

File a Formal Complaint - Glen Morgan

[Glenmorgan89](#) reported 9 hours ago (Wed, 5 Apr at 12:44 AM) via Portal Meta

To Whom it May Concern --

It has come to my attention that Nancy Tosta -- a 2013 candidate for Burien City Council, and a 2017 candidate for the Burien City Council-- has committed multiple violations of RCW 42.17A.

1) Failure to report in-kind contribution for filing fee with King County Elections. (Violation of RCW 42.17A.235)

During May of 2013, Tosta filed for Burien City Council with the King County Election's division. The cost of this filing was ~\$100.

Because the filing fee was a campaign-related expense, it must have been reported to the public. This is clearly required by state law.

In fact, Attorney General Slade Gorton rendered an official AG opinion on this exact matter in 1974, when he wrote, in part:

"In simplest terms, this payment (in those cases in which it is required) is a necessary part of the candidate's financial outlay if he is to have his name appear on the ballot and, in that manner, become eligible to be elected to the office he is seeking. Moreover, the payment is very clearly a transfer of something of value and it cannot be doubted that it is for the purpose of assisting the candidate and furthering his election campaign. Payment of the filing fee is thus precisely within the broad definition of "expenditure" as set forth above." -- AGO 1974 No. 16 - July 29, 1974

Tosta failed to report this in-kind contribution on her C4 form for the relevant time period, and thus clearly violated state law.

Tosta must amend her 2013 C4 covering the time period of May immediately, or face additional penalties from the PDC.

2) Failure to timely file C3 & C4 reports on day C1 is filed, failure to report in-kind contribution of PO Box. (Violation of RCW 42.17A.235(1))

State law requires that candidates submit reports containing all contributions received and expenditures made on the same day they submit their statement of registration (C1).

Tosta has clearly listed "PO Box 66517" in Burien as her campaign's mailing address. I estimate this expense to be approximate \$80. Unfortunately, Tosta failed to report this expenditure.

There is an expenditure for PO Box listed in late November (after the election had occurred), however, this was probably just for a renewal.

Tosta must amend her 2013 campaign forms immediately to show the in-kind contribution of a PO Box, or face additional penalties from the PDC.

3) Late reporting of contributions and expenditures. (Violation of RCW 42.17A.235)

Contributions

a) Tosta was legally obligated to disclose the following contributions by their respective statutory deadlines. Unfortunately, she failed to do so.

The following contributions were reported on 9/19/13 -- **99 days past the statutory deadline** of 6/10/13:

DOANE RICHARD 5/21/2013 \$25.00 P BURIEN WA 98166
DOANE RICHARD 5/21/2013 \$25.00 G BURIEN WA 98166
DOANE SHEILA 5/21/2013 \$25.00 P BURIEN WA 98166
DOANE SHEILA 5/21/2013 \$25.00 G BURIEN WA 98166
CANAN MARY 1 5/28/2013 \$100.00 G SEAHURST WA 98166
STONINGTON DAN 5/30/2013 \$150.00 G SEATTLE WA 981445252

b) The following contributions were reported on 9/19/13 -- **84 days past the statutory deadline** of 6/24/13:

CHESNUTT NANCY 6/16/2013 \$150.00 G SEAHURST WA 980621311 RETIRED
EWING BOB 6/17/2013 \$500.00 G BURIEN WA 98166 WEYERHAEUSER STRATEGIC PLANNER
WOLTZ SUSAN 6/17/2013 \$50.00 G BURIEN WA 98166
LEFFLER ARDEN 6/19/2013 \$100.00 G SEAHURST WA 98062
PROBACH JACKI 6/19/2013 \$50.00 G BURIEN WA 98166
TRITCHLER JOAN 6/20/2013 \$250.00 G BURIEN WA 98166 RETIRED

c) The following contribution was reported on 9/19/13 -- **79 days past the statutory deadline** of 6/31/13:

SUMMERS GEORGE 6/26/2013 \$100.00 P BURIEN WA 98166

d) The following contributions were reported on 9/27/13 -- **79 days past the statutory deadline** of 7/8/13:

DARDEN TOM 7/5/2013 \$50.00 G SEATTLE WA 98102
WALLACH ELLEN 7/5/2013 \$50.00 G SEATTLE WA 98102

e) The following contributions were reported on 9/27/13 -- **72 days past the statutory deadline** of 7/15/13:

GREENWOOD ROB 7/8/2013 \$250.00 G SEATTLE WA 981122829 ROSS STRATEGIC PRINCIPAL
DOW JULIE 7/8/2013 \$100.00 G BURIEN WA 98166
DOW MURRAY 7/8/2013 \$100.00 G BURIEN WA 98166
DICK MARGOT 7/9/2013 \$50.00 G SEATTLE WA 981445133
ROSS BILL 7/9/2013 \$50.00 G SEATTLE WA 981445133

f) The following contributions were reported on 9/27/13 -- almost **two months past the statutory deadline** of 7/29/13:

CHRISTIANSON GARY 7/15/2013 \$400.00 G BURIEN WA 98166
MCMANUS ELIZABETH 7/22/2013 \$150.00 G OLYMPIA, WA 98502-49
WRIGHT TERESA A 7/25/2013 \$100.00 G BURIEN WA 98166

g) The following contributions were reported on 9/27/13 -- **38 days past the statutory deadline** of 8/19/13:

MOUNT BUD 8/10/2013 \$250.00 G BURIEN WA 98166
LIEVERO JOHN L 8/12/2013 \$50.00 G BURIEN WA 98166
LIEVERO SANDRA M 8/12/2013 \$50.00 G BURIEN WA 98166
UPTHEGROVE JOHN 8/15/2013 \$200.00 G BURIEN WA 98166
HOVE HELEN 8/15/2013 \$100.00 G SEAHURST WA 98062
MURRILL CYNTHIA 8/15/2013 \$100.00 G BURIEN WA 98166

h) The following contribution was reported on 9/27/13 -- **38 days past the statutory deadline** of 8/19/13:

SKARBO KATHI 9/3/2013 \$100.00 G BURIEN WA 98166

Expenditures

i) The following expenditures were reported on 10/2/2013, **almost three months past the statutory deadline** of 7/10/2013.

BORUCK PRINTING 6/28/2013 \$1,216.00 SEATTLE WA 98125 YARD SIGNS AMD STAKES
Report LABELS AND LISTS 6/28/2013 \$319.46 BELLEVUE WA 98004 ELECTRONIC VOTER LISTS

j) The following expenditures were reported on 10/2/2013, **almost two months past the statutory deadline** of 8/10/2013.

PRINTCOM INC 7/2/2013 \$306.60 BURIEN WA 98166 SLIM JIMS (DOORBELLING FLYERS)

k) The following expenditures were reported on 10/18/2013, well past the statutory deadline of 10/15/2013.

OVERNIGHT PRINTING AND GRAPHICS 10/11/2013 \$1,562.93 SEATTLE WA POSTCARD MAILING
POSTAGE
Report OVERNIGHT PRINTING AND GRAPHICS 10/11/2013 \$1,133.92 SEATTLE WA POSTCARD
PRINTING AND SORTING
Report 34TH LD DEMOCRATS 10/11/2013 \$200.00 SEATTLE WA ADVERTISING

Tosta should issue a public apology for willfully and knowingly deceiving Burien voters about the true status of her campaign finances.

She must take care not to conceal future campaign information by engaging in late reporting in the future. Based on this 2013 behavior, there should be serious concerns about the current 2017 campaign season. If she fails to do this, she could face additional fines from the PDC.

5) Failure to include sponsor ID on website. (Violation of RCW 42.17A.320)

As you can clearly see on her website "www.ElectNancyTosta.com" (also attached), Tosta failed to include sponsor ID: namely, a "paid for by" statement.

Tosta should take care in the future to include sponsor ID on all written political advertisement, or face possible additional fines from the PDC.

6) Failure to timely file C1 for 2017 re-election bid. (Violation of RCW 42.17A.205)

State law requires that candidates file their C1 within two weeks of receiving contributions or making expenditures, whichever is earliest.

There is strong reason to believe that Tosta is informing many voters and donors in Burien that she is running for re-election in 2017. It appears likely that she has already started receiving pledges for her campaign in addition to potentially making expenditures.

Tosta must file this form immediately with the PDC, or face additional penalties.

7) Late filing of F1 Personal Financial Affairs Statement. (Violation of RCW 42.17A.700)

State law requires that elected officials submit a personal financial affairs statement between January 1st and April 15th for the preceding calendar year.

Unfortunately, Nancy Tosta failed to submit her F1 until 5/14/16 for calendar year 2015. This is **one month past the statutory deadline**, and a clear violation of this statute.

Tosta must take care to file future forms with the PDC on a timely basis, or face additional penalties.

8) Failure to list offices held. (Violation of RCW 42.17A.710)

State law requires that elected officials disclose the offices that they hold on corporations, boards, and other entities.

By her own admission, Tosta holds the following offices: 1) Boardmember of "EarthShare", and 2) Committeewoman on the Community and Economic Development Committee with the National League of Cities.

Unfortunately, Tosta failed to include this information on her F1.

Tosta must amend her F1 immediately to include these offices, or face additional penalties from the PDC.

I urge the PDC to investigate these allegations immediately.

Best Regards,

Glen Morgan

http://electnancytosta.com Go

10 captures 11 Aug 13 - 12 Mar 16

JUL AUG **11** NOV

2012 2013 2014

Nancy Tosta

Nancy Tosta for Burien City Council



Balancing Community, Economy, and Environment

CONTACT

Nancy Tosta
 PO Box 66517
 Burien, WA 98166
 206.549.5608
 Elect Nancy Tosta
 nstos@burien.net

www.electnancytosta.com

I pledge to listen to you, work collaboratively, and provide the leadership Burien needs to be the community we know we can be.

I respectfully ask for your support and vote in the November election.

THANK YOU!

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Nancy Tosta

[City Council](#)

Title: Councilmember

Phone: 206-248-5508

[Email](#)



First Elected: November 2013
Deputy Mayor 2015

Term Expires: December 2017

Current Assignments:

SR 509 Gateway Project Executive Committee
Growth Management Planning Council (GMPC)
Highline Communities Coalition
KC Cities Climate Collaboration (K4C)
KC Conservation District Advisory Committee
PSRC Regional Food Policy Council
Sound Cities Association (SCA) Public Issues Committee
South Correctional Entity (SCORE), *alternate*

Background: Tosta was born in Connecticut and has lived in several states across the country. She's been in Burien since 1996.

Education: University of California at Berkeley, bachelor's and master's degrees in natural resources

Career: Tosta's work experience includes 24 years in forestry and GIS in California state government (Sacramento, CA); four years with the Department of the Interior (Washington, DC); three years as Director of Growth Strategy for the Puget Sound Regional Council (PSRC); and the last 15 years as a business owner and consultant to public agencies and foundations.

Involvements & Previous Service: Tosta serves on the Community and Economic Development Committee with the National League of Cities (NLC). Prior to her election to City Council in November 2013 she served four years on the Burien Planning Commission.

Interests/Family & Home: Tosta likes spending time with her family (spread across the country), traveling, enjoying her garden, cooking, reading, exploring photography, listening to music, and thinking about complicated problems.

QUOTE: "I want to help make Burien a place where anyone who doesn't live here wishes they did. My dreams for Burien include creating a thriving economy with engaged residents working on community projects that excite them; great schools, more and better paying jobs, affordable housing, robust public transportation options, safe neighborhoods of connected people, music and art everywhere, no one homeless or hungry, and an improving environment that will support and delight our great-great grandchildren."

NOTICE: The members of the Burien City Council are elected officials. State law provides that all correspondence sent to them (by any means, including e-mail) from the public is a public record. Therefore, any correspondence sent to the Council (by any means, including e-mail) by any member of the public will be disclosed to any person who makes a request.



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Nancy Tosta

Principal

Nancy Tosta has 36 years of experience within and consulting to public agencies and not-for-profit organizations, providing analysis and strategic insight in evaluation, information management, natural resources management, and program and policy development. She has worked extensively in interagency and intergovernmental environments from local to international, to address environmental, natural resource, and environmental health challenges. She couples a strong science background with deep understanding of organizational behavior, process management, information technology, and goal setting and evaluation approaches. She has broad content knowledge and process expertise in diverse disciplines and skill areas including, soil science, forestry, endangered species protection, environmental health, environmental policy, environmental justice, food policy, land



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... Ross Strategic has worked on numerous projects including many projects at the U.S. Environmental Protection Agency, the National Oceanic and Atmospheric Administration Fisheries Service, the Centers for Disease Control and Prevention, various state environmental and public health agencies, and not-for-profit organizations. She has a bachelor's and master's degree from the University of California at Berkeley. In November 2013 she was elected to a four-year term as a City Council Member in Burien, Washington. She also serves on the Board of Directors of EarthShare Washington. In her "spare" time she enjoys growing her own food; cooking; traveling; spending time with her son, stepson, daughters-in-law, and two grandsons; and listening to music with her husband and cats in their retreat on Puget Sound.

Ross Strategic

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