

 <p><b>PUBLIC DISCLOSURE COMMISSION</b>          711 CAPITOL WAY RM 206          PO BOX 40908          OLYMPIA WA 98504-0908          (360) 753-1111          Toll Free 1-877-601-2828</p>	<h2>Political Committee Registration</h2>	<h1>C1PC</h1> <p>(1/2008)</p>	100425098  08-16-2011
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Committee Name (Show entire official name.) <b>CONCERNED CITIZENS OF KIRKLAND</b>	Acronym: <b>CCK</b>
Mailing Address <b>PMB 288</b>	Telephone: <b>425-941-5906</b>

City <b>KIRKLAND</b>	County <b>KING</b>	Zip + 4 <b>98033</b>	Fax:  E-mail: <b>CCK@GMAIL.COM</b>
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NEW OR AMENDED REGISTRATION? <input checked="" type="checkbox"/> NEW. Complete entire form. <input type="checkbox"/> AMENDS previous report. Complete entire form.	COMMITTEE STATUS <input checked="" type="checkbox"/> Continuing (On-going; not established in anticipation of any particular campaign election.) <input type="checkbox"/> _____ election year only. Date of general or special election: _____ (Year)
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1. What is the purpose or description of the committee?  
 **Bona Fide Political Party Committee** - official state or county central committee or legislative district committee. If you are not supporting the entire party ticket, attach a list of the names of the candidates you support.

<input type="checkbox"/> <b>Ballot Committee</b> - Initiative, Bond, Levy, Recall, etc. Name or description of ballot measure: _____	Ballot Number    FOR    AGAINST <input type="checkbox"/> <input type="checkbox"/>
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**Other Political Committee** - PAC, caucus committee, political club, etc. If committee is related or affiliated with a business, association, union or similar entity, specify name: \_\_\_\_\_

**For single election-year only committees (not continuing committees):** Is the committee supporting or opposing  
 (a) one or more candidates?  Yes  No If yes, attach a list of each candidate's name, office sought and political party affiliation.  
 (b) the entire ticket of a political party?  Yes  No If yes, identify the party: \_\_\_\_\_

2. Related or affiliated committees. List name, address and relationship.  Continued on attached sheet.

3. How much do you plan to spend during this entire election campaign, including the primary and general elections? Based on that estimate, choose one of the reporting options below. (If your committee status is continuing, estimate spending on a calendar year basis.)  
**If no box is checked you are obligated to use Full Reporting. See instruction manuals for information about reports required and changing reporting options.**

<input checked="" type="checkbox"/> <b>MINI REPORTING</b> Mini Reporting is selected. No more than \$5,000 will be raised or spent and no more than \$500 in the aggregate will be accepted from any one contributor.	<input type="checkbox"/> <b>FULL REPORTING</b> Full Reporting is selected. The frequent, detailed campaign reports mandated by law will be filed as required.
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4. Campaign Manager's or Media Contact's Name and Address <b>MICHAEL H BEATON</b> <b>11819 103RD AVE NE, KIRKLAND WA 98034</b>	Telephone Number: <b>206-905-1100</b>
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5. Treasurer's Name and Address. Does treasurer perform <u>only</u> ministerial functions? Yes ___ No <input checked="" type="checkbox"/> See WAC 390-05-243 and next page for details. List deputy treasurers on attached sheet. <span style="float: right;"><input type="checkbox"/> Continued on attached sheet.</span> <b>KENNETH L ALBINGER</b> <b>11819 103RD AVE NE, KIRKLAND WA 98034</b>	Daytime Telephone Number: <b>425-941-5906</b>
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6. Persons who perform only ministerial functions on behalf of this committee and on behalf of candidates or other political committees. List name, title, and address of these persons. See WAC 390-05-243 and next page for details.  Continued on attached sheet.

7. Committee Officers and other persons who authorize expenditures or make decisions for committee. List name, title, and address. See next page for definition of "officer."  Continued on attached sheet.

8. Campaign Bank or Depository <b>BANK OF AMERICA</b>	Branch <b>HOUGHTON</b>	City <b>KIRKLAND</b>
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9. Campaign books must be open to the public by appointment between 8 a.m. and 8 p.m. during the eight days before the election, except Saturdays, Sundays, and legal holidays. In the space below, provide contact information for scheduling an appointment and the address where the inspection will take place. It is not acceptable to provide a post office box or an out-of-area address.  
 Street Address, Room Number, City where campaign books will be available for inspection  
**10604 NE 38TH PLACE SUITE 205, KIRKLAND**  
 In order to make an appointment, contact the campaign at (telephone, fax, e-mail): **425-941-5906 CCK@GMAIL.COM**

10. Eligibility to Give to State Office Candidates: During the 180 days prior to making a contribution to a state office candidate, your committee must have received contributions of \$10 or more from at least ten persons registered to vote in Washington State. <input checked="" type="checkbox"/> A check here indicates your awareness of and pledge to comply with this provision. Absence of a check mark means your committee does not qualify to give to state office candidates (legislative and statewide executive candidates).	11. Signature and Certification. I certify that this statement is true, complete and correct to the best of my knowledge.  <table style="width:100%;"> <tr> <td style="width:70%;">Committee Treasurer's Signature <b>KENNETH L ALBINGER</b></td> <td style="width:30%;">Date <b>08-16-2011</b></td> </tr> </table>	Committee Treasurer's Signature <b>KENNETH L ALBINGER</b>	Date <b>08-16-2011</b>
Committee Treasurer's Signature <b>KENNETH L ALBINGER</b>	Date <b>08-16-2011</b>		

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Office Use Only: No. \_\_\_\_\_

Public Disclosure Commission



## WASHINGTON STATE PUBLIC DISCLOSURE COMMISSION COMPLAINT FORM

(See instructions on the last page.)

### Description of Complaint

**1. RESPONDENT:**

Identify who you are filing a complaint against and provide all contact information you have for them. Give names and titles, if any, for individuals, and the full name of any organization. Please note that the PDC does not enforce federal campaign finance laws or local ordinances.

*Example #1: Joe Public, Mayor of My Town,*

*123 Main Street, Your Town, State, Phone: 555-123-4567, Email: unknown*

*Example #2: The Political Action Group (instead of P.A.G.), 123 Main Street, Your Town, State,*

*Phone: 555-123-4567, Email: pag@pag.org*

Concerned Citizens of Kirkland, a continuing political committee registered in Washington state, and its treasurer, Kenneth Albing, 11819 103rd Ave NE, Kirkland WA 98034. 425-941-5906, cck@gmail.com, http://concernedcitizensofkirkland.com.

**2. ALLEGED VIOLATIONS:**

Explain how and when you believe the people/entities you are filing a complaint against violated RCW 42.17 or Title 390 WAC. Be as detailed as possible about dates, times, places and acts. If you can, cite which specific laws or rules you believe were violated. Attach additional pages if needed.

Concerned Citizens of Kirkland (CCK) filed its C1-PC indicating it was using mini-reporting, which limits aggregate contributions from any person to \$500. Based on inspection of campaign books by John Michael Gilday on November 4, 2011 (see photograph of notes made, attached), Kenneth Albing has made contributions totaling \$1124 to CCK: \$220 by check, \$229 in expenses paid on behalf of CCK, and a \$675 loan. According to RCW 42.17.720(1), this loan, made by an individual, is considered a contribution. This aggregate contribution, more than double the \$500 limit, without previously switching to full reporting, is a violation of WAC 390-16-105(3) and WAC 390-16-125(5). CCK is fully aware of the \$500 limit, as evidenced by this statement of their web site at <http://concernedcitizensofkirkland.com/donate/>: "We can only accept a maximum of \$500 per person".

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Evidence and Witnesses

3. EVIDENCE:

List the documents or other evidence you have that support your complaint, if any, and attach copies to this form. If you do not have copies, provide any information you have about where you believe the documents or evidence can be found and how to obtain it. Attach additional pages if needed.

Example: Emails between Joe public and Candidate X, attached OR

Joe Public has emails from Candidate X which describe an illegal campaign donation, and Joe Public's phone number is 555-123-4567.

Personal inspection of campaign books of Concerned Citizens of Kirkland, performed by John Michael Gilday on November 4, 2011. Gilday's notes of the inspection were posted on the Kirkland Views blog on November 4, at http://www.kirklandviews.com/archives/30605/. An annotated copy of Mr. Gilday's notes, identifying the contributions from Kenneth Albinger, is attached. Mr. Gilday lives at 17250 SE 140th St, Renton WA 98509, and his telephone number is 206-633-3332. Also, a copy of CCK's web site page showing their awareness of the \$500 limit is attached.

4. WITNESSES:

List the names and contact information, if known, of any witnesses or other persons who have knowledge of facts that support your complaint. Attach additional pages if needed.

Example: Jane Public was present when Candidate X spoke to me about the illegal contribution. Jane Public's address is 123 Main Street, Your Town, USA 12345, and her phone number is 555-123-4567.

None.

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Certification

Public Disclosure Commission

In signing this complaint:

- I have provided all information, documents and other evidence of which I am aware;
- If I become aware of additional information, documents or evidence related to my complaint, I will promptly provide it to the PDC; and,
- I am providing the PDC current information on how to contact me, and will promptly update that information if it changes.

Your name (print or type) Toby Nixon

Street address 12113 NE 141st Street

City, state and zip code Kirkland WA 98034-1411

Telephone number (including area code) 206-790-6377 (mobile)

E-mail address (optional) toby@tobynixon.com

Oath

Required for complaints against elected officials or candidates for elective office:

I certify (or declare) under penalty of perjury under the laws of the State of Washington that this complaint is complete, true and correct to the best of my knowledge and belief.\*

Your signature *Toby L. Nixon*

Date signed November 4, 2011

Place signed (city and county)

Kirkland King

City County

Attachments

Check here if you are attaching copies of documentary evidence or extra pages explaining your complaint.

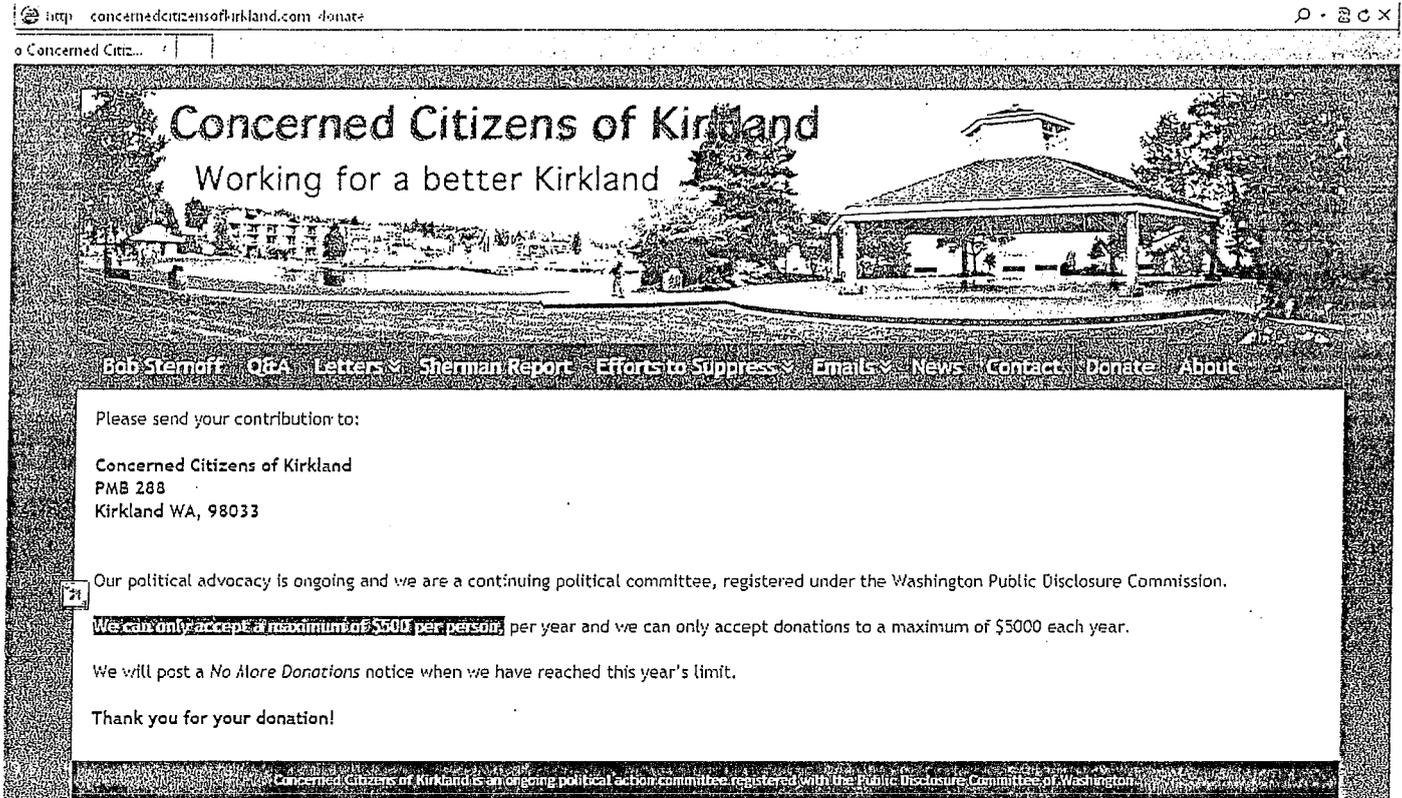
\*RCW 9A.72.040 says that "(1) A person is guilty of false swearing if he makes a false statement which he knows to be false, under an oath required or authorized by law. (2) False swearing is a misdemeanor."

PDC Exhibit # 2  
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Copy of CCK web site page  
<http://concernedcitizensofkirkland.com/donate/>  
as of 4 November 2011

showing knowledge of the \$500 contribution limit (highlighted in blue)



Concerned Citizens of Kirkland  
11819 103<sup>rd</sup> Ave NE  
Kirkland, WA 98034

February 28, 2012

State of Washington  
Public Disclosure Commission  
711 Capitol Way Room 206  
PO Box 40908  
Olympia WA 98504

Attention: Philip E. Stutzman, Director of Compliance  
Kristin Murphy, Investigator

Subject: PDC Case No. 12-154  
Complaint filed by Toby Nixon

Dear Mr. Stutzman, Ms. Murphy,

I am writing to respond to the complaints summarized in your February 13<sup>th</sup> letter.

First I want to say that Concerned Citizens was established in the summer of last year as a Continuing Committee, so we are new at this. I read all the rules we could find as we set up. And we set up as Mini Reporting, knowing we were not going to raise much money and so that we would not have to spend our time filing revenue and expense reports each week/month.

Our first focus was to expose the ethical violations of our City Councilman Bob Sternoff, who had violated three basic sets of City and State laws, two years ago (when he was not up for re-election). He had, by legal maneuvering, gotten most of the worst information held secret for about four months with a restraining order denying the public from obtaining copies of the Report investigating his violations. A campaign to expose a sitting City Councilman is tough. There are not many who will stand up and publicly support the efforts to challenge a long time citizen who is well known. Our campaign consisted largely of putting together the story and all the documents which were then available on a web site <http://concernedcitizensofkirkland.com/> and publicizing it. We chose a low cost yard sign campaign and ran two ads in the local Kirkland Reporter. All for less than \$3400.

The complaint cites three violations:

1. That I exceeded my per person limit of \$500, contributing \$1124 in total.  
I clearly kept my contributions below \$500 for most of the election campaign, but did loan the committee the last ad payment of \$675 on November 1<sup>st</sup>. I did so after asking a few of the previous donors who were under their individual limit if they would be able to contribute more. I felt confident that I could raise the rest of the balance. But it was not easy to collect on those who had made further pledges and after the election others were not willing to contribute. We are still about \$400 shy of being able to repay my full loan.

Is there allowance for continuing committees to raise and repay that loan to clear this infraction beyond the year end? If so I will work to do this and clear this violation.

2. The second complaint is that the committee accepted donations of cash exceeding an \$80 dollar limit cited in law. This is true. I was not aware of the limit. I relied on my understanding that is written on our government issued money stating that "This note is legal tender for all debts public and private". I will abide by this limit for "contributions" from now on.

Would the commission be satisfied if we arranged for a check and the return the money? Or is this avenue closed due to end of year?

3. The last assertion is that Arielle Albinger, my daughter, may not actually have made the contributions. Mr. Nixon is obviously fishing for further allegations. This assertion is false. Attached is her signed statement. She had graduated college in the spring and was already working full time at graduation. She is fully paying her way in life as well as contributing to civic activities.

Thank you for the opportunity to address these violations. I stand ready to correct them in any way that is still possible. I am wiser as to both the rules and the realities of raising money and will not violate these limits in the future.



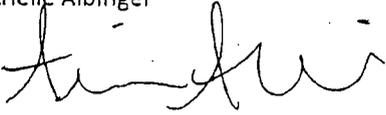
Ken Albinger, Treasurer  
Concerned Citizens of Kirkland

To Whom it may concern,

It was questioned whether I made a cash contribution of 200 and 300 to Concerned Citizens of Kirkland, I did make these cash contributions on my own free will totaling \$500.00.

Thank you

Arielle Albinger



2/28/12

RECEIVED

JUL 31 2012

Public Disclosure Commission

Public Disclosure Commission,

7/27/12

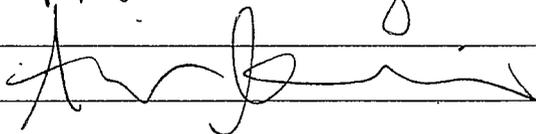
As I previously stated I made a cash contribution of \$200, then again of \$300. I have a stable well paying job and wanted to contribute to something of importance to my community.

I have never heard of needing to contribute in a written form, I apologize. I also already wrote in my previous statement this money was from my account on my own free will. I was never reimbursed... because it was a contribute that I made, who would reimburse me for that?!

This is a huge waste of time on everyone's part, so please understand this is my last attempt at defending my contribution. If you honestly don't believe me then I hope to receive a check of \$500 and this will be over.

Thank you,

Arielle Albinger

 7/27/12