

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:

- November 18, Regular Meeting Minutes
- December 16, Regular Meeting Minutes

4.B Update: Outreach Opportunities

- Podcast Outline v2 (Attorney Reviewed)

4.C Review Status of Pending Complaints

4.D Update: Training Subcommittee

5. NEW BUSINESS

5.A Nominate and Appoint Deputy Chair

6. AGENDA FOR NEXT MEETING

7. NEXT MEETING DATE: February 12, 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 Business Meeting
Monday, November 18, 2024, 6:30 PM
In-person and via Zoom

Minutes

1. CALL TO ORDER/ROLL CALL—6:30 PM

Present: Doña Keating (Chair), Rafael Escandon, Donna Davison, Rosemary Hollinger, Mark Markuly, Hildja Saas, Drew Pollom (Counsel), Peggy Nimb (City Staff)
Absent: Karen Anderson (Deputy Chair)

2. APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE (1:12)

MOTION: Donna Davison **SECOND:** Hildja Saas Passed Unanimously

No conflicts of interest disclosed.

3. PUBLIC COMMENT – None received. (1:18)

3.A Instructions for Providing Public Comment (1:52, 3:49)

4. REGULAR BUSINESS (3:39)

4.A Approval of Minutes (3:57) October 21, 2024 Regular Meeting Minutes

MOTION: Donna Davison **SECOND:** Rafael Escandon Passed Unanimously

4.B Update: Outreach Opportunities (4:26)

Discussion about outreach opportunities at BARN's podcast, The B.I.STANDER podcast, and the possibility of using the City's YouTube channel to post case studies or discuss board roles and responsibilities.

4.C Review Status of Pending Complaints (12:08) None. 9th Circuit has not scheduled oral arguments in the appeal.

4.D Update: November 12 City Council Meeting re Recommended Changes to Ethics Code (12:54) The recommendations of the Ethics Board regarding the city's ethics program were accepted, and the City Council instructed the staff to prepare amendments to the ethics program incorporating our recommendations. They instructed the staff to bring revisions incorporating the recommendations to a future City Council meeting for a vote. This proposal was passed by the City Council.

4.E Update: 2024 Annual Report and 2025 Work Plan (14:03)

Ms. Davison suggested amending the first bullet of the Annual Report under Training to read that notices of ethics training sessions would be sent to all current members of City advisory committees, commissions and boards.

4.F Update: Training Subcommittee (14:46, 17:46)

Discussion about what is politically possible versus what would be ideal in terms of the training program. A short survey (3 or so questions) to Committee or Board chairpersons was proposed as being a practical solution and a way to start a conversation about what the different bodies were encountering or in the area of ethics. The Training Subcommittee will return to the Board as a whole with a survey and other recommendations.

A discussion about rolling meetings and the Open Meetings requirements followed. Drew highlighted a best practice regarding how to avoid having an email chain in violation of open meetings requirements.

5. NEW BUSINESS (34:38)

5.A City Advisory Group Chairs and Liasons Meeting (34:38)

- [Recording](#)
- [PowerPoint Presentation](#)

5.B Consider New Ethics Board Meeting Date (47:52)

Deferred to the December 16, 2024 meeting.

6. AGENDA FOR NEXT MEETING (50:49)

All existing items, except 4.D and 5.A.

7. NEXT MEETING DATE (51:27): December 16, 2024

8. ADJOURNMENT – 7:22 PM

MOTION: Mark Markuly **SECOND:** Rafael Escandon Passed Unanimously

Doña Keating, Chair

Date

COBI ETHICS BOARD
Regular Business Meeting
Monday, December 16, 2024
In-person and via Zoom

Minutes

1. CALL TO ORDER/ROLL CALL—6:34 PM

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

2. APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE (:50)

MOTION: Rosemary Hollinger **SECOND:** Donna Davison Passed Unanimously
No conflicts of interest disclosed.

3. PUBLIC COMMENT – None received. (1:27)

3.A Instructions for Providing Public Comment

4. REGULAR BUSINESS (4:46)

4.A Approval of Minutes

November 18, 2024, Meeting Minutes will be approved at January 2025 meeting.

4.B Update: Outreach Opportunities (5:04) – Chair Keating shared follow up with BARN and The B.I.STANDER Podcast per October and November board meeting discussions. To avoid a quorum, the below members agreed to participate in each podcast. They will draft an outline to include format, topics, and any necessary disclaimers or comments per attorney review. The document will be sent to podcast hosts for input.

- The B.I. Stander Podcast: Mr. Escandon, Ms. Davison, Ms. Hollinger
- Bainbridge BARN (Bainbridge Artisan Resource Network): Mr. Escandon, Ms. Hollinger, Ms. Saas
- Ms. Keating will serve as an alternate for Ms. Hollinger if in-person participation is required.

Mr. Markuly reported that The Bainbridge Island Review was uninterested in a feature article but would consider publishing any news of public interest.

4.C Review Status of Pending Complaints (43:22) - Three Complaints remain on hold due to recent U.S. Court of Appeals filing. No additional complaints.

4.D Update: 2024 Annual Report and 2025 Work Plan (43:41) - Chair Keating indicated all updates were complete and called for a motion to approve.

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

4.E Update: Training Subcommittee (45:32) - Mr. Markuly advised that case studies scenarios and a survey instrument are still in progress. He requested clarification on roles and responsibilities and discussion ensued.

4.F. Finalize New Date for Ethics Board Meeting Beginning January 2025 (1:27:19)
Board agreed that second Wednesday of each month would work for future board meetings.

MOTION: Karen Anderson **SECOND:** Hildja Saas Passed Unanimously

5. NEW BUSINESS (1:30:58)

5.A Update on City's Plan for Youth Engagement

- [Executive Department Memorandum](#)

6. AGENDA FOR NEXT MEETING (1:34:06)

All existing items, except 4D, 4F, and 5.A.

7. NEXT MEETING DATE: Wednesday, January 8, 2025, at 6:30 pm.

8. ADJOURNMENT - 8:10 PM

MOTION: Donna Davison **SECOND:** Rafael Escandon Passed Unanimously

Doña Keating, Chair

Date

Podcast Outline

Purpose

This outline strikes a balance between providing enough guidance for meaningful conversations while keeping the process flexible and collaborative.

It's essential to distinguish between ethics as a general principle, which members can address outside their board roles, and its relation to the Code of Conduct and Code of Ethics. The board should avoid implying advocacy for changes to the established code or language beyond its scope.

Preface

Informal outreach to the public supports our mission. Whether through public communications or informational sessions, a podcast can serve as a platform to educate about the City's Ethics Program, the Code of Conduct, the Code of Ethics, and the role of the Ethics Board. These 'community conversations' or 'behind the board' sessions can also incorporate board members' backgrounds, as previously published, to provide context for informed service.

Disclaimer Statement

Before engaging in any discussion on the topic of ethics or the Ethics Program, The Member should include the following disclaimer statement, either in written form or in verbal form the following:

“ I am here in my individual capacity both as a member of the Ethics Board band as a citizen and constituent of the City of Bainbridge Island. My opinions are my own and do not reflect the opinions or are the official policy of the Ethics Board or the City of Bainbridge Island as a whole.”

1. Introduction (Why)

- To foster public trust and provide relatable insights into ethics in public service through storytelling and dialogue.
- Tone/Style: Conversational, engaging, and jargon-free, emphasizing accessibility and transparency.

2. Parties Involved (Who)

- Board members participating: Doña Keating, Rafael Escandon, Hildja Saas
- Podcast titles:
 - Bob Ross, *What's Up Bainbridge* (Bainbridge Artisan Resource Network: BARN)
 - Tim Self, *The B.I.STANDER Podcast*

3. Topics (What)

- **Individual Board Member Stories:** Backgrounds, reasons for joining the board.
- **General Ethics Discussions:**
 - Ethics in government and leadership.
 - Building public trust and fostering community partnerships.
 - Media's role in promoting ethical awareness.
 - The board as an educational tool: training, outreach, and lessons learned.

4. Boundaries and Considerations (Dos and Don'ts)

- **Dos:**
 - Discuss the board's mission and processes in general terms.
 - Share personal perspectives on ethics and leadership (when appropriate).
 - Explain both the Code of Conduct and the Code of Ethics and who it applies to (City Council and Committees).
 - Highlight educational and training resources available to the public.
- **Don'ts:**
 - Discuss specifics of ongoing or past complaints.
 - Disclose confidential information or deliberations.
 - Engage in political endorsements or partisan commentary.
 - Advocate or discuss changes to the Ethics Program not discussed at an Ethics Board meeting.

5. Podcast Host Input

- Logistical preferences, date, time.
- Suggested questions or specific areas of interest.

6. Board Attorney Input

- Ensure legal and ethical compliance of the outline and podcast content.
- Provide and review any necessary disclaimers to protect the board and ensure transparency.

Training Subcommittee Proposed Development Plan for 2025

The Training Subcommittee would like to propose that it will work on the items below for the upcoming year.

1. Create a timeline of the creation of the BI Ethics Board, a brief, but inclusive, history of the issues that have impacted its origin and operation (referenced with key Council and Board meeting minutes). This would be used to onboard new members to the Ethics Board, and to inform narratives board members can create to use with the media or in response to those interested on why the Board was deemed important and how it has functioned historically.
2. Create an articulation document between the 'City of Bainbridge Island Code of Conduct and Ethics Program' and the 'City of Bainbridge Island Employee Manual.' This would demonstrate the ethical frameworks, goals, and source documents for the overall ethical culture that is promoted by the island. Among other things, this articulation document would showcase the island's commitment to creating an inspirational model of progressive, ethical government. It might also suggest ways the Board can contribute creatively to enhancing the ethical culture of the island.
3. The committee recommends the creation of an annual process for reviewing and refreshing its current training video.
4. During the origin of the creation of the Bainbridge Island Ethics Board there were distinctions between the board's promotion of the Code of Ethics, its advisory role, and its educational role. The subcommittee proposes the development over the next year of educational resources that would have the goal of elevating and highlighting the role of ethics in government and culture. As part of these resources, the subcommittee might provide annually refreshed ethical training materials, and particularly case studies for consideration throughout the calendar year for those involved with local government. This might also include suggested reading lists about ethical issues in local government contexts from the media, local government regional and national organizations, contemporary books and other sources.

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).