

CITY OF SPOKANE ETHICS COMMISSION MEETING MINUTES

September 16, 2015

Present:

Troy Bruner, Chair
Alice Buckles, Member
Brian Steverson, Member
Monica Holland, Member
Levi Liljenquist, Member
Pat Dalton, City Attorney's Office
Rebecca Riedinger, Staff Liaison
Brian McLachey, Council Counsel
Mike Piccolo, Legal
Mike Fagan, Spokane City Council
Jon Snyder, Spokane City Council
Nick Deshais, S-R
Verona
Skylar Oberst-Stratton
Mr. Jeff Rungan, EC candidate

Troy Bruner called the meeting to order at 4:12 p.m.

He states that the Commission has an ethics violation allegation before the Commission today, after having determined jurisdiction over the matter. However, before addressing that issue, he asks everyone to introduce themselves and notes the Commission has an interview with Jeff Rungan who has applied to be on the Salary Review Commission. Mr. Piccolo suggests the Commission address his interview first as it won't take long. Mr. Rungan introduced himself. Troy asked if he is aligned with any particular political party and Mr. Rungan said he is not. Troy asked Jeff what his understanding of the Salary Review Committee is and Jeff states they determine appropriate salaries for City workers. He has no conflicts and it not related to anyone who works for the City. Motion by Try to approve recommendation for appointment to the Salary Review Committee and all approve. Approved.

Troy brings forth Mr. Fagan's matter. Mr. Fagan states the ordinance requires the complainant to submit the evidence against him and Mr. Snyder has not done so. As such, he requests a dismissal of the Complaint. In the alternative, he would request a continuance so that he may prepare. Fagan was concerned this would be a full hearing today, without any evidence against him to view or which to respond. Mr. Snyder states that before the Commission considers Mr. Fagan's Motion to Dismiss, he states he himself, was expecting the City Council to approve the request to allow the Commission to view the Memorandum, but did not have a

super majority, as Mr. Fagan had voted against it and would ask the Commission merely continue the hearing to allow time to fulfill their request to see the memo.

Troy states the Commission has two issues now: Mr. Fagan's Motion to Dismiss and Mr. Snyder's Motion to Continue.

Brian states he believes the first issue is Mr. Fagan's Motion to Dismiss, as the other issues would be moot if not filed correctly. Troy verifies no one disagrees with that logic. Monica affirms they should discuss the Motion to Dismiss first. Troy asked if everyone is in favor or a Motion to Dismiss or should they discuss it further.

Steve states that Fagan is correct that there is still no evidence presented and that he is concerned that it is not on a form, but notes that is easily fixed.

Monica states the form issue is a technicality, not so much against the issue itself.

Mr. Fagan states he wants to be clear on the policy and procedure, because, so far the Commission has acted outside of those set forth in its own manual. Therefore, he asks that the Commission follow its own rules.

Monica asks if we should propose an Amendment to the Complaint? Levi disagrees and states the issue is to dismiss or not based on a technicality. Fagan states there are inconsistencies between the code and how the Commission has handled the matter. If he seems confused, he said, it's driven by all the inconsistencies by the Commission.

Troy states he is not inclined to hold up the proceedings and Steve agrees the Commission should not be held up by technicalities, but it could be challenged and we would, procedurally, be incorrect.

Fagan states he would request we follow the Ordinance.

Pat Dalton states, as far as to the form of the Complaint, there was a pretty strict adherence to the code.

Mr. Snyder volunteers to withdraw his Complaint and will resubmit it. Mr. Fagan responds that would give him a second shot at a Council vote. Fagan adds the Memorandum must be disclosed in its entirety, or not at all. Jon states he could not agree more. He states he intends the Council will allow the review in camera, adding the issue is not going away and, overall, he is seeking to establish that the council and its member cannot leak confidential information.

Jon states he will resubmit his complaint. Levil states there is nothing prohibiting the withdrawal and refile of a complaint. He moves we accept Mr. Snyder's dismissal. Brian seconds. All, but Steve Sennett approve.

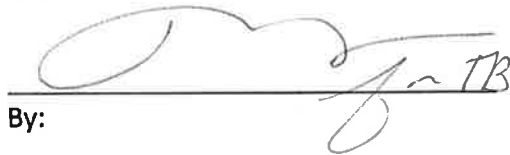
Mike Fagan states he would plan then to subpoena witnesses. Monica states, she would add, as a procedural issue, that Fagan is not represented by his counsel he claims to represent him and Mr. Fagan responds he is concerned how Pat Dalton and Mike Piccolo work in the same office. Mr. Dalton notes that Mike Piccolo is divorced from this mater and he is handling it.

Mr. Fagan states he wants to be clear on the rules of engagement, that we haven't adhered the rules in this matter. Pat states he is not comfortable speaking to him without his attorney at that point.

Troy moves to adjourn after scheduling remarks. Second by Monica. All approve.

Meeting adjourned.

Reviewed and approved:

By:  TB

Date 11/5/15

Minutes Reviewed/ Approved
Ethics Commission

Date