

February 23, 2017

Public Disclosure Commission
711 Capitol Way #206
PO BOX 40908
Olympia, WA 98504-0908

Re: Response to complaint filed by Anita Neil

To Whom It May Concern:

I received notice yesterday that a complaint was sent to your office regarding my campaign for Bellevue City Council. I am currently serving on the City of Bellevue Transportation Commission, appointed in 2013. Per BCC 3.92, I understand that per the definitions, I am considered a public official. For context, I am currently an applicant for the open city council seat number 5 and was selected to interview in public session on February 13th. I have also filed with the PDC as a candidate for Bellevue City Council without declaring the seat being pursued.

My response to each allegation is included below.

Janice Zahn got money from Port of Seattle – many did, this was not legal, and this was highly publicized in Seattle Times and head guy resigned. She is running for public office, all this is violation of BCC 3.92.080 procedure and further, BCC 3.92.030.B misuse of public resources and BCC 3.92.040.A.1

As a Port employee, I was just as surprised as everyone else when I read the confidential performance evaluation of CEO Fick after he resigned. Regarding the allegation that I “got money from the Port”, I was one of 642 employees who received a one-time payment voted on by the Port of Seattle Commission in public session. I did not ask for the payment nor was I treated any differently than 641 of my colleagues.

The State Auditor’s Office found that CEO Fick and the Port Commission gave the one-time payment inappropriately according to the state constitution. The onus of the decision regarding the one-time payment rests with the CEO and Commission, not with the employees. The Port has responded that a legal review will be conducted along with refinement of policies as necessary. Since I had no role in the decision to grant the one-time payment, nor did I have a role in conducting the legal review or evaluating policies for refinement, it does not seem to me that there is any violation of BCC 3.92.080, BCC 3.92.030.B or BCC 3.92.040.A.1.

Same and violation of state public discourse and campaign laws for using televised City Council meeting in City Hall to announce campaign and fundraising during 2/13 Council meeting, which also violates RCW 42.17A.555 Use of public office or agency facilities in campaigns—Prohibition—Exceptions (does not meet any exception).

As a finalist for the Bellevue City Council appointment, I was interviewed by the City Council on February 13th about my background, experience, and ability to serve on the Council. As part of the ten minutes I was allowed for an opening statement and to respond to questions, I stated that I was ready to work hard as a councilmember and a candidate, and that I launched a campaign in the past month, raised over \$15,000 and have scheduled a kick-off event. In the 15 seconds of my ten minutes total, I never once solicited support or contributions for my campaign. I did no promotion of and provided no specific information about my campaign kickoff event. I included

two sentences in my answer to demonstrate the seriousness of my commitment to serve as a Councilmember and nothing more than that. I do not believe that BCC 3.92.080, BCC 3.92.030.B, BCC 3.92.040.A.1 or RCW 42.17A.555 apply in this situation.

Please let me know if you require more information or if I can consider this matter resolved.

Thank you,



Janice Zahn
Janiczahn8@gmail.com
425-200-5525