



BOARD OF ETHICS

SUPPLEMENTAL PROCEDURES GUIDELINES

(Adopted February 12, 2026)

PREFACE

The Board of Ethics (Board') is an investigative agency charged with the intake, screening, and investigation of ethics complaints regarding Port of Seattle commissioners. The Board is also charged with providing recommendations for corrective action to the Commission for consideration. The Board is created by Port of Seattle Commission policy directive, adopted by Resolution.

The following supplemental procedures ("procedures") are intended to assist in the orderly conduct of the Board's deliberations and actions. Board action taken in disregard of, or nonconformity with, these guidelines shall be construed as an implicit waiver thereof. These procedures are also intended to provide clarity to those involved in the process.

AUTHORITIES AND CONFLICTS

In the event of a conflict between applicable legal authorities and procedures, Port of Seattle Commission policy directives, when adopted by Resolution, shall control over these procedures; and Washington law shall control over both.

PARLIAMENTARY AUTHORITY

Robert's Rules of Order Newly Revised ("Robert's Rules") shall govern the deliberations of the Board, except when in conflict with any special rules contained in Section 8 of the Port of Seattle Commission Ethics Code (Ethics Code). When necessary and appropriate to facilitate efficient and productive informal discussions, the chairperson of a given meeting may dispense with the formalities of Robert's Rules.

MEETINGS

Meetings of the Board shall comply with the Washington Open Public Meetings Act, Revised Code of Washington Chapter 42.30 (OPMA). No public comment is permitted during Board meetings.

The Board may hold executive sessions consistent with RCW 42.30.110(f) to "receive and evaluate complaints or charges" brought against commissioners. However, upon the request of the respondent commissioner, the Board shall conduct a public meeting consistent with its public meeting procedures to the extent required by RCW 42.30.110(f).

During a public meeting or executive session, the Board may choose to hear comment from the respondent commissioner, complainants, witnesses, or investigators.

MEMBERS AND OFFICERS

- (A) Members. Membership requirements, composition of the Board, terms of office, and vacancy in office and the appointment process of members are governed by Ethics Code, Section 8G.
- (B) Officers. The Ethics Code requires the Board to elect a chairperson annually. The Board may also elect a vice-chairperson to act in the absence of the chairperson.

QUESTIONS OF ORDER

All questions of order shall be decided by the Board Chair, but any member shall have the right to appeal the Board Chair's decision on a question of order to a full vote of the members present.

RECORDING OF VOTES

Formal action taken by the Board shall be recorded by assigned professional staff of the Port of Seattle in the minutes of any Board meeting held.

REMOTE MEETING PARTICIPATION

Meeting Participation via Teleconference, Video Conference, or Other Electronic Means. Members may attend meetings by telephone, by video conference, or by other electronic means, when that access is available. No meeting shall be held without proper required legal notice and openness to the full extent required by Washington State Law.

CONFLICT OF INTERESTS

Conflict of Interest. No Board member or their immediate family may have a personal or beneficial interest, or the appearance of a personal or beneficial interest, in the subject of a matter before the Board, or with any person(s) involved in a matter before the Board. Board members with a personal or beneficial interest or the appearance of a personal or beneficial interest shall seek an opinion from the Port's general counsel (or the general counsel's designee) regarding that Member's continued participation in the matter before the Board. The Port's general counsel (or the designee) shall recommend appropriate measures to address the conflict or appearance of conflict.

INTAKE, SCREENING, AND PROCESSING OF COMPLAINT

The complaint intake, screening, investigation, report, and recommendation processes are outlined in Ethics Code, Section 8B. These additional procedures provide supplemental guidance for this process.

- (A) Updates to Complainant. If the investigator needs a time extension to complete the investigation or the Board needs a time extension to provide findings, conclusions, or recommendations, the Board or the Board’s designee will inform the complainant.

INVESTIGATION AND RECOMMENDATION PROCESS

Complaint investigation and Board recommendation processes are outlined in Ethics Code, Section 8D. These additional procedures provide supplemental guidance for this process.

- (A) Members of the Board may be called to attend Executive Session with the Commission in its deliberations of the Board’s findings, conclusions, and recommendations. All conversations held in Executive Session are confidential and may not be disclosed to, or discussed with, anyone outside of the Executive Session room.
- (B) If a respondent commissioner requests a public hearing, the Board may write procedural rules. In the alternative, the Board may adapt existing written rules, such as the Washington State Office of Administrative Hearings’ Model Rules of Administrative Procedure (currently codified at Ch. 10-08 WAC).

BOARD FINDINGS, CONCLUSIONS, RECOMMENDATIONS, AND REPORT TO THE COMMISSION

Board Findings, Conclusions, Recommendations, and the final report to the Commission are outlined in Ethics Code, Section 8D. These additional procedures provide supplemental guidance for this process.

- (A) The Board may seek advice of Port General Counsel regarding its final report to the Commission, and any other matters of policy, procedure or law that come before the Board.

CONFIDENTIALITY

Confidentiality, as it applies to a Complainant, is outlined in Ethics Code, Section 8(B) and (C).

ADVISORY OPINIONS

The issuance of Advisory Opinions is provided for in Ethics Code, Section 8F. To the extent that additional procedures are necessary or appropriate to inform the issuance of a given Advisory Opinion, the Board may adopt or adapt reasonable procedures concerning advisory opinions from similar entities.

BOARD COMMUNICATIONS

(A) Internal Communications.

- (1) All Board correspondence are public records and shall be sent through or copied to the Commission Clerk or Legal Counsel for preservation.
- (2) Except in open public meetings or executive sessions, communications between Board members should be limited to ministerial matters such as scheduling.

(B) External Communications and Ex Parte Contact.

- (1) Board members shall maintain complainant confidentiality as required in the Ethics Code Section 8B.
- (2) Except in open public meetings or executive sessions, Board members shall not communicate with any party other than the Port’s counsel and the Port’s clerk (and their respective designees) regarding the subject matter of any complaint that has been raised before the Board.
- (3) Except in open meetings or executive session, Board members shall not communicate, directly or indirectly, on any matter, with the complainant, witnesses, or the respondent to a complaint submitted to the Board until the Commission issues its Final Decision.
- (4) In both paragraphs (2) and (3) in this section, Board members shall not discuss the content of executive session with anyone outside of executive session.

AMENDMENTS TO SUPPLEMENTAL PROCEDURES

Any amendments to these procedures shall be made through a majority vote of the Board.

REVISIONS

Date

Amendment

Addendum A: Timelines Associated with the Ethics Board Process

An ethics complaint filing can take on average, six to nine months to complete, but the time required may vary further depending on the factors set forth in the Ethics Code, Section 8C and D. The following table outlines and summarizes the prescribed steps and time involved with a complaint filing.

STEPS	TARGET TIMELINE
(1) Complaint Intake	No timeline assigned
(2) Board Conducts its Initial Review and Screening of Complaint Received	Within 30 calendar days of completion of the intake process
(3) Transmit Notice of Screening Outcome <i>(to the respondent Commissioner, Commission President/Vice-President, Commission Chief of Staff, Commission Legal Counsel, Port General Counsel, and the Complainant)</i>	Within 5 business days of Board's screening determination
(4) Transmit Notice to Full Commission <i>(of a complaint screened in for further investigation)</i>	Within 1 business day of screening notification
(5) Complete Investigation	Within 60 calendar days <i>(unless extended by the Board based on the factors in Ethics Code, Section 8.D.1)</i>
(6) Adopt Board's Findings, Conclusions, and Recommendations to the Commission	The Board will deliver its findings, conclusions and recommendations within 45 calendar days of receipt of the Investigator's report <i>(unless extended by the Board based on the factors in Ethics Code, Section 8.D.4)</i>
(7) Commission Action	Subject to Commission discretion and authority