

This complaint is against the Kennewick Public Facilities District (KPF D) with its proposed ballot measure 'Kennewick Public Facilities District Proposition 17-4' which requests voter approval of 0.2 of 1 % sales tax to fund construction of The Link project. It's asserted that:

- 1) The informational mailer that was sent to the voters failed to disclose the scope of work adequately so as to provide the voters with sufficient information to make an informed decision.
 - a. The mailer describes a Performance Theater with 2,300 seats.
 - b. It fails to disclose the fact that 2,000 of those seats are in a multi-purpose convention hall and are temporary seats that roll away up against one wall of the convention hall. Not what you would expect for a performing arts facility.
- 2) The information mailer describes the scope of capital improvements, yet nowhere does it say that the sales tax will generate far more revenue than is needed to pay the debt service on the revenue bonds.
 - a. Rather, it states 'this is a sales tax, and it expires once the bond is repaid.'
 - b. This implies the sales tax would be used exclusively to pay off the bonds.
 - c. We know excess revenues will be generated because sales tax collections in Kennewick have averaged 3.5% growth.
 - d. We know that revenue bonds typically have a level repayment schedule. The difference between the two numbers is excess cash, which has not been accounted for in the KPF D media blitz.
 - e. Over the 25-year period the KPF D says will be the term of a bond, the sales tax will be collected. At a 3.5 % growth rate for the sales tax revenue would be on the order of \$158 million vs. the \$84 million or so for the total debt service on the revenue bond.
 - f. The difference of \$74 million dollars is a significant amount of money that the KPF D has not informed the public as to its use.
- 3) The mailer provides information that contradicts what is stated IN THE BALLOT MEASURE.
 - a. The ballot measure titled 'Kennewick Public Facilities District Proposition 17-4' states in the last sentence 'the tax would sunset upon repayment of ANY BONDS issued to fund these improvements'. Whereas the mailer states 'this is a sales tax, and it expires once THE BOND is repaid ...'
- 4) The web page THELINKTC.COM contradicts information that is in the ballot measure caption as well.
 - a. The ballot caption states a specific sunset date for the sales tax as being upon repayment of ANY BONDS issued to fund these improvements, yet under the Frequently Asked Questions tab on the web page it states 'this tax will expire with the repayment of THE BONDS IN 25 YEARS.'
 - b. Without the specific time frame in years, the date the BONDS are paid off can be extended well beyond what the public expects.
- 5) The web page THELINKTC.COM has information under two tabs which is information external to the KPF D and therefore cannot be considered unbiased information coming from the KPF D.
 - a. One tab is SUPPORTERS, or organizations that have endorsed the proposed sales tax measure.
 - i. The Tri-cities Americans hockey team
 - ii. The Tri-cities Visitors and Convention Bureau (Visit Tri-cities)
 - iii. TRIDEC – the Tri-City Development Council

- iv. The Tri-cities Regional Chamber of Commerce
 - v. The Tri-city Herald newspaper
 - vi. The Entertainer magazine
- b. The second is links to sites that are editorials or news articles that support the project.
- i. All the opinion articles and news articles are from the Tri-city Herald
- 6) Under the Contact tab of the web page TheLinkTC.com, there is a reference to a Facebook page Facebook.com/earlier linktc. Although in response to the Complaint filed against the Kennewick PFD (Case 5562), the site is active and it shows a business address that is that of the Three Rivers Convention Center, which is owned by the Kennewick PFD. Though it appears as though earlier postings have been deleted, the site host had promoted a 'YES' vote on the Link project.
- 7) There appears to be sharing of media information with the PRO committee named 'Citizens for the Link Entertainment Center' (The Committee).
- a. Recent TV ads paid for by The Committee have used the same architectural renderings that the KPFD made and used to promote the project in earlier TV ads.
 - b. These same TV ads appear to have used the KPFD mailer in their ads as well.
 - c. Venue Works is the principle funder of the 'Citizens for the Link Entertainment Center'.
 - i. The PAC has reported \$30,000 of funding for the PRO committee in Washington PDC filings coming from Venue Works.
 - ii. Venue Works has their office in the Convention Center which is owned by the Kennewick Public Facilities District.
 - iii. Venue Works provides support services to the KPFD Board of Directors, in addition to operating the facilities.
- 8) Nowhere in the ballot measure caption does it say that the sales tax will be used to cover operating costs of the improvements and expansions mentioned in the ballot measure. Contrary to this omission from the ballot caption it is stated in the Frequently Asked Questions of THELINKTC.COM web page that 'almost every convention center is owned by a public entity. Because of the major impact these facilities have on local economies, they are best suited to be able to recoup costs of the facility by way of increased taxes.'

All of these misrepresentations of The Link project that are indirect conflict with the text of the ballot measure have been designed to mislead the voting public. Things like providing indirect support to a PRO committee, and citing information on THELINKTC.COM web page that is external to the KPFD organization will undoubtedly affect the outcome of the election. As provided in statute, the State should move to overturn the election should the measure pass.

This is even more important as complaints were filed over a year ago with the PDC against the Kennewick Public Facilities District (Case 5562) and Go Big Tri-cities (6952). There has been no disposition of these complaints and the Kennewick Public Facilities District has been blatant in its efforts to violate State Law.