



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 • Email: pdcc@pdcc.wa.gov • Website: www.pdcca.wa.gov

BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

IN RE COMPLIANCE)	
WITH RCW 42.17)	Report of Investigation
)	
Mia Gregerson, City of SeaTac)	PDC CASE NO: 12-165
Council Member)	
)	
Colleen Brandt-Schluter, City of SeaTac)	
Human Services Director)	PDC CASE NO: 13-034
)	
Respondents)	
)	

I.

Background

- 1.1 Mia Gregerson has been an incumbent SeaTac City Council member since being elected to that position in 2007 when she ran unopposed. She was re-elected in 2011 and is currently serving as Deputy Mayor.
- 1.2 Colleen Brandt-Schluter is the Human Services Director for the City of SeaTac.
- 1.3 On July 28, 2009, the SeaTac City Council adopted Resolution No. 09-011, stating that a sufficient number of petitions had been submitted containing the statutorily required registered voter signatures, and placing Proposition 1 on the November 3, 2009 general election ballot. Proposition 1 was a proposal to change SeaTac's form of government from Council Manager to Strong Mayor, sometimes referred to as COG or Change of Government.
- 1.4 In 2009, three SeaTac City Council positions were up for election. Five candidates filed a Candidate Registration (C-1 report) for the three positions, as follows:
 - a. Jonathan Standridge and Rick Forschler filed for position #2;
 - b. Tony Anderson filed for position #4; and
 - c. Barry Ladenburg and Pamela Fernald filed for position #6.

- 1.5 On February 28, 2012, the PDC received a complaint from Aileen Fisher alleging that City of SeaTac officials, including Mia Gregerson and Colleen Brandt-Schluter, violated RCW 42.17.130¹ by using the facilities of the City of SeaTac to assist SeaTac City Council candidates in 2009, and to oppose Proposition 1 (**Exhibit 1**)

II.

Allegations

- 2.1 Specifically, Ms. Fisher alleged that Mia Gregerson, SeaTac City Councilmember; Colleen Brandt-Schluter, SeaTac Human Services Director; John Gallup, SeaTac Engine Company Captain; and Adam Renn, SeaTac firefighter violated RCW 42.17.130 by:
- A. Using City of SeaTac facilities to send and receive emails that were for the opposition of Proposition 1, a local City of SeaTac ballot measure on the November 3, 2009 general election ballot; and
 - B. Using City of SeaTac facilities to send and receive emails for the purpose of assisting the 2009 SeaTac City Council campaigns of Jonathan Standridge, Tony Anderson, and Barry Ladenburg, which included opposing the 2009 SeaTac City Council campaigns of Rick Forschler and Pamela Fernald.

III.

Findings

- 3.1 Staff reviewed the emails submitted by Ms. Fisher as evidence of her alleged violations, and found that some of the emails were sent or received by City of SeaTac officials when communicating with: (1) City of SeaTac employees; (2) candidates for public office; (3) people active in the SeaTac community; and (4) other individuals. The emails were sent and received using various combinations of personal email accounts, and City of SeaTac email addresses. The emails included discussions concerning:
- A. Official City of SeaTac business;
 - B. City of SeaTac incumbent elected officials, other City of SeaTac officials, and City of SeaTac staff members;
 - C. 2009 candidates for SeaTac City Council;
 - D. Proposition 1; and
 - E. Personal issues not directly related to a candidate's campaign or to a campaign supporting or opposing a ballot proposition.
- 3.2 PDC staff determined, based on contact with the City of SeaTac, that five individuals had made separate public records requests that produced the records attached to the complaint by Ms. Fisher. Because the emails were annotated with handwritten comments by the complainant, and appeared to have been edited or condensed, PDC staff obtained copies of email records directly from the City of SeaTac to authenticate the content of the emails submitted with the complaint. The City of SeaTac provided copies of the emails to PDC

¹ RCW 42.17.130 was recodified as RCW 42.17A.555, effective January 1, 2012.

staff in four installments. The installments included emails which are referenced by exhibit numbers under the heading *"Emails that discussed or assisted candidates for public office."*

- 3.3 Portions of the emails that discussed or mentioned Proposition 1, and/or 2009 SeaTac City Council candidates , included the following:
- Scheduling activities that appear to involve the formation and planning of SeaTac Works Now, a local political committee formed to oppose Proposition 1;
 - A 2009 SeaTac City Council candidate forum involving IAFF Local 2919;
 - Assisting 2009 SeaTac City Council candidates, including discussing candidate endorsements.
 - Activities involving Proposition 1, some of which may have been related to official City Council business; and
 - Exchanging personal statements about 2009 SeaTac City Council candidates.

Emails that discussed or assisted candidates for public office:

June 15, 2009: Email sent by Mia Gregerson using her City of SeaTac email address to John Gallup at his City of SeaTac email address (Exhibit 4):

- 3.4 In an email dated June 15, 2009 to Mr. Gallup, Ms. Gregerson stated, *"I am wondering if we can get together and chat? I would like to discuss candidate Jonathan Standridge. He is running against Rick Forschler."*
- 3.5 Ms. Gregerson stated that since she ran unopposed in 2007, she did not have to campaign and was not familiar with the process of seeking an endorsement as a candidate. She stated that she knew the firefighters endorsed candidates, so she sent out the email to Mr. Gallup shortly after candidate filing week, and asked him general questions about the endorsement process. She stated that she did not recall if she even spoke with him concerning the email, but she thought the email was sent shortly after the 2009 candidate filing week.
- 3.6 Mr. Gallup stated that the email was sent to him by an elected SeaTac City Council member, and said, *"There is no indication that I used city email to respond. I do not believe I am responsible for the fact that other persons in the city send unsolicited emails to my city email address."*

June 15, 2009: Email string between Mia Gregerson and Dave Bush, a resident of SeaTac at this time and a candidate for SeaTac City Council in 2011, successfully elected to office (Exhibit 5):

- 3.7 In an email dated June 15, 2009 from Ms. Gregerson's city email account to Dave Bush and Jonathan Standridge, Ms. Gregerson provided Mr. Standridge's email address to Mr. Bush, and stated:

"Dave has been a community leader for many years. He will be a great resource. He will also help educate you on some of the "issues" that he has seen and faced over the years and recently. He can probably give you a little bit of information on Rick your opponent...."

- 3.8 Ms. Gregerson stated that at the time the email was sent, Mr. Bush was a volunteer member of the SeaTac Human Services Advisory Board along with Mr. Forschler who served as chair and was running against Mr. Standridge for the open council seat. She stated Mr. Bush was a SeaTac resident who was involved with the local Rotary Club and supported local education efforts. Ms. Gregerson said she did not think she had volunteered for Mr. Standridge's campaign or assisted him with any campaign strategies, such as attending fundraisers.

June 16, 2009: Email string between Ms. Brandt-Schluter and Ms. Gregerson with both using their City of SeaTac email addresses to exchange emails (Exhibit 6):

- 3.9 The complainant alleged that Ms. Gregerson and Ms. Brandt-Schluter were using City of SeaTac resources to: (1) discuss candidate Rick Forschler and support Mr. Standridge; (2) set up an endorsement for Mr. Standridge; and (3) campaign to have Mr. Bush appointed to the City Council during the 2011 campaign. In the email, Ms. Gregerson stated that:

"Rick wanted to inform me that he was running for council, in case I didn't know and that he wanted to assure me that when he is elected I didn't need to worry my head about him making changes with human services until he could find an alternative method from taxpayers dollars..." "I said when you are elected? And he back peddled a bit saying well if I am elected....he is nuts! He argued with me most of the night." Ms. Gregerson replied "...I told him that Rick had requested to meet with you and I couldn't show up. It would be too obvious! Rick is so weird! I took Jonathon to pta last night..."

- 3.10 Ms. Gregerson stated there was an ongoing issue between Mr. Forschler, as Chair of the SeaTac Human Services Advisory Board, and Ms. Brandt-Schluter, as the Human Services Manager, prior to him becoming a candidate in 2009 concerning funding level for the Human Services budget. She stated Mr. Forschler as a candidate for SeaTac City Council in 2009 campaigned on making significant cuts to the Human Services budget, and Ms. Brandt-Schluter was adamantly opposed to that. She stated that Ms. Brandt-Schluter told her that Mr. Forschler made some personal comments to her that were not flattering, and she felt that he was ostracizing her in front of the board, and becoming increasingly uncomfortable working around him.
- 3.11 Ms. Gregerson stated that Mr. Forschler made some comments about his candidacy during a Board meeting and to Ms. Brandt-Schluter personally as listed in the email, and Ms. Brandt-Schluter was merely venting about Mr. Forschler in this and other email

strings listed in Ms. Fisher's complaint. She stated that the comments about Mr. Forschler in the email strings were not made to oppose his candidacy or to assist Mr. Standridge's candidacy.

- 3.12 Ms. Gregerson stated that other than taking Mr. Standridge as a candidate to the PTSA meeting, and being in attendance at the IAFF Local 2919 candidate forum in September of 2009, she did not attend other candidate-related events with him or on his behalf. The email string also discussed candidate endorsements from the IAFF Local 2919 and stated:

"I have Dave and Jonathon meeting too. I am hopeful that rotary will put a forum together. Do u think it's too early to get a fire fighter endorsement? We want to beat rick to that one...." Ms. Brandt-Schluter stated *"Go after the firefighter endorsement...can you do Barry, Tony and Jonathon..."* to which Ms. Gregerson responded *"...good idea. We will get all three endorsed at the same time..."*

- 3.13 Ms. Gregerson reiterated what she had stated concerning the June 15th email between her and Mr. Gallup that was she was not familiar with the process of seeking an endorsement for a candidate when she made the statements in the emails. She stated her reference to the fire fighter endorsement was again more about the process, and that she and Ms. Brandt-Schluter were not very smart about the endorsement process, but that she is now. She stated she could not remember if she ended up being listed as an endorser on any of the three candidate's political advertisements.

July 7 through 8, 2009: Email string from Ms. Gregerson to Ms. Brandt-Schluter with both using their City of SeaTac email addresses to exchange emails (Exhibit 7):

- 3.14 The complainant alleged that Ms. Gregerson and Ms. Brandt-Schluter were using City of SeaTac resources to assist in the formation of a steering committee to oppose Proposition 1 which would change the form of governance for the City of SeaTac, and by planning work against Proposition 1. In the email string, Ms. Gregerson stated *"Trying to put together a steering committee for the opposition for the COG and that she was frustrated about having the same people 'doing all of the leg work.'"*
- 3.15 Ms. Gregerson stated that she thought a lot of the references to COG were about Continuance or Continuity of Government in regard to emergency management or disaster preparedness, rather than concerning the Change of Government and Proposition 1. She clarified her statement and said she was not saying in this instance, but there were a lot of other references to COG in the emails concerning the City of SeaTac, and most were referring to Continuance or Continuity of Government.
- 3.16 Ms. Gregerson confirmed that her spouse, Scott Gregerson-Dahle, was the committee treasurer and a principal officer for SeaTac Works Now, the committee formed in opposition to City of SeaTac Proposition 1. She stated her spouse was in charge of the finances for the No committee and that he also worked on printing some of the flyers distributed by the committee. She stated she only attended one or two committee meetings, that she was not that involved with any aspect of SeaTac Works Now committee, and it was more her spouse's cause or issue than it was hers.

- 3.17 She asked Ms. Brandt-Schluter if she had Phyllis Byers telephone number, and went on to state later in the email string *"Can you help me get the contact information for the leaders in the Somali community and the African American lady you mentioned earlier? I will be calling them about the COG issue."* Ms. Brandt-Schluter replied that she would provide her with the contacts.
- 3.18 At this point of the interview, Ms. Gregerson questioned some of the statements and content included in a few of the emails provided by the complainant, and stated that some of the email string had not been fully provided. Staff contacted the City of SeaTac and made a public records request to authenticate the emails and to determine if some portion of the email had not been provided. Staff reviewed the emails provided and determined that a portion of some of the email strings had not been included with the complaint, but the content of those emails was unchanged.
- 3.19 On July 8, 2009 of the email string, Ms. Gregerson and Ms. Brandt-Schluter discussed a front page article that appeared in the Highline Times concerning changing the form of government in the City of SeaTac and *"to get busy on this counter response!"* Ms. Brandt-Schluter states that she is proud of how hard Ms. Gregerson has been working on COG and *"those running for seats...they are lucky to have you!"* Ms. Gregerson stated that she did not recall the specific article in the Highline Times and she stated she was referring to the city making a counter response, and not related to a ballot proposition.

July 7, 2009: Email string between Lesa Ellis, Executive Assistant for City of SeaTac, and Ms. Gregerson with both using their City of SeaTac email addresses to exchange emails (Exhibit 8):

- 3.20 The complainant alleged that Ms. Gregerson used City of SeaTac resources to contact the SeaTac Chamber of Commerce to RSVP for a luncheon in which changing the form of government would be discussed. In the email, Ms. Ellis stated *"...do you wish for me to RSVP for you for the chamber lunch..."* to which Gregerson responded *"...I would like to speak to you about COG."*
- 3.21 Ms. Gregerson stated that she was acting in her official capacity as an elected official in this email string, and that Ms. Ellis was the Executive Assistant for the City of SeaTac City Manager, and the City Council and Mayor. She stated that she did not remember this specific email.

July 13-14, 2009: Email string between Ms. Gregerson and Ms. Brandt-Schluter with both using their City of SeaTac email addresses to exchange emails (Exhibit 9):

- 3.22 The complainant alleged that Ms. Gregerson and Ms. Brandt-Schluter were mobilizing organizations that received City of SeaTac taxpayer funds to fight COG. The email string subject line stated "African American outreach." The majority of the email string was mostly personal in nature and included an issue concerning having to put down a family pet.

- 3.23 The email string included Ms. Brandt-Schluter providing Ms. Gregerson with two names of individuals and their contact information within the SeaTac immigrant community. Ms. Gregerson stated that the city of SeaTac is one of the most diverse cities in the state, and the neighboring Tukwila School District is one of the most diverse in the nation, with a large number of immigrant and refugee populations. She stated the outreach activities were an attempt to reach out to the immigrant and refugee communities and provide them with information about the City of SeaTac. She stated that many of the immigrant and refugee members in the community were distrustful of the government they left or had an outright fear of being persecuted. She stated those outreach efforts were an attempt to bridge that gap and let them know that it is okay to be involved with your government, and that many of those SeaTac community members are probably not registered to vote.
- 3.24 The emails included a brief statement concerning a Saturday meeting about COG that was mentioned by Ms. Gregerson, in which she stated that the *"Lutheran Resource Center is being used on July 21st at 7pm in case anyone who lives in SeaTac wants to show up."*

July 16, 2009: Email from Ms. Gregerson to Ms. Brandt-Schluter with both using their City of SeaTac email addresses to exchange emails and an email string concerning a meeting for COG involving non-City of SeaTac employees (Exhibit 10):

- 3.25 The complainant stated that Lutheran Community Services receives funds from the City of SeaTac Human Services, but did not make a specific allegation that SeaTac facilities were used.
- 3.26 The email between Ms. Gregerson and Ms. Brandt-Schluter, included an earlier email string involving Oren Hadaller, a SeaTac community member opposed to COG, and Claudia Dickinson, a staff person with Lutheran Community Services concerning reserving a room for a July 21, 2009 meeting. Ms. Gregerson stated she thought Mr. Hadaller assisted in drafting the opposition statement against Proposition 1 in the Voters Pamphlet.
- 3.27 The email exchange between Ms. Gregerson and Ms. Brandt-Schluter discussed the meeting email, and Ms. Gregerson went on to state *"this is the opposition group meaning [against COG]. Oren is a very good friend of mine, he was on the folks at that Saturday morning event I spoke about. ...Be careful about any city email that refers to the COG."*

July 29 through August 4, 2009: Email string between Ms. Brandt-Schluter and Ms. Gregerson with both using their City of SeaTac email addresses to exchange emails (Exhibit 11):

- 3.28 The complainant alleged that Ms. Gregerson and Ms. Brandt-Schluter set up meetings and passed out campaign brochures during the SeaTac "Night Out" in opposition to Proposition 1, and that Ms. Gregerson facilitated candidate Barry Ladenburg to campaign against Pam Fernald at this city sponsored event. Ms. Gregerson stated that the National Night out campaign has going on for a number of years and she thought it was typically held on the first Tuesday in August.

- 3.29 This was a nine-page email string in which Ms. Gregerson on the first page responds to an email from a citizen about his perceptions concerning tension amongst the City council during an open meeting. At the July 28, 2009 SeaTac City Council meeting (Resolution No. 09-011 was approved placing Proposition 1 on the ballot), and Ms. Gregerson responded by stating that *"we as a council actually work well together and that it's the citizens and one council member who is trying to slander the rest of us."*
- 3.30 On August 3, 2009 of the email string, Ms. Gregerson states that *"I have the flyers. I don't have the addresses and so I don't know who to ask to come because I don't know how many teams to set up. It's very frustrating because I can't tag my name to any of this. Pat is out of town and he did not set up a meeting like he promised me."* Ms. Brandt-Schluter stated *"...I think Barry [Ladenburg-candidate for City Council] is riding with Chief G [John Gallup]."* Ms. Gregerson went on to state in the string *"I got the information printed up yesterday. Now we just need teams to hand the suckers out. Waiting on the list to see how to dole out the job for Tuesday night."*
- 3.31 Ms. Gregerson stated that the SeaTac "Night Out" involved between 12 to 24 teams that would cover the various City of SeaTac neighborhoods to talk about crime, neighborhood watch groups, when SeaTac City Council meetings were being held, who the officials are, contact numbers for the City, and discussing how to bring the community together. She stated the teams included SeaTac City officials, employees, community members and volunteers going out to cover the city for this activity. She stated the references she made about a flyer in the emails was for a City of SeaTac flyer that she worked on to be distributed during the SeaTac Night Out providing citizens with information concerning the City of SeaTac and council meetings.

August 6, 2009: Email string between Ms. Gregerson and Ms. Brandt-Schluter with both using their City of SeaTac email addresses to exchange emails (Exhibit 12):

- 3.32 The complainant alleged that Ms. Gregerson and Ms. Brandt-Schluter engaged in an email exchange concerning candidates Forschler and Standridge. In the email string, Ms. Brandt-Schluter stated *"...you have to look at this website. If you think what you know of Rick now is weird, check out this site for his consulting company.... He's built up a big long argument that companies should operate on the same principle as the United States Constitution. It makes no freaking sense whatsoever. The man is crazy."*
- 3.33 Ms. Gregerson responded by stating *"Could you imagine trying to work with him as a councilmember....scary. I forwarded the email link to Jonathon [Standridge - candidate for City Council]."*

September 6, 2009: Email string between Ms. Gregerson and Pat Patterson, Facilities Manager for the City of SeaTac with both using their City of SeaTac email addresses to exchange emails (Exhibit 13):

- 3.34 The complainant stated that Earl Gipson was running Proposition 1, and alleged that Ms. Gregerson and Pat Patterson were discussing Proposition 1 yard signs, and were working

to oppose COG. In the email string, Ms. Gregerson stated “...Someone put up a prop one sign on the corner of 37th and 188th and then took Tony’s sign down. Thinking Earl was on the loose early Saturday. The prop one sign is yellow. Maybe we want to change ours to red or white?”

September 24, 2009: Email from Ms. Gregerson to Mr. Gallup and Mr. Renn (Exhibit 14):

- 3.35 This email was not included with the complaint, but was one of the new emails provided by the City of SeaTac as part of the public records request. Ms. Gregerson used her city email account to respond to an email sent by Mr. Gallup using his personal email address concerning a SeaTac City Council Candidate forum that occurred on September 23, 2009. In the email Ms. Gregerson thanked Mr. Gallup and Mr. Renn for hosting the candidate forum, and went on to state:

“...I hope that the union will be able to write up an overview for submittal to the Highline Times. Especially if the union is now endorsing any of the six candidates?”

Other emails alleged to assist candidates for public office or oppose Proposition 1:

March 3, 2009: Email from Ms. Gregerson to Ms. Brandt-Schluter:

- 3.36 The complainant incorrectly alleged that Mr. Forschler was a candidate for SeaTac City Council. In the email, Ms. Gregerson is referring to Mr. Forschler, who was the Chair of SeaTac Human Services Advisory Committee from January, 2005 through January 2010, prior to being elected to the City Council in 2009, when she states to Ms. Brandt-Schluter that she hopes they could get Mr. Forschler out of the Human Services Committee Chair spot.
- 3.37 Mr. Forschler did not become a candidate until he filed a C-1 report on June 16, 2009, declaring his candidacy for SeaTac City Council. This email was transmitted three months before Mr. Forschler became a candidate.

September 6, 2009: Email string between Ms. Gregerson and Kristin Boone, Administrative Assistant for the City of SeaTac:

- 3.38 The complainant stated that the email did not involve a candidate or ballot proposition, but provided the email as an example of Ms. Gregerson’s character. In the email, Ms. Gregerson made a general comment about people that was not related to a specific individual, and she did not mention or refer to any candidates or ballot proposition.

February 4 through 5, 2010: Email string between Pat Patterson and Ms. Brandt- Schluter, that was also sent to Ms. Gregerson, Councilmember Tony Anderson, and two other individuals:

- 3.39 The complainant stated that Mr. Patterson is the City of SeaTac Facilities Manager and spouse of King County Councilmember Julia Patterson, was setting up meetings to plan

for the 2011 city elections and COG using city email facilities. In the email string, Mr. Patterson stated in the subject line there was an important meeting this Saturday night "...to discuss politics, religion, world economics, and sports...The email does not mention any candidates or ballot propositions, and it was sent four months after the 2009 general election, and more than one and one half years prior to the 2011 election cycle. There were no City of SeaTac issues or candidates on the ballot in calendar year 2010.

February 10, 2010: Email string between Ms. Gregerson and Pat Patterson:

- 3.40 The complainant stated that Ms. Gregerson and Mr. Patterson were discussing candidates and Earl Gipson, the only officer listed on the C-1pc filed for SeaTac Citizens for Elected Mayor, the committee supporting Proposition 1. In the email string, Ms. Gregerson and Mr. Patterson make some personal comments about two individuals (one being Mr. Gipson), and speculate about whether or not someone might run for a future public office based on what they heard from another person. The email does not mention any candidates or ballot propositions, and same as the email above, no City of SeaTac issues or candidates were on the ballot in calendar year 2010.

Mia Gregerson Response

- 3.41 On June 18, 2012, PDC staff received a response letter from Ms. Gregerson to the allegations made against her in the complaint. **(Exhibit 2)** Ms. Gregerson stated that she was unopposed when she ran in 2007 as a candidate for SeaTac City Council, which she said meant she did not need to run a typical campaign. She said she felt not having an opponent stunted her in many ways, both as a candidate and as an elected official, because she did not have the opportunity to engage in campaign activities typical for a first-time candidate, such as seeking community endorsements, community outreach efforts, and coordinating volunteers.
- 3.42 Ms. Gregerson stated that the City of SeaTac "...does not have established neighborhoods or a city center where people gather, and it is a very diverse community, both ethnically and culturally." She stated that since she did not campaign like other candidates, she did not make many contacts in the SeaTac community or have the opportunity to build relationships that might have resulted from conducting a robust campaign.
- 3.43 Ms. Gregerson stated that as a first-time elected official, she connected well with Ms. Brandt-Schluter. She said Ms. Brandt-Schluter's responsibilities as the city's Human Services manager was a natural way for her to learn about the SeaTac community, including meeting community leaders who represented a variety of ethnic, cultural and religious groups. Ms. Gregerson said neither she nor Ms. Brandt-Schluter knew very much about how a ballot proposition was presented to the public or how to run a campaign. She said, "*What we wanted was to continue to reach out to the community about schools, safety, animal control, code enforcement programs, etc...*"
- 3.44 Ms. Gregerson said the emails represented "...many different topics and subjects..." and said she "*never used any public facilities, or suggested that anyone use a public facility,*

to promote or oppose either a ballot measure or a candidate.” She said she supported the candidacy of Jonathan Standridge for SeaTac City Council in 2009, but did not use City of SeaTac resources in that effort or to support or oppose any candidates or ballot propositions.

- 3.45 Ms. Gregerson stated that she was personally opposed to Proposition 1, and mentioned in a July 7, 2009 email that a steering committee was being formed to oppose the ballot measure. She stated that she did not work on a steering committee to support or oppose Proposition 1 or any SeaTac candidates, but that her spouse, Scott Gregerson-Dahle, was the committee treasurer for SeaTac Works Now, the committee formed for the purpose of opposing Proposition 1. She stated that she attended a few of the SeaTac Works Now committee meetings during the course of the 2009 election, but did not conduct outreach activities *“to the African American or Somali community about Proposition One or a candidate.”* She said she was personally opposed to Rick Forschler for SeaTac City Council, but did not doorbell, work on any flyers, or get involved with any committee that opposed his campaign.
- 3.46 Ms. Gregerson stated that she sent the emails included with the complaint using her work computer or by accessing the City of SeaTac email system through her personal laptop computer. She confirmed the authenticity of the emails between her and Ms. Brandt-Schluter, and said there were approximately 8,000 emails between them that were produced by the City of SeaTac as a result of the public records requests that provided the evidence for the complainant, and a total of 16,000 emails produced overall in response to the public records requests.
- 3.47 Ms. Gregerson stated that if the commission finds she violated the Public Disclosure Law, she apologizes for her activities and will make every attempt to stay in compliance and not be found in violation in the future. She stated that she never intended *“...to do harm or cheat.”*

Response from Colleen Brandt-Schluter:

- 3.48 On June 15, 2012, Ms. Brandt-Schluter responded by email to the allegations in the complaint. **(Exhibit 3)** She stated that her job as City of SeaTac Human Services Director requires her to manage a comprehensive Human Services program for the SeaTac community. She said she works in and with the SeaTac community to identify, prioritize, and address human service needs, and assists in facilitating partnerships and programs that address those needs.
- 3.49 Ms. Brandt-Schluter stated that she constantly works with, and provides advice to, City of SeaTac managers and SeaTac City Council members on relevant human service issues and concerns. She went on to state that she did not use facilities of the City of SeaTac to promote or oppose a ballot measure or any candidates, and did not suggest to anyone that they use facilities of the City of SeaTac to support or oppose a ballot measure or candidate.
- 3.50 Ms. Brandt-Schluter stated that she does not live in the City of SeaTac and has *“never organized, scheduled, or attended any meetings having to do with a ballot measure or*

candidate.” She stated that she cannot vote in city elections for candidates or ballot measures, and when she was hired, she was not familiar with laws concerning public records or “the Public Disclosure Commission and the acceptable/unacceptable work practice within the PDC laws/requirements.”

3.51 Ms. Brandt-Schluter stated that anytime she talked or met with Councilmember Gregerson, they discussed numerous topics, and became friends over time. She stated the emails submitted by Ms. Fisher concerning contacts in the SeaTac community *“had nothing to do with a proposition or a candidate”* and were related to her job in human services or her personal friendship with Ms. Gregerson. She stated the following concerning the emails submitted with the complaint:

- The allegation suggesting she was using public facilities to support a candidate for SeaTac City council was not accurate, because she did not in fact support or oppose any candidate. She said she was *“concerned that Candidate Rick Forschler, the chair of the Human Services Advisory Committee, was asking for the committee’s support of his candidacy both personally and within the community.”* She said this request made committee members uncomfortable.
- The allegation that she used public facilities to facilitate fire fighter endorsements for candidates was not valid because her actions were not intended to support or oppose a candidate, but were done merely to raise a question about the endorsement process. She said she was not suggesting a recommendation or requesting a specific endorsement. She stated that she worked *“for this councilmember and was asking how that process worked.”*
- The allegation that she used public facilities to oppose Proposition 1 concerning changing the form of governance for the City of SeaTac was not valid because she did not support or oppose Proposition 1. She said she was *“aware of a front page article in the local newspaper”* and *“acknowledges Councilmember Gregerson’s effort to encourage the community to understand the issues in front of them and to register to vote.”*
- The allegation that she used public facilities to assist candidates or to oppose Proposition 1 at the National Night Out event was not valid because she visited and participated in the National Night Out event as a City of SeaTac official. Concerning the email and allegation that she distributed campaign materials at the event, she only distributed City of SeaTac Human Services Department brochures and her business card.

3.52 Ms. Brandt-Schluter stated that she now understands the importance of the PDC laws and regulations, and apologizes if she has engaged in an inappropriate manner. She reiterated that she *“did not engage in campaign activity or assist a candidate or support/oppose a ballot measure”* and stated that because of these allegations, she has made a concerted effort to educate herself about the PDC laws.

IV.
Scope

4.1 PDC staff reviewed the following documents:

- February 28, 2012 complaint filed by Aileen Fisher against officials of the City of SeaTac.
- June 18, 2012 response submitted by attorney James D. Oswald on behalf of John Gallup and Adam Renn.
- Information on the City of SeaTac website.


4.2 PDC staff interviewed Mia Gregerson and Colleen Brandt-Schluter.

4.3 Emails received from City of SeaTac pursuant to a PDC staff public records request.

V.
Laws and Rules

- 5.1 **RCW 42.17.130** prohibited elected officials, their employees, and persons appointed to or employed by a public office or agency from using or authorizing the use of public facilities, directly or indirectly, for the purpose of assisting a candidate's campaign or for the promotion of, or opposition to, any ballot proposition. This prohibition does not apply to activities that are part of the normal and regular conduct of the office or agency. Effective January 1, 2012, RCW 42.17.130 is now codified at RCW 42.17A.555.
- 5.2 **WAC 390-05-273** states, in part: "Normal and regular conduct of a public office or agency, as that term is used in the proviso to RCW 42.17.130, means conduct which is (1) lawful, i.e., specifically authorized, either expressly or by necessary implication, in an appropriate enactment, and (2) usual, i.e., not effected or authorized in or by some extraordinary means or manner."

Respectfully submitted this 17th day of June, 2013.


Kurt Young
PDC Compliance Officer

List of Exhibits

- Exhibit 1** February 28, 2012, complaint filed by Aileen Fisher with the PDC against officials of the City of SeaTac. (NOTE- Because the emails were annotated with handwritten comments by the complainant, PDC staff obtained copies of email records directly from the City of SeaTac. This exhibit does not include any emails)
- Exhibit 2** June 18, 2012, letter from Mia Gregerson responding to Ms. Fisher's complaint.
- Exhibit 3** June 15, 2012, email from Colleen Brandt-Schluter responding to Ms. Fisher's complaint.
- Exhibit 4** June 15, 2009, email sent by Mia Gregerson to John Gallup.
- Exhibit 5** June 15, 2009, email string between Mia Gregerson and Dave Bush.
- Exhibit 6** June 16, 2009, email string between Mia Gregerson and Colleen Brandt-Schluter.
- Exhibit 7** July 7 through 8, 2009, email string between Mia Gregerson and Colleen Brandt-Schluter.
- Exhibit 8** July 7, 2009, email string between Mia Gregerson and Lesa Ellis, Executive Assistant for City of SeaTac.
- Exhibit 9** July 13-14, 2009, email string between Mia Gregerson and Colleen Brandt-Schluter.
- Exhibit 10** July 16, 2009, email from Mia Gregerson to Colleen Brandt-Schluter, and continued email string concerning a meeting for COG involving non-City of SeaTac employees.
- Exhibit 11** July 29 through August 4, 2009, email string between Mia Gregerson and Colleen Brandt-Schluter.
- Exhibit 12** August 6, 2009, email string between Mia Gregerson and Colleen Brandt-Schluter.
- Exhibit 13** September 6, 2009, email string between Mia Gregerson and Pat Patterson, Facilities Manager for the City of SeaTac.
- Exhibit 14** September 24, 2009, email from Ms. Gregerson to Mr. Gallup and Mr. Renn.