RESOLUTION NO. 2017-009

A RESOLUTION OF THE CITY OF DEER PARK, WASHINGTON UPDATING THE CITY CONFLICT OF INTEREST POLICY APPLICABLE TO CITY ELECTED OFFICERS, EMPLOYEES, CONSULTANTS, AND AGENTS AND REPEALING CITY RESOLUTION NO. 2012-010.

WHEREAS, the City adopted a Conflict of Interest Policy pursuant to City Resolution No. 2012-010 in 2012 and the Washington State Auditor recommends the City amend that Policy to add additional provisions concerning apparent conflicts of interest and add penalties as set forth in this Resolution; and

WHEREAS, the City Council has determined passage of this Resolution is in the best interest of the citizens of the City; **NOW, THEREFORE,**

THE CITY COUNCIL OF THE CITY OF DEER PARK, WASHINGTON HEREBY RESOLVE AS FOLLOWS:

Section 1. This Conflict of Interest Policy is hereby adopted and shall apply to all elected and appointed officers, employees, consultants, and agents of the City of Deer Park who exercise any function or responsibility with respect to the award or administration of contracts, or are in a position to participate in the decision-making process to gain inside information with regard to the award or administration of contracts for the procurement of goods or services (hereinafter collectively referred to as "City Officials"). City Officials shall be prohibited from obtaining any personal or financial interest or benefit from any such activity or having any interest in any such contract, subcontract, or agreement or the process which results in a contract, subcontract, or agreement with: (a) themselves, (b) immediate family members, or

(c) individuals or businesses with which they have economic relationships (other than what any non-City official may have as a typical retail customer) during their tenure as a City Official and for a period of one (1) year thereafter. For purposes of this Resolution the phrase "contracts for the procurement of any goods or services" shall include all City public works contracts and other City purchases.

Section 2. In addition to the Conflict of Interest Policy set forth in Section 1 of this Resolution, the City and all City Officials shall avoid any apparent conflict of interest and avoid soliciting and/or accepting gratuities, favors, or anything of monetary value from contractors or subcontractors of the City. This provision shall apply to gifts and gratuities with a monetary value of $50 or more. Any gift or gratuity in an amount less than $50 shall be considered of nominal value.

Section 3. In addition to the Conflict of Interest Policy set forth in Section 1 and the Apparent Conflict of Interest Policy set forth in Section 2 of this Resolution, the City and all City Officials shall comply with all provisions of any state or federal laws, rules and regulations that apply to the award or the administration of contracts for the procurement of any goods or services.

Section 4. The exceptions identified in RCW 42.23.030 and any "remote interests" as defined in RCW 42.23.040 shall be authorized exceptions to the provisions of Sections 1, 2, and 3 of this Resolution.

Section 5. Violations of the provisions of this Resolution shall subject the individual violating the provision to disciplinary action if the violator is a City employee and shall be deemed misfeasance or malfeasance in office if the individual who commits the violation is an

elected City officer, and may result in termination of the contract if the individual who commits the violation is a contractor or subcontractor of the City.

Section 6. All references in this Resolution to state and federal laws, rules and regulations shall be as the same exist now or may hereafter be amended.

Section 7. This Resolution shall be effective immediately upon passage by the City Council.

Section 8. Resolution No. 2012-010 is hereby repealed.

APPROVED BY THE CITY COUNCIL
THE 2nd DAY OF August, 2017,
AT AN OPEN PUBLIC MEETING:

MAYOR ROBERT WHISMAN

ATTEST/AUTHENTICATED:

DEBY CRAGUN, CITY CLERK/TREASURER