

Seattle Ethics and Elections Commission Regular Meeting

October 7, 2015

The regularly scheduled meeting of the Seattle Ethics and Elections Commission convened on October 7, 2015 in Room 4080 of the Seattle Municipal Tower, 700 Fifth Avenue. Commission Chair Bruce Carter called the meeting to order at 4:02 p.m. Commissioner Eileen Norton was in attendance. Commissioners Charlene Angeles, Rich Cohan and Brendan Donckers were present via telephone. Commissioners Brad Axel and Bill Sherman were not in attendance. Executive Director Wayne Barnett and staff members Anthony Adams, Kate Flack, Polly Grow, Gary Keese and Steve Townsend were present. Assistant City Attorney Jeff Slayton was also in attendance.

1) Public Comment

Alex Tsimerman and Queen Pearl both addressed the Commission.

Action Item

2) Meeting minutes for September 2, 2015

Commissioner Norton moved to adopt the minutes from the September 2, 2015 Regular meeting. Commissioner Donckers seconded. The minutes from the September 2, 2015 Regular meeting were unanimously approved.

3) Appeal of dismissal in Case No. 15-0722-1

Alex Tsimerman presented his argument for rejecting the Director's dismissal of the complaint filed by him and Queen Pearl. He said that his campaign for the City Council was harmed by the City's decision to trespass him repeatedly from City buildings.

Queen Pearl also argued against the dismissal. She said that she had been targeted because of her association with Mr. Tsimerman.

Commissioner Norton moved to dismiss the appeal. The Chair seconded. The appeal of dismissal in Case No. 15-0722-1 was unanimously affirmed.

***) Settlement with former employee for preforming official duties without disclosing appearance of conflict of interest. (\$2,500)**

The Executive Director summarized the agreement for the Commission. He said that Ms. Russell's dealings with a contractor would appear to a reasonable person to impair her independent judgment.

Commissioner Norton asked how the parties had arrived at a \$2,500 penalty. The Director said that the penalty was similar to one approved by the Commission in the past for a similar violation.

Commissioner Norton moved to approve the settlement as recommended. The Chair seconded. The motion carried unanimously.

4) Widely shared financial interests and the City's Ethics Code

The Director summarized the issues for the Commission, noting that this item had been on the agenda earlier in the year.

Commissioner Norton and the Chair both expressed reservations about amending the Code. Commissioner Norton was concerned about opening up an avenue for elected officials to participate in matters in which they had a financial interest. The Chair said he wanted more evidence of the harm done by the current rule.

The Director pointed to the ongoing debate over landlord/tenant issues as one that squarely presented the issue. Several City Councilmembers own rental property. If the Code

remains unchanged, residents of districts represented by those councilmembers will not have an equal say in the City's consideration of legislation governing landlords and tenants. It is not ethics that is driving the call for a code change, it is a concern for fair representation as the City moves to Districts.

Commissioner Donckers said he was concerned about his District Councilmember not being able to vote on a downtown LID, a matter of great interest to the District, but not Citywide.

Discussion Items

5) Late-filing penalty for Vote Sawant committee (\$500)

In reply to a question from Commissioner Donckers, the Director confirmed that the Vote Sawant committee's treasurer said he did not understand that weekly reporting continued immediately after the Primary Election. Commissioner Norton asked whether the committee's treasurer was the same individual who performed those duties in 2011, and the Director confirmed that it was the same individual.

6) Executive Director's report

Mr. Barnett told the members in attendance that the terms of Commissioners Angeles, Axel and Cohan all expire at the end of 2015. Commissioners Cohan and Axel have both indicated that they will not seek reappointment. Since Commissioner Cohan is a Commission appointee the Commission will need to choose a new commissioner. The Director proposed providing notice of an opening immediately, reviewing applications at the November meeting and interviewing and choosing a new commissioner at the December meeting. The Commission agreed with that plan.

The Regular Commission meeting for October 7, 2015 adjourned at 5:08 p.m.