

Seattle Ethics and Elections Commission Regular Meeting

March 2, 2016

The regularly scheduled meeting of the Seattle Ethics and Elections Commission convened on March 2, 2016 in Room 4080 of the Seattle Municipal Tower, 700 Fifth Avenue. Commission Chair Eileen Norton called the meeting to order at 4:00 p.m. Vice-Chair Brendan Donckers and Commissioners Charlene Angeles, Bruce Carter and Vickie Rawlins were present. Commissioners Alexandra McKay and Hardeep Rekhi were absent. Executive Director Wayne Barnett and staff members Anthony Adams, Kate Flack, Polly Grow, Rene LeBeau, Marc Mayo and Bob DeWeese were present. Assistant City Attorney Jeff Slayton was also in attendance.

1) **Public Comment**

Queen Pearl said that Mayor Murray needs to be more available and accountable to the people.

Alex Tsimerman also called for more accountability in the Mayor's office. He demanded an investigation into this behavior.

Margaret Morales, a member of the Sightline Institute's research team, offered Sightline's support as the Commission worked to implement I-122.

Action Items

2) **Adoption of rule establishing the roster of employees who must file Financial Interest Statements for 2015**

The Director explained that each year many City officers and employees, as well as members of some boards and commissions, are required to file statements disclosing certain financial interests. The rule adopting the list of employees required to file must be adopted by Commission rule, and that list of employees had been amassed and the Director encouraged the Commission to adopt the rule.

Vice-Chair Donckers moved to adopt the rule establishing the roster of employees required to file for the 2015 calendar year. Commissioner Carter seconded. The adoption of the rule establishing the roster of employees who must file Financial Interest Statements for 2015 was unanimously approved.

3) Ethics Code Amendment

The Executive Director gave an overview of the draft legislation to amend the Ethics Code.

Vice-Chair Donckers asked whether “participation” was defined in the Ethics Code. The Director confirmed that “participation” is a defined term, and has a very broad scope, covering everything from advising to recommending to voting.

Commissioner Rawlins asked the Director what limits remained on Councilmember’s participation in matters in which they had a financial interest. The Director explained that this provision only addressed legislative matters. A Councilmember seeking a permit from an agency cannot under this provision unduly influence that agency.

Commissioner Angeles inquired about the frequency in which Councilmembers recused themselves. The Director said that this issue rarely comes up, with landlord/tenant legislation being the rare exception.

Vice-Chair Donckers made a motion to recommend the draft legislation to the City Council, and Commissioner Angeles seconded. The vote to recommend the amendment to the City Council was unanimous.

Discussion Items

5) I-122's bar on former high-ranking City officials and employees "participating in paid lobbying"

The Director said that he had been asked by a former official about the scope of the bar on lobbying under I-122.

Vice-Chair Donckers asked if the term "participating" was defined somewhere within the Lobbying Code, and the Director replied that it was not. He added that the definition of participation in the Ethics Code is not of much use in interpreting the Lobbying Code.

Vice-Chair Donckers said that in that case, the Commission would need to look to the plain meaning of the term.

Commissioner Angeles said that it was her understanding that the intent behind I-122 was that former officials and employees would be barred from lobbying and nothing more.

The Chair asked staff to conduct further research to determine whether other jurisdictions have dealt with this issue and report back to the Commission.

Action Items

4) Confirmation of two new staff members

The Executive Director introduced two new staff members to the Commission. Marc Mayo is a former Assistant City Attorney who he has hired to be the Commission's new trainer. Rene LeBeau comes to the City from King County Elections, and he has hired her to implement I-122's voucher program. Under the Commission's enabling ordinance, all new employees need to be confirmed by the Commission.

Commissioner Carter moved to confirm the two new hires, and Commissioner Rawlins seconded the motion. The vote to confirm the hiring of staff members Rene LeBeau and Marc Mayo was unanimous.

Discussion Items

6) Executive Director's report

The Director said that the 2015 Election Report was almost complete and would be releases shortly.

He also told them that the annual notice to employees regarding their rights and responsibilities under the Whistleblower Protection Code would go out in April.

The Regular Commission meeting for March 2, 2015 adjourned at 5:00 p.m.

DRAFT