

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**BEFORE THE PUBLIC DISCLOSURE COMMISSION  
OF THE STATE OF WASHINGTON**

IN THE MATTER OF ENFORCEMENT )	
ACTION AGAINST )	PDC CASE NO.: 00-875 & 00-876
City of Seattle, )	STIPULATION OF FACTS,
Seattle Department of Parks and Recreation )	VIOLATIONS AND PENALTY
Respondent. )	

City of Seattle and Seattle Department of Parks and Recreation (Respondent) and Public Disclosure Commission Enforcement Staff (Staff) jointly submit this Stipulation of Facts, Violations and Penalty for Commission consideration in lieu of a full enforcement hearing before the Commission. This Stipulation shall be null and void in any other proceeding, including, but not limited to, an enforcement proceeding pursuant to RCW 42.17.395. The parties agree that pursuant to RCW 42.17.360 et. seq., the Commission has the authority to accept, decline, or to suggest modifications to this Stipulation.

**Facts**

Both parties agree that the Statement of Facts, dated June 19, 2001, is accurate. The Statement of Facts, along with all referenced exhibits and documents from the Report of Investigation dated May 21, 2001, are incorporated herein by this reference. The Parties

1 stipulate and understand that the Commission has the authority to review, and has been  
2 provided with, the Notice of Administrative Charges dated May 21, 2001, the Report of  
3 Investigation dated May 21, 2001, and all exhibits in determining whether to accept this  
4 Stipulation.

5  
6 Staff acknowledges that the Respondent has recently cooperated in good faith with  
7 the agreed resolution of this matter.

### 8 **Violations**

9 Respondent and Staff agree that based upon the facts stipulated above, the  
10 Commission would likely find multiple violations of RCW 42.17.190.

### 11 **Penalty**

12 Respondent and Staff agree that based upon the facts and the agreement regarding a  
13 violation of RCW 42.17.190 above, the Respondent is willing to accept an assessed total  
14 civil penalty of \$7,500. In addition, Respondent agrees to pay \$2,500, approximately half  
15 of the administrative expense of the Staff investigation of this matter not including legal  
16 expenses. The entire non-suspended portion of the penalty will be paid within 60 days from  
17 the date of entry of the Commission's Final Order in this matter.  
18

19 \$5,000.00 of the total penalty in this matter is suspended on the following  
20 conditions:

- 21
- 22 (1) That for a period of four years from the conclusion of the Declaratory Order  
23 process including appeals, if any, there are no further violations of RCW  
24 ~~42.17.190~~ including violations related to indirect lobbying, as that activity is  
25 further clarified through the declaratory order process.  
26

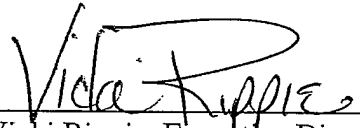
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

(2) The City will conduct training for all City Staff who regularly communicate with constituents on legislative or regulatory issues, are associated with the Respondent's lobbying efforts, and all middle and upper management employees. Respondent will provide written information to all other employees who may otherwise be subject to the provisions of RCW 42.17.190. Said training and provision of written information must be completed within 90 days from the conclusion of the Declaratory Order process, including appeals, if any. Said training and written information will be verified by Commission Staff.

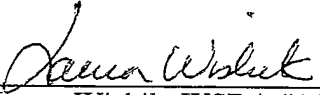
Staff understands that the Respondent will seek a Declaratory Order from the Commission regarding RCW 42.17.190 as it relates to indirect lobbying, including grassroots lobbying. Staff may supplement, but will not oppose this request.

The Respondent reaffirms its intention to cooperate with the Commission and to comply in good faith with the provisions of RCW 42.17.

Respectfully submitted this 28<sup>th</sup> day of June, 2001.

  
\_\_\_\_\_  
Vicki Rippie, Executive Director

6/28/01  
\_\_\_\_\_  
DATE SIGNED

  
\_\_\_\_\_  
Laura Wishik, WSBA #16682  
Law Office of Laura B. Wishik  
Attorney for Respondents  
City of Seattle  
Seattle Department of Parks and Recreation

6/28/01  
\_\_\_\_\_  
DATE SIGNED