



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 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdca.wa.gov

October 31, 2023

Delivered electronically to Jessica Kuzma, Treasurer for Committee for the Methow Aquatic Center, Sponsored by Friends of the Pool

Subject: Complaint filed by Glen Morgan, PDC Complaint 141667

Jessica Kuzma,

Below is a copy of an electronic letter sent to Glen Morgan concerning a complaint he recently filed with the Public Disclosure Commission (PDC) against the Committee for the Methow Aquatic Center, Sponsored by Friends of the Pool.

In accordance with WAC 390-37-060(1)(d), PDC staff is issuing a formal written warning to the Committee for the Methow Aquatic Center, Sponsored by Friends of the Pool concerning the requirement to timely and accurately file C-3 and C-4 reports for the remainder of the 2023 election cycle, and for any future efforts to support a local ballot measure including the timely disclosure of debts, obligations and orders placed. The Commission will consider this formal written warning in deciding on further Commission action if there are future violations of PDC laws and rules.

PDC staff 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



Public Disclosure Commission

Shining Light on Washington Politics Since 1972



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 • E-mail: pdc@pdc.wa.gov • Website: www.pdc.wa.gov

October 31, 2023

Sent electronically to Glen Morgan

Subject: Complaint filed against Committee for the Methow Aquatic Center Sponsored by Friends of the Pool, PDC Case 141667

Glen Morgan:

Public Disclosure Commission (PDC) staff has completed its review of the complaint you filed against Committee for the Methow Aquatic Center Sponsored by Friends of the Pool, a political committee registered with the PDC in 2023. The complaint alleged violations of RCW 42.17A.235 and .240 for failure to timely and accurately file contribution and expenditure reports during 2023, including the disclosure of debts, obligations and orders placed.

PDC staff reviewed the allegations listed in the complaint; the applicable statutes, rules, and the reporting requirements for a continuing political committee; the Monetary Contributions reports (C-3 reports) and Summary Full Campaign Contribution and Expenditure reports (C-4 reports) filed by the Committee for the Methow Aquatic Center, Sponsored by Friends of the Pool; and the email responses from Committee Treasurer, to determine whether the record supports a finding of one or more violations. Based on staff's review, we found the following:

- On April 5, 2023, the Committee for the Methow Aquatic Center, Sponsored by Friends of the Pool (Committee) filed a Committee Registration with the PDC registering as a continuing committee for 2023, selecting the Full Reporting option, and listing Justin Porter as Chairperson, Sarah Shrock as Vice-Chairperson, Kellie Zahn as Committee Manager, Jess Bonn as Media Contact, and Jessica Kuzma as Treasurer.
- As a continuing political committee, the Committee was required to file monthly C-3 and C-4 reports by the 10th of the month, for contribution and expenditure activities undertaken in the prior calendar month, and for the accelerated reporting requirements once the local ballot measure was approved for the November 7, 2023, general election ballot.
- On August 15, 2023, the Committee filed two C-3 reports and two C-4 reports, disclosing contribution and expenditure activities undertaken by the Committee since its inception, which were not timely filed. Those reports included the initial C-3 report which disclosed that on May 12, 2023, the Committee received a \$10,000 contribution from the Friends of the Pool, in Twisp, WA that was deposited into the Committee bank account on May 12, 2023.
- On August 15, 2023, the Committee filed an initial C-4 report covering the period May 1 through 31, 2023, disclosing the \$10,000 contribution that was deposited on May 12, 2023, and listing \$143.31 in small, non-itemized expenditures.

- On August 15, 2023, the Committee filed a C-3 report disclosing that on June 20, 2023, the Committee received a \$100 contribution that was reported as an un-itemized small contribution from one person, that was deposited on June 20, 2023.
- On August 15, 2023, the Committee filed a C-4 report covering the period June 1 through July 31, 2023, disclosing the \$100 monetary contribution that was deposited on June 20, 2023, and listing \$5,600.49 in total Committee expenditures made during the period. The expenditures included a \$5,000 Committee payment made to Pacifica Law Group on June 6, 2023, with the following description “Accounting, legal, regulatory compliance, etc.: Expenses include phone conversation, emails with law group to advise on formation of rec district and drafting of materials. Total hours = 11.9.”
- The C-4 report also disclosed a \$484.80 expenditure was made to Sticker Mule on June 23, 2023, for Campaign merchandise/paraphernalia: 1,000 stickers @\$131/250, + sales tax/shipping, and \$115.69 in small, non-itemized expenditures, with a \$4,357.20 cash on hand balance as of July 31, 2023.
- The Committee has timely filed both the August 2023 C-4 report and the 21-Day Pre-General Election C-4 report disclosing contribution and expenditure activities undertaken by the Committee, as well as the required weekly C-3 reports for a ballot committee that is supporting a measure appearing on the November 7, 2023 general election ballot.
- Ms. Kuzma stated that as Committee Treasurer, she was the person responsible for filing the C-3 and C-4 reports, and that the “late filings and failure to accurately disclose debt were an oversight on my part.” She stated that as a “volunteer and first-time treasurer on a PAC, I can attest that the violations were a result of my inexperience” using the Online Reporting of Campaign Activities (ORCA) campaign finance filing software provided by the PDC. She stated that the “oversights were neither nefarious nor malicious in nature and were not intended to deceive the public about debts accrued by the Committee.”
- Ms. Kuzma stated the Committee is an all-volunteer group who are serving on a PAC for the first time, and that the Committee just formed in May of 2023 to attempt to place a local measure on the November 2023 ballot. She stated the Committee’s “goal is to ask voters whether they will support the formation of a Metropolitan Park District (MPD), a taxing district to fund operations for an Aquatics Center in the Methow Valley.” She stated most of the Committee’s time during the summer of 2023 was spent on developing the ballot measure language and gathering the required “signatures from registered voters in the district to allow the measure to appear on the ballot.”
- Ms. Kuzma stated that during that timeframe, the Committee “sought council from Pacifica Law Group, a firm specializing in drafting interlocal agreements, reviewing requirements for MPD board formation, and advising on levy limits and banked capacity.” She stated the firm provided the Committee with consultation beginning in May of 2023, and the first invoice was sent to the Committee was dated June 6, 2023. She stated the Committee opened the bank account on May 12, 2023, with funds received from our sponsor Friends of the Pool. She stated that for the months of June and July of 2023, the “Committee prioritized petition-gathering activities, knowing that if we didn’t reach the signature limit of registered voters, the ballot measure would not be eligible to appear on the ballot.”
- Ms. Kuzma stated that on July 25, 2023, the Committee “received official word from Okanogan County elections that our petition received sufficient signatures and would be placed on the November 2023 ballot.”

- She stated that on August 15, 2023, she “filed (the then overdue) C-4 reports for June and July.” She stated that on the June 2023 Committee C-4 report she “reported the expenditure for the Pacifica Law group (invoice date June 6, 2023) instead of reporting it as debt in May 2023, when the services were provided.” She acknowledged this was an oversight on her part “due to my unfamiliarity” with the ORCA filing software and the report due dates.
- Ms. Kuzma stated: “I now understand that such services must be reported at the time they are provided. In closing, I take responsibility for these violations and assure you that they were mistakes made without malicious intent. Thank you for considering the circumstances of our newly formed Committee, uncertainty at our formation about whether our measure would appear on the ballot, and the inexperience of a first-time PAC treasurer with navigating the filing system.” She stated that in the future, all contribution and expenditure activities will be filed on time, and “I will ensure any debts are reported in alignment with dates of services rendered.”

Based on these findings, PDC staff found no evidence of a violation that would require conducting a more formal investigation into the complaint or pursuing any further enforcement action in this instance.

As noted above, the Committee is newly formed with a first-time Treasurer and other first-time officers in a relatively small jurisdiction, who have acknowledged being unfamiliar with the committee reporting requirements, the ORCA filing software, and having filed incorrectly.

In accordance with WAC 390-37-060(1)(d), PDC staff is issuing a formal written warning to the Committee for the Methow Aquatic Center, Sponsored by Friends of the Pool concerning the requirement to timely and accurately file C-3 and C-4 reports for the remainder of the 2023 election cycle, and for any future efforts to support a local ballot measure including the disclosure of debts, obligations and orders placed. The Commission will consider the formal written warning in deciding on further Commission action if there are future violations of PDC laws/rules.

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



cc: Committee for the Methow Aquatic Center, Sponsored by Friends of the Pool