

Ethics Complaint

1/19/2019

To: The International City Managers Association
Att: Martha Perego, MPEREGO@ICMA.org , and;
Jessica Cowles: jcowles@icma.org

CC: Don Peterson, City of Banning City Council Member
1022 So. 22nd St., Banning, CA 92220

From: Ron Peltier, Bainbridge Island City Council member, elected in 2015
11186 Valley Heights Circle NE
Bainbridge Island, WA 98110 206 842-3601

Subject: ICMA Code of Ethics Complaint regarding former Bainbridge Island City Manager, Doug Schulze.

To the ICMA,

This is the second ICMA ethics complaint I have filed against our former Bainbridge Island City Manager, Doug Schulze, who is now the city manager of Banning CA. To make this concise, please refer to my first complaint filed on 8/27/18 for additional background material.

The documentation for this complaint is in the form of newspaper article published in the Kitsap Sun on January 9, 2019. I wish to be on the record filing this complaint.

Selected ICMA Code of Ethics Tenets:

Tenet 2. *Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant.*

Tenet 3. *Demonstrate by word and action the highest standards of ethical conduct and integrity in all public, professional, and personal relationships in order that the member may merit the trust and respect of the elected and appointed officials, employees, and the public.*

Tenet 4. *Serve the best interests of the people.*

Specific Complaint

Doug Schulze was the City Manager for the City of Bainbridge Island up until the end of September, 2018. He then assumed the position of city manager for the City of Banning, CA. in early October. At issue are two interviews that Mr. Schulze participated in with City of Banning officials in June of 2018. According to a Kitsap Sun newspaper article published on January 9, and according to Banning City Council member Don Peterson (who was part of the Banning interview team), our former city manager discussed the possibility of bringing Bainbridge Island's police chief to Banning during those interviews. In effect, Mr. Schulze was laying the

groundwork for poaching our chief of police during those interviews while still under contract with the City of Bainbridge Island. Here is a link to the article (paragraph 10):

<https://www.kitsapsun.com/story/news/local/communities/bainbridge-islander/2019/01/08/bainbridge-police-chief-leaving-new-job-california/2515769002/>

Only a month earlier, in May of 2018, City Manager Doug Schulze had been part of a process to negotiate a new contract between Chief Hamner and the City of Bainbridge Island. That process involved Mr. Schulze's time, as well as the time of staff members, the City Attorney, and members of the City Council. During the negotiation process Mr. Hamner interviewed for a chief of police position in Boulder Colorado. In a 5/18/18 email message to the city council Mr. Schulze wrote about the importance of keeping Chief Hamner on Bainbridge Island and what it might take:

"The total search cost would be in the range of \$160,000 to \$200,000 and the impact on morale within the Police Department if Chief Hamner were to leave could result in the loss of other personnel."

The first attempt to reach agreement with Chief Hamner involved a pay raise from \$144,192 to about \$154,000. At that point there seemed to be an impasse and speculation that the Chief would be going to Boulder. After the intervention of a city council member, who spoke directly to Chief Hamner, agreement on a new contract paying him \$190,000/year, plus benefits, was reached. At that time Chief Hamner expressed his intention to remain on the Island for an extended period of time.

By his own words, Doug Schulze acknowledged the importance of keeping Chief Hamner on Bainbridge Island yet while still under contract with the City of Bainbridge Island was offering to bring our Chief to Banning, CA, apparently as a way to sweeten the pot for his own hiring as Banning's new city manager.

I believe that Mr. Schulze's actions while still under contract with the City of Bainbridge Island, in laying the groundwork for later recruiting Bainbridge Island's police chief, makes a mockery of tenets 2, 3, and 4 of the ICMA Code of Ethics.

Respectfully Submitted,
Ron Peltier
Bainbridge Island City Council