City of Seattle
Ethics and Elections Commission

October 21, 2014

Jay Petterson, Treasurer
Quality Pre-K for Our Kids
119 1st Avenue South, Suite 320
Seattle, WA 98104

Dear Mr. Petterson:

On October 15, 2014, we received a complaint that Quality Pre-K for Our Kids (the "Committee") had failed to timely report expenditures for television production costs on the 21-day C-4 filed on October 14, 2014. The Committee amended the 21-day C-4 on October 17 to include more than $32,000 in obligations for production costs. I am imposing a $30 late-filing penalty.

FACTS

On October 14, 2014 the Committee reported approximately $210,000 in media buys on September 29, and October 10, 2014 for broadcast and cable advertising. The descriptions for the expenditures to Screen Strategies Media were:

Advertising/Broadcast-$52,600 Cable - $37,450" and
Advertising/Broadcast - $65,750/Cable - $53,500."

On October 15, 2014, the Commission received a complaint regarding the Committee's failure to report expenditures or obligations for the production of the television ads. Commission staff contacted the Committee and advised them to file an amended C-4 to include the missing information.

On October 17, the Committee filed an amended C-4. The amended C-4 included two obligations to Kully Hall dated October 13, 2014. The obligations were for "Television Advertising Production," "Shoot 1" and "Shoot 2." Each obligation totaled $16,329.11. As required by SMC 2.04.260.A.6, the amended C-4 also identified each media outlet where Screen Strategies Media had purchased advertising and included amounts spent at each.

The Committee's balance (cash on hand minus liabilities) went from $46,753.84 to $14,095.62.

RELEVANT LAW

The Seattle Elections Code requires that all expenditures, including obligations or debts, be timely reported. SMC 2.04.260A.6. Pursuant to Elections Code Administrative Rule 4.B. "reports that [] do not contain substantially all required information …are not considered filed, and subject the committee to late filing penalties."

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The Elections Code authorizes me to assess penalties of $10 for each day that a complete and accurate report is not filed. SMC 2.04.330.B.1.

LATE FILING PENALTIES

The Committee filed a substantially complete and accurate 21-day C-4 three days late, reporting more than $32,000 in obligations and identifying the media outlets in the $210,000 media buy.

During the 21 days before the election, this office has a "zero-tolerance" policy for material reporting errors. I am therefore imposing the full $30 late-filing penalty on the Committee.

RIGHT TO APPEAL

You may appeal this decision by submitting to this office, by 4:00 p.m., November 12, 2014 a written request for appeal, pursuant to the Commission's Administrative Rule 4.[1]

ACTION TO TAKE

No later than November 12, 2014 deliver payment to the Commission at 700 Fifth Avenue, Suite 4010, P.O. Box 94729, Seattle, WA 98124-4729, or your request for appeal.

CONCLUSION

A major purpose of the Seattle Elections Code is to give the public timely access to information regarding all contributions and expenditures made supporting or opposing City candidates and ballot measures. The Committee's delay in reporting inhibited this purpose, and therefore I am compelled to impose these penalties.

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[1] Rule 4 APPEALS

A. Upon the written request of a party aggrieved by the Executive Director's decision to dismiss a complaint, or to impose late-filing penalties under SMC 2.04.330, the action may be reviewed by the Commission.

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C. An appeal of late-filing penalties shall be served at the Commission's office no later than 14 days after the date of mailing the decision of which review is sought.

D. A request for review shall state the grounds therefor, and shall be no longer than twelve 8-1/2" x 11" double-spaced pages in length with margins of at least 1" on every side, and no more than 12 characters per inch.

If you have any questions, please call me at 684-8577.

Very truly yours,

Wayne Barnett
Executive Director

cc: Seattle Ethics and Elections Commission
Phil Stutzman, Public Disclosure Commission