

**Special Meeting of the Cincinnati Elections Commission
Minutes of October 26, 2021**

CEC members present: Seth Walsh, Terry Rath, and Constance Hill

City representatives present: Zach Southwood, Law; Linda Smith, Law; Christopher Liu, Law; Christine Zimmer, Law and Jill Robb, Law

Old Business:

1. Approval of September 9, 2021, meeting minutes.

Mr. Rath moved for approval of the September 9, 2021, minutes, and Ms. Hill seconded. A vote was taken, and the September 9, 2021, minutes were approved unanimously.

New Business:

1. Discussion of late filings of the July 30 campaign reports and whether to fine those late-filing campaigns.

Mr. Southwood shared a power point summarizing the timeline for the following campaigns that had late filings and the potential fine for each:

- Nick Jabin
- Brian Garry
- Andrew Kennedy
- Phillip O’Neal
- Logan Simmering
- Stacey Smith
- Jalen Alford
- Robert Harris

Mr. Walsh questioned if the CEC has the discretion to fine a campaign without implementing a fine on another campaign with the same violation. Mr. Southwood explained that the CEC does have that discretion, however, the amount of the fine is a set amount.

Mr. Rath questioned how the CEC can do a better job of informing the candidates about the filing deadlines. Mr. Southwood led a discussion explaining that moving forward, the Law Department intends to coordinate with the Board of Elections earlier and more often as well as updating the CEC website. The finance portal should also have some of the issues worked out for the December filings.

Mr. Walsh made a motion regarding the 8 candidates with late or incomplete filings:

- The following candidates are not in violation and should not be fined because they made the effort to file on time and complied within 24 hours of being informed that the City did not receive their filings

- Logan Simmering
- Stacey Smith
- Andrew Kennedy

- The following candidates are in violation, but should not be fined because it is their first time running for council
 - Nick Jabin
 - Phillip O’Neal
 - Jalen Alford
 - Robert Harris

- Brain Garry should be fined since he has ran for council in the past and should know about the requirement to file with the CEC. He should be fined \$800 for submitting his filings 8 days late

Mr. Rath seconded the motion, a vote was taken, and the motion was unanimously approved.

2. Review and approval of draft advisory opinion on filing deadlines for independent expenditures by federal PACs.

Mr. Southwood explained that the reason for the advisory opinion is to clarify Rule 27 of the CEC rules.

Ms. Hill made a motion to approve the advisory opinion and Mr. Rath seconded the motion, a vote was taken, and the motion was unanimously approved.

Mr. Walsh led a discussion regarding PACs and Issue 3. Ms. Zimmer explains that the CEC does not address issues, Article XIII is limited to campaign finance for candidates.

3. Update on potential overcontributions by campaigns or campaigns that filed incomplete reports.

Mr. Southwood explained that the Law Department reached out to the 4 campaigns flagged regarding overcontributions and all campaigns responded and are accounted for. He further explained that, as of today, there are not any incomplete reports, however, the Law Department is still doing reviews.

Ms. Zimmer informed the CEC that there is an ordinance going to council tomorrow regarding the establishment of an office of ethics and good government which will include additional staffing and funding to support the CEC.

Next meeting:

The next meeting is scheduled for November 12, 2021, at 4:00 p.m.

Meeting Adjourned:

The meeting was adjourned at 5:14 p.m.