



State of Washington
PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908
(360) 753-1111 • FAX (360) 753-1112

Toll Free 1-877-601-2828 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdca.wa.gov

June 3, 2021

Sent electronically to mking@shorelinewa.gov and dtarry@shorelinewa.gov

Subject: Complaint filed by Roger Smith, PDC Case 89001

Dear Margaret J. King, City Attorney, City of Shoreline:

Enclosed is a copy of an electronic letter sent to Roger Smith concerning a complaint filed April 13, 2021 with the Public Disclosure Commission (PDC) alleging a violation of RCW 42.17A.555 by using public office or agency facilities to promote a ballot proposition, specifically Proposition 1, a City of Shoreline-initiated bond measure for park improvements and land acquisition.

As noted in the letter below, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1) and will not be conducting a more formal investigation into these allegations or taking further enforcement action in this matter.

If you have questions, contact Alice Fiman toll-free at 1-877-601-2828, or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

Endorsed by,

/s

Alice Fiman
Compliance Officer

/s

Barbara Sandahl
Deputy Director
For Peter Lavalley
Executive Director



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June 3, 2021

Sent electronically to rtvs102@gmail.com

Subject: Complaint regarding City of Shoreline, PDC Case 89001

Dear Roger Smith:

The Public Disclosure Commission (PDC) completed its review of the complaint you filed April 13, 2021. Your complaint alleged City of Shoreline officials violated RCW 42.17A.555 by using public office or agency facilities to promote a ballot proposition, specifically Proposition 1, a City of Shoreline-initiated bond measure for park improvements and land acquisition.

PDC staff reviewed the allegations, the materials you provided, the materials and response provided by City of Shoreline Attorney Margaret King and the applicable statutes and rules, to determine whether the record supports a finding of one or more violations.

Based on staff's review, we found the following:

- On January 25, 2021, the Shoreline City Council approved Ordinance No. 918, a ballot proposition, City of Shoreline Proposition 1, general obligation bonds for parks and recreation improvements.
- City of Shoreline Proposition 1 was on the April 27, 2021 ballot, with 72.13 percent of the 13,970 votes counted voting yes.
- City of Shoreline Proposition 1 failed to validate, reach 40 percent of the number of votes cast in the previous general election (November 2020). For Proposition 1 to validate, a minimum of 14,092 votes cast was required. The certified election results show 13,970 votes cast, or 122 votes short of validation.
- As provided in the complaint, the City of Shoreline produced and distributed a mailer to city residents in conjunction with Proposition 1.
- In response to the complaint, City of Shoreline Attorney Margaret King stated "under the PDC's Guidelines for Local Government Agencies in Election Campaigns, RCW 42.17A.555 does not prevent a public agency from making an objective and fair presentation of facts relevant to a ballot proposition if such action is part of the normal and regular conduct of the agency. The City of Shoreline commonly mails out such "fact sheets" when it has placed a ballot measure before the voters."
- King stated the mailer was sent to all city residential and commercial addresses and "informs voters on both the monthly and annual cost along with a comparison of that cost to the City's expiring park bond. The Mailer does not advocate for a specific position on Proposition 1."

- As noted by King, PDC Interpretation No. 04-02 entitled Guidelines for Local Government Agencies in Election Campaigns states “Historically, the PDC has routinely advised and held that with respect to election-related publications, one jurisdiction-wide objective and fair presentation of the facts per ballot measure is appropriate.” In addition, it states “The PDC will presume that every agency may distribute throughout its jurisdiction an objective and fair presentation of the facts for each ballot measure.”
- In its review of the complaint and response, PDF staff found the publication provided in the complaint was an objective and fair presentation of facts and there is no evidence of a misuse of public office or agency facilities to promote or oppose the ballot proposition.

Based on these findings, staff has determined, in this instance, the alleged violation of RCW 42.17A.555 by using public office or agency facilities to promote a ballot proposition does not amount to a violation warranting further investigation.

Based on this information, the PDC finds no further action is warranted and has dismissed this matter in accordance with RCW 42.17A.755(1).

If you have questions, contact Alice Fiman toll-free at 1-877-601-2828 or by e-mail at fdc@fdc.wa.gov.

Sincerely,

/s

Alice Fiman
Compliance Officer

Endorsed by,

/s

Barbara Sandahl
Deputy Director
For Peter Lavalley
Executive Director