

Seattle Ethics and Elections Commission Regular Meeting

March 2, 2011

The regularly scheduled meeting of the Seattle Ethics and Elections Commission convened on March 2, 2011 in Room 4080 of the Seattle Municipal Tower, 700 Fifth Avenue. Commission Chair Robert Mahon called the meeting to order at 4:00 p.m. Vice-Chair Bill Sherman and Commissioners Rich Cohan, Lynne Iglitzin, David Mendoza and Amit Ranade were present. Commissioner Tarik Burney was absent. Executive Director Wayne Barnett and staff members Anthony Adams, Bob DeWeese, Polly Grow, Kate Flack, and Mardie Holden were present. Assistant City Attorneys Jeff Slayton and Carlton Seu were also in attendance.

1) Public Comment

There was no public comment.

Discussion Item

6) 09-WBI-0301 (SCL Security Upgrades)

After the Executive Director summarized the report for the Commission, Seattle City Light employee Tom Parks was recognized to address his objections to the staff's report. Mr. Parks said that safety in the workplace is a paramount concern. He said that a project that results in an injury or illness is a failure. He said that the staff's report contained many inaccuracies.

He said that he had made some assumptions that turned out to be incorrect, which in his opinion, he has taken responsibility for. But he said there was not a gross deviation from the standard of care on anyone's part, and that he had not done anything improper. He said this was a case where the crew of workers was doing the best they could under trying circumstances.

The Chair told Mr. Parks the Commission does not take any formal action on whistle blower complaints.

Action Items

2) In re Teri Woods

City Attorney Jeff Slayton represented Executive Director Wayne Barnett. Ms. Woods did not attend the hearing.

Following Mr. Slayton's presentation, the Commission at approximately 4:48 p.m. went into Executive Session to deliberate. At approximately 5:09 p.m. the S.E.E.C. returned from its Executive Session. Commissioner Ranade moved to find Teri Woods in violation of the Ethics Code and impose a \$2,000 fine, Commissioner Cohan seconded the motion. The motion was unanimously approved.

3) Approval of minutes February 2, 2011 meeting

The Chair asked that a sentence about the Commission's voters' pamphlet rule be revised to make it clear that the wording of the rule was not compelled by State law.

Vice-Chair Sherman made a motion to approve the minutes as amended, which Commissioner Iglitzin seconded. The minutes from the February 2, 2011 Commission meeting were unanimously approved as amended.

4) Advisory Opinion 11-01 (Post-employment restrictions)

The Executive Director said that the key term that is interpreted in this draft opinion is "matter." The Executive Director noted that staff has been wrestling with how to interpret this term in a manner that is consistent with both the letter and the spirit of the law. Under this draft

opinion, much of the activity in which the employee was engaged while with the City does not constitute a “matter.”

The Chair suggested that staff work to craft a rule that would provide clarity on the definition, and which would do more than an advisory opinion to make former employees aware of the Commission’s consideration of what was allowable and not allowable under the Ethics Code’s post-employment restrictions.

Commissioner Cohan made a motion to approve the advisory opinion with one minor amendment, and Commissioner Iglitzin seconded. Advisory opinion 11-01 was unanimously approved as amended.

Discussion Items

5) Advisory opinion 11-01E (Social media)

The Executive Director summarized the draft opinion for the Commission, and asked the Commission whether or not they thought it was faithful to the guidance the Commission had offered at its January meeting. The Vice-Chair said he thought the opinion struck the right tone. He recommended making the draft’s treatment of third-party comments more explicit, and eliminating the references to “ceding editorial control,” and instead focusing on the standards under which an official can remove comments. Commissioner Cohan approved of the structure and the approach the Executive Director took in creating the draft.

The Commission asked the Executive Director to distribute the opinion to gather feedback.

7) Executive Directors Report

The Executive Director said he did not have anything to report that warranted keeping the commissioners further.

**The March 2, 2011 Seattle Ethics and Elections Commission Regular Meeting
adjourned at 6:05 P.M.**

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