

City of Spokane  
Ethics Commission Meeting  
July 21, 2016

THIS MEETING WAS AUDIO RECORDED AND IS AVAILABLE FOR REVIEW AT THE OFFICE OF THE CITY ATTORNEY

Present:

Troy Bruner, Chair  
Levi Liljenquist, Member  
Tyler Wasson, Member  
Brian Steverson, Member  
Dennis Cronin, Member  
Amina Fields, Member  
Milt Rowland, Outside Counsel  
Mike Piccolo, Commission Counsel  
Absent: Alice Buckles, Member

Troy opens by noting that we have received six new ethics Complaints regarding eleven City Employees.

Troy moves tonight's agenda order be changed, to be called in reverse order, beginning with item "D" for the sake of timing. Brian Seconds that Motion. All approve - Motion carries.

Troy states that last week the Commission had met in executive session. Troy calls Mr. Jim King to make a statement for the record, in consideration of their motion. Mr. King states that the Commission is considering a motion without providing Mayor Condon due process.

Mr. Eichstaedt states that it was not intended to be a motion, and indicates Item D may be stricken. Brian moves to dismiss item D and Levi seconds that motion. Motion carries unanimously. (@12:20)

Item C on the Agenda- Milt recommends to the Commission that they table Matter C, stating they can deal with all the motions at the next hearing. (@15:00)

Levi moves we table Items C. Tyler Wasson seconds that motion. All approve. Item C is tabled until next meeting.

Dennis Cronin suggests that Item B be stricken, as improper and because it was, technically, also tabled at the same time Item C was. Levi moves the Commission table Item C. Wasson seconds that Motion. All approve. Motion carries, Item B is tabled until next week along with item C.

Item B – The Mayor’s Motion to Dismiss. Levi moves the matter be dismissed, for lack of evidence. Tyler seconds the Motion. Motion carried unanimously.

Regarding, **Agenda Item A**- The Mayor’s Motion to Dismiss the NOW complaint on item Nos. 4 & 5:

Troy states the first one they are looking at is regarding a statement(s) made by the Mayor in response to questions by the press. Milt states the first item is the occurrence at the press conference and asks what evidence has been presented supporting this allegation.

Brian states that he has reviewed these motions and the materials and finds no reason to vote for dismissal of the complaint. Dennis states he agrees- he believes it would be beneficial, for the sake of full transparency and due diligence that the Commission hear what the Mayor has to say about the complaint. As such, Dennis states they should deny the motion to dismiss.

Amina states that although she has not been present at the prior hearings, she has prepared and she agrees that they should not dismiss - because there is sufficient evidence to move forward to a hearing for full review.

Troy states he disagrees. He feels there is no evidence of fabrication or deceit. He doesn’t believe the Mayor thought he was being deceptive. Troy wants to grant the Mayor’s Motion to Dismiss.

Levi states that they have had similar complaints (with these two), and the timing of the statements was confusing, noting even the complaints link the Mayor’s later response to the first comment. The attorney from NOW has not yet been able to clarify or address that issue. Levi says he has struggled with these issues and would like to hear from the Mayor directly. As such he would deny the Mayor’s Motion to Dismiss the Complaint regarding the Press Conference statements. Brian Stevenson moves the Commission carry this matter over for review. Tyler Wasson seconds that Motion. All approve, Except Chair Bruner, who states he still feels they should dismiss this Complaint. Motion carried: The first Complaint will be carried over for a full hearing.

Regarding the Second Motion, Levi states that, after reading Leroy’s affidavit regarding his opening in Parks, he feels there really had been a true need in Parks Dept. that could be filled by Ms. Cotton. Brian agrees there was apparently a need for Ms. Cotton in the department.

Tyler Wasson states, however, that the administration had been looking at both Fire and only then to Parks when they wouldn’t take her at the Fire Dept. “Why did they do that? I wonder why the Mayor did that.

Amina states that she finds it difficult to determine a violation of the code without a working definition of “dishonesty”. She would also like a hearing. It relates to the other compliant too. It’s the same statement alleged and she think the matter warrants more investigation/information and would like to vote to also deny the motion to dismiss. “The letter is misleading”.

Troy states his focus is different, partly because “we have declaration of Leroy Eadie and there was no mention of a direction from the Mayor to hire Ms. Cotton.

Troy states again he would support a motion to dismiss.

Tyler states he agrees with Amina – that it could be misleading, even if Leroy’s Declaration is true regarding whether there had been an existing need or not.

Troy asks, why do you question the timing of the transfer?

Levi moves they carry the matter over for full hearing for full review of the issues. Brian Seconds. Dennis and Amina agree. Motion to Carry the NOW matter to full review carries. Milt states we will set a hearing and prepare for hearing, including subpoena of witnesses.

The Commission is losing a member in August, and so will need to look for applicants to fill the vacancy.

Meeting Adjourned.

Minutes Reviewed and Approved: Dated this \_\_\_\_ day of August, 2016.

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