

Seattle Ethics and Elections Commission Special Meeting

December 9, 2021

A special meeting of the Seattle Ethics and Elections Commission (SEEC) convened remotely. Commission Chair Richard Shordt called the meeting to order at 4:02 p.m., Vice Chair Hardeep Singh Rekhi and Commissioners Kristin Hawes, Zachary Pekelis, Susan Taylor, Judy Tobin and Jeff Winmill were present. Executive Director Wayne Barnett was present and joined by staff members Chrissy Courtney, Cliff Duggan, Randal Fu, Polly Grow, René LeBeau, Marc Mayo and Annie Tran, along with Assistant City Attorneys Teresa Chen and Gary Smith.

The Chair welcomed Director Barnett back in the office on behalf of the Commission.

Action Items

1. Minutes for November 3, 2021, regular meeting

The Chair moved to the first order of business, the minutes from the November 3, 2021, meeting. The Chair asked if there were any comments; there were none. The Chair moved to approve the minutes and Commissioner Taylor seconded the motion. The motion was approved unanimously. Director Barnett mentioned that the role of transcribing the minutes has transitioned to Cliff Duggan from Chrissy Courtney. The Chair thanked Ms. Courtney for her past work with the Commission.

2. December Recall Election Decisions

The Chair discussed the most recent King County District 3 recall election results showing a trend in favor of no recall. It is the Chair's opinion that discussion of the recall election be tabled as it may not be warranted, and discussion would be rhetorical at this point. If something changes on December 17 with the vote verification, a special meeting can be called to discuss these items. The Commissioners unanimously agreed to table the discussion. The Chair

expressed appreciation to the Director and Ms. LeBeau for compiling data and for the thoughtful memo on modifications to the Democracy Voucher Program.

3. Compensation and Leave

The Chair discussed the Commission's responsibility to make decisions on the Director's Annual Wage Increase (AWI) and on awarding Merit Leave based on the Director's job performance. Referring to information distributed earlier by the Chair and the Director, the Chair stated the Annual Wage Increase amount is up to 2.9 percent for 2021 and an AWI increase up to 4.0 percent for 2022. Last year, due to budget constraints, there was no Annual Wage Increase for Seattle City managers. The maximum wage increase percentages are a result of represented employees bargaining with the City; non-represented employees follow the same negotiated rates as agreed to by the Union.

The second decision for the Commission is regarding Merit Leave. Criteria has been given to the Commission to assess the Director's performance with a Level 0-3 Rating Scale that translates into merit days awarded to the employee. The Chair asked the Director to share some of this year's accomplishments with the Commission. The Director mentioned his work on the major issues of the whistleblower case regarding the Mayor's texts and the May settlement with Councilmember Sawant. The Chair noted that the Director has done a very nice job in the second year of the pandemic and complemented the Director on his meaningful and impactful work. The Chair said it was a testament to the Director's leadership that while away from the office, the staff seamlessly continued to work and called out the particularly fantastic support provided by Ms. LeBeau. Commissioner Tobin made the statement that the office functioned well in the Director's absence which is a great testimony to the Director's involvement with the staff over the years.

The Director requested to step away from the meeting to allow the Commissioners a full, frank discussion. Commissioner Hardeep echoed the Chair's comments that the Director has done a fantastic job and has created a resilient organization. Commissioner Taylor said that the Director has done an outstanding job on the substance of the work and has led a strong team. Commissioner Pekelis stated the Director is a tremendous leader and has added so much value to the agency. The Commissioner also acknowledged that the Director has a very extensive and unparalleled knowledge on elections and ethics issues. Commissioner Pekelis stated that the Director is a "treasure" for our City and our Commission.

Commissioner Hawes commented on the Director's full plate this year and appreciates how issues were handled with patience and skill. Commissioner Winmill stated that during his short time on the Commission he has seen nothing but excellence from the Director. The Chair thanked the Commissioners for their comments and summarized by saying that the Director sets a high standard for himself. Based on his open and receptive talks with the Director, the Chair encouraged the Commissioners, especially the new Commissioners, to take the time to have individual conversations with the Director.

The Chair made a motion authorizing the Commission to determine that Wayne Barnett, Executive Director of the Seattle Ethics and Elections Commission, be given an Annual Wage Increase of 2.9 percent for the year 2021 and an Annual Wage Increase of 4.0 percent for the year 2022. Commissioner Winmill seconded the motion. The Commission unanimously voted to approve the motion.

The Chair made a motion that the Commission rate the performance level of Wayne Barnett, Seattle Ethics and Elections Commission Executive Director, at Level 3 and award the

maximum amount of Merit Days. The motion was seconded by Commissioner Tobin. The Commission unanimously voted to approve the motion.

Director Barnett rejoined the meeting. The Chair shared the Commission's decisions and thanked the Director for the fantastic job that has been done this past year in addition to all the years of the Director's tenure.

Discussion Items

4. Democracy Voucher Program – current election report and Democracy Voucher Outreach Fund Summary

Ms. LeBeau provided a summary of the Democracy Voucher Program Report. The office will be entering vouchers into the database on December 10 and then close the Program for the year. Approximately 10,000 more residents returned vouchers in 2021 than in 2019 with the total number of returned vouchers increasing over 37,000. Voucher disbursements were roughly half of the budgeted year's disbursement amount ensuring an ample amount of funds for future campaign cycles. The returned voucher count by City Council District showed strong activity in District 3 with no decline of usage in the remaining Districts.

There was a large increase of participants in the younger age groups (18-24 and 25-34) over previous years. An analysis for the biannual report will be done to look at the age groups and the different percentages using non-paper vouchers. This may yield some insight on the preferred methods of usage. Data for the biannual report will be put together over the next few weeks for the Commission's review in February. Commissioner Pekelis suggested in future years it might be helpful to know the percentage of the population represented by each age group. This may show if there are population differences or if there are actual disparities in participation

rates. Ms. LeBeau said that if the office does not have the data, BERK Consulting will be able to gather the information.

Ms. LeBeau continued with a summary of the 2021 Democracy Voucher Outreach Fund. Ms. LeBeau and Ms. Tran received spreadsheets and documentation from the community-based organizations and have held post-election discussions. Eight organizations were funded with 256 outreach events. Even with the pandemic, the digital outreach and materials distribution numbers for 2021 were greater than in previous years. During the post-election meetings, the organizations provided feedback on how the department can better serve them and improve the process. Some of the challenges were providing in-language technical assistance during virtual meetings, reaching residents who did not have access to technology, and dealing with recruiting and training of volunteers and staff. In response to COVID-19, some organizations trained their case managers on the Democracy Voucher Program so they were able to directly answer client questions. Organizations also distributed brochures in food bags to low-income seniors and residents and changed phone bank scripts to ask if people had heard of the Program.

Recommendations included providing additional short FAQ videos for social media, creating in-language instructional videos with voiceovers instead of text, developing materials addressing the gap in knowledge of municipal governments and campaigns, and to provide disaggregated data to pursue equity in areas which may have been neglected in past voter turnout efforts.

5. Director's report

The Director took a moment to thank the staff for doing a great job in his absence. The Director requested each of the staff to provide a list of the three most pressing items, so he is up to speed on the department's priorities. The Director has been focused on assisting with Mayor-

Elect Harrell's transition and stated that he had good meetings with the new City Attorney Ann Davison and the new District 9 Councilmember Sara Nelson.

Dismissals still subject to appeal

6. Case No. 21-1-1923-2

Director Barnett said that the dismissal is still subject to appeal and is not ready for discussion. The Chair thanked the Director for circulating the letter dated December 7, 2021.

At the end of the discussion items, the Chair checked in with the Commission regarding the next scheduled meeting on January 5, 2022. The Chair discussed with Director Barnett that the meeting might be postponed to the following week to allow the Director and Staff adequate time to prepare for the meeting following the holidays. The Chair asked the Director to poll the Commissioners regarding a meeting date the week of January 10.

The January meeting agenda will include a discussion on electing a new Commission Chair and Vice Chair. The term for the current Chair and Commissioner Taylor officially ends December 31, 2021. It was noted that Commissioners may stay on the Commission until officially replaced. The Chair will have an off-line discussion with Commissioner Taylor to determine interest in extending Commissioner Taylor's participation.

The Chair thanked the Commissioners and staff for their time. If needed, a special meeting may be called to discuss the District 3 recall election after the December 17 verification. The Chair wished everyone a happy holiday season and looks forward to seeing them in the New Year.

The Special Commission meeting of December 9, 2021, adjourned at 4:50 p.m.