

Seattle Ethics and Elections Commission Special Meeting

December 2, 2019

A special meeting of the Seattle Ethics and Elections Commission convened on December 2, 2019 in Room 1610 of the Seattle Municipal Tower, 700 Fifth Avenue.

Commission Chair Brendan Donckers called the meeting to order at 12:01 p.m. Commissioners Nick Brown, Bruce Carter, and Susan Taylor were present. Commissioners Eileen Norton and Richard Shordt joined by phone. Executive Director Wayne Barnett was joined by Assistant City Attorney Gary Smith, along with staff members Chrissy Courtney, Polly Grow, René LeBeau, and Marc Mayo.

Action Items

1) Minutes for October 25, 2019 special meeting

2) Minutes for October 30, 2019 special meeting

Commissioner Brown moved to adopt the minutes from October 25, which was seconded by Commissioner Carter. Commissioners Brown, Carter, and Norton voted to adopt the minutes and Commissioner Taylor abstained. There was no dissent.

The Chair noted that having received the October 30 minutes earlier in the day, he had not had a chance to review them, and Commissioner Carter stated he was in the same position, as was Commissioner Norton. The decision was made to table the consideration of the October 30 minutes to the next commission meeting.

3) Appeal of dismissal of Case No. 19-2-1014-1

Jennifer Oxley and Jody Moon were the appellants in the case. Ms. Oxley noted that this was her first appearance before the commission, and she was not quite sure what the commission would like her to say or do, or if the commissioners had questions. The Chair offered that they

could have a few minutes to make an opening statement, or to give a summary of what their appeal was about and then the commissioners might have questions.

Ms. Oxley stated that the original complaint was that she and her friend, Jody Moon (present at the meeting with Ms. Oxley), and a few other people who were campaigning for Ann Davison Sattler throughout the election, went to the Live in D5 event in North Seattle, which by all appearances was a public event. Ms. Oxley stated that they politely and quietly passed out informational materials and approached maybe a dozen people to ask them if they would like information about Ann Davison Sattler, who was running for Seattle City Council. Ms. Oxley continued that these were very quick conversations, people would take a card, say thank you and then after a little bit, the campaign volunteers realized they were being watched by Councilmember Juarez's staffers, and then Shayna Daitch approached them and said repeatedly, multiple times, I'm respectfully asking you to stop campaigning for Ann Sattler.

Ms. Oxley said that they felt they were completely within their rights to be there and to be talking to their neighbors about the person they were supporting and felt that the Councilmember was using the power of her office and a taxpayer funded city staffer to shut them down. Ms. Oxley continued that the initial complaint was dismissed, and the Director had said that Ms. Daitch, when she was interviewed, did admit to asking them to stop talking to people about Ann Davison Sattler and that was the complaint and Ms. Oxley felt the dismissal was based on other points not relevant. Commissioner Brown asked Ms. Oxley if she knew when she was approached that the staffer worked for the Councilmember. Ms. Oxley said yes, she did recognize Ms. Daitch as being a council staff member. The Chair asked if there were any questions from the commissioners on the phone, and neither Commissioner Norton nor Commissioner Shordt had questions. The Chair asked if both Ms. Oxley and Ms. Moon were at

the event on behalf of Ms. Sattler, and they affirmed that they were. The Chair then asked the Director to explain the dismissal and if there was anything else he could add.

The Director answered that he would add that there was consensus that Ms. Daitch did ask them to leave the park but it was a public event and the Director had drilled into the Juarez office that since it was a public event, they could not use that event for campaigning. It was a public event and staff were trying to maintain that as a public event and residents could have been confused by the Sattler people campaigning and then going over to the Juarez official people who could not respond in a campaign capacity so that is why the complaint was dismissed. The Director also noted that this had echoes of a case from 12 years ago when the Seattle Police Officers Guild (SPOG) and the Firefighters Union had both backed Councilmember Burgess who was challenging then Councilmember David Della and it broke down to what happened in private conversations, but there was no independent observer and given the heated political context the Director dismissed that complaint as well.

Ms. Oxley noted that it was not agreed that Ms. Daitch asked them to leave, but instead it was agreed that Ms. Daitch asked them to stop campaigning. The Chair asked if there were any further questions from the commissioners. Commissioner Brown asked if the original complaint was in the packet, and the Director answered that he did not believe it was, and Ms. Courtney indicated the original dismissal was included in the printed packet.

Commissioner Taylor asked what the purpose was of the Live at D5 event, she was not familiar with the event. Ms. Oxley said that it was first one she had attended, and she asked Ms. Daitch who was funding the event and whether it was publicly funded. Ms. Oxley said that Ms. Daitch replied back with a question, would they want their tax dollars to pay for the food truck, which was offering free food for the attendees. Ms. Oxley said that Ms. Daitch then said that the

event was privately funded, and Ms. Oxley asked by who, and was it the Juarez campaign, and Ms. Daitch said no, and Ms. Oxley asked then who was funding it and Ms. Daitch named some businesses, and then at another point Ms. Daitch said there was a Parks permit, and that was kind of making it a private event. Ms. Oxley said that she had gotten Parks permits before and if it was a private event then Ms. Daitch could ask them to leave, which Ms. Daitch did not do, but said that it was a private event to which the residents of District 5 were invited. Ms. Oxley said she was extremely confused whether it was truly just a public event or if it was more of a private party that they were crashing. Ms. Oxley said it felt like a public event and they felt like they were completely within their rights to be there talking about a candidate they liked, and if the Juarez campaign staff were uncomfortable with that, then so be it, but Ms. Oxley felt like she was within her rights to be there.

The Director noted that his understanding of the Live at D5 event was that when Councilmember Juarez was elected, it was during the transition to district races, and it was an attempt by the Councilmember to establish an identity for District 5, which is north Seattle and frequently overlooked, so it was an effort to meet your neighbors, and find out what services the city offered. Commissioner Taylor clarified that it did not have anything to do with campaigning, and the Director answered no, not by Councilmember Juarez.

Commissioner Carter asked Ms. Oxley if it was her understanding that Ms. Daitch was on the clock as a city employee when this was occurring. Ms. Oxley said that it appeared so and noted that all of the staffers, including Councilmember Juarez, were wearing a Live in D5 logo, and showed an example of the poster and stated that the Director also dismissed the complaint that the campaign colors were the same. The Director noted the Councilmember's reelection materials were mostly red and the event materials were black with a red highlight. Ms. Oxley

said that they were the exact same colors, and that they were used differently but they were the exact same colors, so she felt that part of the dismissal was also in error, but not really relevant. Ms. Oxley said there were city staffers everywhere, city logos everywhere, she believes there was a booth for voter registration and there were only about 20 actual attendees. Ms. Oxley continued that she and the others campaigning for Ms. Sattler were very quiet and very polite offering materials about their candidate and felt they were completely within their rights and to be asked by a city staffer to not talk about someone they wanted to talk about felt like an overstep to Ms. Oxley. Ms. Moon added that Ms. Daitch didn't just ask, she repeatedly asked, saying I am respectfully asking you to stop talking about Ms. Sattler and said it felt very intense and that Ms. Daitch didn't stop asking until they agreed to stop campaigning. Commissioner Brown asked how long that went on and Ms. Oxley answered that it went on for minutes. Ms. Oxley stated there were others with the Sattler campaign who came and went and had overheard some of this conversation.

Commissioner Brown asked if there was a copy of the original complaint since there was not one in the printed materials and Ms. Oxley provided a copy of her original complaint. The Chair said that in the appeal Ms. Oxley had noted that there were written complaints from two people and asked if that was referring to Ms. Oxley and Ms. Moon, and they confirmed that was correct. The Chair went on that they had also noted that there were two additional witnesses and asked if they were also associated with the Sattler campaign, and Ms. Oxley confirmed that was also correct.

The Chair asked Ms. Oxley and Ms. Moon if it was their view that the Code does not allow for someone to ask that they stop campaigning, but not the other scenario, where they felt they were being asked to leave a public park and asked if that distinction made sense and if that

was correct. Ms. Oxley said yes, the verbiage was absolutely asking that they stop campaigning, to stop talking to their neighbors about Ann, to stop passing out cards, but the implied message was leave. Ms. Moon noted that the campaigning was the reason they were at the event and Ms. Oxley stated it was the city staffer asking this, and she was assuming they were on the clock, and not volunteering and it was ostensibly under the Councilmember's direction to ask them to leave.

The Chair asked Attorney Gary Smith; this is a park where First Amendment protections apply in an open forum and there was arguably political speech happening on both sides here, and asked whether the commission was to take their knowledge or their view of the First Amendment in how it applies in this decision. Mr. Smith said he did not think it was directly relevant, and the question of whether the First Amendment was violated was not properly before the commission, since the commission does not have jurisdiction to hear allegations of constitutional violations. The real question was whether there was a violation of the Code provision 2.04.300, which states that no elected official or employee of his or her office may use the facilities of a public office for the purpose of assisting a campaign for election. The argument is whether the actions of the city employees were assisting the Juarez campaign in some manner that violated this code section. The Director has presented his analysis, so under the commission rules the standard for the commission to apply is whether the Director's decision had a rational basis, whether there are any set of conceivable facts that support his decision. The Chair asked if it was the highest level of deference, and Mr. Smith answered in the affirmative.

Commissioner Carter asked if the code section that says no one may assist a campaign, would that apply to both sides. The Director answered yes, both are referenced in the code section. Commissioner Brown noted that in the Director's denial of the appeal it was stated that there were two competing versions of what transpired, and it didn't sound to Commissioner

Brown as though there were two competing versions and he asked if that was still the Director's understanding. The Director answered that it was more about the inflection, and that Ms. Oxley felt that she had been told to leave, and although the words that were used by Ms. Daitch were that she asked them to stop campaigning, there was a perception by Ms. Oxley that they were being asked to leave. Commissioner Brown asked if everyone agreed that Ms. Oxley and Ms. Moon were asked to stop campaigning, and everyone did agree on that point. The Director said that what Ms. Daitch told them was that there was confusion from residents, and the constraints on the Juarez staff at a public event meant that there was a one sided nature to the campaigning on behalf of Ms. Sattler and that was what motivated her to request the appellants to stop campaigning. Commissioner Brown said he understood that point, but he didn't see a competing version. Commissioner Taylor said that perhaps if the staffer had explained it the way the Director just did and said there were rules restricting them, and this wasn't the place, that could have made a difference in Ms. Oxley's feeling about it. Ms. Oxley said that was part of the message, yes, but this was still a city paid staffer asking them to leave a city park as Seattle residents, and Ms. Oxley noted she was a resident of District 5, and to stop talking to whoever they wanted about whatever they wanted at a public park, at a public event, and using the office of the City Council to do that was what she felt was the ethics violation.

Commissioner Brown asked whether Ms. Oxley believed that was done to affirmatively assist the Councilwoman. Ms. Oxley said yes, she felt that it was done to shut them down for whatever reason. Commissioner Brown said that the reason mattered, in terms of the Code violation, from what he understood as from the explanation the Director got, which rightly or wrongly, that the people attending felt like this was being seen as a political event and it wasn't supposed to be a political event and so they were trying to enforce that, whereas you could have

interpreted that, and maybe it was, to try to assist the incumbent's campaign. Ms. Oxley said she did feel like it was to assist the Juarez campaign because she and Ms. Moon reached a dozen people, and if somebody went up to the Juarez staff and asked a question and they said, we can't talk to you, okay fine, but they could have said go online or come back later or something, but it very much felt like it was we don't want the opposition here and we're going to make sure that you're not discussing the opposition. Ms. Oxley continued that it was a very casual event and there was no campaigning by Councilmember Juarez but the signage and the materials and everyone wearing the t-shirts all in campaign colors, in the background, it definitely felt like a campaign event, and all she and Ms. Moon were doing were passing out a couple of flyers to people who agreed to take them and she didn't think that anyone was going to confuse that with a campaign event. Ms. Moon said she didn't see anyone approach the Juarez staff.

Commissioner Brown stated part of his thinking was that it sounded like the staff had overstepped their bounds and weren't articulate at explaining some of the rationale, but he was not convinced that based on the information, that they were shutting down the opposition to assist the Councilmember's campaign. Commissioner Brown noted that may have been the case, but weighing the facts that had been presented, he was not convinced. Ms. Oxley said the bottom line was the question were they within their rights to be there, and were they within their rights to pass out cards to people, and if they were, then weren't those rights trampled by being asked to stop, especially by somebody who has power within City Hall. Commissioner Brown answered that yes, they were within their rights to be there, and without speaking for the commission, he would guess that everyone would agree that they were within their rights as a citizen, but the question before the commission is not whether it might have been a violation of their constitutional rights, but whether there was a violation of the City Code. City Code

prohibits people from doing things, on the city dime essentially, to assist with a campaign.

Commissioner Brown continued that in his mind, it was not clear that was the purpose of the request that they stop campaigning. Ms. Moon stated that she felt absolutely stopping a campaign from disseminating information absolutely helps the other campaign, to shut that down, helps that campaign. Commissioner Brown offered that could have been the intention but weighing the facts presented to them that it was not the intention, he is not certain that he could decide either way what that purpose would be. Ms. Moon asked what other purpose there could be and Commissioner Brown answered that based on the answer that was given to the Director by the staff member that there were people complaining that this was turning into a political event and they were trying to stop that from happening. Ms. Moon stated that absolutely didn't happen, that it was false and that they did not see anyone approach the Juarez table. Ms. Moon continued that there was a resident that she and Ms. Oxley talked to about a specific issue of concern to that person, and during that conversation they were being watched by the Juarez staff and as soon as the resident left, then Ms. Daitch came over to Ms. Moon and Ms. Oxley and Ms. Moon repeated that Ms. Daitch never stopped requesting that they quit campaigning, she just repeated it and repeated it until they agreed to stop. Ms. Oxley said that another question to ask was if the Juarez campaign staff was uncomfortable with people asking them questions, then why there was campaign staff at the event. The Director said he did not believe that the campaign staff was at the event. Ms. Oxley stated that was what Ms. Daitch was saying; that they were uncomfortable because they couldn't say anything if somebody asked them a question. The Director stated that was because they were there in their official capacity, they could not speak in favor of Councilmember's Juarez's reelection because they were there on public time. Ms. Oxley said it was her campaign staff, not her City Hall staff. Ms. Moon said she would submit that was

irrelevant whether or not they could talk, and Ms. Oxley agreed and continued because that wasn't her free speech right, that was theirs.

The Chair noted that the narrow question before the commission was to decide whether there was a rational basis for the Executive Director's decision, and whether the question or demand maybe or request to stop distributing campaign literature at a public park rises to the event of affirmatively for the purpose of assisting a campaign for election. The Chair stated he did not believe the evidence clearly demonstrated that, because there was a plausible explanation, though not the only one obviously, but a plausible one, that the staff member was trying to help their D5 event proceed and he did not find an irrational basis for the Director's decision. The Chair continued that in determining what was intended and not intended the commission should be careful to make sure there was clear evidence to support a violation of the Code and he was not convinced that this evidence very clearly shows that the Juarez staff was acting for the campaign's purpose. The Chair asked if there were any other commissioners who would like to speak. Commissioner Shordt stated that he agreed with the Chair that on the record before the commission there wasn't enough evidence that the decision by the Director should be overturned and to wholly support that an ethics violation was committed, he wasn't sure if the action was to take no action or to take a vote but he did not see evidence that the Director's decision be overturned. Commissioner Norton agreed with that she was also fine with not overturning the Director's decision. Commissioner Carter said that he concurred, but he wanted to thank Ms. Oxley and Ms. Moon for bringing this before the commission because he believed it was a rather close question and people need to be very careful when they are on the City's dime, they don't intentionally or inadvertently tread on other people's toes. Commissioner Taylor agreed. Mr. Smith said that the motion would be to affirm the Director's dismissal. The Chair

asked if there was a motion. A motion was made by Commissioner Brown to confirm the Director's dismissal and was seconded by Commissioner Taylor. The Chair asked if there was any further discussion, and hearing none, called for a vote. The motion carried unanimously. Ms. Oxley and Ms. Moon thanked the commission for hearing them out, and they were thanked by the commissioners in return.

4) Lobbying law

The Director introduced the three versions for the commission to consider. The first version was the binding act version, which would regulate lobbying of virtually all executive department decisions. The second was the legislation and rulemaking version, which would regulate rulemaking at the departmental level. The third was similar to what currently exists, which regulates only legislation. The Director drew the attention of the commission to one proposed change across all three versions, where previously the law required three quarterly reports and then one annual report, which never failed to cause confusion to many lobbyists who file a fourth quarterly report instead of an annual report. The proposed change would require only four quarterly reports and no annual report. The Director also noted that in all three versions there is also an addition of grassroots lobbying limits. The other change, which is what got this all started, is that lobbyists who also perform political consulting services for a campaign would include that activity on their lobbying reports.

The Chair thanked the Director and the City Attorney's office for working to provide language that would give a much broader scope and noted it was disappointing that they haven't had more support and information from the executive branch to provide the commission with some clarity on how the regulations would work on a department level. The Chair offered that

without that information it was difficult for him to feel comfortable with going broader than what has been the law all along.

Commissioner Carter stated that he was opposed to going into the rule making, even though he believes he was the one who first asked why the legislation didn't cover rulemaking. Commissioner Carter said that he continued to ask himself whether there is any conflict or corruption or scandal within the city in this area and he hasn't seen any. Since it would likely be costly to implement such reporting requirements and there did not seem to be a problem in that area, he would suggest that the commission not go into rule-making and regulating such rule-making and he was sorry there was so much work created without finding a real problem. Commissioner Taylor noted that she felt the same way about the binding act version, and she believed she was the one had asked for such a version to address land use decisions and procurement contract decisions, because her gut feeling is that there has to be pressure there within those departments in the city, but she doesn't feel that she knows nearly enough to actually legislate around it and that curiosity and gut feeling are not enough to change the law.

Commissioner Brown agreed. Commissioner Norton also agreed and said that she thought it was better to start narrower and then if they see something, they can start broadening but the legislation only version would be a good place to start. Commissioner Shordt also agreed with starting narrow and thanked the director and staff and attorneys and team for putting together the different version. Commissioner Shordt continued that he really liked the binding version because he believes Seattle can be a leader in this area and they probably do not have to look too far to find that there is pressure in procurement and land use in any city the size of Seattle and he believed that many peer cities have lobbying regulations and provisions in place for those reasons, but as Commissioner Carter and others have said, nothing has been presented

before the commission to suggest this is a problem. Commissioner Shordt also expressed his disappointment in the city for not really taking the commission up on its offer to have some of the agency heads or leaders provide more robust comments and he doesn't know if that means they don't feel that it is a problem or it is not an area worth exploring, but he would like to thank staff for great work. He really liked the legislation but agreed that he does not know enough to recommend legislation that would go beyond the legislative piece, whether it is rulemaking or the other binding acts. The Chair noted that it sounds like the commission largely has a consensus with which version they would like to move forward with and it also sounds like there was a consensus with disappointment on not receiving more information from the executive or the other departments. Since the commission is just making recommendations to the Council, and the Council can use its power of having public hearings on this information, hopefully that will inspire some broader participation.

The Chair stated there was one thing he did notice was that there was a blank spot for where the lobbyists would register and pay a fee. The Director stated that was in this proposal, but the executive letter did call into question why the fee was needed, and the fee was proposed because there have been repeated requests for additional money to administer the program. The office is administering both ethics and elections, and lobbying is kind of the lowest priority. Elections has exploded in the last ten years from 15 candidates to 55 and the office no longer has the resources to do an effective job regulating lobbyists. The Director stated that he would be in favor of noting that the fee is their second choice, and that he would rather have additional staff to administer the program. Since Councilmember González mentioned something about that at the last meeting, he would like to see some movement around getting the personnel to really administer the lobbying program. The Chair noted there was also discussion about creating an

exception for non-profits on page 13, and that seemed worth discussion prior to making a motion. The Director said that his understanding of the briefing the commission received on that issue a few weeks ago from Assistant City Attorney Jeff Slayton was that there are legal issues with creating a fee that differentiates between people doing the same thing, and that is the caution around doing that, so the Director offered that in the transmittal letter to the Council he could ask them to address ways to minimize the impact of a fee on nonprofits. The Chair said that was a great suggestion and asked if there were any other thoughts or comments or if someone would like to make a motion.

Commissioner Taylor moved to approve the legislative version of the proposed ordinance. The motion was seconded by Commissioner Norton. The Chair asked if there was any further discussion and asked if the motion would include a transmittal letter from the Director and Commissioner Taylor answered yes. The motion passed unanimously, with no opposition and no abstention. The Director asked if the commission would like him to prepare and send over the transmittal letter, or if the commission would like to review a draft version, and the commissioners briefly discussed it and said they do not need to review the transmittal letter.

5) Executive Director's salary and merit leave (possible executive session)

The Chair asked for context from the Director and then noted there would probably be a brief executive session. The Director stated that the labor unions and the City have negotiated a 4% Annual Wage Increase (AWI) retroactive to January 1, 2019 and going forward a 3.6% increase effective the first pay period of January 2020. The Director cannot approve that for himself, and noted that the AWI has taken the place of the Cost of Living Adjustment (COLA), which is not a raise but aims to keep up with the cost of living or inflation, and the Director will leave that approval to the commission to take up in executive session. The Director also noted

that per Commissioner Brown's suggestion last year, there were goals for the year that were outlined, and the Director provided an update of the status of those goals and offered to answer any questions the commissioners may have about the status of those goals and noted that the commission could award him merit leave of between zero and six days.

Commissioner Carter said that during his earlier years on the commission they labored over the whistleblower protections and said he understood there was a backup and wanted to know what was happening. The Director answered that it wasn't that there was a backup, it is that when a whistleblower comes to the office they are frequently in jeopardy of losing their position, and they retain legal counsel and one of things that their lawyers recommend is to file a retaliation complaint with the office. They are not often easy to get information from through their counsel and it is not easy to get those resolved within 90 days. Commissioner Carter asked if there were situations where the person comes to the office and says I'm concerned, I blew the whistle, here's my complaint, and now they are trying to fire me, which he supposed would be a cleaner process. The Director answered that retaliation complaints tend to be messy almost by definition. Commissioner Taylor asked how many there are over a year. The Director answered that there are generally less than a dozen, and one a month was a rough rule of thumb. Commissioner Taylor asked if he knew the average days to closure were and noted that was a key performance indicator that she was actually measured on. The Director answered that he really did not have that information, and there was a difficulty to knowing what to measure, but he did not believe the cases were just sitting on desks, and he thought they were doing a good job or else there would be complaints, but he did not have the metrics to show.

The Chair asked for executive session for 15 minutes to evaluate the performance of a public employee. At 1:01pm the commission returned to public session; and the Chair noted that

Commissioner Shordt had to leave the meeting. The Chair stated that the issue before the commission was the merit leave and AWI for the Executive Director, and noted that there was a third point, about a base pay increase, but the commission wanted a little more information about that third topic and the Chair indicated he would talk to the Director about that offline.

The Chair asked for a motion. Commissioner Brown made a motion to approve the increase in the AWI consistent with what was represented in the memo. The motion was seconded by Commissioner Carter. The motion was approved unanimously.

The Chair stated that the second issue was the question of merit leave and asked if there was a motion. Commissioner Carter moved that the Director be awarded the maximum amount of merit hours, saying that the Director has done an excellent job with staff and fully implementing the massive Democracy Voucher program that has been a success. The motion was seconded by Commissioner Taylor. The Chair noted that it had been a very challenging year in many ways and thanked the Director for all his hard work for the commission on behalf of the City of Seattle. The motion passed unanimously. The Director thanked the commission.

Discussion Items

6) I-122 report

Democracy Voucher Program Manager René LeBeau stated that she was providing an updated format to the commissioners, with relevant numbers at the top, and she would try to get that to the commission a little earlier next time. The basic message from looking at the numbers was that everything doubled this election year. They went from 1-2% of people contributing before the program began up to 4% in 2017 and in 2019 it went up to 8% so she was planning for another doubling. The last day for the vouchers to be received was Friday, November 29, 2019,

and after the vouchers received by that date are entered into the system no more will be put into the system until 2021.

Ms. LeBeau continued that they were now working on gathering information for reports, and that they were working on an outside analysis with BERK, and BERK will be providing all the demographic information, and they are currently focusing on reaching out to campaigns, beginning with those campaigns who did not make it through the primary and getting feedback from those folks. Some of the things that Ms. LeBeau will be looking at are the mail out date, the spending limits, and the release process; as well as the value of the voucher, to see if those are still working for the program. Those questions will also be asked of the residents, when that phase of the communications have begun, and they hope to have the final report by May 1.

Ms. LeBeau noted that if there are any preliminary reports, those will come in as critical items come up, in case there need to be legislative discussions around change, trying to give as much time as possible for good discussion. Ms. LeBeau will also be producing a biennial report which will be a nuts and bolts process and cost analysis to help with budget and staffing planning for the future. Annie Tran and Ms. LeBeau also just finished up the review of the Community Based Organizations (CBOs) and they will be writing up their key findings to share with the commission and what changes there might be to that process to help with community outreach. The final issue, which Ms. LeBeau stated the Director would address, was staffing. Ms. LeBeau asked if there were any questions from the commission.

Commissioner Brown said that he liked the new format and that it was really helpful, and Ms. LeBeau said that Ms. Tran came up with that layout, but she was on vacation right now. The Chair asked about any hindsight, now that the election is done, if there was anything she thought now that she didn't six months ago, or if there were any major surprises or things that she would

do differently. Ms. LeBeau answered that they were literally ripping the program down again in terms of the system and the documentation and how the whole flow works and trying to squeeze out minutes and seconds wherever they can to get the most efficiencies. Ms. LeBeau also said she was excited to be working on the candidate training piece with Polly Grow and trying to expand the training opportunities for candidates and people who are curious about working with campaigns and all the new folks who were interested. Ms. LeBeau noted that staffing was an issue, and that she was a wee bit understaffed for her own needs. Ms. LeBeau continued that it was really exciting and great to go out into the community and be reminded that people are really excited about the program, that there are people who hold on to their vouchers for months, and that was a good refresher from just sitting in front of her computer.

Commissioner Taylor asked about any messaging to the public that Ms. LeBeau would do differently next year. Ms. LeBeau said the launch date and reminding people that it was coming and getting information out during a challenging time of year. That was a message from residents and from the CBOs. Commissioner Carter said that since the lids were lifted a lot during the year, it would be interesting to see where the money came from before the lid was lifted, in terms of vouchers, and then also where it came from once the lid was lifted. Ms. LeBeau clarified if Commissioner Carter was asking about candidates being released from the limits and maybe residents gave \$100 dollars in vouchers originally and then after the release did the resident give another X amount of dollars and said that they could look into that question. Commissioner Carter stated that he thought it would be interesting, to see where the money is coming from when the vouchers are available versus when the vouchers have been exhausted and whether the vouchers are bringing in people who are not otherwise contributing.

Commissioner Carter continued that he was interested in those populations, but that Ms. LeBeau was in a better position to assess those populations than he was.

The Director added that he wanted to take a minute to recognize that Ms. LeBeau's stewardship of the program has been spectacular. The Director said he was speaking to someone back in 2017 and they told him, you don't know what a success it is just to not have failed. There have been so many ways something could have gone wrong and not a one of them has. They have been through two cycles so far and this last time was a zoo, and each time there have been no embarrassing headlines about this office's administration of the program and Ms. LeBeau has done great work. The commission applauded, and thanked Ms. LeBeau.

The Chair said that before going to the Director's report, he wanted to recognize that Ms. Judy Tobin is here as the Mayor's nominee for the commission and thanked her for joining them for this meeting.

7) Executive Director's report

The Director said that he just had a couple of things to cover; the first was the staffing issue that Ms. LeBeau mentioned. Chrissy Courtney is going to be moving from the front desk role into a role as a management analysis position with the Democracy Voucher Program. The Director stated that as the office moves into 2020 where we really have to analyze what worked well this year and what changes we need to make moving forward in a very short amount of time, Ms. Courtney will be making sure we do that in as organized and thoughtful a manner as possible. The Director continued that she was a tremendous asset to the office and hoped she would continue to be for years to come.

The Director brought up that the first Wednesday in January is January 1, so potentially if Wednesday, January 8 would work, that would make sense for the next commission meeting

and he would send out something around to see if that date would work for everyone. The Director noted that the other item was the election of officers, which was scheduled to be on the agenda for this meeting, but with the news that Vice Chair Hardeep Rekhi would not be reappointed, the line of succession is thrown into a little bit of flux, so the Director asked the commissioners to please be prepared to discuss a Chair and a Vice Chair, and hopefully vote on a Chair and a Vice Chair. Chair Donckers will remain the Chair until or if replacements are made. The Director just noted that it would be ideal if the commission could elect a Chair and Vice Chair in January, so to be thinking about that, but to please not talk to each other in a way that would violate the public meetings act, but to consider the matter. The Chair stated that he wanted to recognize the contributions and good work Vice Chair Rekhi brought to the commission, he was always prepared and contributed, and he will be missed. The commissioners agreed.

The Special Commission meeting of December 2, 2019 adjourned at 1:15 p.m.