



**Seattle**  
**City Attorney's Office**

Peter S. Holmes, City Attorney

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October 15, 2018

*Via Email*

RE: Lincoln Beauregard's PDC Complaint

Dear Tabatha Blacksmith:

We are responding to Lincoln Beauregard's PDC complaint on behalf of the nine Seattle elected officials against whom he brought his complaint. Beauregard appears to allege that, in June 2018, members of the Seattle City Council violated RCW 42.17A.555 by repealing the employee hours tax (EHT) ordinance that had been passed the month before. Beauregard also appears to allege that the Mayor committed the same violation by signing the legislative repeal of the EHT.

RCW 42.17A.555 prohibits the use of public resources to assist "the promotion of or opposition to a ballot proposition." It appears from Beauregard's complaint that he is alleging the City Council used "public resources" to promote the Families & Education Levy's ballot campaign by the legislative act of repealing the EHT. This cannot be a viable complaint. City Councilmembers are entitled to legislate – to support, oppose, promote, advocate for, vote for or against, and approve or defeat legislation – because that is the core function of their jobs as municipal legislators. Voting to enact or repeal a municipal tax is a municipal job function for a City Councilmember; it is not a use of public resources for campaigning.

We believe that Mr. Beauregard's complaint should be dismissed in its entirety. If the PDC interprets Mr. Beauregard's complaint differently than we do or determines that it would like any additional information or authority, please let us know, and we will provide a supplemental response.

A handwritten signature in blue ink that reads "Peter S. Holmes".

PETER S. HOLMES  
Seattle City Attorney