

KATE BROWN
SECRETARY OF STATE



BRENDA BAYES
ACTING DIRECTOR

255 CAPITOL ST NE, STE 501
SALEM, OREGON 97310

ELECTIONS — (503) 986-1518

July 22, 2009

Glenda Leiken
P & G Marketing and Research
PO Box 871
Springfield OR 97477

RE: Complaint, 09-C&E-15

Dear Ms. Leiken:

On June 22, 2009, a complaint was filed with this office alleging possible violation of election law by the Friends of Sid Leiken committee (12786). The complaint alleges discrepancies in campaign finance activity between the committee, SWL Consulting and P & G Marketing and Research.

In order to conduct our investigation, please provide the following information no later than August 12, 2009:

1. Campaign finance activity reported in ORESTAR, the electronic campaign filing system, indicates that an expenditure in the amount of \$2,000.00 was made from SWL Consulting to P & G Marketing and Research for polls and surveys. Please provide copies of any documentation to substantiate this activity, including checks, invoices, bank statements, receipts and any contracts or agreements to provide the service.

If you have any questions, please contact me at the number listed above.

Sincerely,

Kathy Schamp
Compliance Specialist

July 17, 2009

Ms. Kathy Schamp, Compliance Specialist
Office of the Secretary of State
Elections Division
255 Capitol Street NE, Suite 501
Salem, OR 97310

Re: Sid Leiken
Complaint No. 09-C & E -15

Dear Ms. Schamp:

Enclosed is the response to your questions of June 24, 2009, from my client, Sid Leiken. I will provide the original to you as soon as I receive it in the mail from my client.

Thank you for the extension which you earlier provided to my office. Should you have any questions, please do not hesitate to contact me directly.

Very truly yours,

Davis Wright Tremaine LLP


John DiLorenzo, Jr.

Enclosure

Cc: Sid Leiken

July 17, 2009

Ms. Kathy Schamp, Compliance Specialist
Office of the Secretary of State
Elections Division
255 Capitol Street NE, Suite 501
Salem, OR 97310

Re: Complaint No. 09-C & E -15

Dear Ms. Schamp:

This letter is in response to yours of June 24, 2009, requesting that I provide certain information. By e-mail to my attorney, John DiLorenzo, you have provided me until today to respond to that letter.

The responses to your requests are as follows:

1. Attached as Exhibits 1 and 2 are copies of the check and the receipt for the \$300 transaction referenced as transaction number 568865.

2. Attached as Exhibit 3 is a copy of the check for the expenditure made to SWL Consulting in the amount of \$300 (transaction number 572328). There is no receipt.

3. There is no check evidencing the \$2,000.00 expenditure made to P&G Marketing and Research from SWL Consulting. The payment was made in cash from a cash account which I have for years maintained on behalf of SWL Consulting. However, attached as Exhibit 4 is a copy of a receipt from the book which I maintain for SWL Consulting's cash account evidencing payment of the cash to P&G Marketing and Research on February 25, 2009. You have also requested a copy of the poll. I am attaching as Exhibits 5 and 6 a copy of the description of the poll and the survey results therefrom.

4. Attached as Exhibit 7 is a copy of the check in the amount of \$2,000.00 made payable to SWL Consulting for reimbursement of the amounts earlier advanced (transaction number 572329).

5. The contact name, address, and telephone number for P&G Marketing and Research is:

Glenda Leiken
P.O. Box 871
Springfield, OR 97477
(541) 954-3122

Should you have any further questions, please contact my attorney, John DiLorenzo, Jr., directly
at:

Davis Wright Tremaine LLP
1300 SW 5th Ave, Suite 2300
Portland, OR 97201
Ph: (503) 241-2300
Fax: (503) 778-5299
johndilorenzo@dwt.com

Very truly yours,


Sid Leiken

ARM 54196-001

State of Oregon
Elections Division

RECEIPT/INVOICE

Date 3/13/08

Customer # _____

Name Sid Leiken

Company/PAC _____

Address _____

City, State, Zip Code _____

Phone # _____ Fax # _____

Daily Transaction

Blue Book _____ Fax _____ Copies _____ Penalty _____

Other _____ Description _____

C&E Report

Original _____ Amendment _____ Election _____

1st pre _____ 2ndpre _____ Post _____ Suppl. _____ Other _____

Candidate Filing/Noters' Pamphlet Statement/Argument

Office No. 7801 Title Mayor of Springfield

Party - Democrat _____ Republican _____ Other _____

One Column _____ Two Columns _____

Fee Petition _____

Portraits - One _____ Two Not Filed _____

Amount Received \$ 300.00 Amount Due \$ _____

Cash _____ Check No. 107

By UP

Please Remit Amount Due Within Ten Days Of Receipt To:

Elections Division, Room 141, State Capitol Building, Salem, OR 97310-0722

SEL 600
REV 2/04

RECEIVED TIME JUL. 2. 11:10AM



Friends of Sid Leiken
2565 Braewood Ln
Eugene, OR 97405

96-7142/8232 504

May 5, 2008 DATE

PAY TO THE ORDER OF

S.W.L. Consulting

\$ 300

Three hundred & no/100

DOLLARS

LibertyBank

899 Pearl St.
Eugene, Oregon 97401
(541) 344-5424

unless payable

Dea Kordge, Treasurer

⑆3 23 27 14 22⑆0450012190⑈

0504

⑈0000030000⑈

Account 000000450012190
Amount 300.00
Post Date 20080506
Sequence 103324646

Routing 323271422
OF6 0
Check 000000504
Tran 000000

The following security features (and others not listed) exceed industry standards:
Security Features
Security Surfers
Microprint Coping Line
Chemical Sensitivity
Fingerprint
Faded Strands or spots appear with
Examination
Assurance of product
Fingerprint
Faded Strands or spots appear with
Examination
Assurance of product

PROCESSED BY
FISERV/SEATTLE, WA
103324646 05-06-08 120 2101 03

LIBERTY BANK
EUGENE, OR 97401
241560330 22 05-05-08 2160000434



DATE 2-2-09 No. 174554

TO P.T.G. Marketing \$2000

FOR This amount and to

FOR RENT FOR TAX CASH CHECK MONEY ORDER

FROM SWL Cash Account

ACCT.	
PAID	
DUE	

BY

2501

RECEIPT

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EXHIBIT

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P & G Marketing and Research
P.O. Box 871
Springfield, OR 97477

Project: City of Springfield Fuel Tax increase survey.

When: To be conducted February 17-19, 2009

The city of Springfield, like many cities in the state of Oregon, is experiencing deficits within their street budget. The challenge is trying to maintain their current budgets to preserve and maintain their citywide street system. This has been due to the fact that the state of Oregon has not increased their fuel tax in more than 15 years. The fuel tax is the primary revenue source that state and local governments rely on to maintain and preserve their street systems. Another major revenue source that Springfield and all other Lane County cities have relied on over the years has been the county/city shared revenue plan. Lane County received large amounts of road fund revenue from "timber" receipts that they would share with local cities throughout the county. The city of Springfield would use this revenue within their street fund budget to preserve and maintain their local street system.

In 2003 the city of Springfield voted to enact a \$.03 fuel tax to be a part of this current revenue system to preserve and maintain their streets. With the challenges listed in above paragraph the city is now challenged with increasing their local fuel tax again. P & G Marketing and Research was retained by Mayor Sid Leiken of Springfield thru his company SWL Consulting, Inc. to conduct a "snapshot" survey on what could have the best results for the city to increase their local fuel tax.

Script:

I am from P & G Marketing and Research and I am conducting an independent survey on what would be the best method for the Springfield City Council to potentially raise additional revenue to preserve and maintain the local street system. Currently, the city relies on revenue from the state of Oregon's fuel tax and the current local fuel tax of \$.03 per gallon as the primary source for their street budget. In 2006 the city lost approximately \$500,000 annually from a shared Lane County/City program due to the cut in the annual timber payment plan Lane County receives from the federal government. I would like to now ask you three questions. You will have three answers to choose from, yes, no, and I don't know.

Thank you.

EXHIBIT

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Between February 17-19, 2009 between the times of 6 pm and 9 pm I conducted the survey. Mayor Leiken asked that I am able to provide information from 200 respondents. A total of 268 calls were made to get to the 200 respondents, which was surprising. I was expecting a much greater amount. The 200 respondents were random calls made to Springfield citizens, whom were not necessarily registered voters. Demographics did not enter into the survey either. Mayor Leiken felt with a public hearing being a held, and a decision being made by the city council on what the best plan would be by March 2, that a quick snapshot is what he was looking for so he can have discussions with the city council. On February 20, I tallied the information from the 200 respondents whom answered the three questions.

This was not a scientific survey but instead a quick snap shot analysis on where people's opinions were at this time.

Springfield Fuel Tax Survey Results
Feb 17-19, 2009
Phone survey of 200 Springfield citizens

Question #1

Would you support the Springfield City Council's proposal to enact a \$.04 per gallon fuel tax increase on top of the current \$.03 per gallon fuel tax, without a vote of the citizens, to preserve and maintain city wide streets?

Yes: 39 (19.5%) No: 142 (71%) Don't Know: 19 (9.5%)

Question #2

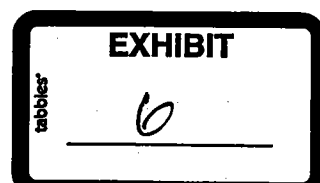
Would you support the Springfield City Council if they were to refer to the citizens for a vote on a proposed \$.04 per gallon fuel tax increase on top of the current \$.03 per gallon fuel tax, to preserve and maintain city wide streets?

Question #3

Yes: 62 (31%) No: 114 (57%) Don't Know: 24 (12%)

Would you support the Springfield City Council if they were to refer to the citizens for a vote on a proposed \$.02 per gallon fuel tax increase on top of the current \$.03 per gallon fuel tax, to preserve and maintain city wide streets?

Yes: 101 (50.5%) No: 84 (42%) Don't Know: 15 (7.5%)



Friends of Sid Leiken
 2565 Braewood Ln
 Eugene, OR 97405

96-7142/3232 **523**

March 11, 2009
DATE

PAY TO THE ORDER OF SWL Consulting | \$ 2,000⁻
Two thousand ⁰⁰/₁₀₀ DOLLARS

LibertyBank
 899 Pearl St.
 Eugene, Oregon 97401
 (541) 344-5424
 FOR polling data Don Kaly

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