

Seattle Ethics and Elections Commission Special Meeting

March 17, 2014

The Special meeting of the Seattle Ethics and Elections Commission convened on March 17, 2014 in Room 4080 of the Seattle Municipal Tower, 700 Fifth Avenue. Vice-Chair Rich Cohan called the meeting to order at 4:00 P.M., Commissioner Bruce Carter was in attendance, and Commissioners Brad Axel and Kendee Yamaguchi joined by telephone. The Chair and Commissioners Lorena González and David Mendoza were not in attendance. Executive Director Wayne Barnett and staff members Anthony Adams, Polly Grow and Gary Keese were present. Assistant City Attorney Gary Smith was also in attendance.

Action Items

1) Advice for the Department of Parks and Recreation regarding signs

The Parks Department asked whether it could erect signs at sites around the City where it owns land that it has not developed. The signs would read: “Thank You Seattle! Your support of the 2008 Parks and Green Spaces Levy provided funding to acquire this park space. Development of this site is dependent on future funding.”

With a Parks funding measure likely headed to the ballot in August, the Director told Parks that he could not approve the signs, but invited the Department to seek an opinion from the Commission. The Director told the Commission that in 2005, the Commission had ruled that the Mayor had used City facilities to advance his reelection campaign. The Commission articulated at that time a multifactor test, focusing on the tone, tenor, timing and distribution of a document. The Director based his advice to Parks on the fact that the signs would go in the field so soon before voters were asked to approve new funding for Parks.

Michael Shiosaki addressed the Commission on behalf of the Parks Department. He said the Department had long posted signs when it acquired sites with levy funds thanking the public for providing the funds to purchase the land. Only the addition of the sentence reading “Development of this site is dependent on future funding” was new.

Commissioner Axel said that the statement was a factual one, and he did not believe the Elections Code barred the signs from going up. He did not see the timing of the postings as dispositive.

Vice-Chair Cohan was concerned by the timing, but ultimately persuaded that the sentence was objectively truthful, and didn’t advocate for a vote for the ballot measure in violation of the Elections Code.

Commissioner Carter asked why the Department was only now thanking people for a 2008 vote, and the Mr. Shiosaki clarified that these signs would be posted at newly acquired sites. Signs are already posted at sites acquired in prior years.

Commissioner Carter motioned to approve the signs as permissible under the Elections Code, and Commissioner Axel seconded. The motion passed unanimously.

The March 17, 2014 Special Meeting of the Seattle Ethics and Elections Commission adjourned at 4:47 P.M.