



**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@pdc.wa.gov • Website: www.pdc.wa.gov

July 20, 2023

Delivered electronically to brittlivdahl@gmail.com and lwilson@cityofpoulsbo.com

Subject: Complaint filed by Glen Morgan, PDC Case 137184

Dear Brittany Livdahl and Lin Wilson:

Below is a copy of an electronic letter sent to Glen Morgan concerning a complaint filed with the Public Disclosure Commission (PDC).

As noted in the letter to Glen Morgan, the PDC has dismissed this matter following RCW 42.17A.755(1) and will not conduct a more formal investigation into these allegations or take further enforcement action in this matter.

However, per WAC 390-37-060(1)(d), this serves as a formal written warning concerning your use of facilities of a public office or agency for the purpose of assisting a campaign for election of any person to any office. Staff expects you to follow the law as written in RCW 42.17A.555 and as provided in PDC Interpretation No. 04-02. If violations of PDC laws or rules occur in the future, the Commission will consider this formal written warning in deciding on further Commission action.

If you have questions, you may contact Tanya Mercier at 1-360-586-4746 toll-free at 1-877-601-2828, or by e-mail at pdcc@pdc.wa.gov.

Sincerely,

Endorsed by,

/s/ Electronically signed

Tanya Mercier
Compliance Officer

/s/ Electronically signed

Peter Frey Lavalley
Executive Director



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July 20, 2023

Delivered electronically to glen@wethegoverned.com

Subject: Complaint against Brittany Livdahl and Lin Wilson, PDC Case 137184

Dear Glen Morgan:

The Public Disclosure Commission (PDC) has completed its review and assessment of the complaint you filed on May 15, 2023. The complaint alleged that Brittany Livdahl, a City Council Member, for City of Poulsbo, may have violated RCW 42.17A.555 for use of public resources to support a candidate or ballot measure.

PDC staff reviewed the allegation(s); the applicable statutes, rules, the response(s) provided by the Respondent; and other relevant information, to decide whether the record supports a finding of one or more violations.

Based on staff's review, we found the following:

- RCW 42.17A.555 indicates that no elective official nor any employee of his or her office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition. Facilities of a public office or agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of employees of the office or agency during working hours, vehicles, office space, publications of the office or agency, and clientele lists of persons served by the office or agency.
- Ms. Livdahl is an incumbent council member for the City of Poulsbo. She filed a Candidate Registrations (C-1) on May 26, 2023, selecting the Mini Reporting option. Her re-election campaign started on May 15, 2023, when she filed a candidate declaration.
- In the complaint, you alleged that Ms. Livdahl misused her City of Poulsbo email address and mailing address as her political campaign email and mailing address on her candidate declaration and other campaign materials. Staff reviewed the candidate declaration and found that Ms. Livdahl had used her city email and the city's official mailing address on her candidate registration. The complaint did not supply evidence that Ms. Livdahl had used her official city email address or the city's official mailing address on other

campaign materials and staff did not find any other instances of Ms. Livdahl using the city's email address or mailing address on campaign materials.

- On May 24, 2023, PDC staff notified Ms. Livdahl of the allegations in the complaint, and she responded the same day with “it was with naive ignorance that I used the City’s mailing address and email address on my election filing. I also called Kitsap County Elections immediately after receiving this email, and had them update the information for my election filing. ... I have not intentionally broken any laws, and have worked swiftly to rectify the errors that I made in using the City for my campaign contact info. The City did not sanction or likely even know that I’d done so in the first place.”
- Following Ms. Livdahl’s response to the complaint, PDC staff reviewed the candidate declaration and confirmed that the email address and mailing address on her election filing reflected nonofficial city information. It is unclear whether the website on the internet for Ms. Livdahl’s campaign is current; nevertheless, the website does not include any contact information for the candidate.
- Your complaint also alleged that Ms. Livdahl used the City of Poulsbo’s official website to promote and fundraise for her political campaign. Staff reviewed the City of Poulsbo City Council website and found that the biography for Ms. Livdahl did have a link to Ms. Livdahl’s campaign website. The campaign website did not have any mechanism to support fundraising efforts.
- Also on May 24, 2023, Ms. Livdahl responded to the complaint’s allegations about her official city biography by stating:

I don’t know who is officially responsible for updating the City of Poulsbo website, but what I can tell you is that until a couple months ago there was no “biography” for me at all. Lin Wilson, the City’s new Special Events Coordinator, contacted me to say she’d like to get the website updated with Council bios, and could I please submit something. I neglected to submit a bio to her, and then she subsequently discovered that I have maintained a website since I was first elected in 2019. She told me not to worry about writing a bio for myself, that she’d just take info from my website to update the City Council bio page for me. At that point, unbeknownst to me, she also included the links to my workplace and my campaign website. She’s not familiar with the rules around this, and frankly I was unaware as well. I called Lin right after I got this email and asked her to update the website, which she did immediately.

- Following Ms. Livdahl’s response to the complaint, PDC staff reviewed the City of Poulsbo City Council website and confirmed the biography for Ms. Livdahl no longer included the links to her employer or her campaign website.
- On June 6, 2023, PDC staff contacted Lin Wilson, who is the Special Events Coordinator for the City of Poulsbo, Parks & Recreation Department. Ms. Wilson confirmed that she

was the person responsible for having updated the Councilmembers' biographies on the city's official website.

- Ms. Wilson stated:

"I am relatively new to the City however, and was not aware of the City's protocol. In this instance, I had been reviewing the City Councilmember's biographies on the City's website and noticed that some of them were either outdated or did not include any information. I reached out to these Councilmembers and asked them to provide information that I could use to update their biographies. One of those Councilmembers was CM Livdahl. She told me that her campaign website included a biography I could use. I took that information and used it to update her bio on the City's website.

"I come from a background in marketing with private sector clients. When publishing content in the private sector marketing world, the industry standard practice is to include a citation to where the information that is being published was obtained. In this case, because I took the biography from CM Livdahl's campaign website, I included a link back to that website where I obtained the information.

"These links were live for approximately 3 months (from March 2023 to May 2023). When I was notified that the City website bios should not include links to campaign information, I promptly removed the embedded links."

- On June 27, 2023, staff spoke with Ms. Wilson and confirmed that she self-assigned the task of updating the council member's biographies on the city website. The mayor gave her approval to work with the councilmembers to get updated information, but she did not tell or confirm with anyone as she made the updates to the biographies, and no one oversaw her work. Based on Ms. Wilson's actions, staff has included Ms. Wilson as a Respondent in this case.
- Going forward, Ms. Wilson is only responsible to update certain pages and her manager will review the updates on those pages. The City Clerks will be the only staff authorized to update City Council pages.
- The Respondents do not have other warnings or violations of PDC requirements.

Based on our findings staff has decided that, in this instance, Brittany Livdahl and Lin Wilson's use of facilities of a public office or agency for the purpose of assisting a campaign for election of any person to any office does not appear to be a violation that calls for further investigation.

Per WAC 390-37-060(1)(d), however, Brittany Livdahl and Lin Wilson will receive a formal written warning concerning their use of facilities of a public office or agency for the purpose of assisting a campaign for election of any person to any office. Staff expects Ms. Livdahl and Ms. Wilson to follow the law as written in RCW 42.17A.555 and as provided in PDC Interpretation

No. 04-02. If violations of PDC laws or rules occur in the future, the Commission will consider this formal written warning in deciding on further Commission action.

Based on this information, the PDC finds that no further action necessary and has dismissed this matter per RCW 42.17A.755(1).

If you have questions, you may contact Tanya Mercier at 1-360-586-4746 toll-free at 1-877-601-2828, or by e-mail at pdcc@pdc.wa.gov.

Sincerely,

/s/ Electronically signed

Tanya Mercier
Compliance Officer

Endorsed by,

/s/ Electronically signed

Peter Frey Lavalley
Executive Director

cc: Brittany Livdahl and Lin Wilson