

File a Formal Complaint - Jim Lazar

Jim Lazar reported via the portal

Jim Lazar reported (1 Aug 2019)

The City is always in a budget cycle. For the 2020 budget, the City prepared a Public Service Announcement, in which the Mayor appears in a video, urging involvement.

The Mayor's participation in this may violate RCW 42.17A.575. That is not the focus of this complaint.

However, because the City actually prepared this video, and is using the City website and City Facebook page to promote it, the City appears to be in violation of RCW 42.17A.555.

a) Is using city facilities in support of a campaign in violation of RCW 42.17A.; the person who caused this video to be posted on the city website, and linked to the city Facebook page, undoubtedly reports to the City Manager, which is why Steve Hall is personally named. The only City employees who do not report to the City Manager are the Municipal Court Judge and the Hearing Examiner, and neither of them likely have access to post material directly to the City website or Facebook page.

b) Has failed to assure, by contract, that the video that the City produced and owns, would not be used in violation of RCW 42.17A.575 as required by that statute.

RCW 42.17A.575 is unambiguous in its language: during the calendar year of her re-election campaign, the Mayor may not appear in a public service announcement that bears her photo. That is violated by the email the City mailed, and the portrayal that is on the City website, both of which contain her photo and a link to the video.

The email I received, which is attached, is clearly a public service announcement. It was directly emailed to a list of nearly 2,500 "subscribers" to City email announcements. In addition, the City Facebook page has over 10,000 "followers" each of whom has been encouraged to visit this video.

I believe that the City should be required to:

- a) remove the offending photograph and video from its website and Facebook page immediately.
- b) be fined at least the amount that would be incurred by each of the opponents to the Mayor to directly mail each person who received this advertisement from the City via website or Facebook, and
- c) The City should be required to provide each other candidate equal access to the City Facebook page and website to provide "equal time" to all candidates. When each candidate has reached the same number of "impressions" as the Mayor has, that equal time should be deemed satisfied.



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July 17 at 9:26 AM · 

SHOW ME THE REVENUE

In our second of three (completeley ridiculous) videos about the City's budget process, we talk a little about where all of the money comes from and how most (about 68%) of that money has to be used for specific things. But how do we decide how to spend the rest? Stay tuned tomorrow for video 3.

Spoiler alert: It all starts with your priorities.

In fact, we want to know about your priorities right now as we begin to develop the 2020 budget. We've built specific surveys for each of Olympia's five focus areas.

- Community, Safety & Health
- Downtown
- Economy
- Environment
- Neighborhoods

Take them all or only those that interest you at <https://engage.olympiawa.gov/2020-budget-ppi>



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Home » 2020 Budget: Your Priorities

2020 Budget: Your Priorities



Tell us your priorities for the 2020 budget

In 2018, the City began to use a new and unique process to develop the City's budget called **PPI** (Priorities, Performance and Investment).

REGISTER to get involved!

Who's listening

Jim Cooper

City Councilmember, Finance Committee Chair



Jessica Bateman

City Councilmember, Finance Committee



Lisa Parsley

City Councilmember, Finance Committee



Timeline

[Online Surveys Open](#)

July 09 2019

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Karen

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July 10 at 8:00 AM · 🌐

As we begin to develop the City budget for 2020, we need to hear from you.
WHAT ARE YOUR TOP PRIORITIES?

We've created individual surveys for each of Olympia's five focus areas.

- Community, Safety & Health
- Downtown
- Economy
- Environment
- Neighborhoods

Complete them all, or only those that interest you at:
<http://EngageOlympia.com>

Just a few minutes of your time will help us understand what elements of our community vision matter to you most.

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July 16 at 9:06 AM · 🌐

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THE BUDGET GAMES

How does the City decide how to spend 150 million dollars a year? It's not a big battle between departments anymore... well usually 😊.

I'll be sharing three (completely ridiculous) videos over the next few days to show you how it really works.

Spoiler alert: It all starts with your priorities.

In fact, we want to know about your priorities right now as we begin to develop the 2020 budget. We've built specific surveys for each of Olympia's five focus areas.

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Subject: An Invitation from Mayor Cheryl Selby
From: City of Olympia <news@olympiawa.gov>
Date: 7/16/2019, 3:09 PM
To: <jlazar@jimlazar.com>



City News & Information



An invitation from the Mayor

I hope you're having a wonderful summer and are enjoying everything our beautiful City has to offer this time of year. Summertime is when those of us at the City start to think about the next year's City Budget.

An important part of creating our budget each year is hearing from citizens like you, so here's an opportunity to share what's most important to you as we kick off this process.

We have a big and inspiring community vision. There are lots of ideas for how to achieve that vision, and our budget process is one of the most important ways in which we determine how to invest in what matters most to you. In addition to providing all those things that are critical to making our City function safely – like clean drinking water, safe roads, and a top-notch sewer system – our budget determines how we invest in the other things that make our city such a wonderful place to live, work, and play.

In Olympia, it's important that citizens have the chance to weigh in on our priorities so that we make the best and wisest decisions together, as a community. I want you to be a part of this conversation and we've made it really simple.

Just visit our **Engage Olympia** page titled [2020 Budget: Your Priorities](#) and take the surveys that matter to you to tell us which priorities you think are the highest for next year's budget.

We look forward to hearing what you have to say!

Sincerely,

Mayor Cheryl Selby



Go to Engage Olympia



[View this email in your browser](#)

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You are receiving this email because you opted in via our website.

Our mailing address is:

City of Olympia
601 4th Ave E
Olympia, WA 98501-1112

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Want to change how you receive these emails?

You can [update your preferences](#) or [unsubscribe from this list](#).

Complaint Description

Jim Lazar replied Thurs, August 1, 2019 at 11:39AM
to: "PDC Support" pdcc@pdcc.wa.gov

I submitted a complaint against the City of Olympia a few minutes ago. This is a reply to the email that said I could "update" my complaint.

I could not "attach" the video that I reference in the complaint. Nor could I embed a link to it.

However, I believe the link below will take the PDC staff to a recording I made of the video. It may also still be accessible on the City website.

What impact does the alleged violation(s) have on the public?

The public, primarily Olympia citizens, are exposed to a public service announcement broadcast on the City's website showing the mayor urging involvement in a city process. This is free advertising for the Mayor's re-election campaign, and not made equally available to other candidates for this position.

List of attached evidence or contact information where evidence may be found

Copy of email received by Jim Lazar from the City.

Copy of City web page showing the Mayor's picture, and a link to a youtube video of the Mayor making a speech.

Copy of City Facebook pages, directing viewers to the video of the Mayor.

I have a recording of the offending video, but do not know how to save that to a file small enough to attach. I can provide (I think) a link to it on request from the PDC, and can definitely bring my phone to the PDC office to show the video.

I have a complete copy of the email list that the City used to distribute this Public Service Announcement / Advertisement, but am contractually limited from sharing it under the terms by which the City released it to me under the Public Records Act. I think that means I should not attach it, because all attachments become public records at the PDC. But it can be obtained from the City by requesting the Public Records supplied to me on July 31.

List of potential witnesses with contact information to reach them

Cheryl Selby, Mayor of Olympia

Steve Hall, City Manager of Olympia

Karen Messmer, Citizen who has viewed the video online, and observed the Facebook pages.
360-357-8364

I certify (or declare) under penalty of perjury under the laws of the State of Washington that information provided with this complaint is true and correct to the best of my knowledge and belief.