

COMPLAINT TO THE PUBLIC DISCLOSURE COMMISSION

Juan Orozco, Wapato Mayor/City Administrator

November 11, 2018

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RESPONDENT:

Juan Orozco – Respondent Orozco was elected to Mayor of Wapato on November 7, 2018. Respondent Orozco's address is 205 E. 3rd Street, Wapato, Washington 98951-1326 and maintains a phone number of (509) 877-2334.

STATEMENT OF FACTS:

Respondent Orozco was elected to Mayor of Wapato on November 7, 2017.

On September 4, 2018, Respondent Orozco resigned his elected Mayor of Wapato position. See **EXHIBIT 1**, City Of Wapato Special Meeting Minutes of September 4, 2018.

At that meeting, consistent with WAC 390-05-200, Respondent Orozco, as Mayor gives rise to the presumption that he will run for the Wapato School District No. 207 Board of Directors:

“Mayor Announcement: Mayor Orozco made an announcement that he has fulfilled the promises that he made during campaign in a shorter time frame than he had anticipated. Mayor Orozco then gave his resignation as Mayor so that he can potentially¹ run for school board.”

See **EXHIBIT 1**, page 1.

At the Regular September 4, 2018 Meeting which followed their September 4, 2018 Special Meeting, Respondent Orozco was appointed as City Administrator. See **EXHIBIT 2**, City Of Wapato Regular Council Meeting Minutes of September 4, 2018, page 2.

After September 4, 2018, Respondent Orozco, as City Administrator, supervised the creation of the City Of Wapato Special Meeting Minutes of September 4, 2018.

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).”

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At the September 4, 2018 Wapato Special City Council Regular Meeting, Respondent Orozco, seated at the City Council dais, utilized the facilities of a public office or agency, directly or indirectly, for the purpose of assisting his campaign for election to the Wapato School District No. 207 Board of Directors for the 2019 primary and general elections.

As City Administrator, Respondent Orozco utilized utilized the facilities of a public office or agency, directly or indirectly, for the purpose of including the declaration that he was a candidate for the position of Wapato School District No. 207 Board of Directors for the 2019 primary and general elections.

VIOLATIONS:

By announcing and declaring his candidacy for the Wapato School District No. 207 Board of Directors consistent with WAC 390-05-200, Respondent Orozco: 1) utilized the facilities of a public office or agency, directly or indirectly, for the purpose of assisting his campaign for election to the Wapato School District No. 207 Board of Directors for the 2019 primary and general elections; 2) failed to file a C1 Report for his candidacy; 3) failed to file a C3 or C4 report for the same office. Respondent Orozco has not filed any F1 Personal Financial Affairs Reports with the PDC.

By the failure to file and/or file forms timely with the Public Disclosure Commission, Respondent Orozco may be in violation of RCW 42.17A.205, RCW 42.17A.215, RCW 42.17A.220, RCW 42.17A.235, and RCW 42.17A.240. In addition, with his utilization of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting his campaign for election to the Wapato School District No. 207 Board of Directors for the 2019 primary and general elections, Respondent Orozco is in violation of RCW 42.17A.555.

EXHIBIT 1

CITY OF WAPATO
Special Meeting – Council Chambers
Minutes of Sept. 4, 2018

CALL TO ORDER: Mayor Juan Orozco called the Special Meeting on Tuesday, September 4, 2018 to order at 8:300 am.

- a. Pledge of Allegiance
- b. Welcome

ROLL CALL:

- a. Present: Those in attendance included Mayor Juan Orozco, Council members, Dora Alvarez-Roa, Ralph Sanchez, Roberto Reyna, Ira Cantu, Keith Workman, and Barbara Perez.
- b. Absent: None
- c. City Staff Present: City Attorney (CA) Robert Noe, Sgt. Decio, and (CT) Robin Cordova.
- d. City Staff Absent: Public Works Director Jeff Schumacker

HONORS/RECOGNITION: None

MEETING AGENDA APPROVAL:

- a. Councilmember Alvarez-Roa made a motion to approve the meeting agenda and Councilmember Reyna seconded, motion carried.

New Position: Councilmember Alvarez Roa made a motion to pass Ordinance 2018-11 which would establish the position of city administrator. Councilmember Cantu seconded. Motion passed.

Mayor Announcement: Mayor Orozco made an announcement that he has fulfilled the promises that he made during campaign in a shorter time frame than he had anticipated. Mayor Orozco then gave his resignation as Mayor so that he can potentially run for school board.

ADJOURNMENT: Motion was made by Councilmember Alvarez Roa to adjourn the meeting, seconded by Councilmember Perez. Motion passed.

There being no further business to come before the Council at this time, the meeting was adjourned 8:35 a.m.

Mayor, Juan Orozco

Robin Cordova, Clerk-Treasurer

EXHIBIT 2

CITY OF WAPATO
Regular Council Meeting – Council Chambers
Minutes of September 4, 2018

CALL TO ORDER: ProTempore Mayor Reyna called the regular Council meeting of Tuesday, September 4, 2018 to order at 9:00 am.

- a. Pledge of Allegiance
- b. Invocation
- c. Welcome

ROLL CALL:

- a. Present: Those in attendance included Mayor ProTempore Reyna, Council members, Dora Alvarez-Roa, Ralph Sanchez, Roberto Reyna, Ira Cantu, Keith Workman, and Barbara Perez.
- b. Absent: None
- c. City Staff Present: City Attorney (CA) Robert Noe, Police Sgt. Deccio, Public Works Director Jeff Schumacker, PW Supervisor Johnny Sandoval, and Clerk Treasurer Robin Cordova.
- d. City Staff Absent: None

HONORS/RECOGNITION: None

MAYOR POSITION: Councilmember Alvarez Roa made a motion to fill the position of Mayor. Councilmember Perez seconded. Motion passed. Councilmember Perez made the motion to appoint Councilwoman Alvarez Roa to the position as Mayor. Councilman Sanchez seconded. Motion passed. Councilman Reyna stepped back into his Council position. Councilwoman Alvarez Roa was sworn in as Mayor by Clerk Treasurer Cordova. Mayor Alvarez Roa took her seat as Mayor.

CONSENT AGENDA

- a. Motion by Councilmember Reyna to approve the Consent Agenda seconded by Councilmember Perez, motion passed.

PUBLIC HEARING

- a. None.

UNFINISHED BUSINESS:

- a. None

OLD BUSINESS:

None

EXECUTIVE SESSION:

- a. None.

NEW BUSINESS: Council does not have to act on the following items because this is the first touch, unless they make a motion to do so.

City Administrator: Mayor Alvarez Roa appointed Juan Orozco as the new City Administrator.

Contracts: Councilwoman Perez made a motion to approve the employment contract for City Administrator. Councilwoman Cantu seconded. Motion passed.

Councilwoman Perez made motion to extend the contract for Clerk Treasurer to match the terms of the City Administrator contract. Councilmember Sanchez seconded. Motion passed.

REPORTS

- a. Correspondence- None.
- b. Committee Reports
- c. Department Reports
 1. City Administrator: Juan Orozco
 - CA Orozco said that he is humbled by the appointment and accepted the position. He went on to say that he has done a lot of work and there is still a lot to do going forward. He thanked the council for their confidence in him, and congratulated Mayor Alvarez Roa as being the first Latina Woman Mayor in Wapato's history.
 2. Police Report: Sgt. Deccio
 - Harvest Festival was great. Traffic was difficult as expected, but there were no other problems.
 3. Public Works: Jeff Schumacker
 - The Harvest Festival was a success. The PW department worked hard, but it was the best event they have seen in years in Wapato.
 4. Water Department: Supervisor Johnny Macias
 - The city should expect to be replacing meters in the near future. Meters have a ten year life expectancy, and that ten year window is coming up for many of them at an average of six per month.

5. Mayor's Report:
6. Community Center:
None
7. Admin/Finance: Robin Cordova
 - The city Check book had not been balanced for all of 2017. This has finally been completed. We are now getting ready for the budget season for 2019.
8. Planning Commission:
None

Councilman Reyna announced his resignation from his position on Council. Mayor Alvarez Roa thanked him for his years of hard work.

AUDIENCE PARTICIPATION:

Idolina Gonzalez- Congratulated the Mayor in her new position. She is happy to see all of the improvements that former Mayor Orozco made as Mayor. She is happy to see him as the new City Administrator. Now we can continue to see great things happen in city.

Jaime DeLaTorre- Congratulated new Mayor Alvarez Roa. Thanked Former Mayor Orozco and all of the Councilmembers for all of the great changes happening in Wapato.

Rosemary Lamas- Congratulated Mayor Alvarez Roa. She said thank you to the Council for all of their hard work. She looks forward to seeing what is yet to come.

Olga Perez- She is excited for today. Proud of Mr. Orozco and Mayor Alvarez Roa for the positions that they have taken. It is very hard work. Thanks to new City Administrator Orozco for the hard work and the genuine interest he has in the city. She thanked him for the time he has put in. He will do very well, even though it is a tough job. Mayor Alvarez Roa is a great leader, and admired. Mrs. Perez thinks that she will be a great Mayor. We have a great vision and she will support it. Thank you to Councilman Reyna for his hard work. His experience has been well taken and he has done a great job and he is still part of the community. She encourages everyone to put their best effort into it.

ADJOURNMENT: Motion was made by Councilmember Perez to adjourn the meeting, seconded by Councilmember Cantu. Motion passed.

There being no further business to come before the Council at this time, the meeting was adjourned 9:23 a.m.

Dora Alvarez Roa, Mayor

Robin Cordova, Clerk-Treasurer

EXHIBIT 3

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