

Question & Answer Matrix

July 15, 2025 – AB 6731: Training on Use of Public Office or Agency Facilities in Campaigns (RCW 42.17A.555)

Log #	AB No.	Received From	Question	Staff Response
1	6731	City Manager	How do we handle emails that come into the City Council inbox that are related to the campaign? Is it OK to respond if I stick to the facts of the project? Are there any other limitations?	You may respond with objective and neutral factual information, but not with your opinion or position on the bond measure.
2	6731	Rosenbaum	Can we post on our personal social media accounts in support of opposition to the bond?	Yes, you may use your personal social media accounts to post information about the campaign so long as you make clear that your comments are your personal views and that you are not speaking on behalf of the City. Personal social media accounts operated by Councilmembers should not be used as mechanisms for conducting official City business, other than to informally communicate with the public.
3	6731	Rosenbaum	If asked our position, do we need to preface our answer in any way. I.e, do we need to say “this is my personal opinion?”	Yes, when responding to a direct inquiry about your position on the bond measure, you should make it clear that you are speaking for yourself and not on behalf of the City. If you are asked by email on your <u>City email account</u> about your position on the bond measure, you can respond only with objective and neutral factual information on the bond but cannot respond via your City email with your position or opinion on the measure.
4	6731	Rosenbaum	If we’re asked for clarification of data points or claims provided by an outside campaign, what is the best way to obtain information from staff (if at all)?	You may respond to questions with factual information if you know the answers. If you do not know the answer(s), you can direct the person to the Let’s Talk page (https://letstalk.mercergov.org/municipal-facility-planning) or our public records portal (https://mercerisland.nextrequest.com) to put in a request for the information/records for the information/records.

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5	6731	Becker	What discussions about the bond measure involve future council decisions therefore requiring public records? For example, if the measure passes, will the council have any further role around costs. Or if it fails, the council will surely make decisions on next steps. To what extent are discussions around these after-effects subject to records retention?	If you are engaging in written dialogue about the PSM Facility, the future of the facility, future decisions, etc. it is “city business” and will need to be retained. Verbal discussions are not considered a public record unless they are audio/video recorded. Once the bond measure passes or fails, the Council may discuss the topic freely. It is only between the time when the City Council adopts the ordinance for a bond measure and the election day, that you face these restrictions.
6	6731	Reynolds	What does “during working hours” mean for exempt employees?	For exempt employees, “during working hours” refers to the time period they are generally expected to perform their job duties, as defined by the City—typically aligning with a standard full-time schedule: Monday through Friday, 8:30 a.m. to 5 p.m.
7	6731	City Manager	If a Councilmember writes an opinion piece on the bond measure and uses their personal email and/or their personal social media account to share that information, is it a public record?	Councilmembers may write and distribute opinion pieces on the bond measure only using non-City resources and facilities, making it clear that the piece contains their personal views and that they are not speaking on behalf of the City. Such opinion pieces would not be considered “public records” of the City.
8	6731	City Manager	If a Councilmember wishes to serve on the campaign committee, may they send and receive campaign correspondence on their personal accounts? And if yes, is this correspondence a public record?	Individuals on campaign committees should only use their personal email accounts and should not use any public resources or facilities to carry out the committee’s business. Such communications would generally not be considered “public records” of the City.
9	6731	City Manager	If four or more councilmembers are attending a campaign meeting, is it an OPMA violation?	This could result in an OPMA violation and should be avoided.
10	6731	City Manager	If four or more councilmembers are on an email distribution list related to the campaign, is it an OPMA violation?	This could result in an OPMA violation and should be avoided.