

Complaint Form for Ethics Violations

Submission date: 21 December 2021, 12:08PM

Receipt number: 3

Related form version: 3

Your Name

Robert [REDACTED]

Mailing Address

Email Address

Contact Phone Number

Please List the Name of the City Employee, Elected Official or Board/Commission Member About Which You Are Filing a Complaint

Josh Binda

Is This Regarding an Employee or an Elected/Appointed Official? **Elected/Appointed Official**

Please provide as much detail as possible about your complaint, including details which clearly identify the violation

An official violation with the PDC has been filed for misappropriation of campaign funds. Binda has reportedly raised contributions for his campaign in the sum of about \$23,000. In reading his campaign expenditures on the online PDC report it showed that most of these funds were spent on personal items that don't fall under campaign necessities. Binda listed apparel, haircuts, dental work, jewelry, airfare to Mexico, groceries, computers, printers, furniture, phones, event tickets, apartment rent, vehicle tow bills, etc. This appears to be an unauthorized, improper, or unlawful use of campaign funds or other property for purposes other than that for which intended. Personal purchases and pleasures are not authorized as campaign related expenditures. There are currently two open cases for alleged violations of Washington's campaign finance and disclosure laws (RCW 42.17A) and rules (WAC 390) against the Elect

Joshua Binda campaign. Binda failed to respond within the 14-day deadline to the first PDC case filed on November 1, 2021. In that case, two complainants allege theft or misappropriation of campaign funds for personal use (RCW 42.17A.445 and WAC 390-16-238) and concealment of expenditures (RCW 42.17A.235 and RCW 42.17A.240). A second case, approved by the PDC, was initiated by the Lynnwood Times after Binda failed to produce the supporting documentation of his campaign account which is required by Washington state law, during the public inspection of books of account (RCW 42.17A.235.8 and WAC 390-16-043 Section 6) that was requested by the Lynnwood Times. Binda also failed to meet with the Lynnwood Times within the required 48-hour deadline to publicly inspect financial records (RCW 42.17A.235.6.a and WAC 390-16-043 Section 4). The investigation of these suspicious expenditures has resulted in Binda attempting to request extension to respond to the complaints. When confronted on the suspect expenditures his PDC expenditure sheets were quickly edited which drew even more suspicion.

Which of the following section or sections of Chapter 2.94 of the Lynnwood Municipal Code do you believe has been violated? You must check at least one box.

The code can be reviewed here:

<https://www.codepublishing.com/WA/Lynnwood/#!/Lynnwood02/Lynnwood0294.html>

- 2.94.030: Using position for personal gain or profit
- 2.94.050: Acceptance of gifts
- 2.94.060: Prohibited campaign activities

I agree that the information provided is true and correct:

A black rectangular redaction box covers the signature area. A handwritten signature in blue ink is visible above the top edge of the redaction.

[Link to signature](#)

Complaint Form for Ethics Violations

Submission date: **25 January 2023, 2:43PM**

Receipt number: **5**

Related form version: **3**

Your Name **Patrick Decker**

Mailing Address

Email Address

pdecker@lynwoodwa.gov

Contact Phone Number

Please List the Name of the City Employee, Elected Official or Board/Commission Member About Which You Are Filing a Complaint

Lynnwood

Is This Regarding an Employee or an Elected/Appointed Official? **Elected/Appointed Official**

Please provide as much detail as possible about your complaint, including details which clearly identify the violation

Councilmember Binda violated Lynnwood Municipal Code, Lynnwood City Council Code of Ethics and Lynnwood City Council Oath of Office regarding use of his public office and Public Resources for personal gain or benefit, to wit: • Councilmember Binda has been conducting personal, for gain, business using his Lynnwood City Council email address and City email servers. Those emails include communications between Councilmember Binda and community entities discussing and arranging speaking engagements for which Councilmember Binda was paid but which were not part of his Council duties, nor did he make those speeches or appearances as part of his formal City Council duties or responsibilities. • Council President Sessions was recently told by Lynnwood Police that on one occasion, Lynnwood Police responded to an alarm at City Hall and found

that Josh Binda had set off the alarm by entering the building without turning the alarm off. • Multiple times during 2022 Councilmember Binda entered City Hall and Council Chambers for personal use, in a manner and for purposes not permitted to the general public. He was advised by the Mayor and Council President that his use of Council Chambers in this manner was not a permitted use. Despite this, Councilmember Binda continued to use Council Chambers for personal use. Lynnwood City Attorney also met with Councilmember Binda and advised him against this personal use of Public Resources. • Subsequently, in late 2022, Councilmember Binda entered City Hall, and Council Chambers outside of business hours, again for personal use. During this event, Councilmember Binda also allowed entry of non City staff, employees, or elected officials during the time he was in the building. Councilmember Binda provided his employee access badge to other parties, as part of this occurrence, so they could access Council chambers, in violation of City rules, Policies and Procedures. Councilmember Binda moved flags and Council dais items to frame a scene in Chambers with Councilmember Binda sitting at the center focus of the staging. Councilmember Binda then, in conjunction with the other parties, recorded a video of Councilmember Binda sitting at the dais and speaking to the camera. Councilmember Binda failed to correctly set the security alarm when he exited the building, creating risk for the City and for staff. • The video Councilmember Binda recorded in Council chambers was then edited, refined, and posted to his social media account to promote his personal persona and brand, and to promote a speaking tour he is engaged in. That promotional video is still posted on his social media account as of the writing of this complaint. • Councilmember Binda receives payment for appearances and speeches he makes as part of this speaking tour. As of the middle of January

2023, Councilmember Binda has been paid upwards of \$12,000 for these multiple speaking appearances as reported by the Everett Herald. Councilmember Binda has publicly stated he plans to continue the speaking tour, and expand it nationally. The video filmed using Councilmember Binda's elected office and public resources clearly are intended to promote that speaking tour. • In the January 24th City Council meeting, Councilmember Binda stated that all contracts related to his speaking tour and related appearances had been agreed to and signed prior to his recording and posting of the video which was made in Council Chambers in December. However, Council President has been told that at least one contract with the Edmonds School District was signed in January, 2023, subsequent to the recording and posting of the video under discussion. If that is accurate, Councilmember lied to the Council and lied to the public about the timing of events in order to attempt to make the case that the creation and posting of the video is not tied to the compensation he has and will receive for the speaking engagements. • Further, beyond the benefit of promotion which the video provides for the speaking tour, Councilmember Binda is using the video created in Council Chambers to advance his personal image and "Brand", from which he will derive future compensation and remuneration.

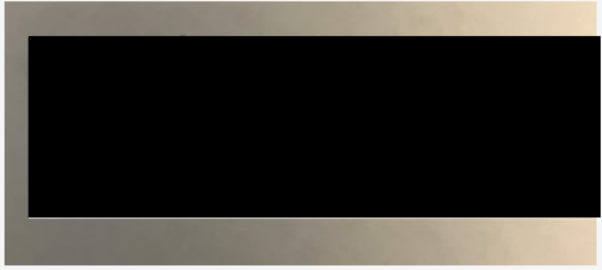
Which of the following section or sections of Chapter 2.94 of the Lynnwood Municipal Code do you believe has been violated? You must check at least one box.

The code can be reviewed here:

<https://www.codepublishing.com/WA/Lynnwood/#!/Lynnwood02/Lynnwood0294.html>

2.94.030: Using position for personal gain or profit

I agree that the information provided is true and correct:



[Uploaded signature image: thumbnail_IMG_7969.jpg](#)

Complaint Form for Ethics Violations

Submission date: 28 January 2023, 5:11PM

Receipt number: 6

Related form version: 3

Your Name Ashley [REDACTED]

Mailing Address [REDACTED]

Email Address [REDACTED]

Contact Phone Number [REDACTED]

Please List the Name of the City Employee, Elected Official or Board/Commission Member About Which You Are Filing a Complaint Josh Binda

Is This Regarding an Employee or an Elected/Appointed Official? Elected/Appointed Official

Please provide as much detail as possible about your complaint, including details which clearly identify the violation

Charging local schools for speaking engagements and appearances. The emphasis of enthusiasm seems to be around his ascending to the seat of public office as a "young black man". Using his office for obscene personal financial gains. He is charging my son's struggling school \$1500 for one day. .

Which of the following section or sections of Chapter 2.94 of the Lynnwood Municipal Code do you believe has been violated? You must check at least one box.

2.94.030: Using position for personal gain or profit

The code can be reviewed here:

<https://www.codepublishing.com/WA/Lynnwood/#!/Lynnwood02/Lynnwood0294.html>

I agree that the information provided is true and correct:



[Link to signature](#)

Complaint Form for Ethics Violations

Submission date: 16 April 2023, 6:22PM

Receipt number: 8

Related form version: 4

Your Name Diodato [REDACTED]

Mailing Address [REDACTED]

Email Address [REDACTED]

Contact Phone Number [REDACTED]

Please List the Name of the City Employee, Elected Official or Board/Commission Member About Which You Are Filing a Complaint Joshua Binda

Is This Regarding an Employee or an Elected/Appointed Official? Elected/Appointed Official

Please provide as much detail as possible about your complaint, including details which clearly identify the violation

Councilmember Joshua Binda's personal real estate website, "joshbindarealestate.com," links to his Instagram page, which he identified as being his official government Instagram page. Councilmember Binda's Instagram page name "Government Official." Additionally, his page username formerly was "cmjoshbinda," "cm" logically to mean "councilmember." Furthermore, his Instagram page bio lists him as a "Lynnwood City Councilmember" and links to his official Lynnwood City Councilmember bio from the City of Lynnwood government website. However, he renamed his Instagram page's username from "cmjoshbinda" to "joshbinda." When an Instagram page's username is changed, it also changes the page's url in search results. Additionally, if an Instagram page is linked on a website and the Instagram username is changed, the link no longer works, nor will it load the desired

profile if one clicks on it. Rather, a message from Instagram will pop up saying, “Sorry, this page isn’t available,” yet the original username will still show in the url in the search bar. This happened with Councilmember Binda; the link on his personal real estate website to his Instagram page is now broken because he changed his page username. However, if one clicks on the Instagram page link on joshbindarealestate.com, the url shows https://www.instagram.com/cmjoshbinda/?__coig_restricted=1. The url still shows “cmjoshbinda,” indicative of the change to his Instagram page username. These actions by Councilmember Binda are in clear violation of Lynnwood Municipal Code 2.94.030 entitled “Personal gain or profit – Use of persons, money or property.” Specifically, Subsection A which states, “An official or employee shall not knowingly use his or her office or position for personal or family benefit gain or profit, or use his or her position to secure special privileges or exceptions for himself, herself, or for the benefit, gain, or profits of any other persons.” Councilmember Binda is also possibly in violation of LMC 2.94.040 entitled “Conflict of interest.” Specifically, Subsection A which states, “An official or employee shall not be beneficially interested, directly or indirectly, in any contract which may be made by, through or under the supervision of such person, in whole or in part, or which may be made for the benefit of his or her office, or accept, directly or indirectly, any compensation, gratuity, or reward in connection with such contract from any other person beneficially interested therein, and shall not knowingly engage in activities which are in conflict, or which have the potential to create a conflict, with performance of official duties.” It is highly unethical for Councilmember Binda to engage in this errant behavior, linking his government Instagram page to his personal real estate website. It appears as if Councilmember Binda attempted to use

his position of authority as an elected Lynnwood City Councilmember to try to personally benefit, gain and / or profit in his real estate ventures. Screenshots are available to verify these various changes to his Instagram page. This disappointingly unethical behavior is not the conduct Lynnwood residents should expect from a sitting city councilmember, a representative of our Lynnwood community.

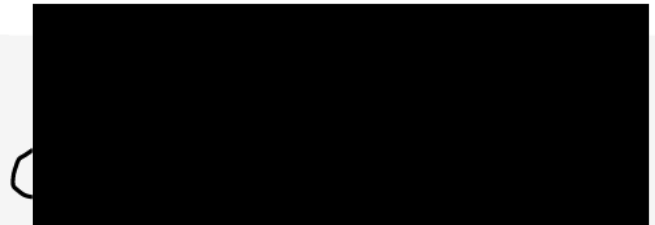
Which of the following section or sections of Chapter 2.94 of the Lynnwood Municipal Code do you believe has been violated? You must check at least one box.

The code can be reviewed here:

<https://www.codepublishing.com/WA/Lynnwood/#!/Lynnwood02/Lynnwood0294.html>

2.94.030: Using position for personal gain or profit
2.94.040: Conflict of interest

I declare under penalty of perjury under the law of Washington that the foregoing is true and correct.



[Link to signature](#)

Date

04/16/2023

Location (city, state/country)

Lynnwood, WA, USA