

**Seattle Ethics and Elections Commission Special Meeting  
January 13, 2015**

A special meeting of the Seattle Ethics and Elections Commission convened on January 13, 2015 in Room 4080 of the Seattle Municipal Tower, 700 Fifth Avenue. Chair Bruce Carter called the meeting to order at 4:00 P.M., Vice-Chair Kendee Yamaguchi, and Commissioners Rich Cohan, Brendan Donckers, Eileen Norton and Bill Sherman were in attendance. Commissioner Brad Axel participated via telephone. Executive Director Wayne Barnett and staff members Anthony Adams, Polly Grow, Kate Flack and Gary Keese were present. Assistant City Attorneys Jeff Slayton and Gary Smith were also in attendance.

**1) Public Comment**

There was no public comment.

**Action Items**

**2) Meeting minutes for December 3, 2014**

Commissioner Sherman moved to approve the minutes from the December 3, 2014 regular meeting, and Commissioner Donckers seconded. The minutes from the December 3, 2014 Regular meeting were unanimously approved.

**3) Recommendation whether to appeal PERC's decision in *IBEW, Local 77 vs. City of Seattle* (Executive session on pending litigation possible)**

Amy Lowen, an Assistant City Attorney was present to brief the Commission on pending litigation. Commission went into Executive Session at 4:03 P.M. and returned from Executive Session at 4:19 P.M.

Commissioner Sherman moved a recommendation that the City Attorney appeal PERC's ruling to Superior Court. Commissioner Norton seconded. The motion passed unanimously.

**4) Scheduling a hearing in *In re Martinez***

Assistant City Attorney Slayton told the Commission that the Director was seeking a continuance of the hearing until March. The Director's counsel will be engaged in a hearing before the Civil Service Commission on February 4 and will be unavailable to participate in a Commission hearing that same day.

The Chair asked whether Ms. Martinez had legal representation. Assistant City Attorney Smith informed the Commission that Ms. Martinez had been notified of the day's meeting, but was not present.

The Commission set a hearing for March 11, 2015 at 9:00 A.M.

**Discussion Items**

**5) Office Funds (Executive session to receive legal advice possible)**

The Commission went into executive session to receive legal advice at 4:26 P.M. They returned at 4:46 P.M.

The Director recommended that the Commission undertake a review of the Office Fund rule, with the goal of restructuring it and so as to reduce confusion over what is and is not a permissible office fund expense.

Vice-Chair Yamaguchi asked what office funds are used for currently. Polly Grow said that travel expenses and attendance at events are activities that the funds have covered in the past. Ms. Grow said, though, that with more elected officials opening office fund accounts than ever before, she is being asked lots of questions about what is and is not an appropriate use.

Commissioner Donckers asked the Director to clarify why he thought a rule laying out all permissible uses was preferable to a rule laying out prohibited uses. The Director said he thought that such a rule would fulfill the Commission's mission of promoting public confidence in

government. He said that it's better that the Commission lay out permissible uses and amend the rule if it finds that something should be added than to set forth prohibited uses and expand the rule if and when an official uses the funds for a use that the public finds objectionable.

Commissioner Sherman suggested the Commission direct staff to draft a rule as recommended by the Director for the Commission's review.

The Director said that he would try to have a first draft for the Commission's review at its March 4, 2014 regular meeting.

**6) Executive Director's report**

**a) Whistleblower training update**

The Director informed the Commission that the City's new Learning Management System was activated on January 5, making it possible for the first time to track which employees had participated in training and to reach out to those who still needed to complete a training.

Approximately 3,892 employees have taken the new Whistleblower training. 1,873 managers and supervisors were required to take the training, and roughly 684 still needed to complete it. Approximately 707 new employees still needed to take the training. We are working with the departments to ensure that these employees get trained.

**b) Commission legislation update**

The Executive Director was scheduled to present the Commission's amendments to the Elections Code at the Education and Governance Committee on January 9. He was ill, though, and unable to attend the meeting. His appearance has been rescheduled for January 21.

The January 13, 2015 special meeting of the Seattle Ethics and Elections Commission was adjourned at 4:53 P.M.