



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

To: Public Disclosure Commission

From: Tabitha Townsend, Compliance Coordinator

Date: February 17, 2021

Re: City Councilmember William (Beau) Burkett, PDC Case 80176

Agenda Item

PDC staff is alleging that William (Beau) Burkett, was a City Councilmember for City of Buckley, violated RCW 42.17A.700 by failing to file a Personal Financial Affairs Statement (F-1 report) due no later than April 15, 2020, disclosing financial information for calendar year 2019 and failure to file a Personal Financial Affairs Statement (F-1 report) due no later than April 15, 2019, disclosing financial information for calendar year 2018.

Background

- William (Beau) Burkett was an incumbent City Councilmember for the City of Buckley, since being elected to office in 2015. His term expired on December 31, 2019.
- As an elected or appointed City Councilmember, Mr. Burkett was required to file a Personal Financial Affairs Statement (F-1 report) in accordance with RCW 42.17A.700 not later than April 15, 2020 disclosing financial activities for calendar year 2019. As of the date of this memorandum, no F-1 report has been filed by Mr. Burkett.
- As an elected or appointed City Councilmember, Mr. Burkett was required to file a Personal Financial Affairs Statement (F-1 report) in accordance with RCW 42.17A.700 not later than April 15, 2019 disclosing financial activities for calendar year 2018. As of the date of this memorandum, no F-1 report has been filed by Mr. Burkett.
- As of the date of this memo the only F-1 filed by Mr. Burkett was dated August 5, 2015.
- Between February and April of 2020, PDC staff sent seven (7) email reminders to all elected and appointed officials regarding their missing F-1 reports for calendar year 2019.
- PDC Staff emailed reminders that the deadline of April 15, 2020 had been missed on April 22, 2020, April 29, 2020 and May 5, 2020.

- From July 27 through October 7, 2020, PDC staff also made telephone calls to elected and appointed officials, and to representatives in the jurisdictions in which they serve, reminding them of their missed obligation to file the F-1 report covering calendar year 2019 that was due April 15, 2020.
- On August 4, 2020 PDC Staff received an emailed from the Jurisdiction contact with a new phone number to contact Mr. Burkett. On August 20, 2020 we attempted to call said number, no voicemail was set up, so staff was unable to leave a voicemail.
- On September 22, 2020, PDC staff sent a warning letter to Mr. Burkett concerning the missing F-1 report to the address provided to the PDC on the last F-1 report he filed, which was received on August 04, 2015 covering calendar year 2014.
- Between December 8, 2020 and December 18, 2020 there were phone and email communications regarding F-1 requirements, prior violations and penalties owed. The Respondent's spouse, Mrs. Burkett, who also had a filing obligation and received the same warnings as her husband, offered to help facilitate obtaining the previous reports and penalties owed, as well as the current F-1 requirement. She gave PDC Staff her email address so all information could be sent to her as well as to Mr. Burkett.
- On February 12, 2021 PDC Staff served Mr. Burkett with the hearing notice for the February 25, 2021 hearing date.
- There is currently an outstanding balance owing of \$1,850 from prior penalties assessed on four prior cases for violations of RCW 42.17A.700, \$500 for PDC Case 38794, \$1,000 for PDC Case 22221, \$250 for PDC Case 10036 and \$100 for PDC Case 16-242. No payments have been received on these penalties to date.

Prior PDC Enforcement History

- PDC Case 38794: At the October 25, 2018 Brief Enforcement Hearing, Mr. Burkett was found in violation of RCW 42.17A.700 by failing to file an F-1 report for calendar year 2017, which was due not later than April 16, 2018. Mr. Burkett was assessed a penalty of \$500 for the missing F-1 report, in accordance with F-1 penalty schedule adopted by the Commission which was in effect at the time.
- PDC Case 22221: At the August 23, 2017 Brief Enforcement Hearing, Mr. Burkett was found in violation of RCW 42.17A.700 by failing to file an F-1 report for calendar year 2016, which was due not later than April 17, 2017. Mr. Burkett was assessed a penalty of \$1,000 for the missing F-1 report, in accordance with F-1 penalty schedule adopted by the Commission which was in effect at the time.
- PDC Case 10036: At the January 20, 2017 Brief Enforcement Hearing, Mr. Burkett was found in violation of RCW 42.17A.700 by failing to file an F-1 report for calendar year 2015, which was due not later than April 15, 2016. Mr. Burkett was assessed a penalty of \$250 for the missing F-1 report, in accordance with F-1 penalty schedule adopted by the Commission which was in effect at the time.

Staff Recommendation/Comments

Staff recommends the Commission find that William (Beau) Burkett violated 42.17A.700 by failing to file an F-1 reports for calendar years 2018 and 2019, and:

1. Assess Mr. Burkett a civil penalty, which is payable within 30 days of the date of the Order.
2. Order Mr. Burkett to file his required PDC reports in accordance with RCW 42.17A.755(4); and to file the missing F-1 reports for calendar years 2018 and 2019 within 30 days of the date of the Order.
3. Order Mr. Burkett to file his required PDC reports in accordance with RCW 42.17A.755(4); and to file the missing F-1 reports for calendar years 2016 and 2017 within 30 days of the date of the Order.