

**Seattle Ethics and Elections Commission Regular Meeting
November 2, 2016**

The regularly scheduled meeting of the Seattle Ethics and Elections Commission convened on November 2, 2016 in Room 4080 of the Seattle Municipal Tower, 700 Fifth Avenue. Commission Chair Eileen Norton called the meeting to order at 4:00 p.m. Vice Chair Brendan Donckers and Commissioners Bruce Carter and Hardeep Singh Rekhi were in attendance, and Commissioner Vickie Rawlins joined the meeting by telephone at approximately 5:30. Chair Eileen Norton and Commissioner Bruce Carter were absent. Executive Director Wayne Barnett and staff members Polly Grow, Rene LeBeau, Marc Mayo, Jenna Smith and Annie Tran were present.

1) Public Comment

Queen Pearl and Alex Tsimerman both gave public comment. Leslie Regier then addressed the Commission on the settlement with the Library. She asked that the Library not have discretion under the settlement whether to seek an advisory opinion. She also said that the Library and other agencies should be banned from providing space for forums unless all candidates are invited. The Chair asked Ms. Regier whether she would also bar public agencies from renting space, and Ms. Regier said that was her suggestion. Craig Keller recommended that the Commission reject the settlement with the Library and require that it be amended to include language that bars agencies from permitting forums to occur in public buildings in which all candidates are not involved.

Action Items

2) Public hearing on rules implementing I-122

Margaret Morales of Sightline spoke first. She flagged three other issues that she thought should be the subject of rulemaking. First, she said that pledges and loans should not count as qualifying contributions. Second, she asked for a rule clarifying that a candidate must approve of a candidate's representative. Finally, she asked for a rule on lifting the spending cap in the case of over-the-limit spending by an opponent.

Alan Durning of Sightline spoke second. He encouraged that the Commission provide guidance – not in the form of rules – to organizations looking to get involved in the democracy voucher program. He also encouraged the Commission to state in its materials that it will be vigilant for efforts to undermine the intent of the initiative.

Andrew Pillou said that he had expected to see rules about how candidates qualify for the program. He said he was surprised that there weren't rules about how to verify signatures from non-registered voters.

Artie Nosrati from Working Washington reiterated the need for guidance for C3, C4 and C5 organizations about what they can and cannot do with regard to democracy vouchers.

Brianna Thomas urged the Commission to adopt rules as soon as possible.

3) Settlement in Case No. 16-2-0714-1 (Seattle Public Library)

City Librarian Marcellus Turner made a statement to the Commission on the important role the Library serves in the community.

The Chair said she appreciated the unique role the Library plays, and was hopeful that the Commission's advice would not put a chill on the Library's activities.

Commissioner Carter asked the Director to explain why the fine was levied against the Library and not against individual Library employees. The Director replied that this case was unique in that the violation did not benefit any of the individuals involved in it. He said that since it was an institutional failure, he elected to enter into a settlement agreement with the institution.

The Chair then announced that the Commission would go into executive session to discuss the settlement and to discuss personnel matters involving the Director.

Following an executive session, Commissioner Rawlins joined the meeting by telephone. Commissioner Carter made a motion to adopt the settlement, which Commissioner Rekhi seconded. The vote to adopt the settlement was unanimous.

Before moving on the next agenda item, the Chair asked the Director to share a draft of the advice provided to the Library before sending it over. The Director said it was his understanding that the Library was seeking an opinion from the full Commission much as the Seattle Channel had a couple of years ago. So the Commission would ultimately be responsible for the advice rendered to the Library.

4) Expiration of Executive Director's term

Commissioner Rekhi made a motion to reappoint the Director to another term, effective September 1, 2016. Vice Chair Donckers seconded the motion. The vote to reappoint the Director was unanimous.

Discussion Items

5) I-122 status report

The Director shared with the Commission that I-122 holds commissioners to a fiduciary standard for managing program funds, a higher standard than commissioners have been held to

in the past on budgetary decisions. Therefore, staff is going to begin providing Commissioners with more in depth reports on program spending from this meeting forward.

Rene LeBeau then led the Commission through a detailed discussion of the projected program budget for 2016 through 2018.

After completing the budget discussion, Commissioner Donckers asked about questions from the advocacy community about the role of organizations in the democracy voucher program. The Director introduced Evelyn Lopez, the Executive Director of the Public Disclosure Commission (PDC), to participate in the discussion. Ms. Lopez said that she had told the PDC that they should expect a request for guidance from the City of Seattle on implementing I-122 in a way that is consistent with state law, specifically the state law governing bundling. The Chair asked what form such guidance might take, and Ms. Lopez said she thought an interpretive statement might be the best form for such advice to take.

The Vice Chair asked the Director and Ms. LeBeau whether they thought the questions for the PDC were clear enough. The Director said he anticipated having any request for advice reviewed by Sightline, Win/Win and perhaps members of the democracy vouchers advisory committee.

Ms. LeBeau then told the Commission about the status of the IT solution and plans for testing in late November and early November. She also told the Commission about the focus groups that wrapped up in October. Jenna Smith and Annie Tran both told the Commission about the focus group sessions they had attended as well.

Ms. LeBeau closed by sharing with the Commission the informational mailer that was going out the first week of December

6) Executive Director's report

The Director told the Commission about the Statement of Legislative Intent addressing inclusive outreach that was almost certain to be included in the 2017 budget.

In response to a question from the Vice Chair, Assistant City Attorney Slayton offered an overview on the overlapping roles of the Commission and the City Council on the democracy voucher budget.

The Regular Commission meeting for November 2, 2016 adjourned at 6:05 p.m.

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