

**Seattle Ethics and Elections Commission Regular Meeting  
July 6, 2016**

The regularly scheduled meeting of the Seattle Ethics and Elections Commission convened on July 6, 2016 in Room 4080 of the Seattle Municipal Tower, 700 Fifth Avenue. Commission Chair Eileen Norton called the meeting to order at 4:05 p.m. Vice-Chair Brendan Donckers and Commissioners Bruce Carter, Alexandra McKay, Vickie Rawlins and Hardeep Rekhi were in attendance. Commissioner Charlene Angeles was absent. Executive Director Wayne Barnett and staff members Kate Flack, Polly Grow, Rene LeBeau, Marc Mayo, Jenna Smith and Annie Tran were present.

**1) Public Comment**

Al Smith commented that he believed the Ethics Code was inadequate, since it provided no avenue for pursuing the City's actions in connection with the tree that fell in Seward Park in March and killed a man.

**Action Items**

**2) Meeting minutes for June 1, 2016**

Commissioner Rawlins moved to approve the minutes from the June 1, 2016 Regular meeting. Vice-Chair Donckers seconded. The minutes from the June 1, 2016 Regular Commission meeting were unanimously approved.

**3) Settlement with SDOT Director Scott Kubly**

Acting Executive Director Marilyn Brenneman began by saying there was no evidence that Mr. Kubly stood to benefit financially from his violations. She then said that Mr. Kubly had been trained and received guidance on complying with the Ethics Code, but had not followed that advice. She then moved on to an overview of the settlement and the reasons she believed the Commission should adopt the settlement. After asking several questions of Ms. Brenneman and

hearing responses, the Chair announced that the Commission was going into executive session for 15 minutes to discuss the settlement.

The Commission emerged from executive session at 4:37, at which point Vice-Chair Donckers made a motion to postpone a vote on the settlement until the Commission had heard from Mr. Kubly. Commissioner Carter seconded the motion and the vote in favor of the motion was unanimous.

#### **4) Rule 15, Monetary Thresholds**

The Director explained that after the passage of I-122 the monetary thresholds in the Commission's rules were no longer correct. I-122 sets in stone the thresholds for a period of two years. Adopting a rule consistent with the law will eliminate a potential source of confusion for campaigns.

Commissioner Rawlins made a motion to adopt the draft rule, and Commissioner Carter seconded the motion. The vote to adopt Rule 15 was unanimous.

### **Discussion Items**

#### **6) Ethics Code amendment status report**

The Director said that the Ethics Code amendment that the Commission had submitted to the City Council had passed out of committee unanimously, but had run into opposition when it went before the full Council. In reply to a question from Commissioner Rawlins, the Director shared that Councilmember Burgess has proposed language that the Commission expressly rejected when it made its recommendation to the City Council.

#### **3) Settlement with SDOT Director Scott Kubly (continued)**

Mr. Kubly began by apologizing for not being present at the start of the meeting. He then said that he took responsibility for his violation, and assured the Commission that it wouldn't

happen again. After Mr. Kubly responded to questions from Commissioners, the Chair told him that his department looks to him to set the ethical tone, and that if they perceive that something is not important to him it will not be important to them. The Chair then announced another 5-minute executive session.

After returning from executive session, Vice-Chair Donckers made a motion to adopt the settlement, which Commissioner Rawlins seconded. The vote to accept the settlement was unanimous.

**5) I-122 status report**

Rene LeBeau updated the Commission on the progress of the Voucher Program. She reported that the work building out the physical space was almost complete, reported on the status of the procurement activities, and reported on work to build the program's website.

Jenna Smith then provided details on the work of the advisory group.

The Director provided a preview of the rulemaking to come.

**6) Executive Director's report**

The Director told the Commission that Anthony Adams would be working out of class for six months, and that that he was working to find a temporary employee to staff the front desk until Anthony returned.

**The Regular Commission meeting for July 6, 2016 adjourned at 5:11 p.m.**