



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

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Toll Free 1-877-601-2828 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdcc.wa.gov

DATE: January 12, 2015
TO: Local Government Agency Officials
FROM: Tony Perkins, Acting Assistant Director
SUBJECT: **Election-Related Communications by Local Government Agencies**

RCW 42.17A.555 prohibits local government officials and employees from using or authorizing the use of public facilities to assist a candidate's campaign, or to promote or oppose a ballot proposition. WAC 390-05-271 of the Public Disclosure Commission's rules states that this prohibition *"does not prevent a public office or agency from... making an objective and fair presentation of facts relevant to a ballot proposition, if such action is part of the normal and regular conduct of the office or agency."*

In PDC Interpretation 04-02, *Guidelines for Local Government Agencies in Election Campaigns*, the Commission held that *"it is not only the right, but the responsibility of local government to inform the general public of the operational and maintenance issues facing local agencies."* Accordingly, the Interpretation states that *"[t]he PDC will presume that every agency may distribute throughout its jurisdiction an objective and fair presentation of the facts for each ballot measure,"* typically a jurisdiction-wide "fact sheet" mailing. Such a presentation must accurately portray the cost and other anticipated impacts of a ballot proposition, and must not promote or oppose the proposition in the tenor or tone of the language used.

In the past, PDC staff has reviewed draft agency publications on ballot propositions upon request and provided individualized written comments and recommendations to local governments in order to facilitate compliance with RCW 42.17A.555. Current staff resources do not allow for individualized guidance. Accordingly, staff makes this memo available to answer common questions about agency publications and RCW 42.17A.555. What follows are representative examples of draft agency publications, and the guidance that PDC staff provided to the sponsoring agencies.

As illustrated in the attached guidance, an "objective and fair presentation of the facts" concerning a property tax levy means stating the proposed tax increase in terms of the additional annual cost to the owner of a home of average value in the jurisdiction. Such a presentation should also explain, in neutral, factual terms, the outcome anticipated if the proposition is rejected by voters.

In addition, an “objective and fair presentation of the facts” must **avoid** the following:

- Overtly promotional or oppositional content (including inflammatory or emotionally-driven language; check marks and other indications of support; and gratuitous photos that tend to provoke an emotional reaction—e.g. an image of a body on an EMT stretcher, or a house exploding in flames);
- Statements that speculate about possible secondary or tertiary impacts of a ballot proposition;
- Statements seeking to minimize the cost of a ballot proposition, e.g., through comparisons to small-ticket items such as coffee, pizza, or a magazine subscription;
- Statements purporting to describe the sponsoring agency’s responsible fiscal management;
- Detailed information about property tax exemptions; and
- Detailed information about the conduct of elections (e.g. ballot drop-off locations), unless it is the normal and regular conduct of the agency to provide such information in the manner of the proposed publication.

Finally, if an agency wishes to go beyond a single jurisdiction-wide mailed “fact sheet,” for example, to make multiple election-related communications or communications in multiple formats, the agency must be able to demonstrate that these other communications are a part of the agency’s normal and regular conduct. In other words, that the method, format, and frequency is typical of how the agency routinely communicates with its audience.

Resources

In addition to this memo and the attached examples of PDC staff’s guidance, local government officials are encouraged to use the following resources to assist in compliance with the law:

[RCW 42.17A.555](#)

[WAC 390-05-271](#) - General applications of RCW 42.17A.555

[WAC 390-05-273](#) - Definition of normal and regular conduct

[PDC Interpretation 01-03](#), Guidelines for School Districts in Election Campaigns

[PDC Interpretation 04-02](#), Guidelines for Local Government Agencies in Election Campaigns

Although PDC staff cannot currently provide individualized review of proposed agency publications on ballot propositions, we are available to answer questions. Contact 360-753-1111 or 1-877-601-2828 for assistance, or email pdcc@pdcc.wa.gov.

**Examples of PDC Staff Guidance
Regarding Ballot Proposition “Fact Sheets”
and RCW 42.17A.555**



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MEMORANDUM

To: Shannon Criss, Superintendent, Winlock School District

From: Tony Perkins, Lead Political Finance Specialist

Date: January 10, 2012

Subject: Review of Information Regarding Levy Election in Winlock School District

BY ELECTRONIC MAIL

PDC staff members reviewed the proposed fact sheet that you submitted by email on January 4, 2012, regarding the proposed maintenance and operations levy on the February 14, 2012 special election ballot in the Winlock School District.

As part of our review process, we look at aspects such as the timing, tone, and tenor of a communication, and the “normal and regular” conduct of the agency. In addition, we also review whether a communication appears to be an objective and fair presentation of the facts that, if lacking, could make the communication objectionable under RCW 42.17A.555.

Our review and comments are meant to give you our best opinion as to the apparent fairness and objectivity of the information being communicated in accordance with PDC Interpretation #01-03, Guidelines for School Districts in Election Campaigns. That interpretation may be found on our Web site at www.pdc.wa.gov by hovering on “Home,” then on “Laws and Rules,” and finally clicking on “Commission Interpretations.” (Please note that the *Guidelines* are only an interpretation that, combined with this memorandum, is meant to aid and assist in compliance with the law. The *Guidelines* do not constitute actual rules. Please also note that although the *Guidelines* refer to RCW 42.17.130, effective January 1, 2012 this statute was recodified as RCW 42.17A.555.)

We cannot certify that the proposed fact sheet would not be found objectionable even after our review, should a complaint be filed by a citizen under RCW 42.17A.555. The communication of this information, when combined with other activities to communicate information about the levy, may be construed by residents of the Winlock School District as “campaigning” in support of a ballot proposition.

Reviewing the proposed fact sheet, we found that in part, it represented an objective and fair presentation of the facts. However, there were several areas of concern, prompting the following recommendations:

- We recommend that statements such as “*Taxpayers of the Winlock School District can be assured that the funds of the district are being spent wisely*” be omitted from the proposed publication, since they communicate no particular fact about the levy, and in addition convey a tenor of support for the measure.
- We recommend that you provide more specific information about the cost of the levy, in terms of the dollars and cents levied against a home of average value in the school district.
- Rather than simply stating that Winlock maintains one of the smallest levies in the county, we recommend that you cite the levy amounts in a range of comparable local districts, and let the numbers speak for themselves.
- Rather than stating that “*The Winlock Board of Directors feel they can maintain district priorities with the levy being proposed,*” we recommend that you simply state that the levy, if renewed, would preserve current programs.
- We recommend that you explain the prospect of state levy matching funds without calling it “*A very important point to remember.*”
- Rather than stating that the failure of the levy replacement “*would be devastating to current programs and student offerings,*” we recommend that you explain in concrete terms, the cuts that the school district plans to make in the event the levy is not approved.
- The statement “Winlock School District staff and School Board have made a strong commitment to use every penny appropriately to provide our students with a quality education that will prepare them for life beyond high school” does not communicate any particular fact about the levy, and in addition conveys a tenor of support for the measure. We recommend that this statement be omitted from the proposed publication.

Following this memo is a copy of the draft fact sheet reviewed by PDC staff. For your reference, the segments that our staff suggests be omitted or modified have been marked in yellow; click on the highlighted content to review staff’s comments and recommendations.

While we cannot require you to follow PDC staff’s recommendations, they do constitute

our best advice for compliance with RCW 42.17A.555. As stated above, our review should not be considered as authorizing or approving the changes recommended or the information included in the proposed fact sheet. Those decisions are the responsibility of the Winlock School District, and the district's legal counsel.

If you have questions, please feel free to contact me at (360) 586-1042, toll free at 1-877-601-2828, or by email at tony.perkins@pdc.wa.gov.

MAINTENANCE AND OPERATIONS REPLACEMENT LEVY

Winlock School District is running a replacement levy in February, 2012 for the levy that will soon be expiring. This replacement levy is used to help supplement the programs currently existing in the district. Listed below are nine areas that your levy dollars are used for. This money goes into the general fund which allows your Board of Director's to apply the money to the areas that need the most financial assistance. Taxpayers of the Winlock School District can be assured that the funds of the district are being spent wisely. Current economic instability along with existing and potential reductions of both State and Federal funds to our district makes levy money all the more critical to maintaining quality programs that are focused on supporting the youth of our community.

The replacement levy will remain the same as what we asked for in the past levy. We are requesting \$700,000 for 2013 and 2014. Winlock still maintains one of the smallest levies in the county. The Winlock Board of Directors feel they can maintain district priorities with the levy being proposed.

A very important point to remember is that we receive state matching funds in the form of Levy Equalization if we pass our levy. With an already dwindling district budget, the loss of levy equalization funds, compounded by loss of levy dollars would be devastating to current programs and student offerings.

Your LEVY dollars support:

- Full day kindergarten
- Textbook adoptions and curriculum materials
- Utilities
- Extra curricular programs
- Transportation costs not covered by the State
- Maintenance of our facilities
- Staff
- Technology
- College credits offered at the high school level

Winlock School District staff and School Board have made a strong commitment to use every penny appropriately to provide our students with a quality education that will prepare them for life beyond high school. This is a replacement levy, not a new tax.



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MEMORANDUM

To: Craig Ritchie, City Attorney, City of Sequim

From: Tony Perkins, Lead Political Finance Specialist

Date: May 31, 2012

Subject: Review of Information Regarding Sales Tax Election in the City of Sequim

BY ELECTRONIC MAIL

PDC staff members reviewed the proposed fact sheet that you submitted by email on May 30, 2012, regarding Proposition 1, a sales tax measure on the August 7, 2012 primary ballot in the City of Sequim.

As part of our review process, we look at aspects such as the timing, tone, and tenor of a communication, and the “normal and regular” conduct of the agency. In addition, we also review whether a communication appears to be an objective and fair presentation of the facts that, if lacking, could make the communication objectionable under RCW 42.17A.555.

Our review and comments are meant to give you our best opinion as to the apparent fairness and objectivity of the information being communicated in accordance with PDC Interpretation #04-02, Guidelines for Local Government Agencies in Election Campaigns. That interpretation may be found on our Web site at www.pdc.wa.gov by hovering on “Home,” then on “Laws and Rules,” and finally clicking on “Commission Interpretations.” (Please note that the *Guidelines* are only an interpretation that, combined with this memorandum, is meant to aid and assist in compliance with the law. The *Guidelines* do not constitute actual rules. Please also note that although the *Guidelines* refer to RCW 42.17.130, effective January 1, 2012 this statute was recodified as RCW 42.17A.555.)

We cannot certify that the proposed fact sheet would not be found objectionable even after our review, should a complaint be filed by a citizen under RCW 42.17A.555. The communication of this information, when combined with other activities to communicate information about the sales tax proposal, may be construed by residents of the City of Sequim as “campaigning” in support of a ballot proposition.

Reviewing the proposed fact sheet, we noted areas of some concern, prompting the following recommendations:

- We recommend that you omit the statement, “*Please follow this discussion in your local papers and in the community as well.*” In the proposed fact sheet, the City of Sequim should communicate, according to its normal and regular conduct, an objective and fair set of facts concerning Proposition 1, including the planned use of the proposed funding, and the costs and other anticipated impacts of the measure. The city should not refer readers to outside sources of information, which could include editorial content and political campaign activity. City residents may find such information on their own, if they wish.
- The city should encourage voter participation in the Proposition 1 election only if the city routinely communicates such encouragement for every primary, general and special election, in the manner of the proposed fact sheet. Otherwise, we recommend that you omit the statement, “*Your vote on Proposition 1 is very important*” from the fact sheet.
- In this fact sheet, we recommend that you describe the facilities that would be included in a new police station and EOC, and the use that would be made of such facilities. We recommend that you avoid the use of emotionally-laden language such as “*Our Police Department provides us with excellent service under extremely difficult circumstances... It has really never had the benefit of a dedicated, up-to-date professional facility.*”
- Although the city proposes to include a new police station and EOC in its development of the recently-acquired downtown property, we recommend that you avoid statements indicating that these facilities “*should be a part of that development.*” Such language conveys a tenor of support for Proposition 1, and does not explain any particular fact about what is on the ballot.
- The statement, “*There has never been a better time to consider taking on capital civic improvements and the associated long-term debt*” conveys a clear tenor of support for Proposition 1. In place of this statement, we recommend that you explain, in a neutral tone, the plan to finance the proposed police station and EOC, including the specific interest rates that the plan anticipates.
- We recommend that you refrain from statements regarding the state of the local construction industry, and the need for job creation. Proposition 1 authorizes the collection of sales tax, not job creation, and the function of an objective and fair presentation of the facts should be to explain in a neutral, informative manner what is on the ballot.

- We recommend that you refrain from describing the proposed sales tax increase as “small.” Statements which minimize the cost of Proposition 1 are likely to be viewed as an attempt to promote the proposition.
- We recommend that you omit the statements, “*IS THIS TAX RIGHT FOR SEQUIM? Only the voters of our city can make that decision.*” Such statements do not communicate any particular fact about the sales tax proposal.
- Although it is appropriate to explain the structuring of Sequim’s sales tax revenue, we recommend that you do so in a manner that does not “sell” Proposition 1, as in “*Less than one third will come out of your pocket.*”
- If the retail and tourism sectors of Sequim’s economy have impacted police services in any particular manner, it is appropriate to explain this impact with reference to specific figures, e.g. trends in the number of incident responses, and increases or decreases in associated costs. It is also appropriate to explain the city council’s decision to pass these costs on to area visitors through a sales tax increase. However, we recommend that you refrain from commenting on the propriety of fairness of this decision, since such emotionally-laden language conveys a tenor of support for Proposition 1.

Following this memo is a copy of the draft fact sheet reviewed by PDC staff. For your reference, the segments that our staff suggests be omitted or modified have been marked in yellow; click on the highlighted content to review staff’s comments and recommendations.

While we cannot require you to follow PDC staff’s recommendations, they do constitute our best advice for compliance with RCW 42.17A.555. As stated above, our review should not be considered as authorizing or approving the changes recommended or the information included in the proposed fact sheet. Those decisions are the responsibility of the City of Sequim, and the agency’s legal counsel.

If you have questions, please feel free to contact me at (360) 586-1042, toll free at 1-877-601-2828, or by email at tony.perkins@pdc.wa.gov.

An Open Letter to Residents in the City of Sequim

From your City Council

Proposition 1 Public Safety Sales Tax

Last November the Sequim City Council decided to put a Public Safety Initiative on the August 7, 2012, ballot. This letter will help you understand the reasons for the Council's decision and give you some of the information you will need when you cast this critical vote. **Please follow this discussion in your local papers and in the community as well. Your vote on Proposition 1 is very important**

WHAT IS A PUBLIC SAFETY SALES TAX? It is a local option tax authorized by Washington law. If approved by a majority of city voters, it would raise local sales taxes by one tenth of one percent (0.1%). Specifically, the income from the tax "shall support **capital public safety facilities including a Police Station (and) Combined Emergency Operations Disaster Center**" as well as other public safety/crime prevention services.

WHY DO WE NEED IT? As we approach Sequim's centennial year, we find our Police Department without a permanent home. We lease a facility (\$90,000 per year) in a local retail strip mall. **This space will never meet national accreditation facility standards.** Evidence processing and storage (including separate areas for drugs, firearms and ammunition) are inadequate. Prisoner holding cells do not meet State requirements. There are no adequate lockers or showers for our officers. **Our Police Department provides us with excellent service under extremely difficult circumstances. It has really never had the benefit of a dedicated, up-to-date professional facility.**

WHY NOW? The City has acquired land in the heart of our downtown and plans to build a civic center. A new Police Station and Emergency Operations Center (EOC) **should be a part of that development.** **There has never been a better time to consider taking on capital civic improvements and the associated long-term debt. Interest rates have never been lower and the local construction industry is suffering – we need the jobs and the construction costs should be the most competitive we have seen in years.**

HOW MUCH MONEY WOULD THE PUBLIC SAFETY TAX RAISE? This sales tax would raise approximately \$240,000 annually for the City. Combining that revenue with the \$90,000 in yearly rent that we pay for the current police facilities, the City could support issuing a 30-year, tax free municipal bond. That bond would generate the \$6.4 million needed to build the Police Station and EOC. It should be noted that State requirements for this Public Safety Tax would also send about \$40,000 per year to Clallam County to support its public safety services to the broader community.

WHAT WILL IT COST YOU? This **small** tax increase will be levied on non-food purchases at grocery stores, on restaurant meals and on retail items bought at our local stores. **It will not add to the costs of necessities** such as groceries, prescriptions, gasoline, insurance, or rent and mortgage payments. It would add one cent to the cost of a \$10 fast food meal. If you spend as much as \$100 per week on discretionary items, your weekly costs would increase by 10 cents.

IS THIS TAX RIGHT FOR SEQUIM? Only the voters of our city can make that decision. **We need to remember that over two thirds of Sequim's sales tax revenue comes from neighbors and tourists. Less than one third will come out of your pocket. Big box stores and increased tourism put additional burdens on your police department. It's seems appropriate that friends from outside our community should pay their fair share of these costs.**



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MEMORANDUM

To: Virginia Olsen, City Clerk, City of Mountlake Terrace

From: Tony Perkins, Lead Political Finance Specialist

Date: March 21, 2013

Subject: Review of “Fact Sheet” Regarding Civic Center Bond Proposal

BY ELECTRONIC MAIL

PDC staff members reviewed the proposed fact sheet that you submitted by email on March 14, 2013, regarding the upcoming bond measure on the April 23, 2013 general election ballot in the City of Mountlake Terrace.

As part of our review process, we look at aspects such as the timing, tone, and tenor of a communication, and the “normal and regular” conduct of the agency. In addition, we also review whether a communication appears to be an objective and fair presentation of the facts that, if lacking, could make the communication objectionable under RCW 42.17A.555.

Our review and comments are meant to give you our best opinion as to the apparent fairness and objectivity of the information being communicated in accordance with PDC Interpretation #04-02, Guidelines for Local Government Agencies in Election Campaigns. That interpretation may be found on our Web site at www.pdc.wa.gov by hovering on “Home,” then on “Laws and Rules,” and finally clicking on “Commission Interpretations.” (Please note that the *Guidelines* are only an interpretation that, combined with this memorandum, is meant to aid and assist in compliance with the law. The *Guidelines* do not constitute actual rules. Please also note that although the *Guidelines* refer to RCW 42.17.130, effective January 1, 2012 this statute was recodified as RCW 42.17A.555.)

We cannot certify that the proposed fact sheet would not be found objectionable even after our review, should a complaint be filed by a citizen under RCW 42.17A.555. The communication of this information, when combined with other activities to communicate information about the bond proposal, may be construed by residents of the City of

Mountlake Terrace as “campaigning” in support of a ballot proposition.

Reviewing the proposed fact sheet, we found that much of the information included represented an objective and fair presentation of the facts. However, there were areas of some concern, prompting the following recommendations:

- We recommend that in this fact sheet, you refrain from describing the civic center proposal or any facet of it as "important," and refrain from underlining the importance of the information being communicated. Such language lends an urgent tone to the publication that may be perceived as an attempt to promote a ballot proposition.
- We recommend that you refrain from pointing out that the library is 25 years old. (It is sufficient to point out that the roof and cooling system require replacement).
- We recommend that you simply state that there is no funding to continue renting the interim city hall past 2013, and omit the statement that “*Voters may not know...*”
- The results of the August 2012 bond election and the city council's feelings about those results are not facts about the April 23, 2013 Proposition 1 election. We recommend that you omit such discussion from this fact sheet.
- In place of the statement that certain facility upgrades need to be performed “*soon before they become emergent,*” we recommend that you provide more specific information about the projected need for those repairs—e.g., the anticipated life span of the HVAC system in the current library structure.
- We recommend that you omit the word "good" from the statement, “*Additionally, the project makes good use of the vacant Civic Center property the city already owns [.]*”
- We recommend that you omit the paragraph beginning “*The Civic Center project will add community amenities and contribute to economic development...*” from this fact sheet. This statement does not communicate any particular fact about the civic center bond proposal, and conveys a strong tenor of support for the bond to the fact sheet.
- Rather than specifying the age and income thresholds for property tax exemptions, we recommend that you direct readers to the county assessor’s office, whose normal and regular conduct it is to provide such detailed information.
- PDC staff advises agencies that when they have arrived at an objective and fair presentation of the facts concerning a ballot proposition, they may proceed to

communicate that information in accordance with their normal and regular conduct. For some agencies, a single jurisdiction-wide “fact sheet” mailing would be normal and regular. For others, normal and regular conduct may include holding community meetings. The City of Mountlake Terrace is free to conduct informational meetings concerning the civic center issue (“Civic Center 101”), however the city should be able to demonstrate that for other major policy issues facing the city, they have communicated information to the public in a similar manner.

Following this memo is a copy of the draft fact sheet reviewed by PDC staff. For your reference, the segments that our staff suggests be modified or omitted have been marked in yellow.

While we cannot require you to follow PDC staff’s recommendations, they do constitute our best advice for compliance with RCW 42.17A.555. As stated above, our review should not be considered as authorizing or approving the changes recommended, or the information included in the proposed fact sheet. Those decisions are the responsibility of the City of Mountlake Terrace, and the agency’s legal counsel.

If you have questions, please feel free to contact me at (360) 586-1042, toll free at 1-877-601-2828, or by email at tony.perkins@pdc.wa.gov.

DRAFT

IMPORTANT INFORMATION ABOUT MOUNTLAKE TERRACE PROPOSITION 1



PRESORTED
STANDARD
US POSTAGE PAID
LYNNWOOD, WA
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ECRWSS
POSTAL CUSTOMER

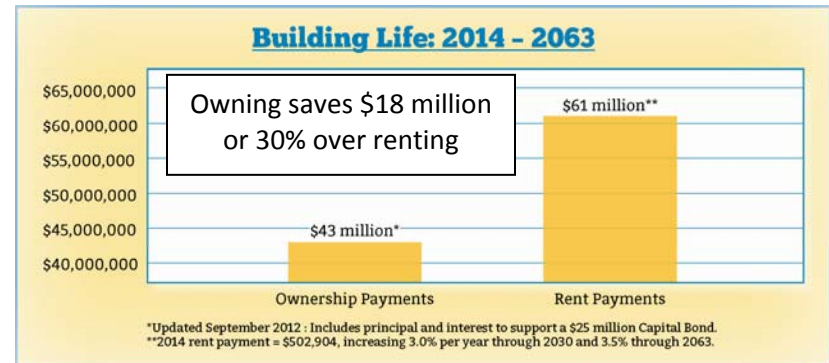
What is Proposition 1?

A 30-year capital bond measure for \$25 million is on the April 23, 2013 ballot to fund construction of a new Civic Center including an expansion and remodel of the current Police Station to allow for important security and space needs, a new roof and heating/cooling system for the 25 year-old Library, community activity center with space for seniors and other community groups and individuals, natural amphitheater, and green open space for a downtown gathering place that connects the Civic Center together with Veterans Memorial Park.

Why is this measure back on the ballot?

Voters may not be aware that there is no funding available to continue renting the Interim City Hall beginning in 2014. The city has been renting an interim facility since the former 48 year-old City Hall had a collapsed ceiling; the building was then deemed unsafe and demolished in 2010.

Proposition 1 fell just 124 votes short of the required 60% supermajority in the August 2012 election. The City Council felt there was positive momentum from the nearly 57% approval and the city will save at least \$18 million or 30% by building new than continuing to rent over the life of a 50-year facility. The project also addresses important facility needs at the aging Police Station and Library that will need to be done soon before they become emergent.



Additionally, the project makes good use of the vacant Civic Center property the city already owns at 232nd Street SW and 58th Avenue W. The Civic Center project will add community amenities and contribute to economic development and the growing vibrancy of downtown by providing leadership for redevelopment and revitalization.

If approved, the city will move into design phase and select an architect. Once a firm is selected, the city will invite the public to participate in design workshops similar to those held during the Town Center Plan process. The project will be completed in spring/summer of 2016.

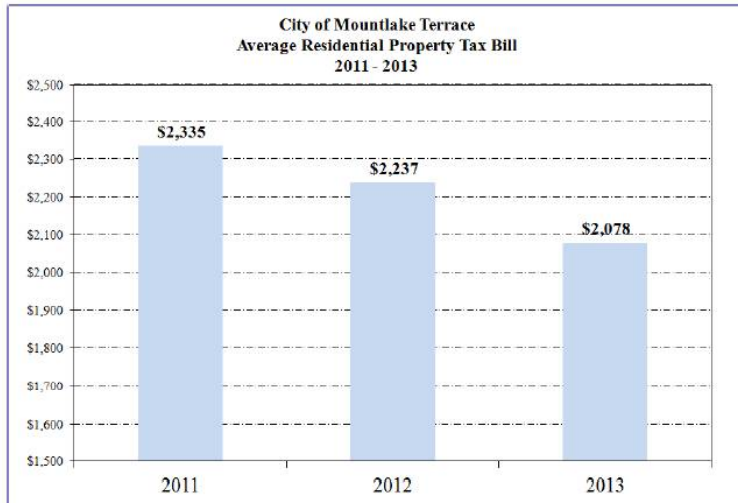
If not approved, a property tax measure (requiring 50% to pass) will likely be proposed to continue to pay rent indefinitely and/or essential services such as public safety and parks services will be cut.

DRAFT

What is your property tax impact?

If the measure passes, there is no impact in 2013. An increase of \$3.77 per month for the owner of an average home in Mountlake Terrace will take place in 2014 for design and the average from 2014 until the bond is paid off is \$10.13 per month.

DID YOU KNOW your average 2013 property tax bill decreased by \$159 since 2012 and \$257 since 2011? This proposition will add about \$122 per year on average from 2014 until the debt is retired after 30 years. The Civic Center is expected to last 50-100 years.



Source: Snohomish County Assessor's Office

Is there a senior citizen exemption?

Senior citizens, age 61 and older by December 31 of this year, as well as disabled persons, with a combined income of less than \$35,000 a year may be exempt from all or part of special levy taxes. Call Snohomish County Assessor's Office at (425) 388-3540 for more information.

How can you learn more?

Visit our website at www.cityofmlt.com and find "Civic Center" under most requested services. Or, contact the

city at cityhall@ci.mlt.wa.us or (425) 744-6206. The city is also available to provide a "Civic Center 101" informational presentation to you and your neighbors or community group.

What are the components and cost of the project?*

PROJECT COMPONENTS	COST & PERCENTAGE OF PROJECT	
Building Construction	\$11.4 million	45.7%
Site Development	\$ 6.7 million	27.0%
Architect & Design	\$ 2.9 million	11.9%
Sales Tax	\$ 1.8 million	7.4%
Construction Contingencies	\$ 1.4 million	5.7%
Equipment & Furnishings	\$ 383,000	1.5%
Municipal Arts Fund	\$ 213,000	0.9%
TOTAL PROJECT COST	\$25.0 million	100%

*Based on construction in 2014-2016

Could this amount be less?

Yes, this amount will be less if construction costs or interest rates are lower than projected, and as more taxpayers are added to the tax rolls in the next 30 years. The interest rate is estimated high at 4%. Construction contingencies and cost escalators to account for construction in 2014-2016 are already included as shown above.

How was the plan developed?

The Civic Center plan, including all the community amenities and police/library facility improvements, was developed by citizens who served on the Civic Facilities Advisory Task Force in 2008-2009. They received input from other citizens at 13 open public meetings and 4 town hall meetings. The Task Force recommended funding the project with a 30-year voter-approved capital bond. The City Council adopted the citizen Task Force recommendation.



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MEMORANDUM

To: John Sinclair, Fire Chief, Kittitas County Fire District #2

From: Tony Perkins, Lead Political Finance Specialist

Date: March 19, 2014

Subject: Review of Information Regarding Fire Station Bond Proposition

BY ELECTRONIC MAIL

PDC staff members reviewed the proposed mailing that you submitted by email on March 18, 2014, regarding the upcoming bond measure in Kittitas County Fire District #2.

As part of our review process, we look at aspects such as the timing, tone, and tenor of a communication, and the “normal and regular” conduct of the agency. In addition, we also review whether a communication appears to be an objective and fair presentation of the facts that, if lacking, could make the communication objectionable under RCW 42.17A.555.

Our review and comments are meant to give you our best opinion as to the apparent fairness and objectivity of the information being communicated in accordance with PDC Interpretation #04-02, Guidelines for Local Government Agencies in Election Campaigns. That interpretation may be found on our Web site at www.pdc.wa.gov by hovering on “Home,” then on “Laws and Rules,” and finally clicking on “Commission Interpretations.” (Please note that the *Guidelines* are only an interpretation that, combined with this memorandum, is meant to aid and assist in compliance with the law. The *Guidelines* do not constitute actual rules.)

We cannot certify that the proposed mailing would not be found objectionable even after our review, should a complaint be filed by a citizen under RCW 42.17A.555. The communication of this information, when combined with other activities to communicate information about the bond proposal, may be construed by residents of Kittitas County Fire District #2 as “campaigning” in support of a ballot proposition.

Reviewing the proposed mailing, we found that much of it represented an objective and fair presentation of the facts. However, there were areas of some concern, prompting the following recommendations:

- In this fact sheet mailing, we recommend that you identify the bond ballot proposition number, and state the date of the election.
- If Kittitas County Fire District #2 proposes to include information about current bond rates in this fact sheet, we recommend that the agency include more specific information, e.g. trends in bond financing costs over the last decade. Otherwise, you may wish to omit statements concerning the favorability of the current bond climate.
- The heading, “*How will emergency services improve?*” and the paragraph that follows convey a tenor of support for the proposed bond. In place of this content, you may wish to simply describe the agency's considerations in choosing a location for its new fire station. In addition, since the proposed bond is not being sponsored by the City of Ellensburg, and would not fund or require any expansion of the city's police facilities, we recommend that you omit discussion regarding the police department's handling of emergency calls.
- The heading, “*What is unique about the fire station property?*” and the paragraph that follows convey a tenor of support for the proposed bond. In this fact sheet, you may wish to include basic information identifying and describing the property chosen for the new fire station. However, we recommend that you omit statements such as, “*This will allow us to place an important piece of property into community service,*” since such statements do not communicate any essential fact about the bond proposal, and convey a tenor of support for the bond.
- We recommend that you omit discussion of options for a bond proposal that were considered and then rejected (e.g., the original \$12.6 million price tag). An objective and fair presentation of the facts concerning a ballot proposition should present the facts about what is on the ballot, rather than speak about what is *not* on the ballot.

Following this memo is a copy of the draft mailing reviewed by PDC staff. For your reference, the segments that our staff suggests be modified have been highlighted in blue; click on the highlighted content to review staff’s comments and recommendations.

While we cannot require you to follow PDC staff’s recommendations, they do constitute our best advice for compliance with RCW 42.17A.555. As stated above, our review should not be considered as authorizing or approving the changes recommended or the information included in the proposed mailing. Those decisions are the responsibility of Kittitas County Fire District #2, and the agency’s legal counsel.

If you have questions, please feel free to contact me at (360) 586-1042, toll free at 1-877-601-2828, or by email at tony.perkins@pdc.wa.gov.



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Questions about the fire station bond?



We have the answers.

What is on my election ballot?

Kittitas County Fire District 2 (Kittitas Valley Fire and Rescue) is asking voters to approve a bond to build a fire station on East Mountain View Avenue.

Why is my fire district asking for this?

The fire district currently leases space from the City of Ellensburg, which needs the space for its police department. Building a fire station is the next step in a plan to improve emergency services for the community. Our lease expires at the end of 2016 at which time construction on the new fire station should be complete. In addition, bond rates to fund construction are at historic lows.

How will emergency services improve?

The location for the fire station on East Mountain View Avenue is closer to a majority of fire and emergency medical calls we receive. Allowing the police department to expand at its current location is better for the types of emergency calls it receives, too.

What is unique about the fire station property?

The fire district purchased property on East Mountain View Avenue, which was home to Mackner Scales for many years. Grants are being pursued to pay for the environmental cleanup required at the site. This will allow us to place an important piece of property into community service.

How long will the bond last? How much will it raise?

The bond will last for 20 years and will raise \$6.7 million to build the station.

What was the original amount?

Originally, the fire district considered building one fire station on East Mountain View and renovating another along Vantage Highway for \$12.6 million. Our Citizen Advisory Group said that was too much, so we scaled back the project to one station on East Mountain View Avenue for \$6.7 million.

Does the fire district have any other bond?

No, this would be the first bond measure for Kittitas Valley Fire and Rescue. The fire district is debt-free, operates under a balanced budget and has passed all financial and accountability audits by the State of Washington.

How much will it cost?

The fire station would cost 20 cents per \$1,000 of assessed valuation, or approximately \$3.33 per month for the owner of a \$200,000 home. You can use this chart to find your property's assessed value and what the bond would be.

Property Assessed Value (0.20/\$1000)	Monthly Cost	Annual Cost
\$100,000	\$1.67	\$20
\$150,000	\$2.50	\$30
\$200,000	\$3.33	\$40
\$250,000	\$4.17	\$50
\$300,000	\$5.00	\$60
\$350,000	\$5.83	\$70
\$400,000	\$6.67	\$80
\$450,000	\$7.50	\$90
\$500,000	\$8.33	\$100
\$600,000	\$10.00	\$120

Amounts have been rounded to the nearest cent.

Where can I find additional information?

Additional information can be found on our web site at www.kvfr.org. Chief John Sinclair can be reached at (509) 856-7714 (sinclairj@kvfr.org), or Pat Clerf, Chair of the Board of Fire Commissioners at (509) 925-7447 are available to answer any questions.

Thank you for taking the time to read our materials. Please contact us with any questions or comments!

