



STATE OF WASHINGTON  
PUBLIC DISCLOSURE COMMISSION

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June 17, 2021

Delivered electronically to Dan Deckert at [deckert@owt.com](mailto:deckert@owt.com)

Subject: Complaint regarding Mayor Linda Lehman, PDC Case 90009

Dear Mr. Deckert:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on April 29, 2021. Your complaint alleged that Linda Lehman, the incumbent mayor of the City of Benton, may have violated RCW 42.17A.555 by using public facilities in opposition to a ballot proposition (Resolution 2021-20-Change of Form of Government), passed by the City of Benton to change the form of city government from a Strong Mayor/Council to Council/Manager.

PDC staff reviewed the allegations listed in the complaint to determine whether a formal investigation or enforcement action is warranted. Staff reviewed all attachments submitted with the complaint, the statute, rules, and PDC Interpretation 04-02 "Guidelines for Local Government Agencies in Election Campaigns," and the May 25, 2021, response from Mayor Linda Lehman.

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

- On April 28, 2021, Benton City general clerk, Paula Kauer, uploaded the April 2021 edition of the Benton City *What's Happening at City Hall*, an article authored by Mayor Lehman to the city's website in the News and Announcement section. The article was posted/uploaded to the city's website at approximately 10:30 AM on April 28, 2021 and taken down the same day.
- The post/article authored by Mayor Lehman for April 2021 edition of the Benton City *What's Happening at City Hall* and uploaded to the city's website in the News and Announcement section, opposed the ballot proposition and therefore violated RCW 42.17A.555. Specifically, paragraph seven of the article opposed the ballot proposition (Resolution 2021-20-Change of Form of Government) passed by the Benton City Council to be brought to a vote of the people at the August 2021 Primary Election. In the article/post (paragraph seven), Mayor Lehman stated: "**Bottom line – the Citizens lose their right to choose the Mayor** and will pay a great deal more for the services

that had been performed by the Mayor. There are very few City Managers; therefore, they command a salary typically over \$100,000 per year, plus benefits. Your current mayor's salary has been set at \$9,000.00 per year, with no benefits, since 2016. This change would also mean that I would no longer be your Mayor and must step down less than half-way through my second elected term."

- In her response to this complaint, Mayor Lehman stated: "I had been asked by several citizens to describe what it meant by changing the form of government from a Strong Mayor/Council form to a Council Manager form. After researching the topic, I had it reviewed several times to ensure it was impartial, so included it in the final paragraphs of my monthly article. Mr. Briggs thought there was a remote chance that a few words could have indicated bias, I immediately texted the City Clerk/Treasurer and had it pulled from the website. However, in the few hours that it was on the website, it was seen by two people who immediately filed charges against me with the PDC."

While staff's review found that Mayor Lehman's April 2021 edition of Benton City's *What's Happening at City Hall* article violated the statute by opposing a ballot proposition, the post/article was taken down the same day even though the public-facing link to the post/article did not expire until 1-2 days later. Additionally, our review also found no prior PDC violations against Mayor Lehman.

However, pursuant to WAC 390-37-060(1)(d), Mayor Lehman will receive a formal written warning concerning her use of facilities to oppose a ballot proposition. Mayor Lehman will be informed the Commission will consider the formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

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

If you have questions, you may contact Erick Agina, Compliance Officer at (360) 586-2869, 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/ \_\_\_\_\_  
Erick Agina, Compliance Officer

s/ \_\_\_\_\_  
Peter Lavalley, Executive Director

cc: Linda Lehman, Mayor of Benton City

