



**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](mailto:pdcc@pdcc.wa.gov) • Website: [www.pdca.wa.gov](http://www.pdca.wa.gov)**

August 1, 2019

Delivered electronically to "[nicolaformayor@gmail.com](mailto:nicolaformayor@gmail.com)"

Subject: PDC Case 54934

Dear Nicola Smith:

Below is a copy of an electronic letter sent to Michael Eckart concerning a complaint filed with the Public Disclosure Commission (PDC).

As noted below to Michael Eckart, 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, you may contact Tabatha Blacksmith at 360-586-8929, toll-free at 1-877-601-2828 or by e-mail at [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov)

Sincerely,

/s \_\_\_\_\_  
Tabatha Blacksmith  
Compliance Coordinator

Endorsed by,

/s \_\_\_\_\_  
Barbara Sandahl  
Deputy Director  
For Peter Lavalley  
Executive Director

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August 1, 2019

Delivered electronically to "[eckartm@frontier.com](mailto:eckartm@frontier.com)"

Subject: Complaint regarding Mayor Nicola Smith, PDC Case 54934

Dear Michael Eckart:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on July 15, 2019. Your complaint alleged that Mayor Nicola Smith (the "Respondent") may have violated RCW 42.17A.555 by allowing the use of public facilities (the City of Lynnwood website) to assist an election campaign.

PDC staff reviewed your allegations; the applicable statutes, rules, and reporting requirements; the response(s) provided by Respondent, and additional evidence provided by Lynnwood Forward to determine whether the record supports a finding of one or more violations.

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

- The Respondent is the Mayor of the City of Lynnwood.
- As a local elected official, the Respondent is subject to RCW 42.17A.555, which prohibits elected officials from using, or authorizing the use of, public office/agency facilities, either directly or indirectly, to promote or oppose any ballot proposition. "Facilities" include, but are not limited to, the use of office space, stationary, postage, machines and equipment, and employee work hours. Facilities may also include a website owned by a public office/agency.
- Candidates Nick Coelho, Naz Lashgari & Ashkan Amouzegar launched the shared website [www.lynnwoodforward.com](http://www.lynnwoodforward.com) on May 22, 2019. Each candidate has a page on the site containing a list of "Endorsements."
- Sometime between 5/22/19 and 7/18/19, Lynnwood Forward linked the Respondent's name to a City of Lynnwood web page <http://www.lynnwoodwa.gov/Government/MayorSmith.htm> on its "Endorsements" pages for Candidates Coelho, Lashgari & Amouzegar.
- After being notified of the links on July 18, 2019, the Respondent indicated that she was not aware that Lynnwood Forward had linked the city's official website to her name as an endorser. The Respondent immediately made a good-faith effort to quickly resolve the issue and the links were removed the next day.

- On July 20, 2019, Lynnwood Forward emailed the PDC explaining that its website designer, who was not aware of PDC laws & rules, added the links to the Endorsement pages in error.
- In light of the fact that the Respondent was not aware of the links and Lynnwood Forward's admission, we have concluded that the Respondent did not authorize the use of the City of Lynnwood's public facilities.

Based on these findings, staff has determined that, in this instance, the unauthorized linking of the Respondent's name to the city's website does not amount to a violation warranting further investigation.

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

If you have questions, you may contact Tabatha Blacksmith at 1-360-586-8929, toll-free at 1-877-601-2828 or by e-mail at [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov)

Sincerely,

/s \_\_\_\_\_  
Tabatha Blacksmith  
Compliance Coordinator

Endorsed by,

/s \_\_\_\_\_  
Barbara Sandahl  
Deputy Director  
For Peter Lavalley  
Executive Director

cc: Mayor Nicola Smith