

Seattle Ethics and Elections Commission Regular Meeting

July 8, 2019

A special meeting of the Seattle Ethics and Elections Commission convened on July 8, 2019 in Room 4080 of the Seattle Municipal Tower, 700 Fifth Avenue. Commission Chair Brendan Donckers called the meeting to order at 4:01 p.m. In attendance were Vice-Chair Hardeep Singh Rekhi, Commissioners Nick Brown, Bruce Carter, Richard Shordt, and Susan Taylor, and Commissioner Eileen Norton joined by phone. Executive Director Wayne Barnett was joined by staff members René LeBeau, Annie Tran, Polly Grow, and Chrissy Courtney. Staff members Tomica Ransaw and Marc Mayo joined for the first portion of the meeting but left early. Assistant City Attorney Jeff Slayton was present.

1) **Public Comment**

Alex Tsimerman, Marguerite Richard, and Paula Revere provided public comment.

Action Items

2) **May 29, 2019 special meeting minutes**

3) **June 5, 2019 special meeting minutes**

Meeting minutes for May 29 and June 5; Commissioner Taylor requested clarification to the June 5 minutes in the sentence “The City of Seattle and Jacksonville were currently the only two cities *of the 20 largest cities* [clarification phrase requested in italics] which also regulated lobbying who do not have any fees or charges associated with lobbying registration.”

Commissioner Brown made a motion to approve the minutes with that addition, the motion was seconded by Commissioner Shordt, and both sets of minutes were approved unanimously.

The Director asked the commission to go briefly out of order to address the requests for release from the Democracy Voucher Program spending limit of \$75,000. The Jay Fathi for Seattle campaign in District 6 and the People for Michael George campaign in District 7 for Seattle City Council petitioned for release from the Democracy Voucher Program spending limit due to independent expenditures from the Civic Alliance for a Sound Economy (CASE). CASE has done dual endorsements in those two districts, and the two candidates who are petitioning for release are also beneficiaries of the CASE independent spending. According to a June 27, 2019 report of expenditures, CASE is spending \$6,075 in support of both Jay Fathi and Heidi Wills and \$5,900 in support of Michael George and Jim Pugel. Due to the novel nature of the campaigns both being beneficiaries and the lack of information regarding the exact nature of the CASE spending, these requests are being brought to the commission.

***) Request for relief from spending limit – Jay Fathi for Seattle**

Dmitri Iglitzin, representing the Jay Fathi for Seattle campaign, was disclosed by the Executive Director to be a friend of his family, and the Chair disclosed that he was also friends with Erin Schultz, another representative who was present from the Jay Fathi for Seattle campaign.

Mr. Iglitzin is requesting a partial release from the Democracy Voucher Program law for the Jay Fathi campaign, due to the independent expenditures in combination with the money raised by the Heidi Wills campaign. Mr. Iglitzin argued that the factual basis for the request for release is clear under the law, since Jay Fathi is running in District 6 and Heidi Wills, one of his opponents in that district, has raised enough contributions with the addition of the CASE spending of \$6,075, plus another smaller amount, is enough to put the Wills campaign over the \$75,000 limit. The exact nature of the combined CASE expenditure is unknown at this time and

the argument is that the independent expenditure spending towards Jay Fathi's campaign by CASE has no bearing on the release from the spending limit for the Jay Fathi campaign, because it is also an expenditure in favor of an opponent.

Commissioner Carter asked whether Mr. Iglitzin's firm of Barnard, Iglitzin, & Lavitt LLP is representing CASE as well as the Jay Fathi campaign, and Mr. Iglitzin answered that they are not representing CASE, only the Jay Fathi for Seattle campaign. Commissioner Norton said she was intrigued by the question raised of whether the spending might be on a combined mailing and whether that would make a difference, because to her mind the expenditure being the same for both was kind of a wash, but noted that this situation was a first. Vice Chair Rekhi asked if the mailer had been seen by Mr. Iglitzin, and Mr. Iglitzin answered as far as he was aware, no one had seen the mailer yet. Vice Chair Rekhi said he understood the arguments presented by Mr. Iglitzin, but wondered whether if there was a combined mailer with both candidates, then would that be adverse to the Jay Fathi campaign or whether it would even favor one candidate if both names were on the mailer. Mr. Iglitzin answered that he believed the statutory language provided an alternative of either "adverse to the candidate" or "in favor of at least one opponent" and while he does not believe the mailer is adverse to the Jay Fathi campaign, it is the "in favor of at least one opponent" language in the law that Mr. Iglitzin argued fits the scenario for the Jay Fathi campaign. Mr. Iglitzin believes that while the CASE spending is favoring both of the candidates, it is favoring at least one of the campaigns that is an opponent of Jay Fathi, the Heidi Wills campaign.

Vice Chair Rekhi asked Mr. Iglitzin what the other additional expenditure amount was that had been mentioned and whether these amounts were hard numbers or valuations. Mr. Iglitzin answered that there was another expenditure of \$4.89 for Heidi Wills and another \$4.89

for the Jay Fathi campaign. The Director noted that the \$4.89 for each campaign was spent on Facebook ads, and that the amounts under discussion are estimates provided by CASE.

Commissioner Norton asked how much Jay Fathi had raised so far and the answer was close to \$75,000. Commissioner Shordt asked when the next reports are due, and the Director answered that the next reports were due at midnight of Monday July 8, 2019, which would show the exact number of contributions raised by each campaign at that time.

Commissioner Brown asked if the joint mailer had any particular requirements on how it is formatted or how it could be phrased; the Director says there is no particular set of requirements under Seattle law, but it has in the past been divided by the number of candidates that are represented. Commissioner Brown then asked Mr. Iglitzin if there is a mailer sent out for example, that recommended voting for Jay Fathi, but Heidi Wills would be a second choice would he consider that to have been in favor of the opposition. Mr. Iglitzin says that he believes it is mostly a theoretical question, but it would still be money spent in favor of Heidi Wills, because the expenditure was reported as being in favor of the Wills campaign. Mr. Iglitzin also indicated that given the absence of any allegation that the expenditure is not actually in favor of both candidates, but would be reported as such in order to negatively influence one campaign or the other, and based on the fact that the CASE expenditure was reported as being in favor of the Heidi Wills campaign, then the combined totals of the Wills campaign fundraising and the independent expenditure clearly exceed the \$75,000 limit, which compels the request for release.

The Chair offered that in this scenario, since there are so many other candidates, the dual endorsement of two candidates may be more likely to be in favor of one opponent, because the other candidates are not addressed. The Chair said that if he thinks about the race being between two candidates only, and a voter is looking at the race and says I'm going to vote for one of these

two candidates, and there is an expenditure for both, then the fact of the endorsement of only a single candidate could be the harm to the other candidates. Mr. Iglitzin said that Mr. Fathi is injured by the spending on behalf of the Heidi Wills campaign. The Chair noted that the amount of the spending and the fact that both candidates are so close to the limit brings him to the question of whether it is inadvertent or minor spending. Mr. Iglitzin addressed the question raised by the Chair to the extent of the inadvertent and minor clause in the law by answering that over six thousand dollars would not be inadvertent or minor. The Chair responded by pointing out that the amount reported as spending is an estimate, if the spending were really eight thousand dollars or two thousand dollars, that could change the scenario. Mr. Iglitzin said that waiting to receive the final numbers as opposed to using the reported estimate by CASE would be a problem because there seems to be no reason to assume that the amount reported in incorrect and that reported amount is not being challenged. Mr. Iglitzin continued that if one of Jay Fathi's opponents now says that Jay Fathi is over the limit due to the CASE expenditure, and a different opponent is released, but Jay Fathi is not released because he is sharing in the endorsement by CASE because the spending on his behalf is considered a wash, then there is opportunity for game playing by the other candidates and could provide perverse incentives.

Commissioner Norton said that she would not assume bad behavior by any one campaign, but said that if another candidate came in who was not close to the limit and they asked for release, then the low threshold for one campaign would not provide an opportunity for release. Mr. Iglitzin responded he doesn't understand the premise that one candidate would not be released because that candidate has received more than \$75,000 when their opponent has also received more than the limit, but would allow for another candidate who had not received more than the limit to be released. Mr. Iglitzin averred that the fact that the same amount was spent on

the Fathi campaign as on the Wills campaign does not allow for denial of the release of the Fathi campaign based on a clear reading of the law.

Commissioner Carter said that he didn't want the other candidates to be forgotten about, and noted that the other candidates would be somewhat protected if the commission denied the release of the Fathi campaign, by keeping the spending limits intact, and the other candidates would be exposed only to the independent expenditure. Mr. Iglitzin offered that if it were a different candidate coming before the commission and requesting release due to the independent expenditure on behalf of the Wills campaign, it would seem clear that the statutory language would require release. Commissioner Taylor says that she is not entirely convinced that the language in the law is clear because the words "in favor of" could be read in the sense of "in favor of" meaning "as opposed to" another candidate. Mr. Iglitzin acknowledged Commissioner Taylor's point, and says that the CASE expenditure is in favor of both candidates, as opposed to the other candidates, but says that the commonsense approach of the language of the law "in favor of an opponent" does not also say "exclusively in favor of your opponent" or "or in favor of your opponent but also not in favor of you" and that language is clear. Vice Chair Rekhi believes that the commonsense approach is the most troublesome as being contrary to the spirit of the statute because there is no information on when the ad or mailer is being released, there is no information on the exact nature of the spending, and there is no guarantee on the timing of the independent expenditure.

Commissioner Norton said that previously, when independent expenditures played a part, they were a known quantity, and it wasn't an anticipatory release. Commissioner Norton says that to her it is still a wash, and she would rather see the actual independent expenditure itself and she is not persuaded that the mailing favors or disfavors either the Fathi or Wills campaign.

Commissioner Brown noted that he was troubled by weighing independent various factors outside of the language of the law without any objective criteria and the language of “in favor of at least one” opponent does not direct the commission to weigh the outside factors or wait for some period of time once the request has been made. Commissioner Shordt asked if there were precedents for independent expenditure filings based on a valuation that was not accurate at the time of the release; for example, a situation where an expenditure was reported for anticipated spending on television ads to support a particular candidate, but then they decide not to support the candidate and so do not end up airing the ads. Commissioner Shordt voiced concern that the commission would set a precedent for releasing a candidate on the basis of an estimated valuation that turned out to be inaccurate at the time, and asked if there was a precedent for treating valuations as hard dollars spent versus estimates as reported. The Director answered that in 2017 there was no scenario where there was an estimate and not a hard spend, but did caution that waiting to decide until the hard numbers are in would put the Democracy Voucher Program candidates at a disadvantage because it would give the independent expenditure committees a lot of power to wait until the spend was done. The Director also noted that the message to campaigns and independent expenditure committees has been that once they have a good faith estimate of the cost, then there is a reporting obligation. The Director cautioned that giving the independent expenditure committees time to wait until the hard spend was completed to report the expenditure would create a disadvantage to the candidates participating in the Democracy Voucher Program.

Mr. Iglitzin argued that waiting to look at the actual independent expenditure instead of looking at the filing and reporting system that already exists, absent an accusation that CASE is misrepresenting the cost, there is objective evidence that CASE is spending six thousand and

some odd dollars for the Wills campaign and going down the road of weighing the potential impact of the spending is a road to madness if you try to parse the significance of the spending. The argument Mr. Iglitzin is presenting today is not that Jay Fathi should have been the sole recipient of the independent expenditure, but that it is clear that Jay Fathi's campaign meets the definition for release due to the spending in favor of the Wills campaign. Mr. Iglitzin thanked the commission for the great amount of time they allowed him, and the Chair thanked Mr. Iglitzin as well.

***) Request for relief from spending limit – People for Michael George**

The Chair asked that the representative for the Michael George campaign be allowed to speak. Josie Olsen said that she was here as a representative of the George campaign and they have a similar situation since Michael George was the recipient of a dual endorsement by CASE in Seattle City Council District 7, along with Jim Pugel. Ms. Olsen stated that the value of Jim Pugel's campaign as of Thursday, July 4, 2019, was \$69,619, and the value of the Michael George campaign was \$51,199 and the CASE expenditure for both candidates was an additional \$5,905, which would bring the Pugel campaign over the \$75,000 limit. Ms. Olsen noted that even with the CASE spending, the Michael George campaign remains under the \$75,000 valuation limit. Ms. Olsen also offered that when the independent expenditure is filed, there is an option to note who the independent expenditure is for or against, and so there is a clear way to tell that the independent expenditure was in favor of a particular candidate.

The Chair asked if there were any legal questions that would require executive session and Commissioner Carter said that he did have a legal question to be put to Attorney Slayton. The Chair decided the commission would be going into executive session at 4:57 p.m. with the intent to return at 5:07 p.m.

The commissioners returned at 5:07 p.m. and at 5:08 p.m. resumed public session. The Chair solicited any further comments or motions. Commissioner Brown motioned to release both the Jay Fathi and Michael George campaigns from the spending limit because they meet the standards articulated in the Seattle Municipal Code. Commissioner Shordt seconded the motion but noted that he does not necessarily agree that it is clear in the statute but believes in this specific instance the release can be supported. The Chair asked if there were any additional comments, and offered that he agreed with Commissioner Shordt that the facts of this case are unique, and that this vote is not a broad comment on the rest of the races. All voted in favor of the motion, with no opposition, and no abstention.

4) Lobbying law changes

Mr. Slayton presented some proposed language around possible lobbying law changes to the commission. Mr. Slayton noted the Director put together a draft and provided guidance from the discussions of the commission to extend the definition of lobbying to include rulemaking by the executive branch, and Mr. Brandon Islip, one of the legislation editors, put the document in the correct format. There was a request by the Chair to have an alternative, a broader document with options that have not yet been completed, but this document is an effort to distill the discussion from the June meeting into legislative language. The Director wanted to hear what the commission has to say on this document so far, and anticipated offering another iteration. Commissioner Norton asked why the City Attorney was not included in review of this document, as an elected official and the Director answered that the City Attorney was generally not thought of as being in the day to day mix of policy making, and since attorneys have duties to their clients that notion did not sync up well with the idea of lobbying. The Director also noted that initially this document was focused on legislation, but as it is expanded to cover rulemaking and

possibly other legislative functions it might be worth including the City Attorney if the commission would like to do so. Commissioner Brown asked if the City Attorney weighed in on legislation. Mr. Slayton answered that the City Attorney can weigh in and has on certain instances, but every City Attorney was different. As a rule of thumb, in Mr. Slayton's thirty years of experience with the City Attorney's Office (CAO), ninety percent of legislation or regulatory matters the elected City Attorney does not weigh in on, but there is a certain percentage, and sometimes the City Attorney does propose legislation, so they could be included in the review, however the bulk of the work done by the Assistant City Attorney staff members is neutral and not concerned with policy outcomes.

Commissioner Brown asked if the proposed document limits the legislation before the city, and the Director answered that it does, and Commissioner Brown then asked what if someone wanted to lobby the Mayor or City Attorney to go before the legislature to advocate for a particular bill. The Director answered that this drafted statute would not govern, and Mr. Slayton noted that scenario would be governed by state law. Mr. Slayton said that sometimes Assistant City Attorneys do lobby the state on behalf of their clients, and the attorney would file the requisite lobbying reports with the state in those instances. For example, if someone lobbied the City Attorney to go to Olympia on their behalf, then the City Attorney would file the lobbying report with the state and it would be reported as being on behalf of the city, and that scenario would not be covered by this draft. Currently only City of Seattle legislation and rulemaking are covered by this draft, but things that happened at the state level would not be affected.

Commissioner Carter asked for clarification of when the lobbying to become part of the legislative package to be considered by the Seattle City Council would occur. Mr. Slayton answered that any lobbying of the city council to adopt any type of legislation would be covered,

and the various stages of legislation typically originates in the executive branch, usually in the various departments; it then flows through the Mayor's office, then someone in the Central Budget office is the controller of that information, and once it is transmitted from the executive branch to the council, then it is public. The legislation that originates in the council, which is a smaller percentage of the legislation, and it becomes public just before it is introduced. Once the legislation is entered into Legistar (which is legislation drafting and workflow software) then it becomes public and there is a small portion of legislation that originates in the CAO, which is normally technical and routine, in order to align city laws with the state laws. Usually the City Attorney is not involved, but if the City Attorney is involved in a policy decision, they make it known and usually work with the city council or mayor to introduce that legislation.

The Chair asked if each department's organization chart sufficiently delineated so that it is clear who reports directly to the director of the departments, because there is part of the definition of lobby and lobbying that includes "or other employee that reports to directly to a department director" and the Chair is concerned about casting too broad of a net. Mr. Slayton answered that it is known internally, but it is not always clear to the public, there may be more need for clarity to the public.

The Chair asked to see in August a possible exemption on the annual payment for 501(c) organizations in the document. The Chair also requested that the grassroots lobbying be in step with the language at the state level and the Director assured him the language at the state level regarding grassroots lobbying is the same in the proposed document.

Commissioner Taylor asked about whether consulting services for the campaign of any candidate, should it also include consulting for city officials, as well as the mayor. The Director said that was not one of the harms that was addressed here, but any contracts with the city could

be addressed, and working for a campaign is a known, but when or if an official hired a consultant, such an action could be buried within the bureaucracy easily.

Commissioner Shordt said that in the draft where legislation is addressed but it does not always include rulemaking and for clarity, he believes it would be good to include rulemaking and provide a short summary of what would consist as rulemaking in the following sections; 2.06.020(2)(e), 2.06.030(B)(4), 2.06.040(A)(2b). Commissioner Shordt also asked about section 2.06.080, which refers to voluntarily registering and reporting, in specific whether there was a reporting requirement for each reporting period and the Director answered that this section was meant to allow for discretionary filing from those who are not required to report. The Chair asked if it would be a better use of time for the commission to suggest items for inclusion for the next review in August; and the commission agreed. The Chair would also like to see the inclusion of the exemptions for the 501(c) charitable organizations, and Commissioner Taylor would like to see something broader than legislation and rulemaking; such as major procurement and significant land use decisions. Commissioner Carter also suggested that the broad version could include language to address significant local decisions, for example, decisions around Terminal 91 at the Port of Seattle, and the hybrid vehicles being proposed for that area.

Discussion Items

6) Public comment at Commission meetings

The Chair asked if the commission could weigh in on public comment as it currently stands; since it is not obligated. Commissioner Brown asked how long the public comment has been happening and the Director noted that there has been public comment for fifteen years, but when the meetings began to be televised the public comments period took its current form. Mr.

Slayton offered that his experience with boards and commissions in the past was that public comment was something rare, usually on the agenda, and if there was a large or important matter before the commission a public hearing would have offered, which is different from public comment. The commission has the option to structure the public comment similar to the City Council, by limiting the comments to an agenda item, rather than the current model where anyone can come and talk about anything they choose, which has often been items which are not germane to the business of the commission. Mr. Slayton said that the commission has the option to structure the public comment or have public hearings, it is a matter of policy. Vice Chair Rekhi offered that in his time on the commission thus far he hasn't found the public comments to be particularly useful, but he also has not found them to be so onerous to make him feel that it should be limited further than the two minutes per person. Vice Chair Rekhi continued, saying that the tool of public comment could be valuable, but he also noted that he thinks there should be strict guidelines; such as those used by the City Council, and those could be an appropriate basis to ensure that those providing public comment not intimidate, harass, or threaten.

Mr. Slayton noted that there are two types of exclusions; one is when there is a violation of City Council rules, and one is a violation occurs of the Department of Finance and Administrative Service city property rules, but when those exclusions are given, there are generally exemptions that can be granted to allow the person who is excluded to conduct their business. Mr. Slayton noted that the Chair has the option to observe other exclusions, or to provide exemptions. Vice Chair Rekhi added that what he may consider intimidating and harassing may be different for the other members of the commission or the staff, and if someone does feel threatened by anything that happens during public comment, he hopes that they would feel comfortable raising the issue for discussion. Commissioner Carter agreed with Vice Chair

Rekhi but said that he does not believe that the public comment period is too disruptive and it is not worth impinging on free speech unless it becomes so and Commissioner Taylor concurred. The Chair said that the current standards for public comment are that each speaker has two minutes to speak, they should stay seated during the comment period, and do not interrupt while someone else is speaking. Vice Chair Rekhi asked if the City Council has written standards, and Mr. Slayton answered that they did, and he can send those standards to the commission. The Chair asked that if staff had concerns, to please feel free to raise those concerns either at a meeting or directly to the Chair.

7) I-122 report

Democracy Voucher Program Manager René LeBeau began by addressing the article in the Seattle Times regarding the new Vote WA system and said that Elections Director Julie Wise responded to an inquiry by Ms. LeBeau to get a stakeholder update scheduled between the King County Elections office and the Democracy Voucher Program to discuss potential impacts to the Democracy Voucher Program. The Vote WA project has been a multi-year effort to unify the entire state voting system to upgrade the technology to allow for benefits such as same day voter registration and as a result of the upgrade, there were some changes to the database and to the data received by the program. The primary impact potentially will be a bit of a delay in getting newly registered voters their vouchers mailed out. There were some concerns expressed by a couple of campaigns about possible impacts, so there have been communications to the campaigns that there will not be negative impacts to the payments to the campaigns, the qualification process or the processing of vouchers. The real issue is that the Democracy Voucher Program database was built to the specifications of the file that used to be received by Democracy Voucher Program, and that file has had some structural changes. Seattle IT, from the

top, has committed any needed resource to the project and the goal is to take the new data structure and make it fit the existing system as closely as possible for the remainder of the year. The Chair asked if there was any estimate of the impact, in terms of hundreds of thousands, tens of thousands. Ms. LeBeau answered that there is no real way of knowing how many new registrants there are, but it could be as many as 10,000, or as few as 5,000. Commissioner Carter summarized that there was some delay in the information that generates the vouchers for the new registrants and there may need to be some changes to the database.

Commissioner Taylor asked when it will be known, and Ms. LeBeau does not yet have an estimate, a full file from the new database was received on Friday, and the technical team is evaluating that file. Commissioner Carter said that as a practical matter, those who registered on election day would not be able to use their vouchers because the election would be over before they could be issued vouchers. Ms. LeBeau said this year they would probably not be able to issue vouchers to all those who registered to vote on election day, but that is a goal for next year.

Ms. LeBeau gave a voucher program updated and stated that there are 32 candidates qualified for funding, \$1.2 million dollars has been disbursed to campaigns, over 80,000 vouchers have been received for processing and over 21,000 people have submitted vouchers. At this time in 2017, it was a quarter of that number. There has been a lot of activity regarding the releases of campaigns from spending and contribution limits, at last count, eight candidates have been released from the \$75,000 spending limit and the \$250 contribution limit and an additional seven candidates have been released from the spending limit alone. Seventeen total candidates, including the two from today's meeting, have been released from the spending limit. There are two candidates that have already reached the maximum number of vouchers for the remainder of the election cycle. Alex Pedersen and Shaun Scott have already raised \$150,000 in vouchers,

both of whom are in District 4. Ms. LeBeau noted that with some of the legislative changes, there are questions from the public about when to use their vouchers or how to use their vouchers for one of the candidates who has been maxed out, and so the program is beginning to add to their messaging on social media and through the website to help voters who have a favorite candidate who has already maxed out to know that they can still assign their vouchers to such a candidate as a show of support, or they can look at candidates in other districts. Commissioner Carter asked if individuals are being notified when they have assigned their vouchers to a candidate who has already reached the maximum and Ms. LeBeau answered that it was more of a social media and key web message so that people are aware of their options.

The online portal is still up and running, nearly ten percent of the vouchers being received are being assigned through the portal. There have been at least 24 outreach events so far this year. One recent outstanding event was an ARC of King County outreach event at the Rainier Beach library for the disability community, part of it with live interpretations, and they were able to put together a simplified English version of a one-page informational document regarding the Democracy Voucher Program. Also, there have been recent events with the Washington Bus fellows which work with high school students, and first- and second-year college students are the target audience. There was also an Amazon sponsored candidate meet and greet where Amazon employees were invited to get to know the candidates, and Annie Tran represented the Democracy Voucher Program at that event. The Chair asked if there was a take away from that event and Ms. Tran noted that the Democracy Voucher Program tabled next to the King County Elections office, which allowed for a dovetailing of the information regarding registering to vote while learning about the Democracy Voucher Program. Ms. LeBeau also noted that there has been a lot of earned media recently, so there have been refocused increases

in ethnic media buys and advertising with local radio stations, along with a local television station that does in language ads, and there was an interview with Ms. Tran that went out translated into five different languages.

Commissioner Shordt asked if it is tracked how many first-time donors there are this year. Ms. LeBeau said that there will be an ability to track that data at the conclusion of the election year, using an outside vendor that will help crunch the data. Ms. LeBeau said that if there are data points that the commission wants to explore that information is something that can be found through the end of year analysis. There are still requests from all over the country for the data analysis that was provided from the 2017 election year data, and Ms. LeBeau is excited to work with that vendor again and see the results for the current election year. The Chair asked whether the quadruple voucher donors are locatable geographically, and Ms. LeBeau said that it is a little early to say with certainty but early on Districts 1 and 5 had the least amount of activity, and numbers could be looked at to see if the districts are participating proportionally. The Director offered that historically, there has been more energy in districts where there are open seats, and so it would not be surprising if Districts 1, 3, and 5 are probably not as exciting as the other four. Polly Grow, Campaign Finance Auditor, offered that there is also a break down on the elections website which shows the contribution amounts by district, which includes monetary as well as voucher contributions and can be compared from year to year.

Vice Chair Rekhi asked about those candidates who have requested release and been released, wanting to know whether there is a number of those who are eligible for release but have not yet requested release? The Director offered that almost everyone except District 5 would meet the requirements for requesting a spending release, but District 2, where Ari Hoffman has raised over \$75,000 and District 3, where Kshama Sawant has raised over \$75,000

candidates would be eligible for release from both the spending and contribution limits. The Director expects that more releases will be triggered in the coming hours and days.

8) Executive Director's report

The Director will be sending around an email to gauge availability for the currently planned regular meeting on August 7, since that is historically a time when vacations are planned. The Director also noted that the Democracy Voucher Program staff has been reduced by one temporary staff member, Marta Sanchez, who has accepted a new position, and it is unclear whether there will be a need to hire for that position at this time.

Items still subject to appeal

9) Late-filing penalty – Put Kate on the Council (\$50)

The Commission did not discuss this item.

The Special Commission meeting of July 8, 2019 adjourned at 5:45 p.m.