



# Mercer Island Ethics Code Revisions

**Third Reading – June 15, 2021**

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# Overview

**Based on City Council feedback, proposed edits to the draft ordinance for third reading fall into the following categories:**

- **Purpose and intent**
- **Ethics officer position**
- **Advisory opinions**
- **Complaint, hearing, and enforcement procedures**
- **Minor wordsmithing/streamlining changes throughout**

# Purpose and Intent

- Title of first Ethics Code section (MICC 2.60.010) was changed from “policy” to “purpose and intent,” and subsection A was retitled “preamble,” to more accurately reflect that these provisions are aspirational and do not constitute additional enforceable provisions of the Code.

# Ethics Officer Position

- **MICC 2.60.050 was revised to confirm that the ethics officer position is created.**
- **Additional minor changes were made, including that the city manager “shall” contract with one or more agencies to fill the ethics officer position and that the ethics officer shall be responsible for the prompt and fair enforcement of the code of ethics “when called upon to do so.”**

# Advisory Opinions

- MICC 2.60.060 was revised to provide that where the ethics officer agrees to provide an advisory opinion, he or she shall endeavor, except for good cause shown, to respond to the request within 45 days.
- Per consensus at the June 1, 2021 meeting, the language establishing a discretionary advisory opinion process was maintained.

# Complaint, Hearing, and Enforcement

- Language describing the purpose of sufficiency determinations was removed.
- Duplicative language regarding official's right to file a written answer, appear at the hearing, etc. was removed.
- Upon additional consideration and analysis, and consistent with common administrative practice, issuance of subpoenas remains discretionary on the part of the hearing examiner upon a showing of reasonable necessity.

# Additional Minor Changes

- Per consensus at the June 1, 2021 meeting, several non-substantive wordsmithing and/or streamlining changes were made in MICC 2.60.010 (purpose and intent), 2.60.030(A) (conflicts of interest/recusal), 2.60.040 (signed acknowledgment), 2.60.060 (advisory opinions), and 2.60.070 (complaint, hearing, and enforcement procedures).