Memo

To: Commissioners

From: Wayne Barnett

Date: April 23, 2010

Re: Request to renew an F-1 reporting modification

Per the attached letter, Councilmember Sally Bagshaw has asked the Commission to renew a reporting modification that the Commission granted her on February 4, 2009. That modification was granted on the same terms as a reporting modification that the PDC granted to Councilmember Bagshaw on January 29, 2009.

The PDC renewed Councilmember Bagshaw's reporting modification on April 22, 2010, and I recommend that the Commission also renew her reporting modification, pursuant to Administrative Rule 6B.3. That rule provides that "[t]The Commission may accept reporting modifications of reporting personal finances granted by the Washington State Public Disclosure Commission to City officers who are required to file such statements with the State and with the City and who file a request with the Commission pursuant to this rule."

I see no public interest in disclosing WH Bagshaw's customer list, since there is no nexus between WH Bagshaw's business and Councilmember Bagshaw's responsibilities as a City Councilmember.

FILED
CITY OF SEATTLE
2010 APR -8 AM 11: 35
CITY CLERK

Sally G. Bagshaw
Seattle City Councilmember
1107 1st Avenue #1806
Seattle, WA 98101

April 4, 2010

Wayne Barnett, Executive Director
Seattle Ethics & Elections Commission
PO Box 94729
Seattle, Washington 98124-4729

Dear Mr. Barnett:

I am currently an elected member of the Seattle City Council. Enclosed are my F-1 Forms as well as the required supplemental pages disclosing my spouse's and my personal investments and income in accordance RCW 42.17.240.

Also enclosed is a copy of PDC No. 2861 Findings, Conclusions, and Order dated January 29, 2009 pertaining to my request for a modification of reporting requirements of RCW 42.17.241. Last year the Washington State PDC reviewed and granted my request for a modification pertaining to the WH Bagshaw Company's list of customers. There has been no change in circumstances and I am hereby renewing my previous request.

In 2009 I petitioned both the State PDC and your office to be relieved from the requirement of revealing the names of the WH Bagshaw Company's list of customers. As stated in the file, my husband, Brad Bagshaw is the Corporate Secretary and part-time director of the WH Bagshaw Company located in Nashua, New Hampshire. My husband receives no compensation for his services and I have no involvement in the company whatsoever.

The WH Bagshaw Company is a closely held family company that does no business in the State of Washington. As described in the enclosed documents, disclosing the list of customers would cause significant hardship for this small company.

I am hereby renewing my request for modification and have included copies of the materials submitted to the PDC last year. Thank you in advance for re-approving this request.

Yours truly,

Sally Bagshaw

Sally Bagshaw
Seattle City Councilmember

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

January 29, 2009

SALLY BAGSHAW
1107 FIRST AVENUE #1806
SEATTLE WA 98101

Subject: Reporting Modification

Dear Ms. Bagshaw:

Enclosed is a copy of Order No. 2861, which grants the reporting modification you requested.

For your information, if you are successfully elected in 2009 you will need to file an F-1 report by April 15, 2010 covering all of 2009. At that time, you would request a renewal of the reporting modification.

If you have questions, please contact me at (360) 664-8854 or toll free at 1-877-601-2828.

Sincerely,

Kurt Young

Kurt Young
Compliance Officer

Enclosure

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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

SALLY BAGSHAW
1107 FIRST AVENUE #1806
SEATTLE WA 98101

IN THE MATTER OF THE APPLICATION OF SALLY BAGSHAW FOR A REPORTING MODIFICATION	PDC No. 2861 Findings, Conclusions and Order

I.

On January 22, 2009, the application of Sally Bagshaw, 1107 First Avenue #1806, Seattle, Washington, 98101, for a modification of the reporting requirements of RCW 42.17.241 was brought before the Public Disclosure Commission.

Consideration of the request, in absentia, was made pursuant to RCW 42.17.370(10) and chapter 390-28 WAC by the Commission. The proceedings were held in Room 206, Evergreen Plaza Building, 711 Capitol Way, Olympia, Washington. The applicant, Sally Bagshaw, by Modification Application/Questionnaire, requested a modification of the reporting requirements that would exempt her from disclosing the business and governmental customers who paid $10,000 or more in the previous 12 months to WH Bagshaw Company, of which her spouse is Corporate Secretary and a part-time director.

The Commission was provided with a certification from Ms. Bagshaw that the facts contained in the request are true and accurate.

II.

Based upon the letter, the Commission makes the following:

FINDINGS OF FACT

1. The applicant has not previously been granted a reporting modification.

2. The applicant is a candidate for City of Seattle Council member in 2009. If elected, her term of office expires in December 2013.

3. The applicant's spouse serves as the Corporate Secretary and a part-time director of WH Bagshaw Company, a small New Hampshire manufacturing company that manufactures pins and pointed wire products.

4. The applicant stated that WH Bagshaw Company is a small, closely-held family company of which her spouse owns 5.5% of the company's common stock through a family trust. WH Bagshaw Company employs about 20 people, with annual sales of $3 million.

5. The applicant stated that her spouse is one of seven directors for WH Bagshaw Company and that his principal duties are to attend two annual meetings and write up the minutes of those meetings.

6. The applicant said that her spouse does not approve any contracts, hire, fire or supervise any workers, and that he is not involved in the day-to-day operations of WH Bagshaw Company.

7. The applicant said that she does not have access to, or have knowledge about, any of the business or governmental customer information for WH Bagshaw Company and that no business or governmental customer information has been disclosed to her.

III.

Having made these Findings of Fact, the Commission makes the following:

CONCLUSIONS OF LAW

1. Literal compliance with all of the provisions of RCW 42.17.241 would create a manifestly unreasonable hardship on the applicant.

2. Limited suspension or modification of the reporting requirements as specified in the order would not frustrate the purposes of the Act in this particular case.

IV.

Having made these Findings of Fact and Conclusions of Law, the Commission issues the following:

ORDER

For the Statement of Financial Affairs required to be filed with the Public Disclosure Commission within two weeks of becoming a candidate:

Sally Bagshaw
PDC Modification No. 2861
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1. The applicant may satisfy the reporting requirements of RCW 42.17.241(1)(g)(ii) by identifying any reportable business and governmental customers of WH Bagshaw Company of which she has actual knowledge in accordance with PDC Interpretation #02-06.

2. In all other matters required to be reported, the applicant shall comply in full with the reporting requirements of RCW 42.17.

DATED this 29th day of January 2009.

FOR THE PUBLIC DISCLOSURE COMMISSION

Vicki Rippie
Executive Director