



CITY OF  
BAINBRIDGE ISLAND

ETHICS BOARD  
SPECIAL MEETING  
TUESDAY, FEBRUARY 15, 2022  
4:00 PM  
ZOOM WEBINAR

---

---

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

PLEASE CLICK THE LINK BELOW TO JOIN THE WEBINAR:

[HTTPS://BAINBRIDGEWA.ZOOM.US/J/94576147339](https://bainbridgewa.zoom.us/j/94576147339)

TELEPHONE: 1-253-215-8782

WEBINAR ID: 945 7614 7339

#### AGENDA

1. CALL TO ORDER – 4:00 P.M.
2. DISCLOSURE OF CONFLICTS OF INTEREST
3. PUBLIC COMMENT
4. APPOINTMENT OF DEPUTY CHAIR
5. APPROVAL OF MINUTES FROM JANUARY MEETING
6. REVIEW STATUS OF PENDING COMPLAINTS
7. REVIEW DRAFT ANNUAL REPORT
8. AGENDA FOR NEXT MEETING:
  - TRAINING
  - UPDATES ON DEVELOPMENTS AS TO NEW MEMBERS AND JOINT COMMITTEE
  - REVIEW STATUS OF PENDING COMPLAINTS
9. ADJOURNMENT

# **COBI ETHICS BOARD**

Special Meeting  
Tuesday, January 18, 2022  
6:30 – 8:00 PM  
VIA ZOOM WEBINAR

## **Minutes**

1. Call to order — Meeting was called to order at 6:32 PM. Present were: Tyler Weaver (Chair), Doña Keating (Deputy Chair), David Mallon, Jim Cash, and Andrew Tsoming (legal counsel to the Ethics Board).
2. Disclosure of conflict of interest — None
3. Public comment – 0 members of the public commented.
4. Motion to accept minutes for December 20, 2021 by Jim Cash; 2nd by David Mallon. Unanimously agreed.
5. Review of status of complaints.
6. Discussion of Board Status and Planning: Appointment of New Members, Training Plan, and Joint Committee with Council
  - Subcommittee to prepare Ethics Board 2021 Annual Report and 2022 Workplan
    - Motion to appoint Tyler Weaver and David Mallon to the above subcommittee made by Doña Keating; 2<sup>nd</sup> by Tyler Weaver. Unanimously approved.
  - Motion to move February 22, 2022 meeting to February 15, 2022 from 4:00 – 5:00 PM made by Tyler Weaver; 2<sup>nd</sup> by David Mallon. Unanimously approved.
7. Items for next regular meeting agendas, February 15, 2022 (4:00 - 5:00 PM)
  - a) Finalizing 2021 Annual Report and 2022 Work Plan
  - b) Appointment of Deputy Chair
  - c) Training and Updates on developments as to new members and joint subcommittee
  - d) Review status of complaints
8. Motion to adjourn by Tyler Weaver, 2nd by Jim Cash. Unanimously agreed.

Adjournment at 6:53 PM.

**City of Bainbridge Island Ethics Board  
2021 Annual Report and 2022 Workplan**

**February 15, 2022**

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 2021, the Ethics Board received six complaints and two requests for advisory opinions. Five of the six complaints were under Article II of the Program. The Board has issued two responsive advisory opinions and determinations on three of the complaints. The three other complaints, which are related to each other, have been deferred while the Board awaits a ruling in related litigation.

**II. Ethics Board Members**

The Board is presently operating with three members who are serving their initial terms, and a fourth who has voluntarily extended his service beyond the end of his term. The three members who are still serving their initial terms are Jim Cash, Doña Keating, and Tyler Weaver. David Mallon’s term ended in June 2021, but he has continued to serve as a member. The Board requires four members to have a quorum for its regular meetings and could not have met if Mr. Mallon had not voluntarily extended his position pending the Council’s decisions on appointing additional members.

Mr. Weaver’s term is scheduled to end in June 2022.

**III. Requests and Recommendations**

There are at present two areas where the Board requests assistance from the Council.

A. Board Vacancies

The Board currently has four of its seven positions vacant, although Mr. Mallon has continued in his position beyond his initial term to allow the Board to continue to meet. In addition, Mr. Weaver's term will end in June 2022. It is critical that these seats be filled or renewed, as the Board cannot meet if one the members cannot make a meeting. In addition, a full complement of Board members is needed to implement our training program.

The Board requests that Council make it a priority to fully staff the Board.

B. Training

In 2021, the Board presented to Council its plan for conducting its training and educational duties under the Program. The Council initially approved that plan, but have had to delay the training for several reasons: (1) throughout 2021, there were numerous discussions by Council about changing or eliminating the Program, making it uncertain whether there should be training or what it should say, (2) also in 2021, Council deferred several times on a vote to fill vacant Board positions despite having nominees to consider, and (3) the City Manager, apparently because of these prior two points, did not provide the Board with the resources necessary to contact and train members of other City committees.

The Board therefore restates its prior proposal for training, and asks Council and the City Manager to provide the resources necessary to facilitate this training:

1. Hold a remote, Zoom-based training and informational session for Council at a designated Council meeting. We anticipate this could be completed in 15 minutes, depending on the questions and discussion generated by the presentation.
2. Hold three remote, Zoom-based training and informational sessions open to the public and all members of City Committees and Commissions. We anticipate scheduling these for different times, such as a weekday session, a weekday evening session, and a weekend session. Again, we would anticipate each of these to run about 15 minutes, depending on questions and discussion.
3. In lieu of a physical pamphlet, given the current remote nature of City meetings, a recording of at least one of these presentations

and the related materials would be available for review on the City's web page for the Ethics Board.

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

- Sending notices of the training sessions to all current members of City Committees and Commissions.
- Scheduling the training sessions and providing the Board with the necessary tools and permissions to host the Zoom meetings.
- Scheduling the joint session with the Council.
- Recording the training sessions and posting at least one recording on the Ethics Board website.
- If desired, keeping track of which Committee and Commission members have attended or viewed a training session.

The Board looks forward to hearing who they should work with on these tasks.

#### **IV. Work Plan for 2022**

- A. Provide Ethics Code education for Councilmembers, Committees and Commissions, with a focus on including new members.
- B. Update documentation as applicable to reflect Ethics Code changes.
- C. Continue to respond to ethics complaints and requests for advisory opinions.
- D. Select new Ethics Board members to fill vacant seats and soon-to-be vacant seats.