



King County Board of Ethics
900 Fourth Avenue, Suite 860
Bank of California Building
Seattle, WA 98164 MS BOC-IA-0860
(206) 296-1586 FAX (206) 205-0725
board.ethics@metrokc.gov
www.metrokc.gov/ethics/

KING COUNTY BOARD OF ETHICS MEETING NOTICE

When: Monday, December 18, 2000, at 4:30 p.m.

Where: Bank of California Building
900 Fourth Avenue, 4th Avenue and Marion Street, Seattle
5th floor conference room (NORTHWEST corner of building)

AGENDA

1. **Approval of Agenda**
2. **Approval of Meeting Minutes of October 16, 2000.**
3. **Request for Advisory Opinion.** Whether appointees of the Fall City Stakeholders Group must file statements of financial and other interests.
4. **Post Employment Provision.** Continued review and discussion.
5. **Financial Disclosure Program.**
 - Approve 2001 forms
 - First notice to directors
6. **Mileage and Parking Reimbursement Policy.** Review.
7. **Authorization for Distribution of Board Materials.** Determine authorization per Procedures for Meetings of the King County Board of Ethics.
8. **2001 Meeting Schedule.** Review schedule; discuss retreat.
9. **Staff Report.**
 - Compliance with Code Requirements by Department of Transportation
 - COGEL Conference
 - Staff vacations
 - Open House
10. **Executive Session.**

cc: Ron Sims, King County Executive
King County Councilmembers
Duncan Fowler, Director–Ombudsman, Office of Citizen Complaints
Sheryl V. Whitney, Director, DIAS
James J. Buck, Deputy Director, DIAS
Carl A. Johansen, Senior Deputy Prosecuting Attorney
Mary Davis, AICP, Planner III, DDES

Upon advance request, reasonable accommodations for people with disabilities are available by calling (206) 296-1586 or TTY 1-800-833-6388.

ALTERNATE FORMATS AVAILABLE

Minutes of the December 18, 2000, Meeting of the King County Board of Ethics

The December 18, 2000, meeting of the King County Board of Ethics was called to order by Chair Price Spratlen at 4:30 p.m. Board members in attendance were:

Lois Price Spratlen, Ph.D., Chair
Mr. Roland H. Carlson
Margaret T. Gordon, Ph.D.
Rev. Paul F. Pruitt
Lembhard G. Howell, Esq., was excused.

Others in attendance:

Ms. Catherine A. Clemens, Administrator
Mr. Carl A. Johansen, Senior Deputy Prosecuting Attorney
Mr. James J. Buck, Deputy Director, Department of Information and Administrative Services
Ms. Mary Davis, AICP, Planner II, Department of Development and Environmental Services

1. *Proposed Agenda.* Chair Price Spratlen requested the addition of an executive session as Item #10 for the purpose of reviewing the performance of a public employee. With that addition, Mr. Carlson moved, and Rev. Pruitt seconded, that the board approve the proposed agenda. The board unanimously adopted the motion.

Chair Price Spratlen then asked for introductions from those present. Following introductions, the board commented on the high quality of meeting materials contained in the board packets.

2. *Approval of Meeting Minutes of October 16, 2000.* With minor corrections, Rev. Pruitt moved, and Mr. Carlson seconded, that the board approve the meeting minutes. The board unanimously adopted the motion.

3. *Request for Advisory Opinion.* Ms. Clemens briefed the board. In June, 2000, the King County Council established the Fall City Stakeholder Group (Stakeholder Group) by motion to advise the county on wastewater treatment issues in Fall City. Members are appointed by the executive and confirmed by the council. The Board of Ethics is now being asked by staff from the Department of Development and Environmental Services (DDES), the county department in which the Stakeholder Group lies, whether members must file statements of financial and other interests with the county? The board reviewed the definition it previously established to determine who is required to file such statements: "Persons appointed by the executive or county council to serve on county boards, commission, committees and other multimember bodies that are established by county council action." Ms. Davis addressed three issues that could affect the board's decision, including: 1) members are not compensated; 2) they do not consider themselves a board or commission since they have only advisory status; and 3) a majority of those citizens being considered as applicants are unwilling to file statements 'on principle.' Mr. Carlson

stated that the whole intent of filing statements is to identify those who might have real conflict and these forms clarify that issue. Rev. Pruitt stated that the simplicity of the form should make the process easy and that compliance is crucial to ensure prevention of conflict. Rev. Pruitt suggested the board reaffirm previous opinion 1103 (1994) that identified criteria for filing statements of financial and other interests for board and commission members. The board declined to issue an opinion on the request because of the earlier opinion. However, Rev. Pruitt moved that members of the Stakeholder Group must file statements because they fall within the definition already established by the board of those required to file statements of financial and other interests. Mr. Carlson seconded the motion and the motion passed unanimously. Dr. Gordon stated the purpose of disclosure requirements is to ensure trust in government.

Ms. Clemens promised support from the ethics office to Ms. Davis of her efforts to achieve compliance. She stated she would send a follow-up letter reflecting the board's determination within the month. Chair Price Spratlen asked that Ms. Davis contact the board again should she continue to have problems with compliance.

Ms. Davis thanked the board and left the meeting at 4:50 p.m.

4. *Post Employment Provisions Under the Code the Ethics.* Ms. Clemens distributed two letters from county employees that reflect situations they have experienced regarding post employment issues. Following board review of the two letters, Mr. Carlson stated that the situations seemed to indicate that departments were hiring former employees as contractors when there are available employees. Mr. Johansen stated that a department must demonstrate it does not have adequate resources in order to hire from outside. Mr. Carlson stated that this reflected games played within departments on hiring issues. However, the board does want managers to have flexibility to do the economical thing and might consider sole source provisions.

Mr. Buck arrived at 5:28 p.m.

Chair Price Spratlen then suggested the board turn its attention to the draft provision and asked Mr. Johansen to lead the board through the materials. Board members commented on the length and detail of the provision; the provision is based on the Washington State ethics code. After further review and discussion, Rev. Pruitt moved that the board again review the version of the draft without edits or comments, as well as the City of Seattle's code, at the next board meeting on January 16, 2001. Dr. Gordon seconded the motion and the motion passed unanimously.

At this time, Chair Price Spratlen suggested that remaining agenda items #5 through #9 be tabled until the January 16, 2001, meeting in order to allow for the executive session. The board agreed.

10. *Executive Session.* At 6:10 p.m. Chair Price Spratlen requested that the meeting move into executive session for the purpose of discussing the performance of a public employee. The Chair announced that the executive session would conclude in 15 minutes.

At 6:25 p.m., the board completed the executive session and resumed its regular meeting.

Mr. Carlson moved, and Dr. Gordon seconded, a motion to adjourn the meeting. The board unanimously approved the motion and the meeting was adjourned at 6:28 p.m.

Approved this 16th day of January, 2001, by the King County Board of Ethics.

Signed for the Board: _____

Dr. Lois Price Spratlen, Chair