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Lakewood

City Clerk's Office
Lakewood Civic Center
480 S. Allison Parkway
Lakewood, CO 80226-3127
Email: Margy Greer
margre@lakewood.org
Phone: 303-987-7080
Fax: 303-987-7088
TDD: 303-987-7057

CAMPAIGN FINANCE COMPLAINT FORM

Your Information – Information about the person filing the complaint (complainant)

Full Name: Tom Keefe

Address: 1849 S Lee St Apt A City: Lakewood State: CO Zip: 80232

Telephone number: 401-741-9999 Email address: keefete@gmail.com

Information of the person alleged to have committed a violation:

Full Name: Lakewood Citizens Watchdog Group

Address: 98 Wadsworth Blvd #127-194 City: Lakewood State: CO Zip: 80226

Alleged violation – must include the section of the code or rule# or the alleged violation:

See attached.


Complainant's Signature

10/23/2019
Date

Michele Millard, City Clerk
City of Lakewood
480 S. Allison Parkway
Lakewood, CO80226

Re: Campaign Finance Complaint against Lakewood Citizens Watchdog Group

Dear Ms. Millard:

Pursuant to section 2.54.050 of the Lakewood Municipal Code, I respectfully submit the following campaign finance complaint against Lakewood Citizens Watchdog Group.

I. Factual background.

A. Lakewood Citizens Watchdog Group (“LCWG”) is registered with the Colorado Secretary of State as a Colorado nonprofit corporation. [Exhibit 1 – Articles of Incorporation; Exhibit 2 – Articles of Amendment (changing name to Lakewood Citizens Watchdog Group)].

B. Several times a year (quarterly by its current representation), LCWG publicly distributes a document entitled “The Whole Story.” A copy of the most recent edition of “The Whole Story” – dated October 1, 2019 – is attached as Exhibit 3. The recited purpose of “The Whole Story” is “to keep the people informed of the happenings of their local government that are ignored by a compliant news media.” Exhibit 3, p. 1.

C. The October 1, 2019, edition of “The Whole Story” was distributed by direct mail, on or shortly after such date, to residents of the City of Lakewood, including members of the electorate for the offices of Mayor and Members of the City Council for the City of Lakewood. As a Regular Municipal Election for those offices is set for November 5, 2019, “The Whole Story” was delivered within 60 days before that municipal election.

D. The October 1, 2019, edition of “The Whole Story” contains multiple unambiguous references to current candidates running for municipal office in the November 5, 2019, election. These include the following:

Ex. 3, p. 3 (top): allegation that a committee “headed by a friend of the mayor” (Adam Paul – a current candidate) was “getting around contribution limits” and “allow[ing] dark money to remain anonymous” through the use of independent expenditure committees.

Ex. 3, p. 3 (top): allegation that Kyra deGruy (current Council candidate) benefited from “dark money” independent expenditures in 2017 through a committee “headed by Adam Paul’s former roommate.”

Ex. 3, p. 3 (middle): allegation that, “despite all these disguises,” LCWG was able to identify “some of the special interests who have previously donated to incumbents and perennial candidates now running” – including specifically Adam Paul (current Mayoral

candidate), Kyra deGruy (current Council candidate), and Dana Gutwein (current Council candidate).

Ex. 3, p. 3 (bottom): allegation that Dana Gutwein (current Council candidate) and Kyra deGruy (current Council candidate) violated campaign finance reporting requirements in 2017.

Ex. 3, p. 4 (top): unfavorable comparison of Kyra deGruy (current Council candidate) to opponent Charley Able (current Council candidate) and favorable reference to “popular Ramey Johnson” (current Mayoral candidate).

Ex. 3, p. 4 (top): unfavorable comparison of Dana Gutwein (current Council candidate) to her opponent (current Council candidate), allegation that Gutwein (current Council candidate) “took contributions from special interests,” and critical comment that Gutwein (current Council candidate) and deGruy (current Council candidate) are “[t]apping into the same liberal money sources.”

Ex. 3, p. 4 (bottom): criticism and suggestion of impropriety regarding the manner in which Henry Hollender (current Council candidate) received an appointment to the City’s Planning Commission in 2011.

Ex. 3, p. 5 (middle): criticism of Adam Paul (current Mayoral candidate) as a “Career Politician” for “almost half his entire life and over three quarters of his working career” while opponent Ramey Johnson” (current Mayoral candidate) “had a 40-year career in nursing.”

Ex. 3, p. 5 (middle): positive comments regarding Ramey Johnson’s (current Mayoral candidate) position on sustainability issues.

Ex. 3, p. 5 (bottom): criticism of Adam Paul (current Mayoral candidate) for purportedly delaying a citizen vote and unfavorable comparison of “special interest” contributions to Adam Paul’s (current Mayoral candidate) vs. Ramey Johnson’s (current Mayoral candidate) campaigns.

Ex. 3, p. 7 (middle): comment critical of Adam Paul’s (current Mayoral candidate) position on prior Lakewood ballot initiative.

Ex. 3, p. 7 (bottom): suggestion of “Integrity Concerns” with political donations received by Adam Paul (current Mayoral candidate).

Ex. 3, p. 8 (middle): negative response to favorable votes by Adam Paul (current Mayoral candidate) and Dana Gutwein (current Council candidate), and positive response to votes by Ramey Johnson (current Mayoral candidate) and Charley Able (current Council candidate) regarding City Council pay raises.

II. Campaign finance disclosure requirements of Chapter 2.54 of the Lakewood Municipal Code.

A. Section 2.54.020 of the Lakewood Municipal Code defines an “Electioneering communication” as follows: “any communication broadcast by television or radio, printed in a newspaper or on a billboard, directly mailed, transmitted by means of the internet, or delivered by hand to personal residences or otherwise distributed that:

(I) unambiguously refers to any candidate without expressly advocating that candidate; and

(II) is broadcast, printed, mailed, delivered or distributed within sixty (60) days before a municipal election; and

(III) is broadcast to, printed in a newspaper distributed to, mailed to, delivered by hand or electronically transmitted to . . . an audience that includes members of the electorate for such public office.”

B. Section 2.54.070(1) of the Lakewood Municipal Code states that “Any person, including a corporation that qualifies under section 501(c)(4) of the Internal Revenue Code, that expends five hundred dollars (\$500) or more per calendar year on electioneering communications shall report to the City Clerk, in accordance with the disclosure required by this section, the amount expended on the communications and the name and address of any person that contributes more than two hundred fifty dollars (\$250) per year to the person expending five hundred dollars (\$500) or more on the communications. If the person making a contribution of more than two hundred fifty dollars (\$250) is a natural person, the disclosure required by this section shall also include the person’s occupation and employer.”

C. Section 2.54.070(3)(a) of the Lakewood Municipal Code states that “In addition to any other applicable requirements provided by law, and subject to the provisions of this section, any electioneering communication on which the person responsible for the communication expends five hundred dollars (\$500) or more shall include in the communication a statement that:

(I) The communication has been "paid for by (full name of the person paying for the communication)";

(II) The communication is "Not authorized by any candidate"; and

(III) The name of a natural person who is the registered agent if the person identified in subparagraph (I) of this paragraph (a) is not a natural person.”

D. Section 2.54.050(B) and (C) of the Lakewood Municipal Code specifies the manner of enforcement and requisite sanctions for violations of Chapter 2.54 of the Code, to include an order of disclosure of any undisclosed donations, spending, contributions, or expenditures that should have been – but have not been – timely disclosed. Section 2.54.050(B) authorizes the City Clerk to conduct such “additional inquiry . . . of interested parties” as may be necessary to determine whether a complaint may be dismissed as frivolous or groundless.

III. Complaint.

A. Each of the statements specified in paragraph I(D), above, constitutes an “electioneering communication” as defined by Section 2.54.020 of the Lakewood Municipal Code.

B. LCWG has failed or refused to file any reports as required by Section 2.54.070(1) of the Lakewood Municipal Code.

C. LCWG has failed or refused to include in the communication a disclaimer as required by Section 2.54.070(3)(a) of the Lakewood Municipal Code.

IV. Request for Relief.

A. The City Clerk is respectfully requested to initiate enforcement proceedings and impose such sanctions and disclosure requirements upon LCGW as may be determined appropriate pursuant to Section 2.54.050(B) and (C) of the Lakewood Municipal Code.

B. Should LCGW claim to be entitled to an exemption from all or any part of the requirements of the above referenced provisions of Chapter 2.54 of the Lakewood Municipal Code, the City Clerk is requested to conduct such additional inquiry pursuant to Section 2.54.050(B) of the Code as she may deem necessary to determine the applicability of any such claimed exemption.

C. Should LCWG claim to be entitled specifically to a “press” or “media” exemption from all or any part of the requirements of the above referenced provisions of Chapter 2.54 of the Lakewood Municipal Code, the City Clerk is requested to obtain from LCWG and make public all documentation and information upon which such a claim of exemption is based. At a minimum this information should include (1) whether any candidate, political organization, or political party has a direct or indirect ownership interest in LCWG; (2) the identity of any persons or entities other than LCGW who have provided direct or earmarked funding (and the amounts of such funding) for the publication or dissemination of “The Whole Story” at any time since its inception; (3) the dates and regularity of “publication” of each issue of “The Whole Story” since its inception; (4) the number of persons to whom each issue of “The Whole Story” – to include the October 1, 2019, issue – was mailed or delivered during the last two years; and (5) the manner in which recipients of “The Whole Story” – to include the October 1, 2019, issue – are determined (e.g., subscription, residence or business address categories, voter registration, political affiliation, demographic, etc.).



Colorado Secretary of State
 Date and Time: 02/26/2015 01:20 PM
 ID Number: 20151143742
 Document number: 20151143742
 Amount Paid: \$50.00

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 Fees & forms are subject to change.
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 of filed documents, visit www.sos.state.co.us.

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Articles of Incorporation for a Nonprofit Corporation
 filed pursuant to § 7-122-101 and § 7-122-102 of the Colorado Revised Statutes (C.R.S.)

1. The domestic entity name for the nonprofit corporation is Lakewood Watchdog
(Caution: The use of certain terms or abbreviations are restricted by law. Read instructions for more information.)

2. The principal office address of the nonprofit corporation's initial principal office is

Street address 1000 S Marshall Street
(Street number and name)

Lakewood CO 80226
(City) (State) (ZIP/Postal Code)

United States
(Province - if applicable) (Country)

Mailing address
(leave blank if same as street address)

(Street number and name or Post Office Box information)

(City) (State) (ZIP/Postal Code)

(Province - if applicable) (Country)

3. The registered agent name and registered agent address of the nonprofit corporation's initial registered agent are

Name
 (if an individual)

(Last) (First) (Middle) (Suffix)

OR

(if an entity) Hackstaff Snow LLC
(Caution: Do not provide both an individual and an entity name.)

Street address 1601 Blake St
(Street number and name)

Suite 310

Denver CO 80202
(City) (State) (ZIP Code)

Mailing address

(leave blank if same as street address)

(Street number and name or Post Office Box information)

(City) CO _____

(State) (ZIP Code)

(The following statement is adopted by marking the box.)

The person appointed as registered agent above has consented to being so appointed.

4. The true name and mailing address of the incorporator are

Name

(if an individual)

(Last) (First) (Middle) (Suffix)

OR

(if an entity)

Hackstaff & Snow LLC

(Caution: Do not provide both an individual and an entity name.)

Mailing address

1601 Blake St

Suite 310

(Street number and name or Post Office Box information)

Denver

CO

80202

(City)

(State)

(ZIP/Postal Code)

United States

(Province – if applicable)

(Country)

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

The corporation has one or more additional incorporators and the name and mailing address of each additional incorporator are stated in an attachment.

5. (If the following statement applies, adopt the statement by marking the box.)

The nonprofit corporation will have voting members.

6. Provisions regarding the distribution of assets on dissolution:

Distribution of assets upon dissolution will be in accordance with the organization's bylaws and will in no event personally inure to the benefit of any individual.

7. (If the following statement applies, adopt the statement by marking the box and include an attachment.)

This document contains additional information as provided by law.

8. (Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)

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9. The true name and mailing address of the individual causing the document to be delivered for filing are

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<u>1601 Blake St</u>			
<small>(Street number and name or Post Office Box information)</small>			
<u>Suite 310</u>			
<u>Denver</u>	<u>CO</u>	<u>80202</u>	
<small>(City)</small>	<small>(State)</small>	<small>(ZIP/Postal Code)</small>	
<u>United States</u>			
<small>(Province – if applicable)</small>	<small>(Country)</small>		

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

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Colorado Secretary of State
 Date and Time: 03/13/2017 09:41 PM
 ID Number: 20151143742

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Document number: 20171200632
 Amount Paid: \$25.00

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Articles of Amendment

filed pursuant to §7-90-301, et seq. and §7-130-105 of the Colorado Revised Statutes (C.R.S.)

1. For the entity, its ID number and entity name are

ID number 20151143742
(Colorado Secretary of State ID number)
 Entity name Lakewood Watchdog

2. The new entity name (if applicable) is Lakewood Citizens Watchdog Group

3. *(If the following statement applies, adopt the statement by marking the box and include an attachment.)*

This document contains additional amendments or other information.

4. *(Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)*

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Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that such document is such individual's act and deed, or that such individual in good faith believes such document is the act and deed of the person on whose behalf such individual is causing such document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S. and, if applicable, the constituent documents and the organic statutes, and that such individual in good faith believes the facts stated in such document are true and such document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is identified in this document as one who has caused it to be delivered.

5. The true name and mailing address of the individual causing the document to be delivered for filing are

Smith Dan
(Last) (First) (Middle) (Suffix)
1000 S. Marshall St.
(Street name and number or Post Office Box information)
Lakewood CO 80226
(City) (State) (Postal/Zip Code)
United States
(Province - if applicable) (Country - if not US)

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

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The Whole Story

Real Transparency in Local Government

1 October 2019

Volume 6, Issue 4

The Whole Story

Published quarterly by the Lakewood Citizens Watchdog Project to keep the people informed of the happenings of their local government that are ignored by a compliant news media.

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Voters Approve Slow Growth Initiative

In an interesting coincidence of events, voters celebrated Lakewood's 50th anniversary by declaring their independence from the political establishment that has run the city since 1969.

In July 2 special election Lakewood voters signaled their intention to take control over development by implementing a growth management plan that limits housing growth to 1% per year.

By a nearly 6 point margin (53% to 47%) voters rejected a sophisticated scare campaign involving every special interest group in the City.

In a surprisingly large voter turnout, 37,000 ballots were cast. This was 4,000 more than the previous city election in November 2017 election and only slightly less than the largest city election (40,000 votes in the 2015 mayoral/school board recall election).

This special election was the most expensive campaign in Lakewood history with outside special interests groups investing over \$700,000 to maintain control of Lake-

wood's development.

In contrast two citizen groups supporting Question 200 raised about \$13,000 in small donations from Lakewood residents resulting in an almost **42 to 1** imbalance.

In recent years there has been a growing disenchantment with the direction the special interests have taking the City.

The turning point was the 2013 change in growth management that removed limits on residential density and permitted conversion of

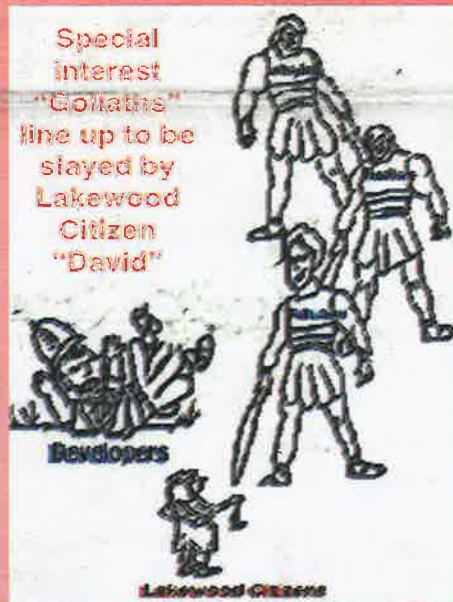
economically productive land uses (commercial, office, retail, etc.) to multi-family housing resulting in an population explosion.

When residents sought meaningful reforms to resolve the resulting overcrowding they were thwarted by the establishment that offered only cosmetic changes.

While Council "fiddled" with half-measures and hollow promises, "Rome burned" with scores of mega-apartment projects displacing service-providing and job-creating local businesses.

Citizens took matters into their own hands and petitioned for an ballot initiative on the November 2017 regular city elections. Realizing they would lose this election the mayor encouraged the special interests to sue to keep the initiative off the ballot. In addition to costing us legal fees, 18 months were lost while the courts rejected a series of desperate appeals.

For details of this David versus multiple Goliaths spending mismatch go to page two.



City Elections November 2019

The City's November 2019 mail election features a spirited race for mayor plus five Council seats that will determine the fate of future growth.

In addition the ballot will include questions about whether the City can regulate broadcast and trash hauling.

The City questions will be joined by the Jeffco School Board election for two seats.

There will also be a couple revenue enhancement questions related to funding the population explosion resulting from the over-development we have suffered in recent years.

At the state level, Colorado is seeking permission to keep the TABOR refunds due

to taxpayers. Jefferson County is also on the bandwagon for more revenue to fund what the Sentinel (August 8, page 17) described as "... **the need to keep up with an increasing demand for services because of population growth.**"

Watchdog readers will recognize that statement as being one of the key issues during the recent 200 special election. Opponents of 200 tried to argue more growth would yield more tax revenues.

200 supporters corrected those claims by noting newcomers require more government services which cost more than the additional tax revenue they bring in. This net loss then has to be made up by

existing residents.

Readers recall Lakewood had to retain its TABOR refunds last year. Furthermore current city revenues are coming in below last year's figures despite the continuing growth in population and increases in city expenditures.

Sources on the budget committee are predicting after the election the City will "borrow" money through use of "Certificates of Participation" to fund expansion of maintenance facilities.

Eventually after the City blows through the TABOR refunds and borrowings they will look into a tax increase in a few years to fund our growth.

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98 Wadsworth Blvd. #127-194
Lakewood, CO 80226



"David" Slays Multiple "Goliaths" (Summary of 200 Financing)

Committee	Donors	Phase 1 Fall 2017	Phase 2 July 2, 2019 special election campaign			Cumulative
			May 1 - 31	June 1-22	June 22-July 29	
Lakewood United						
	National Realtors	\$60,000	\$200,000	\$19,463		\$279,463
	Colorado Realtors (+Issues Mobilization)	\$12,500	\$25,000		\$25,000	\$62,500
	Contractors Association		\$25,000			\$25,000
	Colo. Apartment Association	\$50,000				\$50,000
	Denver Chamber (+ CO Econ. Ldrship Fund)	\$15,000		\$25,000		\$40,000
	Housing & Building Assn. (+Dream Alliance)			\$10,000		\$10,000
	Natl' Assoc. of Home Builders in D.C.				\$20,000	\$20,000
	Brookfield Residential (Rooney Valley)				\$10,000	\$10,000
	Other	<u>\$2,675</u>		<u>\$1,100</u>	<u>\$13,200</u>	<u>\$16,975</u>
	Total	\$140,175	\$250,000	\$55,563	\$68,200	\$513,938
Citizens For Sound Government						
	Citizens for Sound Government		\$39,125	\$40,000	\$13,432	\$92,557
Lakewood for Labor & Jobs						
	RMDCS LM Coop Fund Issues Comt.		Failed to report	\$48,168	\$38,000	\$86,168
Lakewood Consequences						
	Jeffco Economic Development Corp.*		Failed to report	\$11,332	\$0	\$11,332
	* Includes West Chamber & City funding					
Hispanic Chamber						
	Our Lakewood (local group)				\$2,000	\$2,000
	Associated individuals		\$575	\$1,899	\$185	\$2,659
Opponents TOTAL		\$140,175	\$289,700	\$156,962	\$121,817	\$708,654
Strategic Growth Initiative						
	Assorted individuals		\$2,497	\$3,035	\$445	\$5,532
Save Lakewood From Overdevelopment						
	Assorted individuals		<u>\$2,946</u>	<u>\$3,675</u>	<u>\$0</u>	<u>\$6,621</u>
Supporters TOTAL			\$5,443	\$6,710	\$445	\$12,598

Campaign Finance "Reforms" Fail First Test

Several months ago City Council changed the rules governing campaign financing. The proponents claimed the new "reforms" are now the "best" reporting program in the state and it will reduce the amount of special interest money buying city elections and eliminate "dark money".

However, just a few months after the new law became effective, the July 2 special election for *Question 200* was the first test of the new rules.

Instead of reducing the amount of special interest money flowing into Lakewood elections, it jumped seven fold. The previous record for an election campaign was the 2015 election of *Adam Paul* as mayor for over \$100,000. In the election for *Question 200* the opponents raised over

\$700,000 or about seven times more than the *Adam Paul* campaign.

In addition to setting a new record for special interest campaign money, the *200* election suffered the worst transparency of any City election (so-called "dark money").

There were eight "issue" committees contesting the *200* election (six opponents and two proponents). While the two proponents and one of the opponent groups (*Our Lakewood*) did report donors from individual donors, the five major funders (all opponents) didn't report individual donors.

For example the group *Citizens For Sound Government* reported receiving over \$90,000 from themselves. The group *Lakewood For Labor & Jobs* was not much better reporting receiving over

\$85,000 from a group called *RMDCS LM Coop Funds Issues Committee*.

The biggest player with about half-a-million dollar budget was *Lakewood United*. Almost every donation was multi-thousands from another "group".

For example, the National Realtors gave nearly \$280,000. Other donations included \$50,000 from the Colorado Realtors. The state contractors group gave \$25,000, *Denver Chamber* gave \$40,000 and the national builders gave \$30,000.

Although it's probably safe to assume developers donated to these "groups", the only developer actually identified was the Rooney Valley developer *Brookfield Residential* which gave \$10,000.

Slower Growth Initiative / Question 200 Fallout

Developer Retaliation?

Brookfield Residential (the developer of Solterra and Rooney Valley) informed the City that it will no longer make donations to Lakewood charities (including *Action Center*) until the City gives in to the developer's Rooney Valley proposals.

Developers Seek Exceptions

Developers have been bombarding the City with requests to be "grandfathered in". They are asking Council to "interpret" *200* to mean their current projects would not be subject to *200*'s rules.

Their strategy is to delay implementation of *200* until January 2020. The second part of their strategy is to win the November 2019 City elections. Once they have a compliant Council

in place then they can water down the *200* rules enough next year as to make them as meaningless as the current City growth control rules.

Taxes Used for Campaigning?

A fallout from *200* was a question raised as to whether Lakewood taxes were used to help fund the anti-*200* campaign. Every year the City "invests" \$20,000 in the *Jeffco Economic Development Corporation* (a private-public venture).

This corporation donated \$11,332 to *Lakewood Consequences*, an anti-*200* issue committee. Watchdog is investigating who authorized this expenditure and whether the co-mingling of public and private funds violates the state law prohibition against public funds being used to advocate for or against ballot issues.

Attempt to Monitor Watchdog

Another consequence of the *200* election was a reaffirmation of the 1st Amendment right of free press/speech in Lakewood. After the City passed a "campaign finance reform" bill, Councilor *Dana Gutwein* crowed on her Facebook page that the new law offered an opportunity for the City to monitor the *Lakewood Citizens Watchdog group*.

Accordingly, one of her supporters filed a "complaint" about our *200* election issue. The complaint had to be dismissed since under the 1st Amendment they can't regulate us no matter how much the establishment resents our newsletter. Therefore we can reassure whistle-blowers and supporters we will continue to protect them from retaliation.

Special Interests Seek to Maintain Control

Getting Around the Rules

Traditionally establishment candidates receive enough campaign donations from the special interests to spend several times as much as their independent opponents.

While this basic fact of political life hasn't changed, the new financing rules require the special interests to go to greater lengths to hide this fact. The new campaign financing rules limit donations to \$400 for Council and \$800 for mayor. This now makes it illegal for the **Home Builders Association** to keep giving the mayor a \$5,000 check (the previous limit).

To get around these limits, special interests created "independent expenditure committees" which have no limits on the amount of money that donors can give. These groups can



then spend as much money as they want to support a candidate.

In addition to getting around the contribution limits, the use of IECs also allows for dark money to remain anonymous. Donors can give to a separate group such as a PAC or trade association. These groups then give to the IECs. In this way the individual donors remain unknown.

An example of this process in 2017 was the **Leadership Lake-**

wood committee headed by a friend of the mayor. Of the \$58,925 raised by the group, the largest donation of \$35,000 came from a group called **Colorado Economic Leaders**. By the time the money passed through other accounts we don't know where this \$35,000 came from. This committee then spent the money to support three establishment candidates.

Another example was **Kyra deGruy's** first run for City Council in 2017. Local marijuana businesses donated to a group called **Responsible Lakewood** which supports marijuana retailing. This group then donated to another group called the **Lakewood Voter Information Project (LVIP)** headed by Adam Paul's former roommate who lives in Ft. Collins and had a marijuana business.

Eventually LVIP spent \$14,200 to support **deGruy** in her first bid for Council in 2017.

Special Interest Donors

Despite all these disguises we were able to identify some of the special interests who have previously donated to incumbents and perennial candidates now running.

Apartment Association

Adam Paul, mayor - \$1,000
Dana Gutwein, Ward 5 - \$500

Home Builders / Metro Housing

Adam Paul, mayor - \$5,000
Kyra deGruy, Ward 1 - \$2,500
Dana Gutwein, Ward 5 - \$1,500

Realtors / 5280

Adam Paul, mayor - \$750 in 2015
Dana Gutwein, Ward 5 - \$250 in 2015
Kyra deGruy, Ward 1 - \$2,500 in 2017

Lawyers and legal firms were big contributors to Paul's 2015 campaign

with at least \$7,400. Seven employees from the law firm of Squire Patton Boggs donated a total of \$1,800 to Paul. While this may seem generous, the firm received over \$18,000 from the City during a five month period (April to September 2015) for legal work related to the plan to buy 59 acres of the Denver Federal Center.

Some of the other 2015 donor groups were developers - \$11,475, building contractors - \$7,580, real estate interests - \$4,750, lobbyist/PR firms - \$5,150 and unions - \$6,800.

Partial list of Paul donors:

Laramie Company - landowner in Rooney Valley - \$700
Cardel Homes - \$500
United Partners - \$1,000
Bush Development - \$1,000
Martin & Martin - \$500
Antero Resources - \$700
Stevinson's Associates - \$1,000
CRL Associates (lobbyist) - \$1750

In addition to the over \$100,000 raised during his 2015 mayoral campaign, Paul raised another \$7,300 AFTER the election. On the finance disclosure report filed the end of October 2016, Paul reported the following donations from special interests:

\$1,000 - **Waste Management**
\$1,500 - **Greg Stevinson** - developer behind the 3 Dinos proposal,
\$500 - **AB Hirschfeld**
\$500 - **Comcast** - holder of no-bid monopoly on Lakewood cable.

In addition several lobbyists for developers made contributions AFTER it was clear Paul had won including **Seward Haufing** (\$1,000) and **Larimer Associates** (\$500).

You can view campaign Finance Reports online at www.lakewood.org. Click on Home-City Clerk-Elections-Campaign Resources and Information-Submitted Campaign Reports.

Finance Reporting Violation Complaint

In the category of you have to appreciate the irony, comes this story about two friends running for City Council.

Ward 5 Councilor **Dana Gutwein** boasted on Facebook that her membership on the campaign finance subcommittee led to Lakewood's rules being "the best in the state".

About a month after Gutwein's boast, a campaign finance violation was filed, under the previous rules, against her political ally - failed Ward 1 candidate **Kyra deGruy**. The complaint notes deGruy used her 2017 donors' campaign contributions to give \$2,000 to Gutwein.

The documentation accompanying the complaint shows deGruy gave Gutwein \$2,000 in December 2017, a month AFTER the 2017 election. The timing meant it was done AFTER the last 2017 campaign report was due.

The actual admission was not made until November 2018, over a year after the election and during a period in which observers are not paying attention.

The complainant questioned why this action was reported so late, wondering whether this may have been an effort "... of the candidates to disguise the 'pass through' of campaign contributions made to **Kyra deGruy, Ward 1 to support the candidacy of Dana Gutwein, Ward 5 in the upcoming 2019 election.**"

What's interesting is the rationale deGruy gave for this payment. She says this payment was for "consulting" provided by Gutwein. A review of the Colorado Secretary of State's records raises questions about this "expense".

Gutwein created a "consulting" business in February 2015 when she was running for office. The SOS records show this "business" was terminated in 2016 and the business name was assumed by another person in April 2017.

Despite the SOS declaring Gutwein's consulting business defunct in 2016, deGruy gave her "consulting fees" in late 2017.

We don't know if Gutwein claimed the money as a personal income for IRS purposes.

Election 2019 - Five City Council Races

Of the five City Council seats up for election (one from each of the five wards), four involve the re-election of the incumbent. In Ward 2 there was no challenge to incumbent **Sharon Vincent**.

In Ward 1, incumbent **Charley Able** is facing a challenge from serial candidate **Kyra deGruy** on her second try.

In Ward 3, former Planning Commission Chairman **Henry Hollender** is facing local attorney **Anita Springsteen** to

replace Peter Roybal, who is term-limited.

Incumbent **Barb Franks** is facing newcomer **Christopher Arlen** in Ward 4.

In Ward 5 incumbent **Dana Gutwein** is challenged by **Chad Gardner**, the youngest person to run for Council.

Able vs. deGruy

The young millennial is back for a second bite at the apple. After failing to defeat the popular **Ramey Johnson**, deGruy's liberal supporters are hoping that having lived in the City for more than three years, Ward 1 residents will now accept her.

A Lakewood resident for over 30 years, Able retired after a career as a reporter for the Rocky Mt. News. Able is currently serving as mayor Pro-tem (#2)

The picture of a rocket burst on Able's yard signs is to remind voters of his role in resurrecting the City's July 4th fireworks celebration.

In her 2017 run deGruy raised \$27,460 and an independent expenditure committee (see page 3) raised another \$17,200 for a total effort of \$44,660.

Although her side spent over \$13 per vote she lost by four points. The excess funds allowed her to help Gutwein (story bottom page 3).

Gutwein vs. Gardner

Mayor Paul's favorite councilor won election four years ago seeking to represent Lakewood's upcoming younger voters. So it is ironic that her younger challenger is taking a page from her play book and is presenting himself as the voice of change.

Tapping into the same liberal money sources as deGruy the Ward 5 incumbent has already raised over \$15,000.

In her first election, Gutwein took contributions from special interests including Home Builders (\$1500), Apartment Assoc. (\$500) and Realtors (\$250).

Although the establishment has never lost an election in Ward 5, Gutwein's first win was only by half a point against an relative unknown.

In this summer's special election, the supporters of slower growth received over 49% of the vote.

Preliminary Campaign Financing Summary (through the beginning of September 2019)

	Adam Paul	Ramey Johnson	Charley Able	Kyra deGruy	Henry Hollender	Springsteen	Chris Arlen	Barb Franks	Chad Gardner	Dana Gutwein
Beginning Balance	\$2,693.48	\$0.00	\$1,547.80	\$6,308.26	\$1,620.84	\$0.00	\$0.00	\$571.67	\$0.00	\$6,091.65
Contributions										
Monetary	\$33,635.30	\$16,337.00	\$2,545.00	\$8,680.48	\$3,820.00	\$3,205.00	\$360.23	\$5,420.03	\$1,887.04	\$11,436.58
In-Kind	\$518.00	\$0.00	\$388.78	\$204.22	\$289.50	\$39.00	\$0.00	\$150.00	\$225.00	\$0.00
Total	\$34,153.30	\$16,337.00	\$2,933.78	\$8,884.70	\$4,109.50	\$3,244.00	\$360.23	\$5,570.03	\$2,112.04	\$11,436.58
Expenditures	\$11,058.38	\$3,634.19	\$1,565.98	\$8,317.92	\$2,774.88	\$1,237.84	\$943.67	\$536.61	\$1,063.39	\$6,285.50
Ending Balance	\$25,270.40	\$12,702.81	\$2,526.82	\$7,095.82	\$2,615.96	\$1,967.16	-\$583.44	\$5,455.09	\$823.65	\$11,242.98

Ward 3 City Council Race - Hollender vs. Springsteen

Henry Hollender

A retired engineer, **Henry Hollender** 66, has served for eight years on the *Lakewood Planning Commission* (see story below), including two years as the Chair.

He supported the revision to the City's zoning codes in 2012 that permitted the conversion of economically productive properties to multi-family housing through the use of a new Multiple-Use Zone.

An example of this conversion is the effort to turn White Fence Farm into multi-family apartments.

Although he generally follows the establishment line, he claims to have occasionally voted independently. Henry is endorsed by unions and local democrats.

Opposed to 200/Strategic Growth Initiative, as Chair of the Planning Commission, he has been supportive of efforts to build more housing.

Anita Springsteen

The local attorney and mother of two has family roots in the area going back to 1949.

Involved with the Strategic Growth Initiative, Ms. Springsteen is a former neighborhood association President.

A neighborhood activist she has been involved in the Lasley Park renovation, group homes, and the local library.

Ms. Springsteen seeks to fight crime by reducing the

overcrowding resulting from the City's policy of encouraging more people to move here.

THE SECRET OF FREEDOM LIES IN EDUCATING PEOPLE. WHEREAS THE SECRET OF TYRANNY IS IN KEEPING THEM IGNORANT.

-G. WILKINSON



The Whole Story

Murphy's Intervention For Hollender

City Council uses a five member (one from each ward) subcommittee to interview candidates for appointment to Boards and Commissions. 99% of the time the full Council accepts the screening committee's recommendations.

Former Mayor **Bob Murphy** insisted on sitting in on the committee's interviews of Planning Commission candidates. He would then give input and suggestions. In every case the screening committee would follow Murphy's direction.

However, In late 2011 Murphy missed the committee interviews for a person to fill an "at-large" position on the Planning Commission. Without the mayor's input the committee reached a consensus on a specific candidate.

When Murphy returned to town and found out what the committee had done he asked the committee chair to overturn that choice and select **Henry Hollender** instead.

The subcommittee chair complied and called each committee member and asked them to reverse their vote and approve Hollender. The phone survey was a 4-1 vote to change the recommendation to Hollender.

Under Colorado law (including the Open Meetings Act) all votes by a government body, such as this subcommittee meeting, are only legal IF conducted in a public meeting. One-on-one telephone conversations and polling are specifically illegal. Only votes taken in a public meeting with the voting members present to be able to physically lobby each other are considered legal.

This did not stop Murphy. He had the committee declare Hollender was their recommendation. When one of the screening committee members, then-Ward 4 Councilor **David Wiechman**, protested that was not what actually happened, Murphy had his Council "cure" the problem by ratifying his choice of Hollender for at-large commissioner.

Election 2019 - Mayoral Race

Incumbents' Voting Records

Candidates tend to say pretty much the same visions and promises. Since some Council candidates are newcomers there is not much we can evaluate. However we did review the voting records of the six incumbents running.

Since the mayoral candidates, **Ms. Ramey Johnson** and **Mr. Adam Paul** are the longest serving members they have longer voting records.

The four City Council candidates running for re-election only have a four year voting record. Ward 2's **Sharon Vincent** is running unopposed so we did not examine her record.

Open Space - the proposed giveaway of open space parts of Hutchinson Park (2090 S. Wright St.) without public vote.

Mayor - Ramey Johnson - opposed

Mayor - Adam Paul - supported

Ward 4 - Barb Franks - opposed as citizen

Fiscal Responsibility 1 - spending taxpayer dollars on lawsuit defending the attempted park giveaway listed above.

Ramey Johnson - opposed

Adam Paul - supported

Managing Growth - Council loosened the zoning rules in 2013 to encourage more high-density development.

Mayor - Ramey Johnson - opposed

Mayor - Adam Paul - supported

Ward 3 - Henry Hollender - supported on Planning

Fiscal Responsibility 2 - awarding legal services contract to city insider without a competitive bid.

Mayor - Adam Paul - supported

Mayor - Ramey Johnson - opposed

Transparency - increase range of re-zoning public notices.

Mayor - Ramey Johnson - supported

Mayor - Adam Paul - opposed

Ward 1 - Charley Able - supported

Ward 4 - Barb Franks - supported

Ward 5 - Dana Gutwein - opposed

200 / Strategic Growth Initiative - ballot question to implement citizens' initiative to slow growth.

Ward 1 - Charley Able - no position

Ward 4 - Barb Franks - no position

Ward 5 - Dana Gutwein - no position

Mayor - Ramey Johnson - no position

Mayor - Adam Paul - led opposition to 200

Denver Federal Center - acquisition of the contaminated 59 acres on the NW corner of DFC for urban development.

Mayor - Ramey Johnson - opposed

Mayor - Adam Paul - supported

Denver Federal Center 2 - request to the Feds to donate the 59 acres of NW DFC for open space.

Mayor - Ramey Johnson - supported

Mayor - Adam Paul - opposed

Ward 1 - Charley Able - supported

Ward 4 - Barb Franks - opposed

Ward 5 - Dana Gutwein - opposed

Rooney Valley - proposed modifications to Rooney Valley master plan to slow development.

Mayor - Ramey Johnson - supported

Mayor - Adam Paul - opposed

Ward 1 - Charley Able - supported

Ward 4 - Barb Franks - supported

Ward 5 - Dana Gutwein - opposed

Public Involvement - proposals to put storm water fee increase & Rooney Valley master plan to a public vote.

Mayor - Ramey Johnson - supported

Mayor - Adam Paul - opposed

Approval of Big Sky Special District - creation of developer's special district to develop Rooney Valley.

Mayor - Adam Paul - supported

Mayor - Ramey Johnson - absent at conference

Development Management - a proposed six month moratorium on new high-density apartment projects.

Mayor - Ramey Johnson - supported

Mayor - Adam Paul - opposed

Who is a Career Politician?

Adam Paul has held elective office for the past 18 years (GM water district, City Council and mayor). This constitutes almost half his entire life and over three quarters of his working career.

Ramey Johnson held two elective offices (state legislature and City Council) for a total of 10 years over two decades. Previously she had a 40-year career in nursing.

Sustainability Issues

Readers asked us to investigate Johnson's position on Lakewood's Sustainability Plan. When the Plan was originally proposed, Ramey recognized the need to fight climate change and supported the plan's environmental goals but as a believer in individual rights could not support the part calling for **mandatory** single trash hauler. She prefers managing growth as the best way to ensure sustainability.

Media Questions Paul's Role in Vote Delays

In 2017 Channel 2 TV News ran a story raising questions about the role Mayor **Adam Paul** played in the 18-month effort to prevent citizens from voting on the growth limitation initiative.

The TV story questioned whether the Mayor used his office to recruit opponents to the strategic growth measure. The report shown messages from the mayor's city email account to the developer lawyer who filed the legal "protest" which delayed voting until July 2019.

Watchdog has reviewed and can confirm these emails between Paul and the opponents' lawyer. A copy is available for review on our website (www.lakewoodwatchdog.net).

Since their lawyer is currently appealing the validity of the election we don't know what will be the final bill to the taxpayers. The City's legal bills are in addition to the actual election costs.

Johnson's Donors

Watchdog and other observers have long noted Adam Paul's heavy reliance on special interest donors to fund his efforts to overwhelm his in-

dependent and grassroots opponents (see stories on page 3 and 4).

In interest of fairness we took a look at Ms. Johnson's contributions to see what role special interests have played in funding her run for mayor.

Although we could not find any donations from the traditional special interests we did find a \$1,000 donation in 2015 from a group called **Community Leaders of America**. In addition there were a couple \$1,000 checks from individuals such as former CCU President **Bill Armstrong** and local businessman **Blackwell**. The rest of her donations appeared to be under \$1,000 and from individuals.

2019 Election - Other Local Issues

1A - Jeffco's De-TABOR Ballot Issue

Overdevelopment has claimed another victim. Jefferson County is suffering the same explosive growth as Lakewood and now needs more money from its citizens.

Jeffco put an issue (1A) on November's ballot to allow the county to keep the TABOR refunds that are due to its citizens.

The website supporting 1A summarizes the problem, "**A Real Strain on Jeffco's Budget. Colorado's population is growing. Jeffco is experiencing increases in crime, traffic, development and housing.**"

TABOR limits Jeffco revenue growth to an amount equal to inflation plus population growth.

As was noted during the Question 200 debate increasing the population puts additional demands on local government. Unfortunately the additional costs are higher than the additional

revenues the new residents bring in.

Rather than follow Lakewood's example of trying to control growth, Jeffco is falling back on the traditional solution of increasing revenues from the current residents.

The standard PR strategy for getting voters to give the government more money is to claim it is for public safety, roads and parks. Accordingly the issue committee the establishment formed to pass 1A is called "*Keep Jeffco Safe*". The group's main argument is if JeffCo doesn't get more money then the Sheriff will have to let criminals out of the county jail.

Unlike the Lakewood approach, which designated where the new money could be spent, this measure allows the money to be spent "... *providing services traditionally offered by JeffCo and other county governments and statutorily required services*".

Since everything the County funds is to "provide services to the people of Jeffco" the excess money can be spent on whatever two of the three commissioners decide on.

The ballot language specifying the time frame is confusing. On the one hand it allows property taxes to be increased up to the current authorized mil levy of 21.478 for the period of 2020 through 2026 (7 years).

It further states after 2027 Jeffco can keep any non-property tax revenues that exceed the TABOR limits.

1A proposes to limit the amount of funds retained to \$16.1 million dollars.

Jeffco figures this year's TABOR refund would reduce the average home-owner's property tax by **\$105**. The opponents figure losing the TABOR refund would be equivalent to a **18% increase** in an homeowners' tax burden.

Jeffco R-1 School Board

In addition to the City, County and State issues, November's ballot will include election of two new members of the School Board.

In District 3, *Stephanie Schooley* faces *Robert Applegate*.

In District 4, *Joan Chavez-Lee* faces *Susan Miller*.

For additional election information:

Jefferson County - www.jeffco.us
Support 1A - KeepJeffcoSafe.com
Oppose 1A - Jeffcotaxhike.com
School - www.jeffcopublicschools.org

Influence of Special Interest Money

Since Jeffco does not have any contribution reporting requirements we are unable to find out where all the pro-1A donations came from.

The State of Colorado reporting rules don't require the first report to be filed until October 15, after the ballots have been mailed out.

Since the establishment knows these elections are coming they can organize a support campaign early. With only a couple months notice of the ballot issues opposition groups usually don't have sufficient time to get organized.

Supporters - Usual Gang

In a classic *you scratch my back and I'll scratch yours*, Mayor *Adam Paul* and local establishment "leaders" have endorsed Jeffco 1A.

Recall Jeffco Commissioners *Lesley Dahlkemper* and *Libby Szabo* appeared in TV commercials opposing the Lakewood citizens' slow growth initiative (200).

Other pro-development supporters include Rooney Valley developer *Greg Stevinson*, Morrison Mayor *Sean Forey*, Jeffco EDC, the *West Chamber*, *Jerry Natividad*, and the *Colorado Contractors' Association*.

The Whole Story

Jeffco Refuses to Recover Loan Made to Rooney Valley Developers

Another example of the negative consequences of the current overdevelopment boom is JeffCo's efforts to facilitate development of Rooney Valley by offering financial support to developers.

The development of Solterra and the upper Rooney Valley depended upon building an highway interchange at Alameda and C-470. However the State of Colorado did not see this development as a priority for state transportation spending.

Since the state would not build their interchange for them the establishment used its control of the local governments to get JeffCo and the City to use public money to fund the interchange.

Jeffco (\$6 million) and the City

(\$3 million) "lend" money to **Green Tree**, a special district created by a developer group led by *Greg Stevinson*, to build the interchange. The interchange has been a boom for the special interests with the developer's adjacent properties increasing in value.

In 2007, Green Tree "promised" to repay the city and county. To date nothing has been repaid and the matter was forgotten until recently when Lakewood and Jeffco starting asking voters for more money.

Instead of losing their TABOR refunds, citizens began demanding the developers (**3 Dinos**) repay the "loans" and the applicable interest (*amount due to Jeffco is now over \$10.6 million*). However, instead

of suing to recover anything from Green Tree at this time, Jeffco decided to give the developers up to 45 years to repay the loans.

However the repayments are NOT to come from the developers but rather from new property taxes to be levied on new residents.

To make matters worse, the developers are trying to use a legal settlement agreement to secure permission to expand their special district beyond its originally authorized boundaries and purposes.

By exploiting the legal settlement they seek to avoid the legally required public hearing and vote by the oversight government body which they fear might not give them their usual rubber stamp.

Government Control of Trash Haulers

For the past couple years Watchdog has warned readers the City was going to choose your trash hauler.



While the goal of government control never wavered, the establishment's problem was to find some way to avoid the term "single hauler". The solution to this marketing problem was to call it something else. They settled on euphemistically calling it - "a contracted system for residential waste collection services."

The City is now ready to complete the final phase. On the November ballot will be a question asking for voter authorization to allow the City to mandate all citizens use a private trash hauler the City will select for them.

The actual ballot language starts off with an aspirational vision state-

ment before going into the legal powers clause. "Shall the City be **authorized to contract with one or more private waste haulers and to impose fees on such residential property owners....**"

No Details Available

We can NOT answer your questions about how much the new service will cost you. The details of how the service will work will be determined by City Council **AFTER the proposal is approved**. Voters will have pass the measure in order to learn what it actually entails.

Loss of Individual Choice Versus Fewer Trucks?

To avoid the "single" hauler plan being characterized as a monopoly the proposal envisions dividing the city into three districts (although this is NOT required).

The City will choose a private hauler to be the sole provider for the residents of each of these districts. While each individual sector will be a monopoly, theoretically there could be as many as three private monopolies operating in the city as a whole.

It is also theoretically possible all districts might end getting the same private contractor.

All residents (except for HOAs, apartments and properties with more than seven units) would be required to pay the chosen hauler.

The City's website states, "According to Colorado state law, **residents have the right to hire their own company for waste hauling services even if the city has a con-**

tracted system; however, those residential property owners would still be required to pay a fee into the contracted system."

One of the proposal's major purported purposes is to eliminate multiple haulers. Since everyone will have to pay the designated vendor the vast majority of people will probably use the company the City chooses for them.

However individuals can still use their own provider. If just one person chooses to pay the double costs of two vendors then there could still be multiple trucks on neighborhood streets.

The program's stated goals are to encourage more recycling, reduce the number of trucks on local streets and lower prices through volume discounts.

At this time, the City is not giving any clues as to whether it would be involved in billing homeowners.

Other Alternatives?

When Adam Paul tried to save the establishment's failing effort to stop the citizens' slow growth plan, his strategy was to concede the over-development problem but claim 200 wasn't the **best** solution. He tried to imply there were better ways to solve overdevelopment but could not explain why he didn't actually implement them during his first term.

Opponents of City management of trash hauling are making a similar argument. They question whether City regulation of trash hauling is an unnecessary expansion of the role of government into the economy and the lives of citizens.

An alternative option is for the City to collect data on trash haulers and put it on a website that consumers could access to help make their own choices.

Another option is for neighborhood groups to contract with haulers to offer volume discount rates for their residents participating in their service.

More Work for City Council & Staff

The City's website states:

City Council members would "have more oversight of these companies and how they operate .."

City Council would "determine how many companies would receive a contract".

After the initial three-year contract, "... City Council would decide whether to renew the contract or open a new bidding process."

The plan envisions City "staff" sending out requests to all private vendors and then deciding which private contractor will be awarded

the sole contract for that sector.

While actual customer service will still be handled by company staff, they will have to provide city staff with logs of all disputes, complaints and resolutions.

Loss of Competitors

Opponents are concerned trash haulers are already being discouraged from offering service to Lakewood. They note in the past year, while this proposal was making it's way through the political process, several local companies have sold out to the major out-of-state companies.

Integrity Concerns

Some cities with government control over waste hauling have experienced corruption problems.

Perhaps anticipating the City might take choice away from citizens some companies have already made campaign contributions.

Waste Management donated \$1,000 to Adam Paul's 2015 mayoral campaign (in 2016, several months **AFTER his election**).

Republic Trash donated at least \$500 to "sponsor" the Mayor's Annual *State of the City* luncheon. These proceeds were donated to charities favored by the mayor.



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Council Pay Raises

City Council voted to give themselves a **22% pay raise**. Of the incumbents running for re-election Mayor *Adam Paul*, *Sharon Vincent* (running unopposed), and *Dana Gutwein* supported the pay raise idea.

Opposing an raise was *Ramey Johnson* (mayoral candidate) and *Charley Able* (Ward 1). Ward 4 incumbent *Barb Franks* expressed mixed sentiments.

To avoid the pay raise becoming an election issue the final vote was postponed until October after the ballots had been mailed out.

Union Blvd. Plan

When Ward 4 residents complained about overdevelopment on the west side of town, the City proposed creation of a "neighborhood plan" for the Union Blvd. Corridor.

The current development plan is to double the population living within a couple blocks of the corridor. The current zoning allows unlimited residential density, multi-family housing and the highest building heights in the city. For example on the contaminated Federal Center property north of the RTD station buildings could go as high as 13 stories.

The vision is to create a Manhattan style canyon of high rises, like Beacon 85, lining both sides of the street. The proposal to build a 358 apartment building at 66 Van Gordon, behind Beacon 85 where the Park Service offices are currently located, was approved before 200 passed.

When participants requested residential densities be reduced they were told those types of changes were "outside the scope" of the study. Instead attendees were directed to focus on just cosmetic aspects.

The Whole Story

What Happened to TABOR Refunds?

One of the consequences of the overcrowding that comes from over-development is increased crime.



During the 2018 debate on Lakewood's de-TABOR vote, proponents said the money would go to open space/parks, public safety and roads. The first two years of the ten-year plan has yielded \$20 million (*equal to an average of \$130 per person*).

In order to "keep the promises made" while freeing up funds for social programs, the City is engaged in creative "interpretation" of how the TABOR money can be spent.

For example, a third of the funds are committed to "public safety". The average voter interprets this to be for police. In order to use some of this public safety money for social welfare

programs the police department hired "Navigators" (non-officers) who will counsel the homeless on how to use the public welfare system.

Another example is many voters voted for the de-TABOR on the promise money will be used to mitigate over-development by buying land for "open space". A year later no open space has been purchased and the money sits in a savings account.

Furthermore, the City is spending some of this money on park maintenance previously funded out of the Community Resources budget.

The question arises is what new programs will the City spend the money "freed up" from TABOR. While details haven't been released yet, Council is forming a "housing committee" to devise plans to address homelessness and affordable housing.

City Manager Gets Pay Raise

The City Manager once again got a pay raise of 3% plus inflation for a base salary of about \$250,000. Every year Council awards the maximum pay increase they are legally allowed to give.

Developers Attack Water District

On the west side, several developers are continuing their efforts to build over the open areas of Rooney Valley.

Their stumbling block is the Green Mtn. Water District Board protecting its citizens by only operating within their district boundaries. The developers want the district to assist them with their plan to create a private sewer-provider business in unincorporated areas west of the highway. When the Board refused to comply the developers resorted to legal threats.

In a secret meeting developers tried to entice Solterra to be a party in their lawsuits. This scheme was foiled when residents found out and demanded the HOA Board not waste money supporting the developers.

Although the water district is just shielding their citizens the lawsuits are pressuring the water district with the threat of wasting citizens' money defending against their attempt to make a public entity support the profit interests of developers.

However, the developers' strategy will backfire if they actually go to court and are forced to answer questions about their business dealings in the "discovery" process.

President's Message

Knowledge is Power. To exercise their ballot power voters should know what's going on. The establishment ensures voters (& officials) get their message with the city's PR machine (TV channel, newsletter, website) and media just prints their press releases.

Watchdog provides what Paul Harvey called "the other side of the story". Combined with official news our exposes give voters "the whole story".

To maintain control of "the message" they seek "to kill the messenger". After legal efforts failed they are resorting to personal attacks on anyone associated with us.

In an recent effort to discredit me personally, I was publicly called a "racist". Some people today claim anyone who doesn't agree with them must have impure motives. Since Americans aren't required to prove their innocence I'm not going to rise to this bait and play their games.

Beware Ballot Harvesters

We have received reports in recent elections the establishment used its money advantage to hire people to knock on doors posing as "campaign volunteers".

The most disturbing concern is "volunteers" are "harvesting" ballots - meaning they offer to hand deliver your ballots so you don't have to mail it in. They can "deliver" up to 10 ballots at a time.

DON'T give your ballot to anyone. To ensure integrity it's best to either mail it or if you don't trust the post office (or can't afford the stamp) go to city hall and put it in the locked ballot box.