



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

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February 27, 2017

Complainant: Laurie Lyford, llyford@nwtzl.com

Complainant: Anita Neil, askoog@outlook.com

Respondent: Janice Zahn, janiczahn8@gmail.com

SENT VIA E-MAIL

Subject: PDC Case 14454

Dear Ms. Lyford, Ms. Neil, and Ms. Zahn:

On February 21, 2017 the Public Disclosure Commission (PDC) received two identical complaints from Anita Neil (at 9:12 p.m.) and from Laurie Lyford (at 9:27 p.m.). The complaints alleged:

Janice Zhan got money from Port of Seattle – many did, this was not legal, and this was highly publicized in Seattle Times - and head guy resigned. She is running for public office, all this is violation of BCC 3.92.080 procedure and further, BCC 3.92.030.B -- misuse of public resources and BCC 3.92.040.A.1 -- same and violation of state public discourse and campaign laws for using televised City Council meeting in City Hall to announce campaign and fundraising during 2/13 Council meeting, which also violates RCW 42.17A.555 Use of public office or agency facilities in campaigns—Prohibition—Exceptions (does not meet any exception).

The PDC opened complaint tickets and asked Ms. Zahn to respond. She replied promptly. The two complaints were merged into one matter for review.

The PDC has completed its initial review of the complaint. RCW 42.17A.555 provides, in pertinent part, that “No elective official nor any employee of his or her office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a

campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition.”

Ms. Zahn did not use the facilities or resources of the Port of Seattle for the purpose of assisting a campaign when she received an authorized payment related to her employment. Public employees are compensated for their services. If there are issues related to the compensation, as may be the case with the payments received from the Port, those issues will be resolved pursuant to the employer’s policies and state laws. There is no reason to believe that the Port’s authorized payment to Ms. Zahn, as a Port employee, had anything to do with her campaign for Bellevue City Council.

Ms. Zahn also was not a public officer or employee of the City of Bellevue, and did not misuse the facilities or resources of the City of Bellevue in a manner that violated RCW 42.17A.555 when she provided information to the City Council regarding her availability and interest in an open City Council seat. It is common practice for local governments to conduct public interviews for open governance positions during their open public meetings, and it is reasonable for an interested applicant to indicate her readiness to serve and run for the open office.

There does not appear to be evidence of any violation of campaign finance laws, therefore the PDC is closing its review of this case, and will not be conducting a more formal investigation into this complaint or pursuing further enforcement action.

Sincerely,


Evelyn Fielding Lopez
Executive Director