

State of Washington
PUBLIC DISCLOSURE COMMISSION
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MINUTES – Regular Meeting

9:30 a.m. | October 28, 2021
711 Capitol Way S. #206
Olympia, Washington

Commission Members Present (Participated via Microsoft Teams Online)

Fred Jarrett, Chair; Nancy Isserlis, Vice Chair; Bill Downing, Member; Allen Hayward, Member.

Staff Present (Participated via Microsoft Teams Online)

Peter Frey Lavalley, Executive Director; Kim Bradford, Deputy Director; Sean Flynn, General Counsel; James Gutholm, Chief Information Officer; Chip Beatty, Customer Service and Outreach Director; Jana Greer, Administrative Officer; Tabitha Townsend, Compliance Coordinator; Tabatha Blacksmith, Compliance Coordinator; Jennifer Hansen, Compliance Officer; Kurt Young, Compliance Officer; Alice Fiman, Compliance Officer; Bret Skipworth, DES Senior Financial Consultant; John Meader, Assistant Attorney General representing the Commission; and Chad Standifer, Assistant Attorney General representing PDC staff.

The regular meeting of the Public Disclosure Commission (PDC) was called to order by Commission Chair Jarrett at 9:31 a.m.

PDC Meeting Video

COVID 19 update: The October 28, 2021, Public Disclosure Commission Meeting was streamed live at <https://www.youtube.com/user/WASTPDC/live>.

Chair Opening Comments | PDC Meeting Video

Chair Jarrett welcomed all attendees and viewers to the October 28, 2021, Regular Commission meeting.

Public Comment | PDC Meeting Video

As was noticed and announced, a Teams video, and conference line was provided for public comment during this time.

The following person(s) provided public comment on proposed agency request legislation:

- [Connor Edwards](#), professional campaign treasurer, commented on PDC's proposed legislation.
- [Cindy Madigan](#), League of Women Voters of Washington, commented on PDC's proposed legislation.

Consideration and Possible Approval of Meeting Minutes | PDC Meeting Video

Meeting minutes were presented to the Commission for consideration and possible approval:

- September 23, 2021, Regular Meeting
- October 12, 2021, Special Meeting

MOTION 21-0100 Moved by Commissioner Isserlis and seconded by Commissioner Downing that the Commission approve the meeting minutes for the September 23, 2021, Regular meeting as presented.

The motion [passed](#) 4 - 0.

MOTION 21-0101 Moved by Commissioner Isserlis and seconded by Commissioner Downing that the Commission approve the meeting minutes for the October 12, 2021, Special meeting as presented.

The motion [passed](#) 4 - 0.

Budget Update | [PDC Meeting Video](#)

Executive Director Peter Frey Lavallee and Bret Skipworth, DES Senior Financial Consultant, discussed current expenditure status and budget updates.

Update on Recent National Campaign Finance Case Law | [PDC Meeting Video](#)

General Counsel Sean Flynn provided a summary to the Commission regarding recent federal court decisions that could have a potential impact on campaign finance laws.

The cases highlighted by General Counsel Flynn were:

- *Americans for Prosperity Foundation v. Bonta*
- *Gaspee Project v. Mederos*
- *Cruz v. F.E.C.*

Discussion of Draft Agency Request Legislation | [PDC Meeting Video](#)

General Counsel Sean Flynn presented recent changes made to the [draft PDC agency request legislation 2022](#) to the Commission for consideration and guidance.

Next Steps/Follow-Up: Incorporate changes discussed, bring draft to the December 2021 regular meeting to make any refinements prior to pre-filing with the legislature.

Strategic Plan Update and Discussion | [PDC Meeting Video](#)

- [Audits.](#)
- [Enforcement Process Map.](#)
- [Campaign Reporting Modernization.](#)
- [Digital Political Advertising Disclosure.](#)
- [Training Program Expansion.](#)

Web Demonstration | [PDC Meeting Video](#)

Deputy Director Kim Bradford demonstrated the new design and layout of the PDC website which will first be introduced as a beta version to the public.

Management Team Updates | [PDC Meeting Video](#)

- [Executive Director Updates.](#)
- [Deputy Director Updates.](#)
- [IT Activity Report.](#)
- [Customer Service and Filer Assistance Update.](#)

Enforcement Updates | [PDC Meeting Video](#)

Kurt Young, Compliance Officer, presented the enforcement update report for the period September 14, 2021, through October 20, 2021.

Break/Executive Session & Closed Session

The Commission went into Executive Session at 12:03 p.m. to discuss matters allowed in Executive Session pursuant to [RCW 42.30.110](#), including but not limited to discussion of enforcement matters and pending and potential litigation with legal counsel, and review of performance of public employees. Possible action regarding litigation, or other matters properly discussed during executive session, will be taken following the executive session.

[Returned](#) to public meeting at 1:16 p.m.

F-1 and C-1 Enforcement | [PDC Meeting Video](#)

1:17 p.m. The Commission conducted a remote enforcement hearing for alleged violations of [RCW 42.17A.700](#) by failing to file a Personal Financial Affairs Statement (F-1 report) disclosing financial information, and [RCW 42.17A.205](#) for failing to file a Campaign Registration (C-1 report). Tabitha Townsend, Compliance Coordinator, presented the cases to the Commission for possible action.

Executive Director Lavalley provided an overview of the PDC's primary means of communications being email and described the extensive efforts the agency goes through to attempt to communicate with filers regarding enforcement hearings.

- PDC Case [95222](#) – [William “Beau” Burkett](#) a candidate for Mayor of City of Buckley. PDC staff is alleging that the respondent violated [RCW 42.17A.700](#) by failing to file a Personal Financial Affairs Statement (F-1 report) disclosing financial information for the previous 12 months, and [RCW 42.17A.205](#) for failing to file a Campaign Registration (C-1 report). Both reports were due no later than June 4, 2021.

MOTION 21-0102 Moved by Commissioner Downing and seconded by Commissioner Hayward that the Commission find the respondent in violation of RCW 42.17A and impose a civil penalty of \$1,500.

The motion [passed](#) 4 - 0.

- PDC Case [95396](#) – [Ronnie Little](#) an incumbent Fire Commissioner for King County Fire Protection District #40 running for re-election. PDC staff is alleging that the respondent violated [RCW 42.17A.700](#) by failing to file a Personal Financial Affairs Statement (F-1 report) disclosing financial information for calendar year 2020, due no later than April 15, 2021, and [RCW 42.17A.205](#) for failing to file a Campaign Registration (C-1 report), due no later than June 4, 2021.

MOTION 21-0103 Commissioner Isserlis and seconded by Commissioner Hayward that the Commission find the respondent in violation of RCW 42.17A and impose a civil penalty of \$4,000.

The motion [passed](#) 4 - 0.

Enforcement (Requests for Reconsideration) | [PDC Meeting Video](#)

1:32 p.m. The Commission conducted a remote hearing concerning requests for reconsideration. Tabitha Townsend, Compliance Coordinator; Tabatha Blacksmith, Compliance Coordinator, and Jennifer Hansen, Compliance Officer, presented the requests to the Commission for possible action.

- PDC Case [95446](#) – [Tyler Fuller](#). Mr. Fuller was not present.

MOTION 21-0104 Moved by Commissioner Downing and seconded by Commissioner Isserlis that the Commission grant the request and reconsider the Final Order and penalty assessed in PDC case No. 95446, Tyler Fuller.

The motion [passed](#) 4 - 0.

MOTION 21-0105 Moved by Commissioner Downing and seconded by Commissioner Hayward that the Commission find the respondent in violation of RCW 42.17A and impose a civil penalty of \$300 with \$200 suspended contingent on the required F-1 and C-1 reports being filed within 30 days of the date of the Final Order.

The motion [passed](#) 4 - 0.

- PDC Case [95251](#) – [Edgar Ooms](#). Edgar Ooms participated via phone on Microsoft Teams.

MOTION 21-0106 Moved by Commissioner Downing and seconded by Commissioner Hayward that the Commission grant the request and reconsider the Final Order and penalty assessed in PDC case No. 95251, Edgar Ooms.

The motion [passed](#) 4 - 0.

MOTION 21-0107 Moved by Commissioner Downing and seconded by Commissioner Hayward that the Commission find the respondent in violation of RCW 42.17A and impose a civil penalty of \$250 with \$250 suspended, contingent on the F-1 being filed within 30 days of the date of the Final Order.

The motion [passed](#) 4 - 0.

- PDC Case [95218](#) – [Marco Gonzales](#). Mr. Gonzales was not present at the hearing.

MOTION 21-0108 Moved by Commissioner Downing and seconded by Commissioner Hayward that the Commission grant the request and reconsider the Final Order and penalty assessed in PDC case No. 95218, Marco Gonzales.

The motion [passed](#) 4 - 0.

MOTION 21-0109 Moved by Commissioner Downing and seconded by Commissioner Hayward that the Commission find the respondent in violation of RCW 42.17A and impose a civil penalty of \$250 with \$250 suspended, contingent on the F-1 being filed within 30 days of the date of the Final Order.

The motion [passed](#) 4 - 0.

- PDC Case [94036](#) – [Grant Wagner](#). Mr. Wagner was not present at the hearing.

MOTION 21-0110 Moved by Commissioner Downing and seconded by Commissioner Hayward that the Commission grant the request and reconsider the Final Order and penalty assessed in PDC case No. 94036, Grant Wagner.

The motion [passed](#) 4 - 0.

MOTION 21-0111 Moved by Commissioner Downing and seconded by Commissioner Hayward that the Commission find the respondent in violation of RCW 42.17A and impose a civil penalty of \$250 with \$150 suspended, contingent on no further violations for twelve months.

The motion [passed](#) 4 - 0.

Commissioner Downing amended his motion to reflect the following:

MOTION 21-0112 Moved by Commissioner Downing and seconded by Commissioner Hayward that the Commission find the respondent in violation of RCW 42.17A and impose a civil penalty of \$250 with \$150 suspended, contingent on no further violations for four years.

The motion [passed](#) 4 - 0.

- PDC Case [94045](#) – [Gary Hedger](#). Gary Hedger participated via phone on Microsoft Teams.

MOTION 21-0113 Moved by Commissioner Downing and seconded by Commissioner Hayward that the Commission grant the request and reconsider the Final Order and penalty assessed in PDC case No. 94045, Gary Hedger.

The motion [passed](#) 4 - 0.

MOTION 21-0114 Moved by Commissioner Downing and seconded by Commissioner Isserlis that the Commission find the respondent in violation of RCW 42.17A and impose a civil penalty of \$250 with \$150 suspended, contingent on no further violations for four years.

The motion [passed](#) 4 - 0.

- PDC Case [94230](#) – [Susan \(Soosi\) Day](#). Susan (Soosi) Day participated via phone on Microsoft Teams.

MOTION 21-0115 Moved by Commissioner Hayward and seconded by Commissioner Downing that the Commission grant the request and reconsider the Final Order and penalty assessed in PDC case No. 94230, Susan (Soosi) Day.

The motion [passed](#) 4 - 0.

MOTION 21-0116 Moved by Commissioner Hayward and seconded by Commissioner Downing that the Commission find the respondent in violation of RCW 42.17A and impose a civil penalty of \$250 with \$250 suspended, contingent on no further violations for four years.

The motion [passed](#) 4 - 0.

- PDC Case [94061](#) – [James Morem](#). James Morem participated via phone on Microsoft Teams.

The request for reconsideration for PDC Case No. 94061, James Morem, [failed](#) for lack of a motion.

- PDC Case [94257](#) – [William Mirand](#).

MOTION 21-0117 Moved by Commissioner Downing and seconded by Commissioner Isserlis that the Commission grant the request and reconsider the Final Order and penalty assessed in PDC case No. 94257, William Mirand.

The motion [passed](#) 4 - 0.

MOTION 21-0118 Moved by Commissioner Downing and seconded by Commissioner Isserlis that the Commission find the respondent in violation of RCW 42.17A and impose a civil penalty of \$250 with \$150 suspended, contingent on no further violations for four years.

The motion [passed](#) 4 - 0.

Enforcement (Requests for Review) | [PDC Meeting Video](#)

2:40 p.m. The Commission conducted a remote hearing concerning requests for review. Tabatha Blacksmith, Compliance Coordinator, presented the requests to the Commission for review and possible action.

- PDC Case [95383](#) – [Jean Jones](#). Jean Jones participated via phone on Microsoft Teams.

MOTION 21-081 Moved by Commissioner Downing and seconded by Commissioner Isserlis that the Commission find the respondent in violation of RCW 42.17A and impose a civil penalty of \$300 with \$200 suspended.

The motion [passed](#) 4 - 0.

Meeting adjourned at 2:51 p.m.

Approved December 2, 2021.