

**Seattle Ethics and Elections Commission Special Meeting
July 12, 2017**

A special meeting of the Seattle Ethics and Elections Commission convened on July 12, 2017 in Room 1600 of the Seattle Municipal Tower, 700 Fifth Avenue. Chair Eileen Norton called the meeting to order at 4:02 P.M., Vice-Chair Brendan Donckers and Commissioners Charlene Angeles, Bruce Carter, and Vickie Rawlins were in attendance. Commissioner Hardeep Singh Rekhi participated via telephone. Executive Director Wayne Barnett and staff members Anthony Adams, Polly Grow, Rene LeBeau, Marc Mayo, Jenna Smith and Annie Tran were present. Assistant Seattle City Attorney Gary Smith was also in attendance.

1) Public Comment

Alex Tsimerman, Marguerite Richard, and A.J. Honore all made public comment.

Action Items

2) Regular meeting minutes for April 5, 2017

Commissioner Rawlins moved to approve the Regular meeting minutes from the April 5, 2017 meeting, and Commissioner Angeles seconded. The Regular meeting minutes from April 5, 2017 were unanimously approved.

3) Regular meeting minutes for June 7, 2017

Commissioner Rawlins moved to approve the Regular meeting minutes from the June 7, 2017 meeting, and Commissioner Angeles seconded. The Regular meeting minutes from June 7, 2017 were unanimously approved.

***) Petitions for release from Spending Limit: People for Teresa and People for Jon Grant**

The Director told the Commission that the two committees had requested relief from the democracy voucher program's \$150,000 spending limit because the combined fund raising and spending of Sara Nelson's campaign for City Council Position 8 and People for Sara Nelson, an independent expenditure committee advocating her election, totaled \$155,438.00. The law says that the Commission shall release a committee from the spending limit when spending on behalf of another candidate has "materially" exceeded the limit.

The Chair asked whether \$5,000 was "material." The Vice-Chair indicated that he believed it was material, as did Commissioner Angeles. Commissioner Rekhi agreed that material did not mean substantial. Commissioner Rawlins posited that material meant consequential, as opposed to *de minimis*.

The Vice-Chair moved to grant the requests of Teresa Mosqueda and Jon Grant to be released from the campaign spending limit. Commissioner Carter seconded. The motion to release the petitioners from the spending limit was unanimously approved.

4) Mayoral candidate Jenny Durkan's Request for Financial Affairs Statement Reporting Modification

The Director reported that the PDC had granted the exemption to Ms. Durkan. He said that the law gave the Commission the authority to grant an exemption on the grounds that the state had done so.

Commissioner Rawlins moved that mayoral candidate Jenny Durkan's request for Financial Affairs Statement Reporting Modification be granted. The Vice-Chair seconded the motion. The motion was unanimously approved.

5) Rule regarding releasing Democracy Voucher candidates from the spending and contribution limits

The Director recommended the Commission table the discussion of the first part of the rule, pending further staff analysis. He said he was concerned about the draft before them having unintended consequences. Commissioners concurred, saying they would like to hear from campaigns potentially impacted by the rule.

The Commission next discussed when the Director can “call” an election, with Commissioner Angeles questioning the use of the “beyond a reasonable doubt” standard. The Vice Chair asked the Director whether he thought the standard provided him sufficient guidance, and the Director replied that he believed he could administer that standard.

The Chair moved to adopt Rule 16.H.2 regarding releasing Democracy Voucher candidates from the spending and contribution limits. Vice-Chair Donckers seconded. The motion was unanimously approved.

Discussion Items

6) Dismissal of Case No. 17-2-0328-1

Commissioners had no comments or questions on the dismissal.

7) I-122 status report

Rene LeBeau reported that the office had received approximately 21,000 Democracy Vouchers from approximately 6,000 participants.

The Chair asked whether the staff knew the breakdown of voters versus non-voters of those who had returned vouchers, and Ms. LeBeau said she did not have figures on that.

8) Executive Director’s report

The Executive Director informed the Commission that the Democracy Voucher Program had been sued. Assistant City Attorney Gary Smith told the Commission that the City’s initial response was due on July 20, 2017.

The Director also shared that the investigator position remained vacant, and that he would be doing a needs assessment in the near future.

**The July 12, 2017 Special meeting of the Seattle Ethics and Elections Commission
adjourned at 5:05 P.M.**

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