

City of Seattle
Ethics and Elections Commission
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Commissioners:

I submit this letter to appeal the finding stating Seattle City Councilmember Rob Johnson violated no ethics in taking a job with the future National Hockey League team in Seattle. Wayne Barnett, the Executive Director, informed me of his findings in a letter dated March 22, 2019.

Director Barnett's letter states "Councilmember Johnson told me that he was not seeking employment with the team..." and provides no other evidence such as emails searched, speaking to other City Council members or any other avenue which could have been pursued. There is no indication that the Seattle Ethics and Elections Office did anything more than asked Mr. Johnson if he had committed a crime.

The Seattle City Council and its members have a history of leaving a trail of emails, even when undertaking tasks such as illegal and unethical non-public meetings as in the case of their actions regarding the 'head tax' and its subsequent withdrawal. At the very least, Mr. Johnson's government email should be searched, and I would think his personal email should also be scrutinized. I think that it would be wise to ask for his schedule. I should imagine it would have be fruitful to talk with his colleagues, his political supporters and former private employers. Of course, those people involved with the future NHL team and his future employers should be interviewed.

A quick survey of other similar sized sports teams and their practice of hiring 'transportation advisers' might be in order. Is it common practice to pay someone full time to help with matters of 'getting fans and vendors' to and from your facilities, or is this more often done with consultants?

It matters not that the votes were not close. It makes no difference that 'the deal was a good one' for Seattle. The fact that the deal has been done and Mr. Johnson can deliver nothing new to his future employers is of no bearing.

First, we do not know—probably can never know—what took place, in amongst the weeds, in the details of the putting together the deal between the city and the NHL team. There may be small, seemingly inconsequential items which mean a lot to the new team, placed there without notice.

Second, if we cannot know of small details placed in documents in the early negotiations, we most certainly cannot know details left out.

But all of this might be nothing more than a red herring. Perhaps the hiring of Councilmember Rob Johnson has little to do with securing approval of the NHL team and all that goes with that, and more a matter of rewarding Mr. Johnson's efforts regarding 'developers' in general. Most of the people involved with sports teams ownership are not only involved with 'sports', but people who are successful in other economies: you made millions from building a chain of pizza stores and buy a team. Many sports teams owners are involved in development of real estate, the buying and selling of buildings, apartments and so on. I am unfamiliar with the individuals involved with the new Seattle

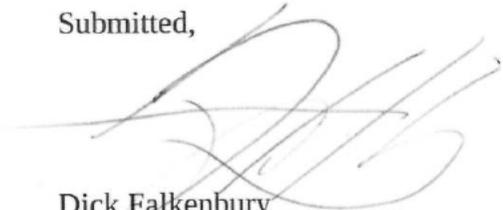
NHL team; maybe some of them are developers. Could it be that assigning a job with the NHL team is a good way to reward Mr. Johnson? I do not know this, but it is clear that the Commission did not look into this at all. This could be a problem even if the ownership of the new NHL team are not involved with any development in Seattle itself; they could be acting as part of a larger community of developers.

Finally, there is an over-arching concern. The current phrase is to say 'the optics are bad'. I prefer the use of another of our senses: 'this stinks to high heaven'. As I go about the city and speak to people, everyone is in agreement that it looks like Mr. Johnson accepted a job because of his actions on the City Council. No one I have talked to thinks it is proper that Councilmember Johnson has been hired by the very people who sought the Key Arena for their team. I have meet no one who views the matter as one without the appearance of impropriety. All shake their heads at the image of a public servant voting on a matter favorable to one faction and then turning around and taking a job with the very people seeking business with the city.

This is a problem beyond the current case at hand. Could not future factions, looking to do business with Seattle think that they can secure favor by hiring pubic servants? Would not public servants, seeing that there is no penalty for taking a job from a former supplicant before the city, weigh how they should vote and act?

I would hope that Councilmember Rob Johnson could rise to the occasion and simply seek employment elsewhere. Perhaps his actions crawl under the bar of 'illegal' but how refreshing would it be for him to move on and forego this questionable action? It is not the job of the Seattle Ethics and Elections Commission to ask for someone to voluntarily take the most ethical path but it is my hope that Mr. Johnson can see a way to do so.

Submitted,



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