

## CITY OF PORTLAND

In the Matter of: Violations of Campaign Contribution Limits of Portland Charter Chapter 3, Article 3, and Portland City Code Chapter 2.10

No. \_\_\_\_\_

### COMPLAINT

#### Violations of Contribution Limits by Friends of Ted Wheeler

1. Complainants David Delk, Ron Buel, Moses Ross, and Seth Woolley, residents of Portland, file this Complaint alleging violations of the campaign contribution limits of Portland Charter Chapter 3, Article 3, and Portland City Code Chapter 2.10 ("Portland Campaign Contribution Limits") by Friends of Ted Wheeler, the principal campaign committee of his campaign for Mayor of Portland.
2. The Portland Campaign Contribution Limits were enacted as party of Measure 26-200 of 2018.
3. This Complaint is pursuant to Portland Charter § 3-305.
4. Portland Charter § 3-302 sets forth the Portland Campaign Contribution Limits:

#### **3-302 Contributions in City of Portland Candidate Elections.**

- (a) An Individual or Entity may make Contributions only as specifically allowed to be received in this Article.
- (b) A Candidate or Candidate Committee may receive only the following Contributions during any Election Cycle:
  - (1) Not more than five hundred dollars (\$500) from an Individual or a Political Committee other than a Small Donor Committee;

- (2) Any amount from a qualified Small Donor Committee;
  - (3) A loan balance of not more than five thousand dollars (\$5,000) from the candidate;
  - (4) No amount from any other Entity, except as provided in Section 3-304 below.
5. These contribution limits went into effect on September 1, 2019, pursuant to Portland Charter § 3-305(a). No court has enjoined the implementation of the Portland Campaign Contribution Limits.
6. The City Auditor has refused to enforce these contribution limits, except for contributions made on or after May 4, 2020. Measure 26-200 does not allow the City Auditor to create exemptions from the Portland Campaign Contribution Limits.
7. Since November 14, 2019, Friends of Ted Wheeler has received 78 contributions in apparent violation of the contribution limits, as listed on Exhibit 1 from the ORESTAR system maintained by the Oregon Secretary of State.
8. The latter 66 of those contributions have not previously been the subject of a complaint to the City Auditor.
9. The listed contributions by individuals are in excess of the \$500 per individual per election cycle limit.
10. The listed contributions by Political Committees are in excess of the \$500 per Political Committee per election cycle limit.
11. The listed contributions by corporations and unions are in violation of the prohibition on contributions by all entities other than Political Committees and Small Donor Committees.
12. The \$500 contribution on May 8, 2020, from Oregon AFSCME Council 75 violated the prohibition on contributions by all entities (non-individuals) other than Political Committees and Small Donor Committees.

13. The \$500 contribution on May 18, 2020, by Daniel Petrusich comprises a violation of the limit on individual contributions per Election Cycle, as the donor has previously contributed \$1,000 to the Friends of Ted Wheeler during the current election cycle.
14. Complainants demand that the City Auditor apply the fines required by Portland Charter § 3-305(b): "a civil fine which is not less than two nor more than twenty times the amount of the unlawful Contribution or Expenditure or Independent Expenditure at issue."
15. Complainants request that the City Auditor conduct an audit of all contributions of \$100 or less received by Friends of Ted Wheeler to ensure that only legal contributions are being reported under that label.
16. Complainants requests that all correspondence to them in this matter be addressed to:

delk@honest-elections.com  
buel@honest-elections.com  
moses@honest-elections.com  
ofsink@honest-elections.com  
seth@honest-elections.com

Dated: June 25, 2020

*/s/ David Delk*  
*/s/ Ron Buel*  
*/s/ Moses Ross*  
*/s/ Seth Woolley*

Day/Mo/Yr	Amount	Type	Contributor Type	Contributor
18/05/2020	500	Cash	Individual	Daniel Petrusich
08/05/2020	500	Cash	Labor Organization	Oregon AFSCME Council 75
01/05/2020	12434.94	In-Kind	Business Entity	Melvin Mark Brokerage Co.
29/04/2020	500	Cash	Labor Organization	AFSCME Local 189
25/04/2020	500	Cash	Labor Organization	Pacific Northwest Regional Council of Carpenters
22/04/2020	1000	Cash	Individual	Norman Duffett
21/04/2020	2500	Cash	Individual	Robert McCullough
21/04/2020	2000	Cash	Individual	Kurt Redd
18/04/2020	5000	Cash	Political Committee	Alliance - PAC (4797)
18/04/2020	1500	Cash	Individual	Katrina Wheeler
17/04/2020	9000	Cash	Political Committee	SEIU Local 49 Committee on Political Education (4213)
15/04/2020	5000	Cash	Individual	Rick Miller
14/04/2020	5500	Cash	Individual	Merritt Paulson
07/04/2020	1000	Cash	Individual	Greg Fallon
06/04/2020	2500	Cash	Business Entity	Columbia Investments LTD.
06/04/2020	2500	Cash	Individual	John Carter
06/04/2020	2500	Cash	Business Entity	Winkler Development Corp.
06/04/2020	1000	Cash	Individual	Michael Wu
06/04/2020	500	Cash	Business Entity	Moda Partners, Inc.
04/04/2020	750	Cash	Individual	Douglas Obletz
03/04/2020	3000	Cash	Individual	Eric Cress
02/04/2020	1000	Cash	Political Committee	Citizen Action for Political Education (33)
02/04/2020	1000	Cash	Individual	John Ward
02/04/2020	750	Cash	Individual	Maurice Henderson
30/03/2020	1000	Cash	Individual	Allyn Ford
28/03/2020	1500	Cash	Individual	Joseph Tennant
26/03/2020	3000	Cash	Individual	Richard Parker, Jr.
25/03/2020	1000	Cash	Individual	Andrew Rowe
25/03/2020	1000	Cash	Individual	Tom Drewes
16/03/2020	5000	Cash	Business Entity	SN Investment Properties LLC
14/03/2020	3000	Cash	Business Entity	Financial Insurance Factors, Inc.
14/03/2020	2000	Cash	Individual	Richard Parker
13/03/2020	5000	Cash	Individual	Timothy P. Boyle
10/03/2020	1000	Cash	Individual	Shawn Menashe
05/03/2020	2500	Cash	Individual	Jake Silverstein
05/03/2020	2500	Cash	Unregistered Committee	Orrick, Herrington & Sutcliffe, LLP
03/03/2020	35000	Cash	Political Committee	Local 48 Electricians PAC (4572)
29/02/2020	500	Cash	Business Entity	Willamette Valley Vineyards, Inc.
27/02/2020	10000	Cash	Political Committee	Portland Metropolitan Assn Realtors PAC (6165)
27/02/2020	2000	Cash	Individual	Mark New
26/02/2020	1000	Cash	Individual	Marc Visnick
24/02/2020	1500	Cash	Individual	Mark O'Donnell
24/02/2020	1000	Cash	Individual	John Wheeler
23/02/2020	1000	Cash	Individual	Jamey Hampton
21/02/2020	2500	Cash	Individual	Walter (Skip) Grodahl
21/02/2020	1000	Cash	Business Entity	OTAK, Inc.
20/02/2020	2000	Cash	Individual	Paul and Lory Utz
19/02/2020	3500	Cash	Individual	al solheim
09/02/2020	750	Cash	Individual	Erin Olson
05/02/2020	1000	Cash	Individual	Bart Eberwein
03/02/2020	2500	Cash	Business Entity	Pacific Star Corporation
27/01/2020	1000	Cash	Individual	Elisabeth Lyon
22/01/2020	1000	Cash	Individual	Ivan Gold
17/01/2020	10000	Cash	Political Committee	Portland Metro Fire Fighters PAC (223)
17/01/2020	2500	Cash	Individual	Matthew Chapman
17/01/2020	1000	Cash	Business Entity	Coca-Cola North America

<b>Day/Mo/Yr</b>	<b>Amount</b>	<b>Type</b>	<b>Contributor Type</b>	<b>Contributor</b>
14/01/2020	1000	Cash	Individual	John Blackwell
07/01/2020	5000	Cash	Individual	Charles Swindells
07/01/2020	2500	Cash	Individual	Frank Foti
02/01/2020	1000	Cash	Individual	William Dickey
27/12/2019	7000	Cash	Business Entity	Kroger
27/12/2019	5000	Cash	Business Entity	American Beverage Association
27/12/2019	1000	Cash	Individual	Kenneth Thrasher
12/12/2019	2500	Cash	Business Entity	Capstone Partners LLC
11/12/2019	5000	Cash	Business Entity	The Standard
10/12/2019	5500	Cash	Individual	Vanessa Sturgeon
10/12/2019	1000	Cash	Individual	Robert Briscoe
09/12/2019	2500	Cash	Individual	Robert Walsh
08/12/2019	5000	Cash	Individual	Robert Warren
08/12/2019	1000	Cash	Individual	Philip Kalberer
06/12/2019	5000	Cash	Individual	Noydena Brix
06/12/2019	2000	Cash	Individual	Mike Golub
05/12/2019	2500	Cash	Individual	Mark C. Edlen
03/12/2019	1000	Cash	Individual	Thomas Cody
26/11/2019	2500	Cash	Individual	John Andrews
22/11/2019	5000	Cash	Individual	Peter Brix
21/11/2019	2500	Cash	Individual	William R Swindells
14/11/2019	5000	Cash	Individual	Mark Madden