



Ethics Board Regular Meeting
Monday, December 16, 2024, 6:30 PM
Chamber Conference Room, City Hall
280 Madison Ave N
Bainbridge Island, WA 98110

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 will be approved at January 2025 meeting.

4.B Update: Outreach Opportunities

4.C Review Status of Pending Complaints

4.D Update: 2024 Annual Report & 2025 Workplan

4.E Update: Training Subcommittee

4.F Finalise New Ethics Board Meeting Date Beginning January 2025

5. NEW BUSINESS

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

- [Executive Department Memorandum](#)

6. AGENDA FOR NEXT MEETING

7. NEXT MEETING DATE: TBA January xx, 2025

8. 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.

Ethics Board

2024 Annual Report / 2025 Workplan

Report on 2024 Activities

Pursuant to Article V, § D of the City of Bainbridge Island Code of Conduct and Ethics Program (the “Program”), the Bainbridge Island Ethics Board hereby provides its annual report and workplan to the Bainbridge Island City Council.

I. Complaints and Advisory Opinions

In 2024, the Ethics Board received complaint EB 2024 01. It was reviewed, discussed and dismissed per Determination Letter, dated April 15, 2024, and the Board concluded that the allegations did not indicate a violation of the financial conflicts of interest under Art. II, § D.1 (a) and (b).

The three previously reported complaints, referenced in the 2023 Annual Report, which are all related to each other, have been deferred while the Board continues to await a ruling in related litigation.

II. Ethics Board Members

The Board is presently operating with three members who are serving the final year of their initial terms: Rosemary Hollinger, Donna Davison and Rafael Escandon. Remaining members include Doña Keating, who was reappointed to complete her term expiring June 2026; Karen Anderson, a returning member appointed to complete the position 2 term expiring June 2026; and new members Mark Markuly and Hildja Saas, whose 3-year terms expire in June 2027.

Dr. Escandon completed his July 2023 – June 2024 term as Board Chair and Ms. Keating is now serving as Board Chair from July 2024 – June 2025. Ben Woodruff completed his January – June 2024 6-month term as Deputy Board Chair and Ms. Anderson is now serving her 6-month term as Deputy Board Chair.

III. Changes to the Ethics Program

Incoming City Council and Advisory Group members now receive Ethics Board training, which must then be confirmed by City Staff upon review completion. No other specific changes to the ethics program have occurred in 2024.

IV. Training

In 2024, the Board updated its written training content for distribution to City Council and relevant COBI Advisory Boards in accordance with the report/work plan presented to Council at its May 14, 2024 meeting. The Training Subcommittee is also working on case studies and will update the video training in preparation for conducting training and the Board's educational duties under the Ethics Program.

The training is structured to be completed as follows:

1. An in-person and remote, Zoom-based training and informational session for City Council.
2. Remote/Zoom-based and in-person training and informational sessions open to the public and all Advisory Group members, and to address questions on the ethics training materials.
3. A recording of the June 06, 2023 training presentation and the related materials was posted and remains available for review on the City's Ethics Board Web Page, under the "Resources" Section, available [here](#).
4. Update documentation and training program as applicable to reflect appropriate Ethics Code changes and effective dates.

In order to complete this training, the Board needs technical assistance from the Council and the City with the following:

- Sending notices of the training sessions to all **current members of Advisory Group Committees, Boards, and Commissions**.
- Scheduling the training sessions and providing the Board with the necessary tools and permissions to host the Zoom meetings.
- Scheduling the joint/training session with Council.
- Recording the training sessions and posting one on the Ethics Board website along with the PowerPoint slides.
- Keeping track of which Committee and Commission members have attended or viewed a training session.

V. Requests and Recommendations

A. Changes to Ethics Code and Operating Rules

The Board recommends revising or striking the following sections from the Ethics Code and Operating Rules since pamphlets are no longer created and distributed:

- Ethics Code: Article V (B)(1.)
 - *"At least every two years, the Ethics Board shall prepare and distribute a pamphlet describing the Code of Conduct (Article I) and Code of Ethics (Article II) to all Councilmembers and members of City Committees and Commissions, after review of the pamphlet by the City Attorney's Office. The Ethics Board shall ensure that all new Councilmembers and members of City Committees and Commissions receive a pamphlet on this Code of Ethics."*
- Operating Rules: 3(A)(ii.)
 - *"Pamphlet. At least every two years, the Training Subcommittee shall prepare, and members of the Ethics Board shall distribute, a pamphlet describing the*

Code of Conduct (Article I) and Code of Ethics (Article II) to all Councilmembers and members of City Committees and Commissions. The Ethics Board shall ensure that all new Councilmembers and members of City Committees and Commission receive a pamphlet upon election or appointment.”

The Board recommends changing the following section in the Operating Rules:

- Operating Rules: 2(D)(v.)
 - ⊖ *“Meeting Minutes. The Deputy Chair shall keep action minutes of each meeting of the board and provide said minutes to the Board in advance of the next meeting, where they will be reviewed, revised as necessary, and approved. Approved meeting minutes will be posted on the Ethics Board website. Minutes shall record what actions were taken by the Board, and to the extent deemed necessary by the board, what was said.”*

2025 Workplan Priorities

- A. Assist City Council by encouraging timely application, consideration, interview, and confirmation of qualified persons for the three Ethics Board positions (5, 6 & 7) whose terms will be completed in June 2025.
- B. Design any appropriate updates to the Ethics Program during the 2025 term based on experience in the application of the Ethics Code and provide such suggested updates to BI City Council.
- C. With the assistance of City Staff, ensure that all appropriate individuals have received Ethics Program training. Ensure that all new members are trained as soon as possible, perhaps at the same time or near the OPM training.
- D. Provide Q&A support relating to Ethics Code training for Councilmembers if requested and be available for questions from any members of Boards, Committees, and Commissions, after each has reviewed the archived (video) training content on the COBI Ethics Board website.
- E. Increase public exposure to the existence of the Ethics Board/Ethics Program, its membership and its function at times during the 2025 calendar year through outreach. This may be achieved by having member(s) available at scheduled times at the community farmer’s market, the moonlight market, the national night out, and other community events, as availability dictates.
- F. Continue to refine and clarify aspects of the Ethics Program as an educational resource that maintains the public trust and provides transparency to the process of Government operations to the residents of Bainbridge Island. This may include education on methods of how to apply elements of the Ethics Program in hypothetical cases.
- G. Continue to respond to official ethics complaints and inquiries for advisory opinions in adherence to the Ethics Program.

Approved, _____(Date)