

Complaint Description

[Roger Erich Lenk](#) reported 12 days ago (Fri, 21 Sep at 10:16 AM) via Portal Meta

RESPONDENT:

Steve Young - Respondent Young lists his occupation as (elected) City Council Member, Position 7, Ward 3 At-Large for the City of Kennewick. Respondent Young's address is 1808 S Lone Street, Kennewick, Washington 99337-4119 and maintains a phone number of (509) 521-5220. Respondent Young utilizes an email address of syoung.kennewick@gmail.com.

STATEMENT OF FACTS:

Young was appointed to the Kennewick City Council in December 2008. In 2009, the City Council elected Young as Mayor. Young held the position of Mayor until January 2018. Young continues on as a member of the Kennewick City Council having been elected November 3, 2009, November 8, 2011, November 3, 2015 to hold the Position 7, Ward 3 at large seat. Young has significant experience seeking office, and filing the appropriate forms with the Washington State Public Disclosure Commission.

On September 4, 2018, consistent with WAC 390-05-200, Young gives rise to the presumption that he will again run for Kennewick City Council when he advised the Tri-City herald that "he intends to seek re-election to his at-large seat but hasn't made a final decision¹." See **EXHIBIT 1, page 4.**

VIOLATIONS:

By announcing and declaring his candidacy for the Kennewick City council Position 7, At-Large seat consistent with WAC 390-05-200, Young failed to file a C1 Report for his candidacy for Kennewick City Council Member, Position 7, At-Large. Respondent Young failed to file a C3 or C4 report for the same office. Respondent Young's existing F! May suffice for the F1 Required for filing for a, office.

By the failure to file and/or file forms timely with the Public Disclosure Commission, Respondent Young is in violation of RCW 42.17A.205, RCW 42.17A.215, RCW 42.17A.220, RCW 42.17A.235, RCW 42.17A.240, RCW 42.17A.305, and RCW 42.17A.320.

¹ WAC 390-05-200 Definition—Candidates for public office—Time of filing provides "The following circumstances shall give rise to presumption that an individual is a "candidate" as that term is defined in RCW 42.17A.005(7): (1) The existence of a political committee promoting the election of such individual for public office with the knowledge and consent of that individual; or (2) **A public declaration of candidacy by an individual even if the candidacy is conditioned on a future occurrence;** (emphasis added) or (3) Meeting the requirements set forth in WAC 390-16-230 (1) or (2)."

What impact does the alleged violation(s) have on the public?

Candidate Young has initiated his run for city Council without filing the appropriate paperwork, putting other potential candidates at a disadvantage.

List of attached evidence or contact information where evidence may be found.

Statement by Steve Young to Tri-city Herald.

List of potential witnesses with contact information to reach them.

Steve Young, Wendy Culverwell.

Complaint Certification:

I certify (or declare) under penalty of perjury under the laws of the State of Washington that information provided with this complaint is true and correct to the best of my knowledge and belief.

COMPLAINT TO THE PUBLIC DISCLOSURE COMMISSION

Steve Young, Kennewick City Council Member

September 20, 2018

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EXHIBIT 1



Kennewick Mayor Don Britain states the case for paying the legal fees for Councilman Steve Young, who faces a recall effort over an email he forwarded to the city manager in 2014.

By

LOCAL

Some citizens want to recall a Kennewick councilman. The council argued over paying his lawyer

BY WENDY CULVERWELL
WCULVERWELL@TRICITYHERALD.COM

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September 05, 2018 06:55 PM

KENNEWICK, WA — Kennewick taxpayers will foot the legal bills for a councilman facing a recall over an email he sent four years ago.

A bitterly divided Kennewick City Council voted 3-2 this week to pay the legal fees of Councilman Steve Young, the former mayor who is fighting a narrowly-focused recall effort involving a political fund-raiser.

His legal bill stands at \$8,525.

The vote pitted the council's moderate wing, which supports Young, against its conservative one, which doesn't. The moderates prevailed.

Mayor Don Britain, Mayor Pro Tem Steve Lee and Councilman Paul Parish voted to pay the fees, with the mayor saying the charges are unfounded and that the city must defend its elected leaders against "frivolous" accusations.

Councilmen Matt Boehnke and John Trumbo voted no. Councilman Bill McKay was absent, and Young did not participate in the discussion or vote.

Trumbo unsuccessfully tried to cancel the meeting altogether so the subject could be revisited when McKay was back. He also unsuccessfully attempted to have the council discuss Young's performance in a closed-door executive session.

John Trumbo

Britain said he believes Young broke no law when he forwarded an email to City Manager Marie Mosley concerning a 2014 campaign event for Dan Newhouse, then running for the U.S. House seat being vacated by Rep. Doc Hastings.

"All of us who run for public office are subject to frivolous accusations and must defend ourselves," Britain said.

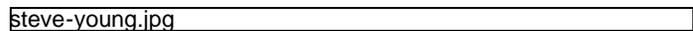
The matter was added to the agenda Tuesday, the first business day after a Friday hearing about the recall case before Benton County Superior Court Judge Bruce Spanner.

[Friday, Spanner dropped](#) all but one of the accusations leveled against Young by James E. Wade, Vincent C. Rundhaug, Charles R. Tamburello and Robert L. McClary Jr. The judge said the charges were "factually

insufficient” to support a recall.

He allowed one claim to advance, saying it’s up to citizens to decide if Young violated the Washington Fair Campaign Practices Act when he sent the fund-raiser message to Mosley.

State law says no elected official may solicit a contribution from an employee of the official’s agency. Moseley is hired and fired by the city council.



Steve Young

Young told the council he intends to appeal the decision to the Washington State Supreme Court.

The motives behind the recall remain murky. Wade, Rundhaug and McClary did not return calls

Wednesday about their plans to gather signatures, the next step needed to get the recall on the ballot.

Tamburello’s current contact information was unavailable. All four are longtime Kennewick residents.

The dismissed claims were linked to a civil lawsuit Young lost as a Hanford manager in October 2017.

In that case, a jury found that Young aided Hanford contractor Mission Support Alliance in discriminating and retaliating against an employee, [leading to an \\$8.1 million jury verdict](#).

The verdict is under appeal and Young has retired from the company.

Kennewick residents could be stuck with more than the legal bill. If the recall reaches the ballot, the city will pay the cost of the election too.

The amount depends on the timing and how many other issues are on the ballot, but the cost could be \$20,000 or more, officials estimated.



Kennewick will pay the legal fees of Councilman Steve Young, who faces a recall over an email he sent the city manager in 2014 in connection to a campaign event. If the recall makes it to the ballot, the city will pay for the election too.

Bob Brawdy - Tri-City Herald

The earliest it could appear would be in Feb. 12, 2019. The following ballot option in 2019 is in April.

The timing could prove tricky.

Young’s term expires next year. Filing week begins May 13, so any eligible Kennewick resident interested in the job could file for his position at that time.

His attorney, Bob Thompson, who also happens to be the mayor of Richland, said the recall makes little sense.

A drawn-out Supreme Court fight could easily push the recall question out to late 2019.

In theory, Young could run for reelection on the same ballot on which he is being recalled, Thompson said.

“Does it really make sense to spend the taxpayers’ money on something that is going to be decided by the

voters in November of 2019,” he said. “I think it borders on the ridiculous.”

Bob Thompson 2017.jpg

Bob Thompson

Tuesday, Young said he intends to seek re-election to his at-large seat but hasn't made a final decision.

While the judge is leaving it to citizens to determine if Young violated campaign law, Kennewick's city manager argued Tuesday that the 2014 incident is being misrepresented.

According to the recall petition, Young forwarded a message to Mosley at her city email account about a fund-raising luncheon for Newhouse. Mosley responded by email that she could not attend but wanted to contribute toward a \$100 ticket so that someone else could sit at the table.

Mosley said the email was just one aspect of the conversation. Tuesday, she told the city council she spoke in person with the then-mayor. The exchange was not documented in email.

Young explicitly stated that he was not asking her to pay for a seat at the Newhouse event or to contribute to his campaign, Mosley said.

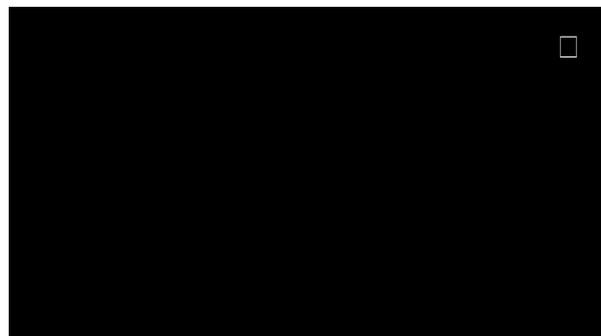
“I did not send a \$100 donation to Councilmember Young. Nor did I send a \$100 donation to Representative Newhouse,” she said.

Young has 30 days from the hearing to appeal to the state's highest court.

Wendy Culverwell: 509-582-1514

□ COMMENTS □

VIDEOS



It started ruff but now these dogs are almost