

**CITY OF SPOKANE ETHICS COMMISSION  
MEETING MINUTES  
April 25, 2018 @ 3:00 P.M.**

All members are present today except Chair Dennis Cronin, who has recused himself from this hearing. Therefore, Brian will chair this meeting.

Present are Brian Steverson, Commission Member and Acting Chair today and for this matter; Michelle Bleek, Commission Member; Ken Hall, Commission Member; Clayton McFarland, Commission Member; Sarah O'Hare, Commission Member; and, Amina Fields, Commission Member. Also present are the Commission's City Attorney Michael Piccolo and Milt Rowland, outside special counsel for the Commission.

Also present, is Joe Shogan, Complainant, Skyler Oberst for Karen Stratton, Alexa Black KREM 2, Kip Hill from the Spokesman Review, and Brian Coddington with the City;

Brian Steverson states they have only two items on the Agenda today. The first is to approve the Agenda for the meeting and the second item is the action item regarding the Complaint against Mayor Condon by Joe Shogan. Their Agenda is approved.

Brian states that, in order to take action and render their decision in the Shogan/Condon Complaint, the Ethics Commission is going to adjourn to Executive Session. Kenny moves they move to executive session and Michelle seconds that Motion. The Commission adjourns to Executive Session.

They will reconvene in 30 minutes or extend the deliberations at that time.

Guests are excused and the members enter executive session.

After 30 Minutes the members reconvened and announced they did not need to extend their deliberations.

In review of their determination, Michelle Bleek stated the City had an extreme problem that it had to deal with in a very timely manner and it is difficult to read those letters and understand what our City was looking at from the Captains and Lieutenants' point of view without seeing this was a major problem for our City.

Brian stated that they had very specific evidence before the Commission to consider and on which to rule and he agrees with comments made by the other members that the evidence simply did not support the claim, in that specific incidence, the allegations that we heard.

Amina states that when she first heard about the sexual harassment allegation she was very shocked at how the Mayor handled it and she was shocked at his testimony during the hearing about how he didn't think there needed to be any further actions taken after the transfer of Ms. Cotton.

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She thought that was a shortcoming in management and, she thought that, as a woman, she would not have felt safe under his leadership after the way the Mayor handled the sexual harassment claims. But this issue was not about poor management or leadership, but was a very narrow complaint about an ethics violation. In light of that, she would have to agree with her fellow commissioners that the Mayor didn't violate the ethics code during that one meeting. Amina said she felt like the Complainant did point out the issue that the Mayor lied during the executive session, as well as was dishonest by contributing to the delay of public records request, but when they had the pretrial order hearing and Mr. Shogan had the opportunity, that he had been provided at that pre-trial, to amend his complaint and he hadn't limited the issues when he had had the time to do so but did not. She felt that at the hearing there was sufficient evidence to show that the Mayor acted to .... the letters from the Capt. & Lt. of the SPD. "Also, responding to..or explaining my analysis of the evidence that he (Shogan) pointed out at Page 2 of the Seabold Report, and she looked at that closely. But the Seabold Report on page 2 was referring to the Sexual harassment, the Mayor and the sexual allegations against Chief Straub in relation to the transfer of Ms. Cotton to Parks but the discussion was whether the firing of the chief had any relation to Ms. Cotton and she thinks, at the time, the Mayor had sufficient reason to fire him. So for those reasons, she will vote to find that the Mayor did not violate the Ethics Code.

Sarah O'hare states she would also agree that the Mayor's behavior, or reaction to this situation that came before him was disappointing to say the very least. And she is pleased to hear there is a new procedure in order for dealing with sexual harassment complaints that may come forward like that. She states, but, like Amina said, that is not really in front of us right now and she would also have to agree the Mayor didn't violate the Ethics Code in that specific executive session meeting.

Mr. Shogan asks to make a comment and Mr. Steverson said he may not at this time. He asks if he may make a comment after they vote and Mr. Steverson said they will get to that in due time.

Mr. Steverson asked if there were any further discussion and Amina states that she guesses, even though the issue of whether the Mayor or his administration delayed the release of public records, she finds that issue moot now because it was remedied when there was a lawsuit filed and the City paid a fine and also that the Commission is making the changes to the Ethics Code that had been recommended.

Not hearing any other discussion, Brian calls the vote. All in favor, the Motion to Dismiss the Complaint against Mayor Condon passes unanimously. Brian states he understands Mr. Rowland will draft the Finding for the Commission to circulation for approval and signature. Mr. Rowland said he will provide them to the Commission at the next meeting for entry in to the record. Mike states the only agenda item for the next meeting is regarding the changes in the Ethics Code and he will have them circulated for signature and entered into the record once approved.

Brian responds back to Mr. Shogan's request to make a comment, Mr. Shogan? Milt states, "actually the Agenda does not provide for public comment." Mr. Shogan says, "How about I call press conference after you leave"? Mr. Piccolo states that would have to be outside City Hall. Mr. Shogan states he just wants to thank the Commission.

Mike states the next meeting will be a review of the proposed and long discussed Ethics Code changes. The commission will take action in late summer or early fall and soon they will get the Council prepared for that agenda item.

Brian thanks all the members, Mr. Rowland and staff and says he will entertain a motion to adjourn. Sarah moves they adjourn, and Michelle seconds. All approve, meeting adjourned.

APPROVED:

A handwritten signature in dark ink, appearing to read "Brian Steverson", is written over a horizontal line.

Brian Steverson Acting Chair  
City of Spokane Ethics Commission

**\*\*Ethics Commission Record Keeping Note\*\*** Amina Fields provided notification at this meeting that she must resign from the Commission after this hearing as she is moving out of state.