

**From:** [Sarah Blossom](#)  
**To:** [Christine Brown](#)  
**Subject:** FW: Conflict of interest concern?  
**Date:** Tuesday, July 02, 2013 2:47:39 PM

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> Subject: Conflict of interest concern?

> From: islandsvcs@aol.com

> Date: Fri, 3 Feb 2012 11:07:21 -0800

> CC: smbonkowski@yahoo.com; blossoms49@hotmail.com; ddd@dainbridge.net

> To: dward981@comcast.net

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> Hello, I have a concern which I passed by Bill Knobloch before coming to you, and which he thought required thorough consideration so I pass it on for your consideration herein.

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> As you know Randal Samstag is a sitting member of the UAC, and Consulting Engineer in Sewer Systems. He has provided a wealth of knowledge that the Committee benefitted from on the recommendations for the Sewer Beach Main projects and has been a valuable 2nd opinion, aka sounding board for comment made by staff on what is and what is not required for a Sewer System Plan. For instance Lance talks about an approved plan being required for loan and grant funding and when queried by myself Randal clarified that there is in fact no statutory requirement for a Comprehensive Sewer Plan, that the decisions for funding are held by DOE and EPA and while such a plan is a good idea it is in fact not required. He has been a consistent proponent of the City developing an updated Comprehensive Sewer System Analysis/Plan and that that plan in his opinion should include a long term plan for an Island wide sewer.

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> We do benefit from his knowledge and experience but I have been increasingly concerned about his participation in current discussion at the UAC for the following reasons.

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> 1. When we were reviewing the UBA/GHD Report he directly contacted and had conversations with the Consulting Engineers responsible for that report although we had been specifically told that we were not authorized to speak directly with them. He was admonished by Brenda for doing so and agreed to go thru staff in the future but it still concerns me especially given the following remark he made to me at the time he had made the direct contact. When I asked him about this (his belief that he could contact GHD directly when we had been told otherwise by staff) in conversation, he told me he thought of it as a peer to peer contact, consultant to consultant, and that he believed that the Consultant would welcome his inquiry and be more responsive to his request because he believed that such contact was accommodated with the mutual understanding that

establishing a relationship might bring future work and collaborative opportunities between the two of them over time.

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> 2. Recently Public Works Director Lance Newkirk presented Council with a proposal for update to the City's Water and Sewer Comprehensive plans which was referred to our Committee. When the committee agenda item concerning Conflict of Interest Disclosure was addressed Randal identified that he may in fact be interested in providing bid thru his employer for the future Water and/or Sewer Plan RFQ. At the time the Chair said that he felt that would not be an issue until discussions of a subcontract selection was before us for consideration and it appeared to me that the majority of the membership agreed. In fact it was mentioned that as a licensed hydrogeologist Doug Dow had occasion to participate in his professional capacity in activities related to the City's water resource planning alternatives and as there has been no question of whether or not that would be considered a conflict this should not be considered such.

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> The problem to me lies in that if he continues in this capacity he will be involved in defining the scope of work for these plans and that as a participating member of the committee Mr. Samstag has the opportunity to influence that definition in a way that might favor his employer. I say that with the knowledge that our committee has little expertise on what is and is not required for a comprehensive Sewer Plan and that having a member familiar with those requirements would be beneficial but with the overlying concern that if he or his firm plans to bid on this activity he should not be participating in the deliberations/decisions making process, preliminary or otherwise, on what should and should not be included as part of this proposed activity. In my opinion he has the potential to weigh the scope of service in his firms thru his participation and we would not even know this was happening.

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> Call me paranoid if you must but I have a heightened level of concern because of the conversation referenced in item 1 above and because I think a large portion of our committee believes his vote is critical to their interests and thus might overlook or minimize the potential conflict to enable his continued participation in our deliberations.

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> I don't know how these issues are handled or if you share my concerns but I pass it along for your consideration and input.

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> Regards,

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> Arlene Buetow

> UAC Vice Chair

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