

**Central Puget Sound
Regional Transit Authority**

**July 12, 1996
Board Meeting Minutes**

Call to Order

The meeting was called to order at 1:38 p.m. in the Ginni Stevens Memorial Hearing Room, Snohomish County Administration Building, 3000 Rockefeller Avenue, Everett, Washington by Chairman Drewel.

Attendance

Chair

(P) Bob Drewel, Snohomish County Executive

Vice Chairs

(P) Paul Miller, City of Tacoma Councilmember

(A) Greg Nickels, King County Councilmember

(A) Martha Choe, City of Seattle Councilmember

(P) Dave Earling, City of Edmonds Council President

(P) Mary Gates, City of Federal Way Councilmember

(A) Jane Hague, King County Council Chair

(P) Ed Hansen, City of Everett Mayor

(A) Ann Kirk Davis, City of Lakewood Councilmember

(A) Gary Locke, King County Executive

(A) Rob McKenna, King County Councilmember

(P) Sid Morrison, WSDOT Secretary

(A) Norm Rice, City of Seattle Mayor

(P) Dave Russell, City of Kirkland Councilmember

(P) Bill Stoner, Pierce County Councilmember

(A) Cynthia Sullivan, King County Councilmember

(P) Doug Sutherland, Pierce County Executive

(A) Jim White, City of Kent Mayor

The Board Administrator indicated there was not a quorum of the Board present at roll call.

The following Board members arrived after roll call:

Paul Miller

Mary Gates

Doug Sutherland

Public Comment

No members of the public addressed the Board at this time.

(Board member Miller arrived at this time.)

Report of the Chair

Mr. Drewel reported that he would be on vacation for a couple of weeks. Board members were encouraged to contact Mr. Nickels, Mr. Miller or Executive Director White in his absence.

Executive Director Report

Executive Director White reported that legal counsel had met with RTA staff to review the Public Disclosure Commission (PDC) requirements for public agency employees. Legal counsel discussed the distinction between informational activities and promotional activities. The Public Disclosure Act (PDA) allows public agencies to provide a "fair and objective presentation of facts relative to a ballot proposition." The PDA prohibits the use of public resources and facilities to promote a ballot issue.

(Board member Sutherland arrived at this time.)

Draft Resolution No. 75

Mr. Drewel indicated that he has directed the Board Administrator to mail the draft copy of Resolution No. 75 (copy on file) to Board members who could not attend the Board meeting, with a memo to all Board members requesting that potential amendments be given to the Board Administrator's office at least two weeks prior to the next meeting. This will allow Board members and legal counsel an opportunity to review suggested changes prior to the proposed action on August 23.

Mr. Gunter explained that Resolution No. 75 is almost identical to Resolution No. 53, which adopted the ballot proposition for the first election. Only minor changes have been made.

(Board member Gates arrived at this time.)

Mr. Drewel asked that suggestions from Board members, if any, be made at this time.

Mr. Gunter noted that Section 7, which states the ballot title, has a 75 word limit and must be approved by the Prosecuting Attorney's office. The wording has been changed very little since the last election. The new title to the plan has been included and the major education centers have been added. He indicated that the ballot title will be reviewed by the Prosecuting Attorney before the end of August, and asked that Board members review the language and provide comments.

Mr. Gunter briefly reviewed the other portions of the resolution with Board members.

Mr. Gunter indicated that the proposed language is very similar to that proposed for the last election. There was an unsuccessful challenge to the language last time. Unless there are major reasons to change, the goal is to stay close to the language used last time.

Legal Briefing on Election Matters

Mr. Gravley referred Board members to a memorandum (copy on file) that was written prior to the last election.

He reported that legal counsel met with RTA staff to go over the guidance from the PDC and to talk about compliance with RCW 42.17.130, which prohibits the use of public facilities or resources in campaigns. It prohibits elected officials from using or authorizing the use of RTA facilities or other public agencies who serve in any activities that are promotional.

Mr. Gravley noted that the timing or application of the statute is an important point. The statute refers to a ballot proposition. While the RTA may not have a ballot proposition pending until the Board

adopts Resolution No. 75, the PDC regards activities taken in anticipation of a ballot proposition to fall within the scope of their jurisdiction.

During the last election there was only one complaint filed with the PDC, and it concerned the giving away of free whistles as part of the commuter rail demonstration project. Someone thought that had the appearance of promoting the ballot issue. The PDC dismissed the complaint without action.

In summary, Mr. Gravley stated that Board members must not involve public resources or facilities, such as a car, payment for mileage, or use of staff when making a promotional appearance for the ballot proposition. The PDC also advises to make it clear when acting in a personal capacity to avoid the perception by the audience that public resources are being used for promotion of the ballot issue.

Mr. Morrison indicated that he works for the State Transportation Commission, which has adopted a 20-year state transportation plan that depends on the RTA ballot proposal being successful. He asked if he can say publicly that the state is counting on voter approval of the RTA to meet the state's long-range plan.

Mr. Gravelly responded that a presentation of the facts falls within the guidelines of the statute. However, state officials are exempt from the statute; as the Secretary of Transportation, Mr. Morrison is exempt.

Mr. Drewel announced that a quorum of the Board was present.

Minutes

It was moved by Ms. Gates, seconded by Mr. Morrison and carried by the unanimous vote of all Board members present that the minutes of April 26, 1996 be approved as presented.

Next Meeting

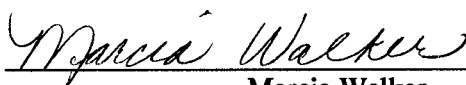
Mr. Drewel indicated that there will be no Rules Committee meeting prior to the next Board meeting. The next Board meeting is scheduled from 1:30 to 4:30 p.m. at Highline Community College on August 23, 1996.

As there was no other business, the meeting was adjourned at 2:00 p.m.



Bob Drewel
Chairman of the Board

ATTEST:



Marcia Walker
Board Administrator

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