requestor and subject individual(s).

Waiver Process

Code of Ethics (Article II)

Article III, Section E of the Code of Conduct and Ethics Program outlines the full procedure for Requests for Waiver by City Councilmembers from the Ethics Board of the conflict of interest restrictions related to the hiring of and supervision over family members, as provided by Article II, Section G. This chart is a summary for educational purposes only.



*Ethics Board waiver responses are subject to legal review before finalization.

APPENDICES

The background features abstract, overlapping geometric shapes in various shades of green, ranging from light lime to dark forest green. These shapes are primarily located on the right side of the page, creating a modern, layered effect. The rest of the page is a plain white background.

CURRENT ROSTER

Doña Keating, Position 1

Term Expires: June 30, 2026

Karen Anderson, Position 2

Term Expires: June 30, 2026

Vacant, Position 3

Term Expires: June 30, 2027

Hildja Saas, Position 4

Term Expires : June 30, 2027

Donna Davison, Position 5

Term Expires: June 30, 2025

Rafael Escandon, Position 6

Term Expires: June 30, 2025

Rosemary Hollinger, Position 7

Term Expires: June 30, 2025

ROBERTS RULES CHEAT SHEET

To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Adjourn	"I move that we adjourn"	No	Yes	No	No	Majority
Recess	"I move that we recess until..."	No	Yes	No	Yes	Majority
Complain about noise, room temp., etc.	"Point of privilege"	Yes	No	No	No	Chair Decides
Suspend further consideration of something	"I move that we table it"	No	Yes	No	No	Majority
End debate	"I move the previous question"	No	Yes	No	No	2/3
Postpone consideration of something	"I move we postpone this matter until..."	No	Yes	Yes	Yes	Majority
Amend a motion	"I move that this motion be amended by..."	No	Yes	Yes	Yes	Majority
Introduce business (a primary motion)	"I move that..."	No	Yes	Yes	Yes	Majority

The above listed motions and points are listed in established order of precedence. When any one of them is pending, you may not introduce another that is listed below, but you may introduce another that is listed above it.

To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Object to procedure or personal affront	"Point of order"	Yes	No	No	No	Chair decides
Request information	"Point of information"	Yes	No	No	No	None
Ask for vote by actual count to verify voice vote	"I call for a division of the house"	Must be done before new motion	No	No	No	None unless someone objects
Object to considering some undiplomatic or improper matter	"I object to consideration of this question"	Yes	No	No	No	2/3
Take up matter previously tabled	"I move we take from the table..."	Yes	Yes	No	No	Majority
Reconsider something already disposed of	"I move we now (or later) reconsider our action relative to..."	Yes	Yes	Only if original motion was debatable	No	Majority
Consider something out of its scheduled order	"I move we suspend the rules and consider..."	No	Yes	No	No	2/3
Vote on a ruling by the Chair	"I appeal the Chair's decision"	Yes	Yes	Yes	No	Majority

The motions, points and proposals listed above have no established order of preference; any of them may be introduced at any time except when meeting is considering one of the top three matters listed from the first chart (Motion to Adjourn, Recess or Point of Privilege).