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Notice of Determination: No Violation

Scott Hill, Re-Elect Scott Hill Mayor PAC
1525 SW Gilson Ct
McMinnville, OR 97128

Via Email: sahill827@msn.com

Dear Scott Hill,

On October 14, 2020, the City of McMinnville provided notice to you of a complaint from James Goings alleging violations of the City of McMinnville's campaign finance ordinance no. 5096. Specifically at issue are 2.10.30 timely disclosure of large contributions and expenditures in printed materials, a mailer and newspaper advertisement, and digital communications for your mayoral campaign.

After an investigation, I find no violation of City campaign finance ordinance requirements.

Complaint(s): Violation of City Campaign Finance Ordinance

The allegation is that three pieces of candidate campaign materials were paid for by a \$2,500 contribution from the Oregonians for Affordable Housing political action committee, which was not disclosed, thus violating the rules under 2.10.30 (A1)

1. Printed material in newspaper
2. Printed material in mailer
3. Digital communication

Scott Hill, object of the complaint, provided a response to the complaint.

Investigative Summary:

The Finance Director (FD) pulled records from ORESTAR, the State of Oregon's campaign disclosure data base available online both on the date the Notice of Complaint was filed (10/13/2020) as well as again the day after the complaint response was received (10/22/2020).

The FD contacted the state's elections division to gain an understanding of the definition of "Personal Expenditure for Reimbursement" on 10/22/2020 and received a response on 10/23/2020.

The FD contacted Scott Hill for clarifications on the information provided in his response. He then provided additional data on 10/27/2020 from ORESTAR that has different detail that he can see as the candidate compared to what the FD could pull from the public facing data.

The total cost of the three candidate campaign materials noted in the complaint was less than the total donations received by the candidate's campaign in the month of September. The \$2,500 donation noted in the complaint was received on October 5, 2020; therefore, utilizing a first in/first out logic, it was not the contribution used to fund those communications and did not require disclosure under the ordinance.

Of the donations received by Scott Hill's campaign in September, two were for \$1,000 but this amount does not meet the ordinance's "Dominant Contributor" technical definition of "any individual or entity which contributes *more than* \$1,000 during an election cycle" which would also require disclosure on campaign materials under 2.10.30 (A3).

Appeals

Pursuant to 2.10.50(I) of Ordinance No. 5096, an appeal may be filed with the Yamhill County Circuit Court within 30 days of the issuance of a decision.

Sincerely,

A handwritten signature in black ink that reads "J Cuellar-Smith". The signature is written in a cursive, flowing style.

Jennifer Cuellar-Smith
Finance Director
City of McMinnville