



**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)**

May 29, 2019

Sent electronically to [james.mcnamara@ci.longview.wa.us](mailto:james.mcnamara@ci.longview.wa.us)

Subject: Complaints filed Michael O'Neill and Summer O'Neill, PDC Case 24646

Dear: James McNamara and Longview City Council Members:

Enclosed is a copy of an electronic letter sent to Michael O'Neill and Summer O'Neill concerning a complaint filed with the Public Disclosure Commission (PDC) alleging the Longview City Council violated RCW 42.17A.555 for a prohibited use of public facilities to assist a political campaign during a city council meeting.

As noted in the letter to Michael O'Neill and Summer O'Neill, 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.

PDC staff is reminding the Longview City Council about the importance of compliance with the requirements regarding the use of public facilities to assist a political campaign as noted in the enclosed letter Michael O'Neill and Summer O'Neill. PDC staff expects in the future the Longview City Council members review [PDC guidance](#) regarding the use of public facilities to assist a political campaign.

If you have questions, you may 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,

/s \_\_\_\_\_

Alice Fiman  
Compliance Officer

/s \_\_\_\_\_

Barbara Sandahl  
Deputy Director  
For Peter Lavallee  
Executive Director



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May 29, 2019

Sent Electronically to Michael O'Neill "mloneill418@gmail.com" and Summer O'Neill "summeroneill@gmail.com"

Subject: Longview City Council, PDC Case 24646

Dear Michael O'Neill and Summer O'Neill:

The Public Disclosure Commission (PDC) has completed its review of the complaints you filed August 14 and August 15, 2017.

Your complaints alleged the Longview City Council may have violated RCW 42.17A.555 by allowing a citizen to use City Council facilities to assist a local candidate for public office during the citizens comment period at a Longview City Council meeting.

PDC staff reviewed the complaint, the statute, rules, and PDC Interpretation 04-02 Guidelines for Local Governmental Agencies in Election Campaigns, and the response from James McNamara, City Attorney, City of Longview. Based on staff's review, we found the following:

- RCW 42.17A.555 prohibits public agencies from using or authorizing the use of public facilities, directly or indirectly, for the purpose of promoting or opposing any ballot measure. This prohibition does not apply to activities that are part of the normal and regular conduct of the public agency.
- Based on information provided in the complaints you filed, and in local news reports with members of the public that were in attendance at an August 10, 2017 Longview City Council, Jeff Ritchie of Longview addressed the City Council encouraged support for his spouse, Megan Ritchie a Longview City Council candidate in 2017.
- Staff reviewed the official minutes for the August 10, 2017, Longview City Council meeting, which indicated that Mr. Ritchie addressed the City Council during the citizen comment period, sang a song (I'd like to teach the world to sing), and then encouraged support for his spouse's candidacy.
- During the August 10, 2017 meeting, Mr. McNamara advised the City Council that it is prohibited by PDC laws and rules to allow the use of a public facility to support or oppose a candidate for public office or a ballot proposition. In addition to Mr. Ritchie, Caroline Bennett also addressed the City Council during citizen comments to campaign for Megan Ritchie for City Council.

- The minutes indicated that the City Council took a break from Constituents' Comments to discuss this issue, and Longview City Council Member Mary Jane Melink made a motion, that was seconded by Council Member Ken Botero. The motion directed City Attorney McNamara to amend Resolution 2036 regarding the conduct of City Council meetings to clarify that the citizen communications portion of the agenda may not be used to support or oppose a candidate or ballot measure. The motion failed by the following vote: Ayes - Makinster, Moon, Wallin, and Naves. Nay votes- Melink and Council Member Botero. Abstained - Mayor Jensen.
- Mr. McNamara stated that the Longview's Council 4-2 vote on "amending Resolution 2036 as a violation of RCW 42.17A.555 or even an endorsement of political speech. It must be understood that Council members have little or no advance notice of what citizens who speak during the time allotted for "constituents' comments" will speak about." He stated that while there is a sign in sheet for citizens to sign in to testify or provide comments along with space for the issue to be discussed, he noted that the sign-in sheet is completely optional and the Mayor has on occasion invited members of the public to comment or provide testimony who had not signed up.
- Mr. McNamara stated that "it is often a surprise what topic the citizen addresses. In the case of Geof Richie, most of his allotted time was spent quite literally singing a song. At the very end, he stated "Vote for Megan Richie" (his wife). At this point, as noted above, the City Attorney advised the Council regarding the appropriateness of this type of speech at a City Council meeting. Therefore, it is clear that the political endorsement provided by Mr. Richie was neither invited nor expected."
- Mr. McNamara stated the Council has taken action concerning the sign-in sheet the constituents' comments portion of the agenda, which now contains the following cautionary language: "Pursuant to RCW 42.17A.555, the constituents' comments portion of the agenda may not be used to support or oppose a campaign for election of any person to any office or for the promotion or opposition to any ballot measure." He added that since some citizens address the Council without signing the comment sheet, the same wording as shown above is now placed on the podium from which the public addresses the Council. Council has directed the City Manager to schedule a workshop at which the Council can fully consider the topic of the constituents' comment section of the agenda, and take appropriate follow-up action."

Based on these findings, staff has determined that in this instance, the use of public facilities to assist a political campaign during a city council meeting does not amount to an actual violation warranting further investigation.

PDC staff is reminding the Longview City Council about the importance of reviewing [PDC guidance](#) regarding the use of public facilities to assist a political campaign.

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 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 \_\_\_\_\_

Alice Fiman  
Compliance Officer

Endorsed by,

/s \_\_\_\_\_

Barbara Sandahl  
Deputy Director  
For Peter Lavallee  
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