

Seattle Ethics and Elections Commission Regular Meeting

September 5, 2018

The regular scheduled meeting of the Seattle Ethics and Elections Commission convened on September 5, 2018 in Room 4080 of the Seattle Municipal Tower, 700 Fifth Avenue.

Commission Vice-Chair Vickie Rawlins called the meeting to order at 4:01 p.m. Commissioners Nick Brown, Bruce Carter, and Eileen Norton were present. Commissioners Charlene Angeles and Hardeep Rekhi were not in attendance. Commission Chair Brendan Donckers joined the meeting by telephone but did not participate in the discussions. Executive Director Wayne Barnett was joined by staff members Polly Grow, Rene LeBeau, Shannon Leung, Marc Mayo, and Annie Tran. Assistant City Attorney Gary Smith was also in attendance.

1) Public Comment

Patrick Burke said that Sheley Secret is still claiming that he is responsible for the wrongdoing related to the voucher program in the 2017 campaign. He does not believe the charges against her should be dropped. Commissioner Carter clarified that the criminal charges against Ms. Secret had not been “dropped,” but that she was on a form of probation.

Action Items

2) Minutes of July 11, 2018 Special Meeting

Commissioner Norton moved to approve the minutes from the July 11, 2018 Special meeting, Commissioner Carter seconded the motion. The minutes from the July 11, 2018 Special meeting were approved unanimously.

3) Confirmation of new hire

The Director introduced Shannon Leung as the web developer and asked the Commission to confirm her hire. Commissioner Brown asked about the process and the Director replied that

one of the powers and duties of the Commission under SMC 3.70.100 is to “appoint an Executive Director, subject to confirmation by the City Council, and to confirm staff appointed by the Executive Director.”

Commissioner Norton moved to approve the hire, and Commissioner Carter seconded the motion. The motion carried unanimously.

Ms. Leung said she was excited to join the staff.

4) Request for Administrative Dismissal: Case No. 17-2-0721-1

The Director said that there was reasonable cause to believe that Sheley Secrest had violated the Elections Code, but that he believed that criminal proceedings related to her 2017 campaign were an appropriate response. He asked the Commission to administratively dismiss the case under its rules.

Commissioner Norton asked staff member Marc Mayo whether the charges against Ms. Secrest would be dismissed in two years if she abided by the terms of her continuance. Mr. Mayo replied that would be the case. He said that in two years, she would be able to say that she had not been convicted of a crime.

Commissioner Norton said that she did not agree with the dismissal.

Commissioner Brown disclosed that he had a prior professional relationship through the bar with Ms. Secrest. He asked what would happen if Ms. Secrest violated the terms of her continuance. Gary Smith replied that if the Commission dismissed the matter, it could not reopen it at a later time.

The Vice Chair asked whether there would be a record that the Commission had found Ms. Secrest in violation of the law. The Director replied that only the Commission could find a violation, and only after a hearing.

In response to a question from the Vice Chair, Mr. Mayo explained that under the continuance Ms. Secrest did not admit to a violation. Instead, she acknowledged that the police report would be the sole record if she violated the terms of the continuance.

Commissioner Brown asked whether the case could be stayed until the close of the criminal proceeding. Mr. Smith was doubtful of that course.

Commissioner Norton said that the conduct at issue here goes to the core of the Elections Code.

Commissioner Brown made a motion to administratively dismiss, and Commissioner Carter seconded. Commissioners Carter and Brown voted in favor of the motion, and Vice Chair Rawlins and Commissioner Norton voted against the motion. It failed on a 2-2 vote.

Commissioner Norton then made a motion to hold the matter over until the October meeting, so that more than four commissioners could participate in the decision. Commissioner Carter seconded the motion, and it passed unanimously.

5) Outreach contracting

The Director said that despite the staff's amazing outreach efforts, participation in the program by Seattle's historically underserved communities, especially immigrant communities, had been less than what he, and those who had promoted the Democracy Voucher Program, had hoped. BERK Consulting in its assessment of the program had recommended the Commission contract with community-based organizations rooted in those communities. He said that the Voter Education Fund, a project of the Seattle Foundation and King County Elections, provided a blueprint for what this kind of work might look like.

In response to a question from Commissioner Norton, the Director said that any contractors would have to be ones that did not endorse candidates or participate in election campaigns.

Commissioner Carter said the high schools were fertile grounds for this kind of effort.

Rene LeBeau said that this proposal had the support of the voucher program's advisory committee.

The Commission expressed its support for the proposal.

Discussion Items

6) I-122 status report

Ms. LeBeau said that the voucher program would be bringing on an intern to help with youth engagement in January. She also said that conversations were underway with the Department of Neighborhoods and the Public Library on outreach.

She then said that the development of the on-line portal was projected to cost \$390,000, with a go-live date in the middle of January.

7) Executive Director's report

The Director said that staffing continued to be the big story for 2018. While the Commission was bringing on Ms. Leung as a web developer, Anthony Adams left the part-time front desk position for a full-time job with the County. The Director and Ms. LeBeau were exploring bringing on a full-time person to support both the Commission and the democracy voucher program, and were working with the City's Department of Human Resources on what that job might look like. He said he was hoping to get someone hired in six weeks, but acknowledged that was a very ambitious schedule.

Commissioner Carter commented favorably on the on-line training module for commissioners. The Director said that he had passed along the feedback that the program didn't have any acknowledgement that a person had successfully completed the entire training.

The Director closed with an update on the 2018 Video Voters' Guide, reminding commissioners that the Commission now produces the guide every year, not just during municipal election years.

The Regular Commission meeting for September 5, 2018 adjourned at 4:45 p.m.

DRAFT