



City of Tacoma Board of Ethics

AGENDA

Wednesday, January 9, 2019 – 6:30 p.m.

**Tacoma Municipal Building North
733 Market Street
City Clerk's Conference Room 12**

- 1. Call to Order**
- 2. Election of a Chair**
- 3. Board Member and Staff Introductions**
- 4. Opinion Requested by Deputy Mayor Ibsen regarding detached accessory dwelling units**
- 5. Other Business**
- 6. Adjournment**

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Sorum, Doris

From: Sorum, Doris
Sent: Tuesday, December 18, 2018 9:22 AM
To: 'Atkinson, Joseph '; 'Batway, Linda'; 'Katie Baird'; Lantz, Martha (Legal); 'Lowy, Ohad'; 'McCarty, Jimmy'
Subject: Request for Opinion TMC 1.46.045 E

Members of the Board of Ethics:

Deputy Mayor Ibsen has requested an opinion from the Board, regarding prospective conduct, as is authorized by Tacoma Municipal Code 1.46.045 E:

The Board may, in addition to its other duties:

1. Respond, as it deems appropriate, to requests from City officials and employees for opinions regarding prospective conduct. Provided, however, that neither a request for an opinion nor the making of a statement concerning a potential conflict of interest made by a Covered Official in the course of abstaining from voting or making a motion of self-recusal shall create a presumption or inference that such Covered Official has a personal interest in the matter about which the opinion was requested.

Deputy Mayor Ibsen has been contacted by a constituent regarding DADUs (Detached Accessory Dwelling Units) (legally permitted dwelling units on private residential property, such as backyard cottages). The constituent suggests it would be a conflict of interest for Deputy Mayor Ibsen to vote on the removal of various restrictions. No vote has occurred, but the Planning Commission has studied the matter and has forwarded recommendations to the Council's Infrastructure, Planning and Sustainability Committee of which Deputy Mayor Ibsen is a member.

The email from the constituent is below. Deputy Mayor Ibsen would like the Board to issue an opinion as to whether his participation in the issue would constitute a conflict of interest. As is noted in the highlighted section of the TMC above, the Board is not required to issue such opinions in response to requests from City officials, but may do so if it deems it appropriate.

Please respond by return email to me only (do not reply all) as to whether you find these circumstances appropriate for the issuing of an opinion. If a majority of the Board agrees that issuing an opinion is appropriate we will call a special meeting to review a draft opinion that will be prepared by the City Attorney's Office. If there is not a majority wanting to issue an opinion we will inform Deputy Mayor Ibsen that the Board declined his request.

Please let me know if you have questions.

Email submitted to Deputy Mayor Ibsen:

To: Ibsen, Anders
Subject: DADU Restrictions

Anders

Monday I learned of a Facebook post where you stated that you are in favor of lifting some of the restrictions around DADUs. Your constituents in the West End submitted a letter to the City Planning Commission, with copies to Mayor Woodard, city Council members, and City Manager Elizabeth Pauli, in opposition of removal of at least two of the restrictions. If you do not have a copy of the letter, I can forward a copy for your review.

First, without exception, we oppose lifting the owner occupancy restriction. To protect our property values it is imperative that an owner live in at least one of the buildings on a single lot. To negate this restriction would allow houses to be purchased with the sole purpose of turning the properties into rentals. If the property owners lived out of state, management and maintenance of the property could result in less than desirable environments in our family neighborhoods.

Also, removing the building restrictions currently in place could have a detrimental effect. Currently, the code requires that the second structure adhere to strict size and style guidelines. This is important to maintain a semblance of continuity and also be visually appealing.

Finally, I feel very strongly that your vote in favor of the restrictions removal constitutes a clear conflict of interest. As a real estate agent it potentially would be very much to your advantage to sell to anyone in order to further your career.

I hope that you will reconsider your position. If you have any questions or would like to discuss please contact me via return email.

Doris Sorum
City Clerk
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