

State of Washington
PUBLIC DISCLOSURE COMMISSION
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MINUTES – Regular Meeting

9:30 a.m. | May 26, 2022

711 Capitol Way S. #206

Olympia, Washington

Commission Members Present

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

Commission Members Present (Participated via Microsoft Teams)

Jocelyn Cooney, Member.

Commission Member Absent

Fred Jarrett, Chair

Staff Present

Peter Frey Lavalley, Executive Director; Kim Bradford, Deputy Director; Sean Flynn, General Counsel; Jana Greer, Administrative Officer; Kendra Hodgson, Communications and Outreach Director; John Meader, Assistant Attorney General representing the Commission.

Staff Present (Participated via Microsoft Teams)

James Gutholm, Chief Information Officer; Chip Beatty, Customer Service and Outreach Director (outgoing); Tabitha Townsend, Compliance Coordinator; Tabatha Blacksmith, Compliance Coordinator; Kurt Young, Compliance Officer; Jennifer Hansen, Compliance Officer; Alice Fiman, Compliance Officer; Bret Skipworth, DES Senior Financial Consultant; Chad Standifer, Assistant Attorney General representing PDC staff; and Susie Giles-Klein, Assistant Attorney General representing PDC staff.

The regular meeting of the Public Disclosure Commission (PDC) was called to order by Commission Vice Chair Isserlis at 9:30 a.m.

[PDC Meeting Video](#)

COVID-19 update: The May 26, 2022, Public Disclosure Commission Meeting was streamed live via TVW at [WAPDC.5.26.22](#)

Chair Opening Comments | [PDC Meeting Video](#)

Vice Chair Isserlis welcomed all attendees and viewers to the May 26, 2022, Regular Commission meeting. She indicated she would be leading the meeting in Chair Jarrett's absence.

Consideration and Possible Approval of Meeting Minutes | [PDC Meeting Video](#)

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

- April 28, 2022, Regular Meeting

MOTION 21-0174 Moved by Commissioner Downing and seconded by Commissioner Hayward that the Commission approve the meeting minutes for the April 28, 2022, regular meeting with clarification to language for motion 21-0171 and motion 21-0173.

The motion [passed](#) 4 – 0.

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:

- [Conner Edwards](#), campaign treasurer, commented on proposed stakeholder advisory committee.
- [Jason Michaud](#), campaign treasurer, commented on proposed stakeholder advisory committee.
- [Janet Miller](#), campaign treasurer, commented on proposed stakeholder advisory committee.

Budget Update | [PDC Meeting Video](#)

Executive Director Peter Frey Lavalley and Bret Skipworth, DES Senior Financial Consultant, provided the budget update to the Commission.

Enforcement Hearings | [PDC Meeting Video](#)

10:00 a.m. The Commission conducted a remote hearing for alleged violations of [RCW 42.17A.700](#) by failing to file a Personal Financial Affairs Statement (F-1 report) disclosing financial information. Tabitha Townsend, Compliance Coordinator, and Tabatha Blacksmith, Compliance Coordinator, presented the cases to the Commission for possible action.

- PDC Case [108247](#) – [Gerald \(Jerry\) Lord](#) a City Council Member of City of Chehalis. PDC staff is alleging that the Respondent violated RCW 42.17A.700 by failing to file Personal Financial Affairs Statements (F-1 reports), due no later than April 15, 2021, and April 15, 2022, disclosing financial information for calendar years 2020 and 2021.

MOTION 21-0175 Moved by Commissioner Downing and seconded by Commissioner Cooney that the Commission find the respondent in violation of RCW 42.17A and impose a civil penalty of \$750.00.

The motion [passed](#) 4 – 0.

- PDC Case [108248](#) – [Jesse Campos](#) a School Director for Pasco SD 001. PDC staff is alleging that the Respondent violated RCW 42.17A.700 by failing to file Personal Financial Affairs Statements (F-1 reports), due no later than April 15, 2021, and April 15, 2022, disclosing financial information for calendar years 2020 and 2021.

Jesse Campos participated via Microsoft Teams.

MOTION 21-0176 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 \$500.00.

The motion [passed](#) 4 – 0.

- PDC Case [108250](#) – [Charla Neuman](#) a City Council Member for City of Sumner. PDC staff is alleging that the Respondent violated [RCW 42.17A.700](#) by failing to file Personal Financial Affairs Statements (F-1 reports), due no later than April 15, 2021, and April 15, 2022, disclosing financial information for

calendar years 2020 and 2021.

MOTION 21-0177 Moved by Commissioner Downing and seconded by Commissioner Cooney that the Commission find the respondent in violation of [RCW 42.17A](#) and impose a civil penalty of \$2,000.00

The motion [passed](#) 4 – 0.

- PDC Case [108249](#) – [Jessie Deardorff](#) a School Director for Ferndale SD 502. PDC staff is alleging that the Respondent violated [RCW 42.17A.700](#) by failing to file Personal Financial Affairs Statements (F-1 reports), due no later than April 15, 2021, and April 15, 2022, disclosing financial information for calendar years 2020 and 2021.

MOTION 21-0178 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 \$2,000.00.

The motion [passed](#) 4 – 0.

- PDC Case [108246](#) – [Jerrall Haynes](#) a School Director for Spokane SD 081. PDC staff is alleging that the Respondent violated [RCW 42.17A.700](#) by failing to file Personal Financial Affairs Statements (F-1 reports), due no later than April 15, 2021, and April 15, 2022, disclosing financial information for calendar years 2020 and 2021.

MOTION 21-0179 Moved by Commissioner Hayward and seconded by Commissioner Cooney that the Commission find the respondent in violation of [RCW 42.17A](#) and impose a civil penalty of \$3,000.00.

The motion [passed](#) 3 – 0. Commissioner Isserlis [recused](#) herself from the matter.

- PDC Case [108252](#) – [William \(Beau\) Burkett](#), 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), due no later than April 15, 2022, disclosing financial information for calendar year 2021.

MOTION 21-0180 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 \$10,000.00 with \$4,000.00 suspended contingent on filing all missing reports and payment within 30 days.

The motion [passed](#) 4 – 0.

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

- [Executive Director Update](#). Chip Beatty's departure and Kendra Hodgson's welcoming.
- [Deputy Director Update](#).
- [IT Activity Report](#).
- [Customer Service and Filer Assistance Update](#).

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Enforcement Updates | [PDC Meeting Video](#)

Kurt Young, Compliance Officer, presented the enforcement update report as of May 19, 2022.

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

- [Audits](#) – Commissioner Isserlis and Kurt Young, Compliance Officer.
- [Enforcement Process Map](#) – Commissioner Downing and Alice Fiman, Compliance Officer.
- [Campaign Reporting Modernization](#) – Commissioner Cooney and James Gutholm, Chief Information Officer.
- [Digital Political Advertising Disclosure](#) – Kim Bradford, Deputy Director.
- [Training Program Expansion](#) – Commissioner Hayward and Chip Beatty, Customer Service and Outreach Director.

APA Petition | [PDC Meeting Video](#)

General Counsel Sean Flynn presented the APA Petition the Public Disclosure Commission received concerning a proposed stakeholder advisory committee.

Chair Jarrett was not in attendance for the May 26, 2022, regular meeting. The Commission postponed acting on the matter until the June 23, 2022, regular commission meeting and welcomed further public comment on the matter in the duration.

- [Next Steps/Follow-up](#): *Staff to research what other states do in the regard to stakeholder input and the levels of formality.*

Break/Executive Session & Closed Session

The Commission went into Executive Session at 12:00 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 1:00 p.m.

Reporting Modifications | [PDC Meeting Video](#)

1:02 p.m. The Commission conducted a remote hearing concerning requests for reporting modifications. Jennifer Hansen, Compliance Officer, presented the requests to the Commission for consideration and possible approval.

NEW

- [Christopher Jordan](#) – Candidate for County Commissioner, Spokane County [WAC 390-28-100\(1\)\(d\)](#). [Christopher Jordan](#) participated via Microsoft Teams.

Commissioner [Cooney](#) stated having known Christopher Jordan but said it would not affect her ability to make a decision.

MOTION 21-0181 Moved by Commissioner Hayward and seconded by Commissioner Cooney that the Commission grant the partial reporting modification, on the basis that literal application of the law would cause a manifestly unreasonable hardship

on the applicant and that the limited modification would not frustrate the purposes of the Act.

The motion [passed](#) 3 – 0. Commissioner Isserlis [recused](#) herself from the matter. [Final Order](#)

- [Norma Rodriguez](#) – Judge, Benton County Superior Court [WAC 390-28-100\(1\)\(e\)\(ii\)](#). [Norma Rodriguez](#) participated via Microsoft Teams.

MOTION 21-0182 Moved by Commissioner Downing and seconded by Commissioner Cooney that the Commission grant the partial reporting modification, on the basis that literal application of the law would cause a manifestly unreasonable hardship on the applicant and that the limited modification would not frustrate the purposes of the Act.

The motion [passed](#) 4 – 0. [Final Order](#)

REQUEST FOR RECONSIDERATION

- [Umair Shah](#) – Director, Department of Health [WAC 390-28-100\(1\)\(d\)](#). Umair Shah participated via Microsoft Teams.

The Commission went into closed session at 1:25 pm to discuss matters allowed in Closed Session pursuant to [RCW 42.17A.120](#)

MOTION 21-0183 Moved by Commissioner Hayward and seconded by Commissioner Downing that the Commission reconsider the request for reconsideration concerning Umair Shah from the previous April 28, 2022, regular commission meeting.

The motion [passed](#) 4 – 0.

MOTION 21-0184 Moved by Commissioner Downing and seconded by Commissioner Hayward that the Commission grant the partial reporting modification, on the basis that literal application of the law would cause a manifestly unreasonable hardship on the applicant and that the limited modification would not frustrate the purposes of the Act.

The motion [passed](#) 4 – 0. [Final Order](#)

Commissioner Downing stated the closed session would no longer be considered a closed session and the recording of the discussion would be made a public record. [PDC Meeting Video](#)

NEW

- [Joseph Evans](#) – Judge, Pierce County Superior Court [WAC 390-28-100\(1\)\(e\)](#).

MOTION 21-0185 Moved by Commissioner Downing and seconded by Commissioner Hayward that the Commission grant the partial reporting modification as modified, on the basis that literal application of the law would cause a manifestly

unreasonable hardship on the applicant and that the limited modification would not frustrate the purposes of the Act.

The motion [passed](#) 4 – 0.

The Commission went into Closed Session at 1:57 p.m. to discuss matters allowed in Closed Session pursuant to [RCW 42.17A.120](#)

Commissioner Downing amended his previous Motion 21-0185.

MOTION 21-0186 Moved by Commissioner Downing and seconded by Commissioner Hayward that the Commission grant the partial reporting modification as modified to redact a personal phone number from the C-1 report due to a personal safety concern, on the basis that literal application of the law would cause a manifestly unreasonable hardship on the applicant and that the limited modification would not frustrate the purposes of the Act.

The motion [passed](#) 4 – 0. [Final Order](#)

Meeting adjourned at 2:10 p.m.

Approved June 23, 2022.