



**State of Washington  
PUBLIC DISCLOSURE COMMISSION**

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908

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**Toll Free 1-877-601-2828 • E-mail: [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov) • Website: [www.pdcc.wa.gov](http://www.pdcc.wa.gov)**

December 16, 2019

Delivered electronically to [lsutton@omwlaw.com](mailto:lsutton@omwlaw.com), [msauerwein@medina-wa.gov](mailto:msauerwein@medina-wa.gov),  
[jketter@medina-wa.gov](mailto:jketter@medina-wa.gov), [eminer@omwlaw.com](mailto:eminer@omwlaw.com)

Subject: Complaint filed by Wilma L. Edmonds, PDC Case 59732

Dear Linda Sutton, on behalf of City of Medina officials:

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

As noted in the letter to Wilma L. Edmonds, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1) and will not conduct a more formal investigation into these allegations or take further enforcement action in this matter.

While staff's review of the publication found that the majority of the content was a fair and objective presentation of facts, there was some statements or phrases included such as "unstainable financial future," and that "threatening the delivery of essential City services – police, fire, medical aid..." are inflammatory in nature rather than factual statements. In addition, staff believes the statement "Medina's property tax rate is the 4th lowest in King County" is not an objective statement or comparison, and the graphic using a dollar bill to indicate the amount received by the City of Medina, minimizes the amount of the proposed taxation level.

PDC staff is reminding City of Medina officials that in the future when publishing election related information about a ballot proposition, that information be an objective and fair presentation of the facts in accordance with the statutes, rules and PDC Interpretation No. 04-02.

If you have questions, contact Alice Fiman at (360) 586-4746, toll-free at 1-877-601-2828, or by e-mail at [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov).

Sincerely,

Endorsed by,

/s

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Alice Fiman  
Compliance Officer

/s

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Barbara Sandahl  
Deputy Director  
For Peter Lavallee  
Executive Director



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December 16, 2019

Delivered electronically to tedmo@comcast.net

Subject: Complaint regarding City of Medina officials, PDC Case 59732

Dear Wilma L. Edmonds:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed November 5, 2019. The complaint alleged City of Medina officials may have violated RCW 42.17A.555 by using or authorizing the use of City of Medina facilities for the promotion of Proposition 1, a 2019 ballot proposition.

PDC staff reviewed the allegations, the applicable statutes and rules, the mailer, and the response provided by Scott M. Missal, Medina City Attorney, to determine whether the record supports a finding of one or more violations.

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

- In the response, Mr. Missal stated “The Medina City Council adopted Ordinance No. 970 on March 11, 2019 approving a levy proposition for the 2019 general election ballot. Prior to doing so the City engaged in a lengthy analysis of the City's financial situation and need for the proposition. During the latter stages of that, the City Attorney's office provided instruction and briefing on State law and PDC requisites.”
- 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 describing the content of the mailer, Mr. Missal stated that the city provided information that was “a straightforward factual presentation that describes the impacts and outcomes of passage or rejection of the levy so that City residents would understand the issues.” He stated that the mailer was the only election-related information distributed by the city concerning Proposition 1, and that the fact sheet was mailed to all 1,601 Medina addresses.

- Mr. Missal stated that the city of Medina followed the guidelines in the interpretation “(and other) PDC admonitions as to the mailer with the intent of meeting its legal obligations and responsibilities and performing its work in a manner fully compliant with the law.” He stated the mailer did not inform residents how to vote, it just encourage them to vote, and that the financial information included in the mailer came from the City of Medina’s annual budget analysis.
- Mr. Missal stated the mailer explained where the City of Medina receives revenue and how those funds are spent, that the City “has implemented cost savings measures and what other cost savings can be achieved...how taxing jurisdictions share tax revenues”, the projected costs of the levy to the average homeowner, and the consequences of the levy measure being approved or rejected. He stated that the mailer did “not urge a specific vote, is not threatening, and makes no implication that people will suffer if they don't vote for the levy.”
- In addition, Mr. Missal stated that the mailer was consistent with Guidelines for Local Government Agencies in Election Campaigns in PDC Interpretation No. 04-02.

Based on these findings staff has determined, in this instance, the alleged use of public facilities to produce and distribute a mailer regarding Proposition 1 does not amount to a violation warranting further investigation.

Staffs review of the publication found that the majority of the content was a fair and objective presentation of facts, however there was some statements or phrases included such as “unstainable financial future,” and that “threatening the delivery of essential City services – police, fire, medical aid...” that were more inflammatory in nature rather than factual statements. In addition, staff believes the statement “Medina’s property tax rate is the 4th lowest in King County” is not an objective statement or comparison, and the graphic using a dollar bill to indicate the amount received by the City of Medina, minimizes the amount of the proposed taxation level.

PDC staff is reminding City of Medina officials that in the future when publishing election related information about a ballot proposition, that information be an objective and fair presentation of the facts in accordance with the statutes, rules and PDC Interpretation No. 04-02.

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, contact Alice Fiman at 1-360-586-4746 or toll-free at 1-877-601- 2828, or by e-mail [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov).

Sincerely,

/s

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Alice Fiman  
Compliance Officer

Endorsed by,

/s

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Barbara Sandahl  
Deputy Director  
For Peter Lavallee  
Executive Director