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STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION
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MEMORANDUM

To: Keitha Owen, Library Director, City of Ocean Shores

From: Tony Perkins, Lead Political Finance Specialist

Date: March 1, 2012

Subject: Review of Information Regarding Library Levy Election in the City of Ocean Shores

BY ELECTRONIC MAIL

PDC staff members reviewed the proposed fact sheet publication that you submitted by fax on February 27, 2012, regarding the April 17, 2012 library levy election in the City of Ocean Shores.

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 levy, may be construed by residents of the City of Ocean Shores as

"campaigning" in support of a ballot proposition.

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

- In addition to describing the services and programs the levy would fund, we recommend that you explain the outcome of the failure of the levy.
- The phrase *"programs and activities for all ages"* is vague, as are *"classes and opportunities to keep up with technology"* and *"cooperative partnerships with the community."* We recommend that you offer specific examples of the programs and services that these phrases imply.
- Stating that the levy dollars are earmarked for library operations pursuant to RCW 27.12 may not be enough to thoroughly explain to all readers what is being voted on in this election. Accordingly, we recommend that in this fact sheet, you state specifically that the proposed levy provides tax revenue to the City of Ocean Shores for library operations, rather than to a separate library district.

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 have been marked; 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 Ocean Shores, 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.

Post-it® Fax Note 7671 | Date 2/27 | # of pages ▸ 1
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LIBRARY LEVY FACTS

WHEN: The levy is on April 17 ballot. It will be mailed to all voters about the last week of March 30th. The levy will provide funds in 2013 and 2014.

WHY: In 2009, because of a projected multi-million dollar shortfall for the 2010 budget, the City Council decided to completely close the Library. They subsequently reinstated funding for the library at an inadequate level. The Library Board put a measure on the August 17, 2010 primary ballot. This levy was for operating years 2011 and 2012. The Library Board now seeks to continue that levy for the years 2013 and 2014.

How much will it cost? .287 cents per $1,000 Assessed Value
$100,000 house: $28.70/year (approximately $2.40/month)

The levy rate requires passage by a majority of the City of Ocean Shores Voters.

WHAT WILL IT PROVIDE? The approximately $300,000 per year funding will allow the Library Board to continue and expand on the services that began in 2011.

- Open hours 40 hours per week.
- 17 Public workstations with 2010 Microsoft Office and Windows 7.
- Downloadable Audio books and eBooks plus Kindle and Nook Readers.
- Place reserves from the online catalog anywhere the Internet is available.
- Programs and activities for all ages.
- New Books, DVD's and Magazines.
- Classes and opportunities to keep up with Technology.
- Cooperative partnerships with the Community.

All funds raised by the levy are earmarked specifically for use for the library only and cannot be used for any other purposes, without Library Board approval per RCW 27.12.240.