

**Seattle Ethics and Elections Commission Special Meeting  
February 11, 2015**

A Special meeting of the Seattle Ethics and Elections Commission convened on February 11, 2015 in Room 4080 of the Seattle Municipal Tower, 700 Fifth Avenue. Chair Bruce Carter called the meeting to order at 4:00 P.M., Vice-Chair Kendee Yamaguchi and Commissioners Brendan Donckers and Eileen Norton were in attendance. Commissioners Brad Axel and Rich Cohan participated via telephone. Commissioner Bill Sherman was not in attendance. Executive Director Wayne Barnett and staff members Anthony Adams, Polly Grow and Kate Flack were present. Assistant City Attorney Jeff Slayton was also in attendance.

**1) Public Comment**

There was no public comment.

**Action Items**

**2) Meeting minutes for January 13, 2015**

Commissioner Norton moved to approve the minutes from the January 13, 2015 special meeting, and Commissioner Donckers seconded. The minutes from the January 13, 2015 Special meeting were unanimously approved.

**3) Adoption of rule establishing the roster of employees who must file Financial Interest Statements for 2014**

The Executive Director gave an overview of the annual process for collecting financial interest statements (FIS) from certain City officers, employees, and volunteers

The Chair opened and closed a public hearing on the adoption of the rule. There was no testimony.

Commissioner Norton moved to adopt the rule setting forth the roster of FIS filers for 2014. The Vice-Chair seconded. The rule was adopted by a unanimous vote.

#### **4) Advisory Opinion 2015-01E**

Seattle Channel General Manager John Giamberso thanked the Commission for its work on the opinion, and said the Channel would benefit from the guidance.

The Chair proposed changing the word “officer” to “official” on page 3, but otherwise said he would support the adoption of the opinion.

Commissioner Donckers moved to adopt Advisory Opinion 2015-01E. Commissioner Cohan seconded. Advisory Opinion 2015-01E was unanimously adopted.

#### **Discussion Items**

##### **5) Draft Office Fund Rule**

The Executive Director gave an overview of the work done so far on the rule, reiterating that this was a draft for discussion purposes, not a staff proposal.

He said that the most important change in the draft was a structural one. An expense would have to fit within one of the 11 categories to be appropriate. Under the current rule, the categories are just examples of reimbursable expenses, which leaves staff to decide on a case-by-case basis whether an expense is a public-office related expense.

The Director also said that the draft contemplated capping allowable travel expenses to mimic the City’s travel rules. In response to a question from Commissioner Norton, the Director said that he envisioned continuing to permit the office fund to be used for travel expenses for an official’s spouse (which wouldn’t be allowed under the City’s travel rules), but mimicking the City’s travel rules only insofar as they established dollar limits on how much could be spent on travel, lodging and meals.

The Vice-Chair asked whether the use of the word “person” in the rule referred to natural persons or whether it also referred to entities. The Director said that like the Elections Code and Rules, “person” referred to entities as well as people.

In response to a question from the Chair, the Director said that he had imported the definition of “events” from the gift rule into the discussion draft of the office fund rule. The gift rule excludes sporting and cultural events from the safe harbor for attending events at no charge.

Commissioner Donckers asked whether it made sense to permit officials to use their office funds for significant games – such as a World Series game or a Super Bowl – but to bar their use for less significant games. The Director said he would try to craft language to accomplish that goal.

#### **6) Late-filing penalties**

The Director outlined some potential ways for the Commission to enhance penalties for late-filed reports.

Commissioner Norton was in favor of significantly higher penalties for campaigns not in compliance with the Elections Code. She said that \$10 and even \$50 penalties are not sufficient to deter wrongdoing.

After discussing the options, the commission agreed to propose increasing the potential penalty to \$150 per day during the last 30 days of an election cycle, and to \$50 per day for the rest of the election cycle.

#### **7) Commission legislation**

The Director reported that he and Commissioner Axel had attended the Education and

Governance meeting and that the Committee was not inclined to adopt the Commission's recommendation to exempt some PACs from filing with the City. He said the question for the Commission was whether they wanted to push for the legislation or abandon the effort.

Commissioner Axel recommended abandoning the effort. His fellow commissioners concurred.

**8) Executive Director's report**

The Director said that he had nothing of interest to report.

**The February 11, 2015 Special meeting of the Seattle Ethics and Elections**

**Commission adjourned at 5:45 P.M.**