

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

**October 6, 2010**

The regularly scheduled meeting of the Seattle Ethics and Elections Commission convened on October 6, 2010 in Room 4080 of the Seattle Municipal Tower, 700 Fifth Avenue. Commission Chair Robert Mahon called the meeting to order at 4:02 p.m. Vice-Chair Tarik Burney and Commissioner's Rich Cohan, Lynne Iglitzin and Bill Sherman were present. Commissioner Ranade joined the meeting at 4:10 p.m. and Commissioner Michele Radosevich was absent. Executive Director Wayne Barnett and staff members Anthony Adams, Kate Flack, Polly Grow and Mardie Holden were also in attendance, as was Assistant City Attorney Jeff Slayton.

### **1) Public Comment**

There was no public comment.

### **Action Items**

#### **2) Approval of minutes from the September 1, 2010 regular meeting.**

Commissioner Cohan moved to approve the minutes as drafted, and Commissioner Sherman seconded the motion. The minutes from the September 1, 2010 regular meeting were unanimously approved.

### **Discussion Items**

#### **3) Whistleblower Code review**

Staff presented the first memo associated with the Whistleblower Code review, which the Executive Director said e expected would take three or four meetings to complete. The Executive Director and Ms. Flack both believe that the current ordinance needed to project a clearer and

more concise understanding of what protections a potential whistleblower is afforded. Under the current format, initiators don't have a clear understanding of their rights, responsibilities and limitations.

Commissioners were receptive to the changes suggested by staff. Commissioners asked whether the City's code could be changed to promise confidentiality to whistleblowers. Mr. Slayton doubted that would be possible given the State's Public Disclosure Act. Staff agreed to study the issue and report back at a subsequent meeting.

Commissioner Sherman had questions about how a whistleblower would be treated if he or she first disclosed to a coworker, friend or confidante before filing a complaint with the SEEC. Staff agreed to look at that issue as well.

#### **4) Gift Cards**

The Executive Director reported that staff is receiving more and more inquiries about whether employees may accept gift cards from Starbucks and the like, generally of minimal value.

The Executive Director said that gift cards can be looked at in one of two ways. On the one hand, they are cash equivalents, which makes them suspect. On the other hand, they are generally of minimal value -- \$5 or \$10 -- and it seems unlikely that such a minimal gift could influence an employee's official actions. Commissioner Cohan said that he has instituted a zero tolerance policy at his workplace, in accordance with IRS policies that define a gift card as compensation, and he does not believe it is appropriate for vendors to "compensate" employees for their services.

Several commissioners said that they believed the treatment of gift cards should be handled with a change to the Ethics Code. Commissioner Ranade said that he was reluctant to move so aggressively over such a minor matter as a \$5 gift card.

Staff agreed to research what other jurisdictions are doing with gift cards, and report back to the Commission. Commissioners also asked the Executive Director to have a department employee address the Commission on the extent of the problem.

**5) Late-filing penalty: People for Bobby Forch (\$200)**

Bobby Forch paid his late filing penalty of \$200 prior to the Commission meeting. Commissioners had no questions about this agenda item.

**6) Late-filing penalty: O'Brien for Seattle (\$500)**

Councilmember O'Brien paid his late filing penalty of \$500 prior to the Commission meeting. Commissioners had no questions about this agenda item.

**7) Executive Director's Report**

The Executive Director reported that the budget for the S.E.E.C. for 2011 would be approximately \$687,000. He explained that the increase over 2010 is the result of higher voter pamphlet expenses that the Commission anticipates in 2011, as well as an increase in the department's unemployment insurance budget.

The October 6, 2010 Seattle Ethics and Elections Commission Regular Meeting adjourned at 5:40 P.M.