

**CITY OF SPOKANE ETHICS COMMISSION  
MEETING MINUTES – June 15, 2022, 4:02 pm**

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

**I. Call to Order/Roll Call.**

Co-Chairperson Clayton McFarland called the June 15, 2022, meeting of the Ethics Commission to order at 4:02 p.m. and asks that everyone introduce themselves.

Present for the meeting were Commission Members: Co-Chair Clayton McFarland, Gail Heck-Sweeney, Merle Iverson, Kenneth Hall, and Michelle Bleek.

Not Present: Co-Chair Commission Member, Sarah O'Hare.

Also present were Salvatore J. Faggiano, Assistant City Attorney and Advisor for the Ethics Commission, and support staff Shelly Koegler.

Guests present were Thomas J. Bassler, Complainant; Spokane City Council President Breean Beggs; and Spokane City Council Member Karen Stratton.

Request was made by Co-Chairperson McFarland to approve the agenda as written. Commissioner Iverson moved to approve the agenda, and Commissioner Bleek, seconded the motion. The agenda was approved 5-0 with Co-Chair Commission Member Sarah O'Hare absent.

**II.a. Approval of December 15, 2021 Minutes.**

The minutes from the meeting on December 15, 2021, were reviewed. Request was made by Co-Chair McFarland for a motion to approve the December 15, 2021 minutes as written. Commissioner Iverson moved to approve; Commissioner Bleek seconded the motion. The December 15, 2021 minutes were approved 5-0 with Co-Chair Commission Member Sarah O'Hare absent.

**II.b. Special Thanks and Recognition to Former Commissioner Cronin.**

Former Commissioner Cronin was absent. Sam Faggiano will contact Dennis Cronin regarding another date and/or make other arrangements. Request by Commissioner McFarland that this item be tabled. Commissioner Kenneth Hall moved to table this item; Commissioner Iverson seconded the motion. The motion was approved 5-0 with Co-Chair Commission member Sarah O'Hare absent.

**II.c. Appointment of 2022 Chairperson and Vice Chairperson.**

Co-Chairperson McFarland noted that the terms Chairperson/Vice Chair have been changed to Co-Chairs. At this time, Sarah O'Hare and Clayton McFarland are serving as

Co-Chairs and have been for one year. After inquiry by Co-Chair McFarland to determine if anyone else on the Commission wished to serve as a Co-Chair, Commissioner Iverson moved to extend terms of Sarah O'Hare and Clayton McFarland as Co-Chairs; Commissioner Hall seconded the motion to extend the terms of the current Co-Chairs. The motion was approved 5-0 with Co-Chair Commission member Sarah O'Hare absent.

**II.d. Jurisdictional Determination of Ethics Complaint against Council President Beggs by Thomas J. Bassler.**

Co-Chair Clayton McFarland stated he has a conflict of interest in this matter and recused himself from all aspects involving this complaint. Kenneth Hall volunteered to preside over this matter in Co-Chair O'Hare's absence. Co-Chair McFarland did not participate in any ensuing discussions or vote concerning this agenda item.

With Commissioner Kenneth Hall presiding over this agenda item, the Commission considered the following questions to determine whether the Commission had jurisdiction to preside over this Complaint:

- 1) Was the complaint submitted in writing on a complaint form approved by the Commission? ***Upon unanimous voice vote (4-0, with Co-Chair McFarland recused and Co-Chair O'Hare absent), the Commission answered this question in the affirmative (Yes).***
- 2) Did the Complaint substantially meet the requirements of the Complaint Form? ***Upon unanimous voice vote (4-0, with Co-Chair McFarland recused and Co-Chair O'Hare absent), the Commission answered this question in the affirmative (Yes).***
- 3) Did the Complaint allege a violation of the Code of Ethics by a person who is subject to the Code of Ethics? ***Upon unanimous voice vote (4-0, with Co-Chair McFarland recused and Co-Chair O'Hare absent), the Commission answered this question in the affirmative (Yes).***
- 4) Did the Complaint identify a section of the Code of Ethics alleged to have been violated? ***Upon unanimous voice vote (4-0, with Co-Chair McFarland recused and Co-Chair O'Hare absent), the Commission answered this question in the affirmative (Yes).***
- 5) Did the complaint describe facts that constitute the violation of the Code of Ethics in sufficient detail that the respondent and the Commission can reasonably be expected to understand the nature of the Complaint? Discussion ensued about the clarity of the Complaint. After discussion and ***upon unanimous voice vote (4-0, with Co-Chair McFarland recused and Co-Chair O'Hare absent), the Commission answered this question in the affirmative (Yes).***

Since those questions outlined above were answered in the affirmative, the Commission next considered the following questions:

- 1) Does the Complaint allege facts that, if found to be true, would be sufficient to constitute a violation of the Code of Ethics? ***Upon unanimous voice vote (4-0, with Co-Chair McFarland recused and Co-Chair O'Hare absent), the Commission answered this question in the affirmative (Yes).***

- 2) Is the alleged violation a minor or de minimis violation? Discussion ensued. After discussion and ***upon unanimous voice vote (4-0, with Co-Chair McFarland recused and Co-Chair O'Hare absent), the Commission answered this question in the negative (No).***
- 3) Is the Complaint, on its face, frivolous, groundless or brought for purposes of harassment? Discussion ensued. After discussion and ***upon unanimous voice vote (4-0, with Co-Chair McFarland recused and Co-Chair O'Hare absent), the Commission answered this question in the negative (No).***
- 4) Has the matter become moot because the person who is the subject of the Complaint no longer a City officer or employee? ***Upon unanimous voice vote (4-0, with Co-Chair McFarland recused and Co-Chair O'Hare absent), the Commission answered this question in the negative (No).***
- 5) Has the appointing authority already taken action as a result of finding a violation and the Commission believes the action was appropriate? After discussion and ***upon unanimous voice vote (4-0, with Co-Chair McFarland recused and Co-Chair O'Hare absent), the Commission answered this question in the negative (No).***

Commissioner Bleek made a motion to find that the Commission had jurisdiction to preside over the Complaint made by Thomas Bassler against Council President Breean Beggs and that the Commission move forward with the complaint at a future time which is convenient to the parties. Commissioner Iverson seconded the motion. The motion was approved upon an unanimous voice vote (4-0), with Co-Chair McFarland recused and Co-Chair O'Hare absent.

Commissioner Hall turned the meeting back over to Co-Chair McFarland to preside over the remaining agenda items.

### **III. Calendar.**

The next regularly scheduled meetings are scheduled for September 21, 2022 and December 21, 2022 at 4:00 pm.

Commissioner Hall commented that although the Commission regularly meets on a quarterly basis, the Commission may set Special Meetings to accommodate schedules of parties in circumstances such as Complaints. Commissioner Hall requested that Advisor/City Attorney Salvatore Faggiano coordinate with the parties and Commission members to schedule a Special Meeting of the Commission to consider the Ethics Complaint against Breean Beggs.

### **IV. Other Business.**

None.

**V. Adjournment.**

Commissioner Iverson moved to adjourn the meeting, which was seconded by Commissioner Hall. The Commission voted unanimously (5-0) to adjourn, with Co-Chair O'Hare absent.

Meeting adjourned at approximately 4:26 p.m.

Approved on 19 Oct 2022

  
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Sarah O'Hare, Co-Chair

  
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Clayton McFarland, Co-Chair