

## Shoup, Paula

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**From:** Miller, Carla  
**Sent:** Tuesday, March 26, 2019 2:18 PM  
**To:** CM  
**Cc:** SS; Gabriel, Jason; Sidman, Margaret  
**Subject:** Reminder: Sunshine Training. Discussions about Council leadership

Hello,  
For review, see emails below on what can and cannot be done in connection with communicating about the Council Presidency.  
Please call if any questions.  
Carla Miller  
Ethics Director

Ultimately, the City Council votes on who will be President of the Council and Vice-President.

Therefore, all discussions about this between Council Members need to be in the Sunshine (meetings in City Council chambers; notices and minutes taken).

This is not a procedural matter. It is a Sunshine issue.

You also cannot use another person to “test the waters” or to get information about who is supporting who. (ECA’s, lobbyists, etc.) That is using a liaison and also violates the Sunshine law.

Example: a council member invites you to lunch and starts to bring up that he/she wants to run for President. NO. sunshine violation

Example: a council member stops by your office and mentions how he would do things differently than the current leadership and that is why he is running. NO. sunshine violation.

Example: a lobbyist/member of Mayor’s staff/ECA mentions to another Council Member that you are running and for support. NO. sunshine violation.

If you want to discuss this with another council member; have your ECA set up a meeting and notice it, per our regular meeting procedures.

**If you are running, it is OK to send out a one-directional email/letter telling people you are seeking an office. You can enclose a pledge form if you want to. Put in the letter/email “Please do not respond in any way to this email, and do not send me a signed pledge. We can set up a noticed meeting to discuss my candidacy and the pledge”.**

**If you are the recipient of that email, do not respond to that email in any way, including sending a signed pledge to the person running.**

**If you want to support someone, either vote for them at the actual election meeting or notice a meeting on it with the person running.**

**The person running, of course, can also set up noticed meetings to discuss the election with any other council members.**

You cannot have back and forth communications (discussions, texts, emails, letters, pledges, thumbs up in passing, etc.) with other Council Members about elections for Council leadership outside of a **noticed meeting**. You cannot have anyone else (staff, ECAs, lobbyists) do it either.

**You cannot collect pledges back from anyone or sign pledges in support of anyone outside of a noticed meeting.**

**CORRECT PROCEDURE.** Send out a letter if you want, saying you are running. At the end, put “please do not respond in any way to this email. I will be setting up a noticed meeting with you to discuss”. Set up a noticed meeting. If you want someone to sign a pledge at that noticed meeting, you can do so. Then, you cannot send out or say anything announcing “I have 10 pledges”. Someone can look at all of the minutes of the noticed meetings and figure it out, but you do not count up votes/pledges and announce it in any way.