

## **Seattle Ethics and Elections Commission Regular Meeting**

**March 4, 2020**

A regular meeting of the Seattle Ethics and Elections Commission (SEEC) convened on March 4, 2020 in Room 4080 of the Seattle Municipal Tower, 700 Fifth Avenue. Commission Chair Nick Brown called the meeting to order at 4:01 p.m. Chair Brown, Commissioners Brendan Donckers, Eileen Norton, and Susan Taylor were present, as well as Commissioner-elect Judy Tobin. Commissioners Hardeep Singh Rekhi and Bruce Carter participated in the meeting via telephone. Vice Chair Richard Shordt was absent. Executive Director Wayne Barnett was joined by Assistant City Attorneys Gary Smith and Teresa Chen, along with staff members Chrissy Courtney, Polly Grow, René LeBeau, Marc Mayo and Annie Tran.

### **Action Items**

#### **1) Minutes for February 5, 2020 regular meeting**

The Chair opened the meeting with the first action item. Commissioner Taylor asked for a clarification of a “green sheet” as referenced on page five in the February minutes and the Director answered that it was a budget term. Commissioner Norton moved to approve the minutes, and Commissioner Donckers seconded. The motion passed unanimously.

#### **2) Setting a hearing date for Case No. 20-0116-1**

The Chair noted that a hearing had been requested by the Director, and a continuance had been sought by opposing counsel. The Chair suggested that this hearing be scheduled for the next regular meeting and the Director agreed and said he had suggested that date to opposing counsel but had not yet heard from them if they were amenable to that date. The Chair indicated that the matter should be scheduled for the next meeting, and if something different is heard from opposing counsel, then it might be adjusted.

### 3) Appeal of dismissal in Case No. 19-1-1105-2

The Chair asked the Director to provide an overview. The Director stated that this was a complaint received from Ari Hoffman after the resolution of the matter involving Police Chief Best and Councilmember Herbold. The Director concluded that these new allegations did not constitute a violation, and Mr. Hoffman filed a timely appeal.

The Chair asked Mr. Hoffman if he would like to speak. Mr. Hoffman thanked the Chair and said he appreciated the opportunity. Mr. Hoffman stated that he believed that there was some material that did not make it through because when Mr. Hoffman filed the public disclosure request, some of the documents were in a very odd format, and difficult to download. Mr. Hoffman said that there were several emails going back and forth between Lisa Herbold and her staff and in the emails she asked her staff to include language to say that the RV parked in front of her house was a political stunt, and Mr. Hoffman said in his opinion using staff to perpetuate a lie is a violation and an abuse of power. Mr. Hoffman said that when comparing the time stamps on the emails and the text messages, by the time the text messages went out, Councilmember Herbold already knew that it was not a political stunt, and the inclusion of the verbiage about it being a political stunt is what bothered Mr. Hoffman.

The Chair noted that he understood that Mr. Hoffman had made public comments about his intention to do such a thing, and asked Mr. Hoffman to walk the commission through the emails and text messages that Mr. Hoffman thought specifically violated the Ethics Code. Mr. Hoffman said that he sent a letter to the entire city council and the mayor's office and said that if they were not going to do anything about RVs, then he would, and he had a friend with a tow truck and he was going to move the RVs. Mr. Hoffman stated there would be legal ramifications, so they decided that they would buy RVs and move those in front of councilmembers' houses.

Mr. Hoffman pointed to texts that he said made it clear that they knew there was not a stunt, and it had been purchased for a couple. The Chair asked the Director whether he had assumed that everything that Mr. Hoffman said was true and still found no violation of the Ethics Code. The Director answered yes, even if it was true that the Councilmember was perpetuating something that she did not believe to be true, that did not violate the city's Ethics Code.

The Chair asked how Mr. Hoffman knew that it was a lie, since Mr. Hoffman had said himself that he was making some assumptions. He asked if it could still potentially be considered a stunt even if Mr. Hoffman was not involved. Mr. Hoffman asked if he meant somebody else doing a copycat kind of thing. The Chair nodded and Mr. Hoffman said yes. Commissioner Rekhi said that it was unclear to him from the record as to whether Councilmember Herbold believed there was a political stunt whether it was perpetrated by Mr. Hoffman or not, and he was unsure about assumptions being made about the Councilmember's mindset.

The Chair said that it was not a violation of the Code to make an assumption that it was a stunt, and based on the comments, maybe it was assumed incorrectly, but it was not clear to the Chair that it was a violation of the Code to assume something was political and then be incorrect.

Commissioner Rekhi said that there were so many assumptions here. Commissioner Norton agreed there was way too much assuming going on, and if the Councilmember issued a press release that wasn't correct, whether she believed it was or was not, that was not a violation.

The Chair asked if the commissioners had any further questions, and there were none, and the Chair asked the Director if he had anything to add, and he did not. The Chair then moved that the appeal be denied, based on the reasons stated by the commission. The Chair continued that it seemed like a lot of leaps to make to find a violation, and while he understood Mr. Hoffman's concern about the potential dishonesty here, the Chair was not sure he could reach

that conclusion, based on the record. The motion was seconded by Commissioner Taylor. The motion passed unanimously. Mr. Hoffman thanked the commission for their consideration.

**4) Advisory Opinion 2020-01**

The issue under discussion was whether Alison Townsend participated in two matters (the RapidRide Roosevelt project and the Route 40 corridor improvement project) in a way that would require that she not assist her new employer in those matters for two years. The Director also clarified that for one year, Ms. Townsend could not make contact with her former department, the Seattle Department of Transportation (SDOT), and that year had passed.

Ms. Townsend came forward at the Chair's invitation. The Chair asked who had requested the advisory opinion, and the Director answered that it was requested by Andrew Glass-Hastings of CDM Smith, the company where Ms. Townsend now worked. The Chair asked Ms. Townsend if she had any further information that she would like to provide. Ms. Townsend stated that her questions centered more around Route 40 because she was told that she could participate in the Roosevelt project. Ms. Townsend stated that she did not exactly understand what a "matter" was, and she thought it was each part of the project, such as the request for qualification (RFQ) as one matter and then the project itself would be considered another matter. The Director said he considers the RFQ and the project to be part of the same matter, that matter being the contract, and that is the issue for the commission to decide.

Ms. Townsend said there was one part of the law that specifically dealt with bidding and the RFQ process and it said that you have to sit out for a year before you can be involved in an RFQ process with the city and that year has already passed. Ms. Townsend noted that she left city employment on January 9, 2019 and prior to that she worked on the Route 40 RFQ in November and December of 2018. Ms. Townsend was on the committee as part of the project

development division, so it was not just Ms. Townsend writing the RFQ. Ms. Townsend stated that she notified her division director in December of 2018 that she would be leaving the city as her family had moved and she was applying for other government positions. When Ms. Townsend left Seattle, she left the unfinalized RFQ with the group and there was no schedule for publication yet, and the city's proposal review committee had not yet been selected. Ms. Townsend had her first contact with CDM Smith in October 2019 and found that CDM Smith had already been selected for that project. Ms. Townsend did not start working for CDM Smith until January 6, 2020. Commissioner Donckers asked if she had worked on both the Roosevelt and Route 40 projects up until she left the city. Ms. Townsend said she could not remember the date when she stopped working on the RapidRide project, and she was working on the Route 40 RFQ through January 2019.

The Chair asked Ms. Townsend to explain the distinction that she was making between the RFQ and the project. Ms. Townsend said that the RFQ was basically just a request for qualifications and the project didn't typically start until a consultant was under contract. The Chair asked if it was always part of the process for a project to get an RFQ, and Ms. Townsend said generally yes. Commissioner Norton said that it was all part of the same project, and she did not think that you could say the design was a matter, and the RFQ was a different matter. Commissioner Taylor said that she thinks of a matter as a kind of decision point, where a judgment has to be made, and they are actually looking at trying to prevent a situation where a private employer would get an advantage from Ms. Townsend's personal contacts. Once the selection has been made on who wins that contract, Commissioner Taylor said she was questioning whether Ms. Townsend's connections could still be used to get some advantage. Ms. Townsend stated that was her rationale, because she had provided CDM Smith no benefit in

getting the actual contract. Commissioner Norton said that she did not read the ordinance as being so nuanced. Commissioner Norton confirmed that Ms. Townsend worked on the RFQ that was issued two months after Ms. Townsend left the city. Commissioner Norton said that she couldn't imagine that the last draft that before Ms. Townsend left and the final version of RFQ issued were dramatically different. Commissioner Norton said that she would think that when that when a final construction bid goes out, and if CDM Smith chose to respond, then there would be no conflict, regardless of the timeline, because Ms. Townsend was not involved in the bid. The Director concurred. Commissioner Norton stated that the way she read the ordinance was that anything that was related to that RFQ for that two years, then that would not be something that Ms. Townsend would be able to work on.

Commissioner Carter said that he was concerned about how a person developing the RFQ might conceivably spec in a particular attribute that might favor some particular firm and so it should be considered as one continuing matter, because the aspect of the RFQ could prove to be a proposal toward or away from a particular firm.

Commissioner Norton quoted part of the ordinance, "a former city officer or city employee may not, during the period of two years after leaving city office or employment, assist any person on a matter in which he or she participated." Commissioner Norton continued that Ms. Townsend participated in the RFQ, it hadn't been two years, and Commissioner Norton asked what she was missing, because it seemed pretty clear cut.

The Chair said that the question is whether that "matter" continues on, because Ms. Townsend is not working on the RFQ. The Chair then asked Ms. Townsend if the RFQ was related to her current work. Ms. Townsend answered that the firm won the work based on the RFQ before Ms. Townsend worked there. Commission Norton said that if the work Ms.

Townsend is doing is because the firm won the RFQ, and Ms. Townsend worked on the RFQ, then Commissioner Norton does not see the question. The Chair said the question is whether Ms. Townsend is assisting on the matter, and if she is still working on the matter in her current role.

Commissioner Taylor said the question to her was if the matter was the RFQ or the whole project. The Chair concurred and noted that the definition of matter was not particularly helpful, it provided some clarity, but when reading further in the definition, “other determination, permit, contract, claim, proceeding, decision” arguably this is all part of the same contract. The Chair stated that “contract” to him is broader than application or submission.

Commissioner Taylor said that looking at an old opinion, she thought it was helpful that the intent was to clarify a former employee was not barred from using the expertise they developed while with the city to their benefit or to the benefit of their new employer, instead they were barred from using their inside knowledge of specific permits, contracts, etc. for the benefit of anyone other than the city. Commissioner Taylor said she wanted to understand what kind of work Ms. Townsend would be doing on the Route 40 transit improvements project.

Ms. Townsend answered that she would be doing planning work and most of the work she had done for CDM Smith so far had been quality reviews. Mr. Glass-Hastings asked to speak a little bit more to that, and the commission concurred. Mr. Glass-Hastings said that one of the initial steps in the work overall was to plan a series of transit improvements along the corridor that extends from downtown up to Northgate, through Fremont and Ballard, and along that corridor there were multiple areas where SDOT had hired the company to look at the potential to make transit faster and more reliable. One of the first steps there was an existing conditions report in terms of the surrounding land usage, the demographics, the traffic counts in the corridor, and that memo would be put together and then sent to the client and CDM Smith would

like Ms. Townsend to be able to review those kinds of documents. Eventually they will screen different transit improvements and put those forward to SDOT to review and they would like Ms. Townsend to be able to use her transit planning background and expertise to be able to review those documents for CDM Smith.

The Chair acknowledged that this was not an easy question, and Commissioner Taylor concurred. Commissioner Donckers said he worried about trying to parse language too much and wanted to look at the intent of the code. Attorney Smith said that he agreed and added that Commissioner Taylor in particular was looking not just at the strict language of the law, but also the overall intent behind the code, which was very relevant. The Chair asked Commissioners Carter and Rekhi if they had anything further to add, or had further questions, and neither did.

Commissioner Norton said she agreed with the Director that there was no conflict on the Roosevelt project. Commissioner Donckers concurred but said he did still have some concerns about the Route 40 project. Mr. Glass-Hastings asked if the intent was to outright prevent former city employees from engaging in a matter however it is defined, or was it to prevent the third party, the company they are assisting from gaining some kind of advantage from that assistance. Commissioner Donckers said he thought that was a great question and that it should be on the record the intent that was being looked at here so that everyone was very clear. The Director said that to him it is both; it is by providing the new employer with a benefit and there is the benefit to the employee that they provide the value of their previous employment to the new company.

Commissioner Donckers said the intent was something written that they can point to. Commissioner Taylor said that was in the analysis of the older opinion, and the Chair asked Commissioner Taylor to read that for the commission again. Commissioner Taylor again quoted, “the intent was to clarify for former employees that they are not barred from using the expertise



they developed while with the city to their benefit or the benefit of their new employers, instead they are barred from using their inside knowledge of specific permits, contracts, claims, cases, etc. for the benefit of anyone other than the city.” Commissioner Taylor commented that sounded more like a confidentiality provision, more than an influence provision. Commissioner Donckers said that benefit of anyone other than city is very broad. The Director said he thought one of the issues was the question of whether Ms. Townsend knew the Route 40 contract in a way that somebody else who was sitting alongside her applying for the job at CDM Smith didn’t and would that make it more advantageous for CDM Smith to hire her rather than anyone else.

The Chair asked Ms. Townsend if she would agree that her work on the RFQ provided her with any inside knowledge that someone with her same professional background who did not have that involvement, would not have. Ms. Townsend answered that she did not think so because that particular RFQ was based on an RFQ for another corridor and they had just added extra pieces that weren’t present there because this was supposed to be the same type of project. Everything that was associated with Route 40 was publicly available. Commissioner Norton said that it didn’t mean that an outsider would have that same sort of inside knowledge that never makes it to a public record, and speaking to the intent, there could also be an appearance issue. Commissioner Taylor agreed with Commissioner Norton. Commissioner Norton said that it wasn’t up to the commission to determine whether two years was an appropriate amount of time, that was up to the council, and that could be a broader discussion by them, whether it should be less or more. Commissioner Norton continued that she was comfortable with the Director’s opinion, and the Chair asked the Director to confirm that he was offering an opinion and the Director answered that he did think that trying to split off the contract from the RFQ that is the basis for that contract is too fine a split. The Director continued that leaving aside the specifics of

Ms. Townsend's case, in deciding these matters which will eventually apply to everyone, he worried about establishing a precedent that an employee could develop an RFQ and then within two years could perform work that directly flowed from that RFQ. The Chair said that a particular project of any type might have a dozen different applications that are part of that project, and as a former employee who had worked on a specific application or RFQ or contract that is relevant to all the other applications that you did not work on, parsing off some of that information might be challenging. The Chair continued that at the same time, as a longtime former government employee, he was concerned about reading it too broadly to keep government employees from ever going out into the private sector and using their knowledge, because he thinks that would discourage people from ever working for the government. Commissioner Norton pointed out that it was not a forever prohibition but could be resolved by the end of the two-year period.

The Chair asked if anyone would like to make a motion, or if a motion was necessary here. The Director answered that he did need guidance on the definition of the matter, and whether Ms. Townsend assisting her new employer with either matter would be inconsistent with the Ethics Code, and some direction to draft an opinion that accords with the discussion.

The Chair said that his sense was that at least the majority of the commission believed the matter should be read a little bit more broadly than just the RFQ here, and it certainly was the intent of the code to prohibit people from abusing or misusing their prior employment with the city in a way that could be viewed as bringing inside knowledge to a project. The Chair continued that despite his general concerns about the impact this might have on certain classes of employees, it was his recommendation to the Director that the code prohibited Ms. Townsend's

participation in the matter, with the matter being read broadly to include the Route 40 transit improvement project but not the RapidRide Roosevelt project.

The Chair said he thought the question was whether Ms. Townsend was allowed under the code to assist in the matter in which she participated, and she certainly participated in a piece of the matter, and it is the decision of the commission that “matter” should be read broadly. The Chair continued that whether there was any inside advantage was not how the commission needed to interpret the code because the code did not ask the commission to decide whether she brought any particular advantage to CDM Smith, it only asked the commission to decide whether or not she assisted in a matter during a period of two years after leaving city employment. Ms. Townsend asked if the commission was considering the RFQ and the project itself the same matter and the Chair said yes.

The Chair said that if every single piece of a project or engagement was read narrowly it would set up problems down the line. Commissioner Norton noted that there is nothing in the ordinance that says anyone has to show some advantage that Ms. Townsend specifically gave, as it reads, it is a matter in which she participated. Mr. Smith pointed out that there is also a section of the code that says to ensure that public office is not being used for personal gain and that the public have confidence in government. Commissioner Norton noted that would speak to the appearance issue. The Chair thanked Ms. Townsend and Mr. Glass-Hastings for their time.

### **Discussion Items**

#### **5) Democracy Voucher Program report**

##### **a. Biennial report**

René LeBeau, the Democracy Voucher Program Manager gave an overview of the 2019 program report. She stated that at the very back of the report was a budget summary, and one of

the things she wanted to point out was that the implementation are essentially finalized, with the completion of the online portal, which was about \$500,000. About \$1.2 million was spent to implement the program, which covered things such as moving into the suite, and creating the technology, and those costs have now hopefully ceased. The difference between non-election years and election years shows the administrative costs primarily in the non-election years, and then during election years, the report shows the programmatic costs, and those costs have for the most part stabilized as well, and so it appears that other than with staffing, the amount of vouchers processed doesn't really impact the overall budget for those election years. The Chair said that was surprising and Ms. LeBeau noted that creating a scalable program was one of the goals and asked if there were any questions on the budget, and there were none.

Ms. LeBeau continued that two primary goals of the program overall were to increase participation by residents in becoming donors and also to increase participation by residents by potentially running for office. Of the 55 candidates who were on the primary ballot in 2019, 41 of those candidates decided to be Democracy Voucher Program participants, and 35 of the participating candidates were able to fund their campaigns in part using vouchers. The program distributed just under \$2.5 million to candidates, and saw vouchers come from all over the city. Nearly 40,000 residents returned vouchers, which almost doubled the 2017 numbers, and more than two thirds of the vouchers returned were able to be redeemed. About eight percent of the Democracy Vouchers that went out came back in 2019, which doubled the nearly four percent that came back in 2017.

Ms. LeBeau offered some pictures of the current social media awareness campaign for the commission to view, and the web form for requests was fully launched that supports 16 languages and that web form was built internally by Seattle IT and the first request for online

vouchers came in earlier in the day. Ms. LeBeau noted that Annie Tran was responsible for the ads and the awareness campaign, which was tied in with Earth Day. Ms. LeBeau stated that BERK Consulting, Inc. would soon be conducting the resident-facing survey, so that portion of the project was still in the works.

b. Community-Based Organization contracting

Ms. LeBeau referenced the memo staff sent to the commission covering the work done by the community-based organizations contracted by the Democracy Voucher Program. The program had \$150,000 and used those funds to engage with 10 organizations who completed their work in the fall of 2019, and the program received final reports which detailed their activities, and their accomplishments are discussed in the memo.

The first item was the budget, and Ms. LeBeau wanted to know if they could increase the funding available for the organizations and if they could increase the lengths of the contracts and have them occur before the election year even begins. Commissioner Donckers asked the current length and Ms. LeBeau said that they were originally from January through October, but since the vouchers are mailed in February, the organizations wanted some more lead time, to be able to inform their members that the vouchers were coming. Ms. LeBeau noted that increasing the lead time would not be a problem for the program, it would be a very easy administrative change to make.

Ms. LeBeau said that she thought a couple of things could be accomplished, a wider net could be cast now that there is a greater awareness of this opportunity and so they were expecting more applications, and there are organizations that have more comprehensive programs already in progress across the city and they could increase their capacity if they had more money to spend over a longer period of time. Ms. LeBeau offered that what they heard

from the folks out there knocking on doors was that it was not a single conversation, it was a multipronged approach, maybe they would leave some materials, or they would come back multiple times, and it was part of a larger community engagement, and the organizations wanted the Democracy Voucher Program to be a part of their larger civic engagement package.

Commissioner Norton said that she wanted Ms. LeBeau's recommendations on the questions being put to the commission, and Commissioner Taylor agreed. Commissioner Norton said she wanted to know what staff thought and their reasons, and why they wouldn't go in a particular direction and said that Ms. LeBeau was free to tell the commission what she thought they should do. Commissioner Norton then asked if she was correct in assuming that for the questions in the memo, if there was an "if yes" option, then that was the recommendation of the program, and the Director answered yes. Commissioner Norton asked in terms of duration and funding of contract, what was Ms. LeBeau's recommendation on the length of those contract. Ms. LeBeau said that she would like to have the contracts go for up to a year and a half, up to 18 months, and have the funds awarded announced by the 1st of December of the year prior to the election year. The issues around the contracting are competing activities by the CBOs, such as the census this year, and the voter activities leading up to the presidential election. The RFPs could be announced tomorrow, but the question is whether the CBOs would be able to respond. Ms. LeBeau stated that the thought was to announce early but have a long announcement so the CBOs would know it was coming and when they had time, they could respond.

Commissioner Norton asked how the payments were set up, was it monthly, or was it X dollars when a milestone was met. Ms. LeBeau answered that the program was invoiced as per event, and it was understanding what money would be coming, as early as possible, that would be helpful to the CBOs. Commissioner Norton confirmed that they were basically paid per event.

The Chair asked if Ms. LeBeau had a specific amount of funding she would recommend. Ms. LeBeau answered that to go up to approximately \$200,000 would be good. The commission and Chair agreed that it sounded like it had proven to be useful and beneficial to the program.

Commissioner Carter remarked about the vouchers in languages other than English, saying it was good that there was outreach in that area. Commissioner Taylor asked if the online portal offered other languages. Ms. LeBeau said yes, and if someone did select a language on the portal, that information came into the database so that they are noted as a voucher language user.

Ms. LeBeau continued to the next item, which was about candidates connecting with communities. One of the things that was heard was that candidates do not always seek out communities with language barriers, or resources to help them navigate in those communities and the question was whether there was an equity component that would nudge campaigns towards a more equity oriented campaign. Commissioner Norton said that she knew the ordinance said candidates had to participate in three debates, but she thought that if you wanted an equity component, however that was defined, and for it to have some teeth, she believed the ordinance would need to be amended. The Chair said that it would be useful to hear options about ways to incentivize or requirements that could be possible. Ms. LeBeau said that they would think about it and would inform the commission about some things they were already planning to do, such as letting the campaigns know about resources, for instance, reaching out to the Office of Immigration and Refugee Affairs (OIRA) for their list of city contractors that provide translation and interpretation services so that the campaigns would know that was a resource they could use.

Ms. LeBeau continued to the next item, which was changing the candidate statement submission from a 150-word free form statement to a more guided question and answer format.

Again, Ms. LeBeau noted, this came from the communities wanting to know that the candidates cared about the same things they cared about. The Director said that he had misgivings about this, because saying to candidates that these are the questions that you have to answer, that would set the table in a way that could be problematic. An example the Director provided was that the Voters Pamphlet used to have the educational background as a question and one of the mayors at that time did not have a college education and they wanted to know why it would matter and why they were required to answer. The Director said that he thought there was an element of that here, and the candidates have 150 words to explain what matters to them and it would make him nervous to require specific questions. Commissioner Norton said that organizations and community groups could provide their questions to the candidates directly, and maybe that is the encouragement to provide to the CBOs, or a way to educate folks on questions they can ask from a candidate. Ms. LeBeau said that one of the questions that came out of the conversation with the CBOs was what exactly what they could and couldn't do in terms of sending out a questionnaire themselves, and then providing that to their community members. In response to that, Ms. LeBeau said the program planned to work on some kind of info sheet that would provide some ways to engage with candidates. Commissioner Taylor said that was a good idea, and she also liked the idea of learning best practices from one CBO, then sharing that with other CBOs.

The Chair moved to the next item regarding legal permanent residents. Ms. LeBeau asked if there were any thoughts from the commission on this topic, saying that they do plan to find local leaders who might be able to speak to the program, someone that could address the fears that this program isn't something that they can sign up for. Commissioner Norton asked what made someone a legal permanent resident, did that mean they were green card holders and Ms. LeBeau answered yes, she was specifically addressing green card holders. Commissioner Norton



said she could understand that nervousness in this day and age, and the Director said that was part of the struggle here; do you try to talk someone out of their fears and suspicions about the program. Commissioner Norton said that she would think you would provide factual information. The Chair said that discussing whether they are eligible or not would be useful, and Commissioner Norton agreed, and Commissioner Carter said that perhaps going to some of the high schools and asking some of the student leaders how to reach those community members could yield new insights. Ms. LeBeau said they could definitely look into that and the program is also looking at the messaging for legal permanent residents. Ms. LeBeau continued that they were also heading down an interesting path in terms of getting feedback from local community members and communications experts and looking at how the messages are being communicated when translated and is the content really what is intended, and Ms. LeBeau thanked Ms. Tran for spearheading this effort as well. Commissioner Donckers said that presumably the CBOs would have thoughts on how to most effectively transmit the messaging. Ms. LeBeau agreed and said that it was time, money and messaging. The Chair asked if there was anything further from Ms. LeBeau, and she said no, she received the direction she was looking for and she thanked the commission. The commission thanked Ms. LeBeau for her work and Commissioner Donckers added that for the final item, noting the proposed increases in the funding and duration for the contacts, if the CBOs had ideas about how to use those resources, it would be good to include.

**6) Executive Director's report**

a. 2019 election report

The Chair moved to the Director's report and the Director invited Polly Grow, who took the lead on putting together the election report, to present the information from 2019. Ms. Grow said that she would provide some highlights from the report and noted that 72 candidates

registered and 55 were on the ballot. Ms. Grow went on to report that there were 54,748 people who actually contributed to city council campaigns which was a 300 percent increase in the number of contributors from 2015. Contributors of less than 100 dollars almost tripled compared to 2017. Commissioner Norton said that she assumed the Democracy Vouchers contributed to that increase and Ms. Grow said she also assumed that was the case, as well as the collection of the qualifying contributions for the voucher program. Ms. Grow noted that the average contribution was 90 dollars, which is less than half of what it was in 2015. Ms. Grow indicated that the data referred to earlier by Ms. LeBeau showed that the contributions continued to be nicely spread out across the districts, and the percentage of contributions coming from outside of Seattle dropped down to 11 percent from 20-30 percent previously. Ms. Grow next addressed independent expenditures, which leapt up, but it was not really clear what the impact of all that money was, clearly there was a lot of media, but two thirds of the spending was on behalf of candidates who did not prevail in November. The top 20 contributor amounts dropped precipitously, and the Washington State Democrats were the top contributors through in-kind donations of 250 dollars of their list to about 30 campaigns; the rest were primarily monetary contributions. Ms. Grow noted that for the list of the top 20 employers, she added the rankings from the prior cycles because it was interesting to see how people moved up or down or off the list. The Chair noted that Amazon was growing a little bit. Commissioner Norton asked how “Not employed” got to half a million dollars. Ms. Grow answered that it was a huge category that covered retirees and students. Ms. Grow also noted that the City of Seattle employees had a much lower number than prior years. Commissioner Norton pointed out that the Seattle School District and Google hit the list for the first time. Mrs. Grow continued that looking at the turn out, she counted the votes tallied because that does not exactly match up with the turn out, and

one of the things she looked at was voter participation in city council races, and while the turnout across the city is between 45 -53 percent over the past five cycles and the turnout for city council races is between 41 and 43 percent, in 2019 it was 54 percent just for city council races, which was up from 44.5 percent in 2017. Mrs. Grow asked if there were any questions, there were none and the commission thanked Mrs. Grow, as did the Director.

b. Hiring update

The IT Professional application period closed last Tuesday, and the Administrative Assistant position closed yesterday, the office is hoping to be in a position to move forward with the hiring process in the next month, but with Covid-19 everything is up in the air right now.

c. Litigation update

The Supreme Court has scheduled the review of the Elster petition for their March 20<sup>th</sup> conference, so the office will start watching to see if the cert was granted, it could be put off and continued to another conference.

The financial interest statement (FIS) update shows that they are up to 10% compliance, and that process began on the previous Monday. King County was having its non-essential employees work from home for the next three weeks, due to Covid-19, the City of Seattle had not yet done that, but the situation was being monitored.

**The Regular Commission meeting of March 4, 2020 adjourned at 5:40 p.m.**