



**State of Washington**  
**PUBLIC DISCLOSURE COMMISSION**

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908  
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**Toll Free 1-877-601-2828 • E-mail: [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov) • Website: [www.pdcc.wa.gov](http://www.pdcc.wa.gov)**

October 15, 2021

Delivered electronically to Jimmy Matta

Subject: Complaint regarding 2021 Jimmy Matta Campaign, PDC Case 97062

Mayor Matta,

Enclosed is a copy of an electronic letter sent to Glen Morgan concerning a complaint he filed on July 29, 2021. The complaint alleged that the 2021 Jimmy Matta Campaign (Campaign) may have violated: (1) RCW 42.17A.235 & .240 for failure to timely and accurately disclose contribution and expenditure activities, that included a \$6,200 candidate loan for the general election on a Monetary Contributions report (C-3 report); and (2) RCW 42.17.445 by making expenditures using contributions received by the Campaign for activities that were not directly related to your 2021 re-election campaign.

Pursuant to WAC 390-37-060(1)(d), you are receiving this formal written warning concerning your Campaign's lack of timely and accurate filing of reports of contribution and expenditure activities undertaken by the Campaign, in accordance with RCW 42.17A.235 and .240. The formal written warning includes staff's expectation you will, in the future, timely and accurately file PDC reports and disclose contribution and expenditure activities, including candidate loans, as required by law.

The Commission will consider the formal written warning in deciding on future Commission action if there are future violations of PDC laws or rules.

The PDC has dismissed this matter in accordance with RCW 42.17A.755(1). If you have any questions, please contact PDC Compliance Officer Kurt Young by e-mail at [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov).

Sincerely,

Endorsed by,

/s  
Electronically Signed Kurt Young  
Compliance Officer

/s  
Electronically Signed Peter Lavalley  
PDC Executive Director



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October 15, 2021

Delivered electronically to Glen Morgan

Subject: Complaint regarding 2021 Jimmy Matta Campaign, PDC Case 97062

Mr. Morgan,

The Public Disclosure Commission (PDC) staff has completed its review of the complaint you filed on July 29, 2021, against Jimmy Matta, incumbent Burien Mayor and a candidate seeking re-election to the Burien City Council in 2021. The complaint alleged the 2021 Jimmy Matta Campaign (Campaign) may have violated: (1) RCW 42.17A.235 & .240 for failure to timely and accurately disclose expenditures on Summary Full Campaign Contributions and Expenditures report (C-4 reports), including a \$6,200 candidate loan for the general election on a Monetary Contributions report (C-3 report); and (2) RCW 42.17.445 by making expenditures using contributions received by the Campaign for activities that were not directly related to the 2021 campaign.

PDC staff reviewed the allegations listed in the complaint; the applicable statutes, rules, and reporting requirements; the C-4 report and amended C-4 reports filed by the Campaign, and the emailed responses from Mayor Matta, and his Treasurer, to determine whether the record supports a finding of one or more violations. Based on staff's review, we found the following:

- On March 8, 2021, Jimmy Matta filed a Candidate registration with the PDC declaring his candidacy for re-election to the Burien City Council, Position #3, selecting the Full Reporting option and listing Maya Matta as Treasurer, and Davie Anne Ross as Campaign Manager. Mr. Matta was elected to the Burien City Council in 2017.
- In January of 2018, Mr. Matta was elected Burien Mayor by a majority of the Burien City Council, and he has served as Mayor of Burien since that time.

**Allegation #1: Use of Campaign funds for reward issue**

- Your complaint alleged that Mayor Matta's Campaign was offering to pay a reward for information about a political sign issue that occurred in the City of Burien earlier in 2021, and that the reward offer should have been disclosed as a debt or obligation.
- The Campaign stated that Mayor Matta "*did in fact call to reward anyone with more information in the amount of \$2,000*" for information about the political sign issue, but he never said the a reward was going to be paid using campaign funds.

- The Campaign stated that Mayor Matta instead indicated that if there was a reward, it would be paid by him using personal funds, and added there was *“no actual reward payment was ever made on behalf of the campaign.”*

### **Allegation #2: 2017 discrepancy in carry forward balance into the 2021 Campaign**

- Your complaint alleged that there was a discrepancy in the final cash on hand balance for the 2017 Campaign, and the beginning balance of the 2021 re-election effort, and that the funds had been spent for Mayor Matta’s personal use.
- The Campaign stated that after reviewing the allegation, they requested the Campaign bank statements from BECU, and found two transactions which occurred between the 2017 ending and the start of the 2021 Campaign that did not get disclosed. The Campaign stated between the 2017 and 2021 elections, changes were made in the management structure for the 2021 election. Based on those changes the Campaign inadvertently failed to report: (1) a \$125 contribution that was made on January 22, 2018, to the 34th District Democrats using 2017 Surplus funds; and (2) a \$178.54 expenditure that had been made to Overnight Printing on April 5, 2018 to print 400 “walking pieces” used by the 2017 Campaign.
- The Campaign filed a new April 2018 C-4 report disclosing the \$178.54 expenditure to Overnight Printing, and an amended January 2018 C-4 report disclosing a \$125 expenditure made to the 34<sup>th</sup> District Democrats using surplus funds. No evidence was found that these funds were used for Mayor Matta’s personal benefit as alleged in the complaint.

### **Allegation #3: Personal use of Campaign funds to purchase tickets to Encanto Arts concert**

- Your complaint alleged the Campaign used funds received from contributors to make a personal use expenditure for a \$1,250 expenditure made to Encanto Arts on July 13, 2021 and listing the description as *“Sponsoring Students to attend music performance.”*
- The Campaign stated that the funds were used *“to purchase ten tickets to the 2 Tenors (a local concert in Seattle), which were then provided to campaign staff/volunteers for the purpose of promoting and supporting his re-election campaign.”* The Campaign stated that at the concert/event, Mayor Matta was provided approximately 15 minutes to address the audience and the topics he spoke about included being Mayor of Burien, his campaign for re-election, his support for the arts and other City of Burien community related topics.
- The Campaign stated that *“while the funds for this expense went to supporting student access to the arts, it was made specifically as a means to for our campaign to perform voter and community outreach”* efforts to assist Mayor Matta’s re-election. In addition, they noted that some of the individuals in attendance have contributed to his re-election efforts, as well as endorsing and supporting his Campaign for re-election.

### **Allegation #4: Personal use of Campaign funds to rent a vehicle**

- Your complaint alleged the Campaign used funds received from contributors to make a \$374.69 personal use expenditure made to Budget Rental on April 8, 2021, for a “Car Rental to shoot campaign videos in Eastern WA.”
- The Campaign stated they rented a GMC for one 24-hour period that *“was used to travel to and from eastern Washington for video shots that were made into Matta's campaign launch video.”* The GMC was a larger vehicle that was suitable for Mayor Matta, his campaign videographer and equipment.

- The Campaign team included three campaign volunteers/workers that were used to film footage in and around various parts of Eastern Washington, including the Quincy and Ephrata areas. The Campaign stated that the video concept was to show Jimmy Matta's "*roots as a poor farmworker in the rural areas of Eastern Washington*" and included footage of where he lived as a child, the farm where he picked apples, and the elementary and middle school classrooms he attended.
- The Campaign stated the various video shots "*were then compiled to show how those moments and memories are what lead me to be the first Latino mayor in King County.*" Mayor Matta added that the "*car rental was directly related because we were driving 2.5+ hours with large videography equipment that did not fit in my car.*"

#### **Allegation #5: Failure to disclose expenditure details on C-4 reports**

- Your complaint alleged the Campaign failed to disclose the required expenditure details for a \$19,228.27 expenditure made to Overnight Printing on July 9, 2021, for political advertising as listed on the 21-Day Pre-Primary C-4 report.
- On August 25, 2021, the Campaign filed an amended 21-Day Pre-Primary C-4 report providing the required expenditure descriptions for a \$19,228.27 expenditure made to Overnight Printing on July 9, 2021. The amended expenditure details disclosed the following: (1) \$19,228.27: Yard signs and H-stakes (QTY 500); (2) Bumper Stickers (QTY 900); (3) Banner 36x96 (QTY 1); (4) Posters 36x48 (QTY 2); (5) Fundraiser programs 8.5x11 (QTY 250); (6) Donation remittance envelopes (QTY 200); (7) Mailer 8.5 x5.5 (QTY 53,000); and (8) Mailing services (QTY 31,210).
- In addition, the amended 21-Day Pre-Primary C-4 report disclosed the required expenditure descriptions for a \$10,000 expenditure that was also made to Overnight Printing on July 9, 2021 that included "2nd mailing 8.5 x 5.5 (QTY 90,000), T-shirts (QTY 200)."

#### **Allegation #6: Failure to timely and properly disclose candidate loans**

- Your complaint alleged the Campaign failed to timely and properly disclose candidate loans made during the 2021 election cycle.
- On April 2, 2021, the Campaign timely filed a Monetary Contributions report (C-3 report) disclosing that on March 19, 2021, the Campaign received a \$6,200 loan from Jimmy Matta, that was attributed to the 2021 primary election.
- On April 2, 2021, the Campaign timely filed the March 2021 C-4 report disclosing \$6,200 in monetary contributions received during the period, \$2,588 in expenditures made, and \$12,400 in outstanding liabilities on line #18. The C-4 report included an attached Loan Document (PDC Schedule L) that disclosed on March 19, 2021 the Campaign received two \$6,200 candidate loans from Jimmy Matta totaling \$12,400. However, the March 2021 C-4 report only listed \$6,200 in total contributions received during the period.
- On June 6, 2021, the Campaign filed a C-3 report disclosing that on March 19, 2021, the Campaign received a \$6,200 loan from Jimmy Matta that was attributed to the 2021 general election. The C-3 report was required to have been filed by the Campaign no later than April 10, 2021 and was filed 56 days late.
- The Campaign timely filed the April and May 2021 C-4 reports, and the 21-Day and 7-Day Pre-General Election C-4 reports, with each C-4 report disclosing \$12,400 in outstanding candidate loans were owed to Jimmy Matta, \$6,200 per election.

- The Campaign subsequently determined the candidate loan repayment limits were \$6,000 per election, and reattributed \$200 from each of the candidate loans as candidate contributions. The new candidate loan totals from Jimmy Matta listed two \$6,000 loans and bringing the loan total to \$12,000.
- On September 10, 2021, the Campaign timely filed the 2021 Post-Primary Election C-4 report disclosing that on August 1, 2021, Jimmy Matta forgave \$6,000 of the \$12,000 loan amount. As of August 2, 2021, the Campaign owed Jimmy Matta a total of \$6,000 in outstanding candidate loans.

Based on these findings staff has determined, in this instance, the allegations concerning the failure to timely disclose two expenditures made by the 2017 Campaign after the 2017 election in early 2018, and a \$6,200 candidate loan made on March 19, 2021, and designated for the general election, do not amount to a violation warranting further investigation or further enforcement action.

The late reported activities are mitigated by the facts that: (1) the two expenditures were small totaling only \$303.54 and included a \$125 expenditure as a disposal of 2017 Campaign surplus that was timely disclosed as having been received by the 34<sup>th</sup> LD Democrats on February 10, 2018; (2) the two expenditures were made almost three years prior to filing as a 2021 candidate for re-election, did not support the 2021 re-election efforts, and had minimal impact to the public; and (3) despite having failed to disclose the second \$6,200 candidate loan for the general election, the Campaign timely disclosed the correct \$12,400 loan outstanding loan total on the C-4 report for March of 2021, listing two \$6,200 candidate loans made on March 19, 2021.

However, pursuant to WAC 390-37-060(1)(d), Jimmy Matta will receive a formal written warning concerning failure to timely disclose two Campaign expenditures related to the 2017 campaign, and the \$6,200 candidate loan designated for the 2021 general election. The formal written warning includes staff's expectation that Jimmy Matta will, in the future, timely and accurately file PDC reports disclosing contribution and expenditure activities as required by law, including candidate loans. The Commission will consider the formal written warning in deciding on future Commission action if there are future violations of PDC laws or rules.

Based on this information, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1). If you have questions, please contact PDC Compliance Officer Kurt Young by e-mail.

Sincerely,

Endorsed by,

/s  
 \_\_\_\_\_  
 Electronically Signed Kurt Young  
 Compliance Officer

/s  
 \_\_\_\_\_  
 Electronically Signed Peter Lavalley  
 PDC Executive Director

c: Jimmy Matta Campaign