

## CITY OF PORTLAND

In the Matter of: Violations of  
the Disclaimer Requirements  
of Portland Charter Chapter 3,  
Article 3, and Portland City  
Code Chapter 2.10

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

### **COMPLAINT**

#### **Violations of Portland Campaign Disclaimer Requirements by Friends of Sam Adams**

1. This Complaint is filed by Seth Woolley and David Delk, residents and electors of Portland.
2. This Complaint is pursuant to Portland Charter § 3-305 and Portland City Code 2.10.050.
3. Friends of Sam Adams has violated the disclaimer requirements of Portland Charter Chapter 3, Article 3, and Portland City Code Chapter 2.10 ("Portland Campaign Disclaimer Requirements") by failing to include the required disclaimers in a commercially produced and distributed email received by many Portland voters on May 11, 2020 (attached).
4. The email was distributed by means of Mailchimp, Inc., a commercial email distributor.
5. The email contains no disclaimer identifying the Dominant Contributors to the campaign of Sam Adams for Portland City Council.
6. Communications to voters by that campaign require disclaimer listing at least the Portland Open And Accountable Elections Program and Peter Zuckerman, as both are Dominant Contributors to that campaign.
7. The email fails even to state that it was paid for by Friends of Sam Adams. It lists as its address the address of Friends of Sam Adams and links to the home page of Friends of Sam Adams.
8. The email clearly violates the Portland Campaign Disclaimer Requirements, because it contains no information about the Dominant Contributors who paid for its production and distribution.

9. The Auditor can readily determine how many persons received this email by requiring Friends of Sam Adams to disclose the data on recipients maintained by Mailchimp, Inc., for every piece of email it sends.
10. Each sending of this email to a person is a separate violation of the disclaimer requirements.
11. The penalty for violation of the disclaimer requirements is "imposition of 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." Portland City Charter § 3-305(b).
12. The "amount of the unlawful Contribution or Expenditure or Independent Expenditure at issue" is the amount spent by Friends of Sam Adams to create, produce, reproduce, print, and distribute the email.
13. Complainants request that the City Auditor:
  - (a) Find that Friends of Sam Adams is in violation of the Portland Campaign Disclaimer Requirements;
  - (b) Impose the lawfully-required penalty for this violation.
14. Because the violation here is blatant, obvious, and egregious, and shows disregard for the requirements of the Portland City Charter, Complainants request that the maximum available penalty be imposed.
15. Complainants request that all correspondence to them in this matter be addressed to delk@honest-elections.com and seth@honest-elections.com.

Dated: May 12, 2020

Respectfully Submitted,

/s/ David Delk

David Delk

/s/ Seth Woolley

Seth Woolley

[View this email in your browser](#)



Dear Friends,

In the wake of the global COVID-19 pandemic, our local businesses are struggling, and unemployment is at record levels.

There is a lot we do not control about this pandemic - but there is still plenty local governments can do, even while having to cut public budgets, and ramp up services to those most impacted.

**We need to use radical common sense and take aggressive local actions to protect Portland jobs and businesses.**

On my [website](#) you will find my detailed ideas for city actions. I welcome your feedback on them, and your own ideas. Here are three:

### **1. PROTECT FRONTLINE SERVICES: DON'T MAKE SILOED GOV'T BUDGET CUTS**

Right now, up to 26 independently-managed government departments are making plans separately to cut services on their own, without consultations with each other and input from enough stakeholders.

For example, public safety, transportation and business and worker assistance: Each service area needs to come together. Put all the resources on the table, the forecasted revenue losses, build a prioritized list of administrative efficiencies to preserve frontline services, and figure out which stakeholders can contribute to each priority.

### **2. IMPLEMENT A LOCAL "GREEN NEW DEAL" JOBS PROGRAM**

I suggest that the Portland Clean Energy Fund, team up with equity-missioned nonprofits, government agencies, and local small, minority and women-owned firms, to rapidly create a local jobs program.

A program that can help Portlanders, especially those in marginalized communities, build capacity, gain skills and get on-the-job experience, while cutting our greenhouse gas emissions and boosting our local climate resilience. Examples could include:

- Creek and wetland restoration, which can be readily designed and implemented.
- Build carbon emissions-free, permanent small housing cluster villages to

- Removal of overgrown tree-killing invasive species and tree-planting.

### 3. CREATE JOBS NOW, WHEN THEY ARE NEEDED MOST, WITH NO ADDITIONAL DEBT, NEW FEES, OR TAXES

We need to leverage what we learned in 2009. With a goal of spurring the creation of thousands of construction jobs, as mayor, I worked with City Commissioners Randy Leonard and Nick Fish to create Portland's first-ever local economic stimulus package.

We fast-tracked hundreds of millions of dollars in City public works projects, initiating projects in 2-3 years, not 5, providing jobs when they were needed most.

By accelerating construction schedules, Portland companies were able to get better deals on construction bids in a soft economy and save money because the projects would not be subject to inflation.

These are just a few of my plans, on my [website](#) you will find more detailed ideas for city jobs and business actions.

As always, let me know that you think. When it comes to public policy making, I love to exchange ideas, critiques and questions, to listen and learn. Email me at [sam@samadamspdx.com](mailto:sam@samadamspdx.com) or call /text me at 503-421-8925.



PS: Thank you to all our supporters who requested lawn signs. The campaign team **delivered 1,000 signs** across the city and now we are all out. You can still show your support by:

- Endorse me on your social media accounts ([download endorsement image here](#))
- [Sign up to volunteer](#) to send text messages and make phone call
- Follow us on social media ([Facebook](#), [Instagram](#) and [Twitter](#))



[www.samadamspdx.com](http://www.samadamspdx.com)

Our mailing address is:

Sam Adams  
5514 NE 31st Ave.  
Portland, Oregon 97221  
(503) 421-8925