



December 6, 2019

SENT VIA EMAIL

Kurt Young
pdc@pdc.wa.gov
PDC Compliance Officer
State of Washington
Public Disclosure Commission
P.O. Box 40908
Olympia, WA 98504-0908

Subject: PDC Case No. 59039 – City of Olympia Response to consolidated complaints

Dear Mr. Young:

This letter responds to your November 22, 2019, email requesting additional information from the City of Olympia related to the PDC's investigation of an alleged violation of RCW 42.17A.555 for misuse of public facilities to oppose a ballot proposition (EY 19; Oct 19).

1. How long has Steve Hall been City Manager for the City of Olympia?

Steve Hall retired from the position of Olympia City Manager on November 7, 2019. Prior to his retirement, Mr. Hall held the position of Olympia City Manager for approximately 16 years, beginning on September 1, 2003.

2. Please generally describe the scope of Mr. Hall's duties, and his role in the day-to-day operations of the City of Olympia.

Mr. Hall's duties as Olympia City Manager are set forth in RCW 35A.13.080 and more particularly described in the Olympia City Manager position description, attached to this letter as Attachment E.

3. Please provide the monthly salary amount paid to Steve Hall as City Manager.

Prior to his retirement on November 7, 2019, Mr. Hall's monthly salary as Olympia City Manager was \$14,514.22.

4. Please describe Mr. Hall's typical interactions with the Mayor and City Council as City Manager, and his role in the city's legislative and decision-making process.

Given the breadth of Mr. Hall's role as Olympia City Manager and frequent and varied interactions with members of the City Council, including the Mayor, it is difficult to describe "typical interactions with the

Mayor and the City Council.”¹ However, as City Manager, Mr. Hall in recent years regularly had the following interactions with City Council members, including the Mayor:

- Mr. Hall typically attended each meeting of the Olympia City Council and would interact with members of the City Council, including the Mayor, at such meetings.
- Mr. Hall met most weeks with the Mayor, the Mayor Pro Tem, and one other member of the City Council (on a rotating basis) to set the agenda for that week’s City Council meeting.
- Mr. Hall typically conducted one-on-one meetings or calls with each member of the City Council, generally weekly.

5. In the response dated October 29, 2019, you stated that “city staff” designed the mailer. Identify the specific City of Olympia staff member or members that were responsible for the design, content, and review of the mailer, and to whom these staff member or members reported to with respect to their work on the mailer.

The following table shows the individuals who were primarily responsible for the design, content, and review of the mailer. Each individual’s role, to whom they reported, and the time each spent on tasks related to the mailer are reflected in the following table:

Name, position	Role	Reported to	Approximate time spent
Steve Hall, City Manager	Approved general approach, approved final product	City Council	.5 hours
Kellie Braseth, Strategic Communications Director	Reviewed content, facilitated obtaining voter addresses	Steve Hall, City Manager	1.5 – 2 hours
Rich Hoey, Public Works Director	Coordinated approval from City Manager, reviewed content	Steve Hall, City Manager	1 - 2 hours
Mark Barber, City Attorney	Provided legal advice on the approach to the mailer and reviewed its content	Steve Hall, City Manager	1 - 1.5 hours
Mark Russell, Deputy Director, Public Works	Coordinated development and review of the content of the mailer	Rich Hoey, Public Works Director	2 - 3 hours

¹ Please note: the City of Olympia utilizes a “Council-Manager” form of government under RCW Chapter 35A.13 in which the mayor is a member of the city council and the city council hires and directs the city manager, who serves as chief administrative officer and is responsible for the day-to-day administration of the city.

Name, position	Role	Reported to	Approximate time spent
Kristin Gilkerson, Program Specialist, Public Works Transportation Program	Developed content in coordination with members of the Transportation Leadership Team; provided photos and worked on design, in collaboration with Jessi Turner	Sophie Stimson, Transportation Planning Supervisor	25 hours
Sophie Stimson, Transportation Planning Supervisor	Reviewed and edited content of the mailer	Mark Russell, Deputy Director, Public Works	3 - 4 hours
Andrew Beagle, Transportation Engineering Supervisor	Reviewed and made suggested edits and additions to the content of the mailer	Mark Russell, Deputy Director, Public Works	2 hours
Jessi Turner, Program Specialist	Graphic designer for the mailer, consulted on design formatting and best practices in collaboration with Kristin Gilkerson.	Kellie Braseth, Strategic Communications Director	30 hours
		Total approximate hours	66-70 hours

6. Identify, approximating if necessary, the amount of time spent by Steve Hall on the mailer, to include time spent on the design, content, or review of the mailer. Also identify, approximating if necessary, the collective amount of time spent by City of Olympia staff member or members on designing, producing, or reviewing the mailer.

See the response to question 5, above.

7. Did the Mayor of Olympia or any Olympia City Council member have any meetings, e-mail communications, conversations or discussions with Mr. Hall concerning the No on I-976 mailer before it was printed and distributed? If yes, specify who Mr. Hall communicated with, when those communications took place, and describe the nature of those conversations. If those communications were in writing (emails, text messages, etc.), staff is requesting copies of those communications.

Most members of the City Council recall that they were generally made aware that a mailer regarding I-976 was to be prepared and sent out. Some Council members recall that City Manager Steve Hall mentioned at a Council meeting that a mailer regarding I-976 was going to be sent out. A few members of the Council discussed an I-976 mailer generally in one-on-one meetings with Mr. Hall. And one

member of the Council recalls that Mr. Hall mentioned an I-976 mailer at a weekly agenda setting meeting. However, no members of the Council were consulted about or made aware of the content of the mailer. As best as can be determined, no communications between Mr. Hall and members of the Council regarding the mailer were in writing.

- 8. Did the Mayor of Olympia or any Olympia City Council member review the content of the No on I-976 mailer before it was distributed, or receive a “heads-up” that it was going to be mailed out? If yes, specify who conducted that review or was notified about the pending mailer, when those communications took place, and describe what, if any, feedback was provided to Mr. Hall by the Mayor or member(s). If those communications were in writing (emails, text messages, etc.), staff is requesting copies of those communications.**

See the response to question 7, above.

- 9. Concerning action taken at the October 8, 2019, Olympia City Council meeting to adopt Resolution M-2055 opposing Initiative 976, once the resolution had been adopted, was there any discussion amongst the Council members (with or without Mr. Hall) about the need to send out a mailer concerning the action taken? If yes, specify who participated in that discussion(s), when that discussion(s) took place, and describe what, if any, direction or instruction was provided to Mr. Hall by the member(s).**

As discussed in the response to question 7, above, City Manager Steve Hall made members of the Council aware that a mailer regarding I-976 was to be sent out. However, members of the Council do not recall that there was any discussion amongst Council members about an I-976 mailer.

- 10. As we discussed during our telephone call, staff received an additional inquiry from a citizen alleging he received a copy of the mailer despite the fact he lives outside of the City of Olympia area. Staff is requesting the City of Olympia provide a copy of the invoice or receipt from the Thurston County Auditor’s Office for the mailing labels, and any additional back-up documentation concerning the purchase and/or use of the labels.**

See Attachment F to this letter.

- 11. In the City of Olympia’s response dated October 29, 2019, you stated “And because the Council had expressed its opposition to I-976, which staff viewed as being equivalent to the Council urging a “no” vote...”. Please identify the City of Olympia staff member or members who concluded that the resolution was the equivalent of urging a no vote.**

City Manager Steve Hall, after consulting with City Attorney Mark Barber, and discussing the matter with Public Works Director Rich Hoey, concluded that the Council’s resolution was the equivalent of urging a no vote.

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12. Concerning the prior mailings included as part of the City of Olympia's response, did Mr. Hall also authorize or approve any or all of those mailings? If not, who did?

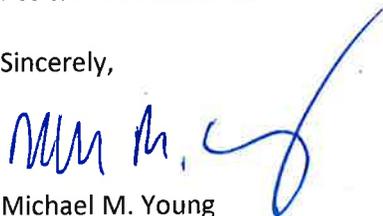
Development of the content and design of those prior mailings would have occurred at the staff level. Mr. Hall's role would have been limited to approving the sending of a mailer generally and perhaps reviewing and approving the final product before it was printed for mailing and mailed.

13. None of the mailings included as part of the City of Olympia's response dated October 29, 2019, urged either a yes or a no vote, and each contain the phrase "For Information Purposes Only" and state that the mailer is "not intended to support or oppose" the proposition identified in each mailer. In light of this past practice, identify the City of Olympia staff member or members that made the decision to include the "Vote No" language, as well as the decision to not include the other language described above.

City Manager Steve Hall, after consulting with City Attorney Mark Barber, and discussing the matter with Public Works Director Rich Hoey, made the decision to include the "vote no" language and to omit the other language.

Thank you for the opportunity to respond to these questions. If you require further information, please do not hesitate to contact us.

Sincerely,



Michael M. Young
Deputy City Attorney

MMY:kap

Attachments

cc: Olympia City Council
Jay Burney, Interim City Manager
Keith Stahley, Interim Assistant City Manager
Mark Barber, City Attorney
Kellie Braseth, Strategic Communications Director



City Manager

Class Code:
10

Bargaining Unit: Independent

CITY OF OLYMPIA
Established Date: Jan 1, 1985
Revision Date: Dec 28, 2010

SALARY RANGE

\$83.74 Hourly
\$14,514.22 Monthly
\$174,170.67 Annually

DESCRIPTION:

The City Manager serves as the Chief Administrative Officer of the City of Olympia government.

ESSENTIAL FUNCTIONS:

The essential functions of this position include but are not limited to:

1. Coordinates the activities of all City departments to meet overall organizational goals; leads and directs executive management in effecting actions which carry out policies as set by the City Council.
2. Serves as the Chief Administrative Officer of the City responsible to the City Council, directs issues to the Council and makes recommendations for action.
3. Appoints and serves as the immediate supervisor to all City Department Directors; confers with Department Directors on goals, organization, staffing, special needs and problems.
4. Directs the preparation of the annual budget, prepares the budget message and submits the budget to the City Council.
5. Addresses and/or meets and confers with local business groups, individuals, citizen groups, media and other government officials regarding issues, needs and problems facing the City.
6. Resolves a variety of difficult and complex management problems.
7. Administers a variety of special programs and operations.
8. Reports regularly to the City Council on the status of City operations and programs.
9. Prepares policy statements and procedures for implementing goals and programs or regulations.
10. Punctual, regular and reliable attendance is essential for successful job performance.

TYPICAL QUALIFICATIONS:

Knowledge/Skills/Abilities:

1. Knowledge of the various forms, functions and organizational styles of municipal government.
2. Knowledge of current literature, trends and developments in the fields of Public Administration and Public Finance.
3. Knowledge of budgeting principles and practices.
4. Knowledge of the principles, philosophy and common practices of public personnel administration.
5. Ability to serve effectively as the administrative agent of the City Council.
6. Ability to effectively delegate responsibility to subordinates.
7. Ability to work with and coordinate the activities of subordinate personnel while encouraging their development.
8. Ability to analyze organizational and administrative problems, adopt an effective course of action and provide leadership to others in such actions.
9. Ability to plan and coordinate the preparation and administration of a multi-department budget.
10. Ability to create innovative management programs and systems in response to organizational needs.
11. Ability to prepare clear and comprehensive written reports.
12. Ability to speak effectively and persuasively in a variety of situations.
13. Ability to gain the trust and cooperation of others under difficult circumstances and communicate technical concepts and abstract ideas.
14. Ability to establish and maintain cooperative relationships with City officials and employees, the general public and representatives of other agencies in the capacity of agent for the City Council.
15. Demonstrated punctual, regular and reliable attendance is required.

Experience/Education:

1. Graduation from a four year college or university with a degree in Public Administration or a closely related field; and five years of progressively responsible municipal management experience.
2. A Master's Degree in Public Administration or a closely related field is desirable and may be substituted for up to one year of the required experience. (Additional experience in the field of municipal management may be substituted for the college degree with one year of experience being equal to one year of education.)

Special Requirements

1. Valid Washington State Driver's License may be required.

SUPPLEMENTAL INFORMATION:

Contacts:

1. Interpersonal contact is the key to effective City management.
2. As the Chief Administrative Officer of the City, the City Manager has contact with citizens, personnel of all departments and divisions, the business community, neighborhood organizations, the media, City administrators, and City Council members.
3. Contacts are varied in type and intensity.
4. The City Manager is occasionally involved in highly sensitive and/or emotional interactions requiring skill in gaining the trust and confidence of others.
5. Contact with management professionals of other agencies and jurisdictions is encouraged to keep current on trends and new developments in the field of municipal management.

Supervision:

1. The City Manager supervises all City personnel through Department Directors.

Accountability:

1. Major decisions affecting the effective operation of City functions are the responsibility of the City Manager and errors could cause serious setbacks to the City's ability to carry out its mission.
2. The incumbent is directly responsible to the City Council for the effective operation of all City functions.

Working Conditions:

1. The position of City Manager subjects the incumbent to the continual stress of accommodating competing demands and meeting deadlines.
2. Ability to attend meetings regionally, during evenings and weekends, is necessary.

The City of Olympia is an Equal Opportunity Employer, committed to a diverse workforce. Women, minorities, and people with disabilities are encouraged to apply.

CLASS SPEC DATA:

FLSA Status - Exempt

Pay Grade - 500

Represented - No

Thurston County Auditor's Office, Elections Division

2000 Lakeridge Drive SW, Olympia, WA 98502

Phone: 360.786.5408 Fax: 360.786.5223

Email: elections@co.thurston.wa.us

Web: ThurstonVotes.org

RECEIVED DATE
ATTACHMENT F

Request for Registered Voter Data

(The Auditor shall furnish copies of voter data as allowed in RCW 29A.08.720.)

Contact Information

Kellie Purce Braseth

Name

Campaign

601 4th Ave. East, Olympia, WA 98507

Address

kbraseth@ci.olympia.wa.us

Email

360-753-8361

Day Phone

Data (Reports are emailed excel files. CD's or .txt files available upon request.)

Jurisdiction(s): Full County Other (i.e. district, precinct) City of Olympia

District Flags (Optional): Congressional Legislative Commissioner School Fire

Initial Sort: Residential Address Precinct Last Name

Address Information: (choose **ONE**) Residential & Mailing Residential Only Mailing Only

Voter History: None Last 2 Primary & 2 General Election

or Dates Listed: 1. _____ 2. _____ 3. _____ 4. _____ 5. _____

Labels & Lists: Special orders may be placed. Labels = \$.0275 per voter. Lists = \$.15 per sheet. Payment in **FULL** is required prior to processing. Allow 48 hours for processing.

Matchbacks: Lists of voters who returned their ballot (includes voter registration number, return date, and ballot status).

Matchbacks & Full Voter List Matchbacks Only

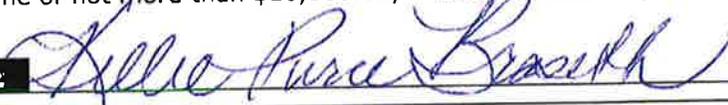
(choose **ONE** election) February April August November

Special Instructions: _____

Acknowledge & Finalize

I have read and understand the legal statutes (RCW 29A.08.720 & 29A.08.740) on the back of this request form that describe the limits on how this data may be used. I will not use this data for commercial purposes and will exercise due care in the responsibility of securing this data. I understand I am jointly and severally liable for damages incurred from any misuse of this data in my possession or from my distribution. I understand that any violation of RCW 29A.08.720 relating to the misuse of such data is a felony punishable by: imprisonment for not more than five (5) years, a fine of not more than \$10,000.00, or both fine and imprisonment.

Signature:



Date:

10/01/19

For Office Use Only

Voter Data Request Log Updated: []

Price: \$ _____

Paid/Check or Receipt #: _____

Notes: _____

Date Satisfied: ____/____/____

_____, Deputy