



MEMORANDUM

TO: Mayor Roberts and City Councilmembers

FROM: Jessica Simulcik Smith, City Clerk

DATE: August 2, 2016

RE: Documents received at 8/1/16 Council Meeting

CC: Debbie Tarry, City Manager
John Norris, Assistant City Manager

Attached hereto are documents received from the public at your August 1, 2016 City Council Regular Meeting.

- 1) Written comments regarding waiving attorney-client privilege submitted by Tom McCormick.

Comments by Tom McCormick at 08/01/2016 City of Shoreline Council meeting

In January, our City Attorney sent Councilmember Hall a 3-page memorandum regarding Conflicts of Interest, apparently related to whether his new job as Snohomish County's Surface Water Management Director presents a potential conflict with his City Council role, especially as it relates to Point Wells.

The almost-entirely redacted memorandum was furnished to me in response to a public records request. After receiving it, I appealed to the City to furnish me a version that was not redacted. Councilmember Hall has said that he "would have no problem if the City releases" it. So, please join Councilmember Hall and vote to have it released to the public.

The memorandum likely contains a discussion of applicable law regarding conflicts of interest, the City's Code of Ethics, and so on. And it likely leaves it to Councilmember Hall to decide whether he should keep recusing himself on Point Wells matters.

Councilmember Hall has been recusing himself for quite some time, in order to, in his words, "avoid an appearance of a conflict of interest," and "avoid any possible perception of a conflict of interest." Councilmember Hall has done the right thing by recusing himself — especially considering that Snohomish County, his employer, is the City's adversary. Yes, Snohomish County is the City's adversary with respect to Point Wells.

Councilmember Hall now has a new leadership role in the County's executive branch. Is it possible that he really believes that all of his past reasons for recusing himself have now disappeared? How could that be? His past baggage is still there, along with new baggage from his job as the County's Surface Water Management Director. Did you know that surface water issues are some of the most important issues to be addressed for Point Wells?

Now let me get back to the City Attorney's memorandum. We, the public, need to see it. The memorandum seems to be the yardstick by which Councilmember Hall has, by himself, measured whether he should keep recusing himself — and it seems to be the standard by which he, and he alone, has judged whether recusing himself from Point Wells matters is in the best interest of the public, the City, and the City Council as a whole.

We, the public, need to see the memorandum. And we need to find out why Councilmember Hall has changed course, and is now refusing to recuse himself, when all of his past baggage is still there, plus additional baggage from his new job.

Thank you.



Memorandum

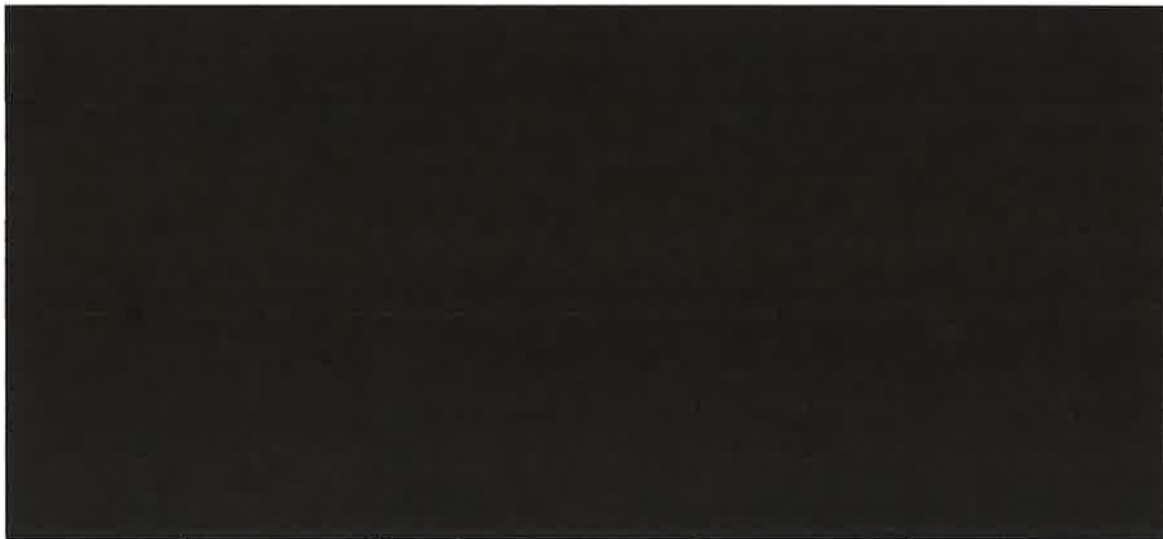
DATE: January 29, 2016
TO: Councilmember Will Hall
FROM: Margaret King, City Attorney
RE: Conflict of Interest
CC: Debbie Tarry, City Manager

**CONFIDENTIAL ATTY-CLIENT
COMMUNICATION**

I. Issue.



II. Background



[Redacted]

III. Discussion

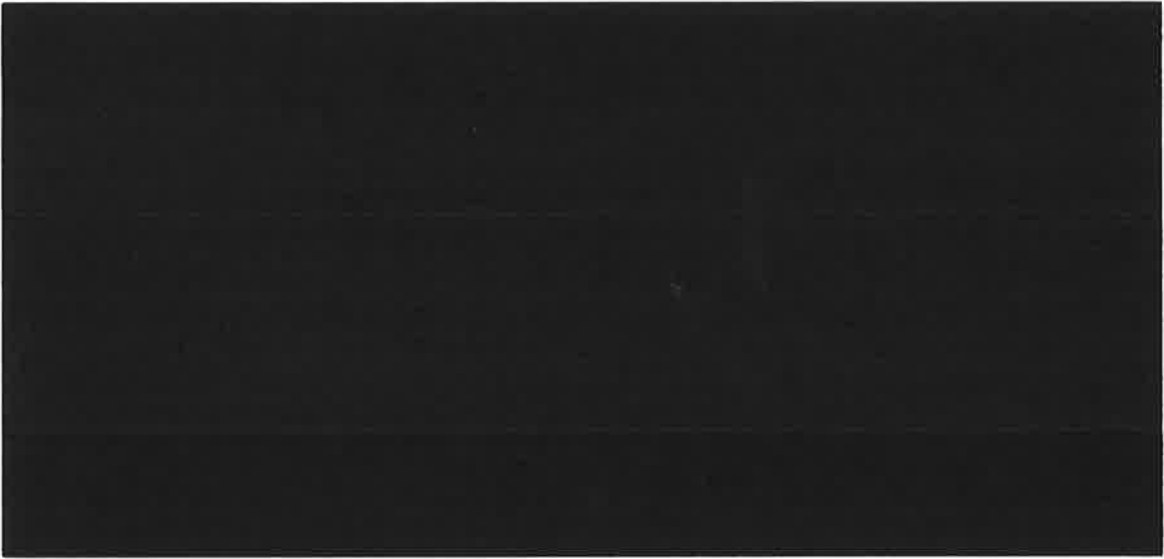
[Redacted]

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¹ [Redacted]

² [Redacted]



IV. Conclusion

