

March 19, 2026

Kiplund Kolkmeier  
3933 Inca St.  
Denver, CO 80211

***Re: City Clerk's Determination of Validity of Complaint Filed Against Green Mountain Water and Sanitation District***

Mr. Kolkmeier ("Complainant"),

This office received your campaign finance complaint dated March 16, 2026 (the "Complaint") against Green Mountain Water and Sanitation District (the "District") that generally alleges that the District violated Colorado Revised Statutes (C.R.S.) § 1-45-117(1)(a)(I) by "[u]sing public funds to influence a local ballot issue." The Complaint also generally alleges that the District failed "to register as an issue committee and disclose expenditures pursuant to 2.54.030 [and] 2.54.040." Thus, the Complaint alleges violations of both the C.R.S. and Chapter 2.54 of the Lakewood Municipal Code (the "Code").

**IDENTIFICATION OF ALLEGATIONS**

The Clerk will analyze the Complaint as follows: Allegation 1 shall be that the District violated C.R.S. § 1-45-117(1)(a)(I) by convening and holding a special meeting on March 3, 2026; Allegation 2 shall be that the District violated C.R.S. § 1-45-117(1)(a)(I) by sending the complained-of mailers; Allegation 3 shall be that the District violated C.R.S. § 1-45-117(1)(a)(I) by including the same allegation of negative impacts from the Lakewood Zoning Reform Ordinances on its website; Allegation 4 shall be that the District violated the Code by failing to register as an issue committee and disclose expenditures after convening/holding the special meeting on March 3, 2026; Allegation 5 shall be that the District violated the Code by failing to register as an issue committee and disclose expenditures after sending the complained-of mailers; and Allegation 6 shall be that the District violated the Code by failing to include required disclaimers on its website and mailers.

**STANDARD OF REVIEW**

As the City Clerk, per Code section 2.54.050(B)(1), after a complaint is filed it is my responsibility to determine whether the complaint is valid. In this case, the determination of validity depends, pursuant to Code sections 2.54.050(B)(1)(a-c), on whether the complaint: (a) was timely filed under this code; (b) specifically identifies one or more violations of this code; and (c) alleges/contains sufficient facts to support a factual and legal basis for the finding of violations of law as alleged.

**I. Analysis of Code section 2.54.050(B)(1)(a)**

Code section 2.54.050(B)(1)(a) provides: "A complaint is valid if it: (a) Was timely filed under this code;" Code section 2.54.050(B)(1) provides that a written complaint must be filed "no later than 120 days after the date of filing of the report containing the alleged violation."

**Allegation 1:** The Complaint does not describe how Allegation 1 complies with Code section 2.54.050(B)(1)(a), but the Clerk notes that the Complaint alleges the meeting was held on

March 3, 2026, which is within 120 days of the date the Complaint was filed, and **Allegation 1 therefore satisfies the requirements of Code section 2.54.050(B)(1)(a).**

**Allegation 2:** The Complaint does not describe how Allegation 2 complies with Code section 2.54.050(B)(1)(a), but the Clerk notes that the complained-of mailers reference the April 7<sup>th</sup> special election. The Lakewood City Council called the special election on January 26, 2026, meaning the mailings necessarily must have been sent out after January 26, 2026, which is within 120 days of the date the Complaint was filed, and **Allegation 2 therefore satisfies the requirements of Code section 2.54.050(B)(1)(a).**

**Allegation 3:** The Complaint does not describe how Allegation 3 complies with Code section 2.54.050(B)(1)(a), but the Clerk notes that this allegation relates to a publicly viewable posting on the District's website. Upon review of the website in question, the Clerk notes that the website includes an embedded posting of the District's March 3<sup>rd</sup> town hall meeting. As such, Allegation 3 can be reviewed similarly to Allegation 1, and **Allegation 3 therefore satisfies the requirements of Code section 2.54.050(B)(1)(a).**

**Allegation 4:** The Complaint does not describe how Allegation 4 complies with Code section 2.54.050(B)(1)(a), but the Clerk notes that this allegation relates to a meeting that occurred on March 3, 2026. Pursuant to Code section 2.54.030(B)(1), an "issue committee shall register with the City Clerk within ten calendar days of accepting or making contributions or expenditures in excess of \$200.00 to support or oppose any...ballot question..." Thus, if Allegation 4, is valid, which will be discussed below, the District would have been required to register as an issue committee no later than March 13, 2026, which is in 120 days of the date the Complaint was filed. **Allegation 4 therefore satisfies the requirements of Code section 2.54.050(B)(1)(a).**

**Allegation 5:** The Complaint does not describe how Allegation 5 complies with Code section 2.54.050(B)(1)(a), but the Clerk again notes that the mailers could only have been sent out after January 26, 2026, based on the fact that they reference the special election to be held on April 7, 2026. Thus, the earliest date the complained-of mailers could have been sent out is January 27, 2026, meaning that under the analysis of Code section 2.54.030(B)(1) above, the District would have been required to register as an issue committee by February 6, 2026, assuming Allegation 5 is valid, which will be discussed below. February 6, 2026, is within 120 days of the date the Complaint was filed, and **Allegation 5 therefore satisfies the requirements of Code section 2.54.050(B)(1)(a).**

**Allegation 6:** The Complaint does not describe how Allegation 6 complies with Code section 2.54.050(B)(1)(a), but the Clerk notes that Code section 2.54.030(B)(4)(a) requires issue committees making expenditures of \$200.00 or more on communications supporting/opposing a ballot question to include on such communications a disclaimer identifying the name of the issue committee making the expenditure. Thus, Allegation 6 primarily relates to the same issue committee registration requirements for Allegation 5 discussed above. **Allegation 6 therefore satisfies the requirements of Code section 2.54.050(B)(1)(a).**

## **II. Analysis of Code section 2.54.050(B)(1)(b)**

Code section 2.54.050(B)(1)(b) provides: "A complaint is valid if it: (b) Specifically identifies one or more violations of this code;"

**II(A). Analysis of Allegations 1, 2, and 3:** The Complaint alleges that the District violated C.R.S. § 1-45-117(1)(a)(I)(B) by holding a meeting, sending out mailers to residents within the District,

and creating a website posting. Code section 2.54.050(B)(1)(b) provides that a complaint is valid if it (emphasis added): “[s]pecifically identifies one or more violations of **this code**.” The reference to “this code” unambiguously refers to Chapter 2.54 of the Lakewood Municipal Code, entitled “CAMPAIGN AND POLITICAL FINANCE IN MUNICIPAL ELECTIONS.” C.R.S. § 1-45-117(1)(a)(I)(B) is not contained within Chapter 2.54 of the Lakewood Municipal Code, and thus, Allegations 1, 2, and 3 do not identify one or more violations of the Code. **Allegations 1, 2, and 3 are therefore DISMISSED.**

**Clerk’s Note:** The Complaint consists of two parts: the Campaign Finance Complaint Form, which is a City Clerk’s Office form that the Complainant filled out via hand, and the Campaign and Political Finance in Municipal Elections Complaint, which is a typed document submitted by the Complainant. The Campaign Finance Complaint Form provides a general explanation of the allegations as follows:

C.R.S. 1-45-117(1)(a)(I)(B) Using public funds to influence a local ballot issue.

Failure to register as an issue committee and disclose expenditures pursuant to 2.54.030 [and] 2.54.040.

Of note, the Campaign Finance Complaint Form contains the only references to Code sections 2.54.030 and 2.54.040, and refers to each generally even though each section cited contains numerous subparts that are not specifically referenced in the Complaint documents.

Neither Complaint form specifically identifies which cited Code sections apply to which issue committee allegation, leaving it to the Clerk to interpret. Despite this, the Clerk acknowledges that transparency in campaign finance matters is of utmost importance, and that pursuant to Code section 2.54.050(C)(5), the City Clerk is authorized to initiate a complaint, meaning that the Clerk would be authorized to bring forward his own complaint based on any of the allegations raised in the Complaint. As such, the City Clerk will perform a thorough review of each allegation in the Complaint against any relevant sections of Code cited in either complaint document, along with any referenced but not cited sections of Code, to determine whether the District has committed a violation.

**II(B). Analysis of Allegations 4 and 5:** The Complaint generally alleges violations of Code sections 2.54.030 and 2.54.040. The Clerk notes, that as relates to issue committees, Code section 2.54.030(B)(1) imposes registration requirements capable of being violated. Further, the Clerk notes that Code section 2.54.040(A)(1)(i) requires issue committees to file reports. Both Code sections are capable of being violated and **the Complaint therefore satisfies Code section 2.54.050(B)(1)(b) as relates to Allegations 4 and 5.**

**II(C). Analysis of Allegation 6:** Again, the Complaint generally references Code section 2.54.030. The Clerk notes that Code section 2.54.030(B)(4) contains disclaimer requirements for issue committees that are capable of being violated, and **the Complaint therefore satisfies Code section 2.54.050(B)(1)(b) as relates to Allegation 6.**

### **III. Analysis of Code section 2.54.050(B)(1)(c)**

Code section 2.54.050(B)(1)(c) provides: “A complaint is valid if it: Alleges/contains sufficient facts to support a factual and legal basis for the finding of violations of law as alleged.”

**III(A). Analysis of Allegations 4 and 5:** The Complaint alleges that the District failed to register as an issue committee and disclose expenditures pursuant to Code sections 2.54.030 and 2.54.040. While not explained in the Complaint, presumably the allegations are that the District was required to register as an issue committee after incurring expenses related to: 1) the special meeting convened/held on March 3, 2026, which the Complaint alleges was “for the purpose of presenting allegations of the negative impact resulting from the Lakewood Zoning Reform ordinances”; and 2) the mailers sent to all residents of the District that the Complaint alleges included allegations of negative impacts resulting from the Lakewood Zoning Code Reform Ordinances. Code section 2.54.030(B)(1) requires an issue committee to register within ten calendar days of expending more than \$200.00 to support or oppose any ballot question. Code section 2.54.020 defines “issue committee,” in relevant part as:

*Issue committee* means any person, other than a natural person, or any group of two or more persons, including natural person:

(l) That has a major purpose of supporting or opposing any ballot issue, or ballot question; and...

The Clerk determines that the District, as a quasi-municipal corporation and political subdivision that provides water and sewer service to residents does not have a “major purpose of supporting or opposing any ballot issue, or ballot question.” The District’s “major purpose” is the provision of the services it is statutorily obligated to provide to its customers, and any statements it makes in support of or against a ballot question are merely incidental to the District’s major purpose of providing its services. Therefore, the Complaint does not allege sufficient facts to support a factual and legal basis for the allegation that the District is required to register as an issue committee and **Allegations 4 and 5 are DISMISSED<sup>1</sup>.**

**III(B). Analysis of Allegation 6:** The Complaint alleges that the District “failed to provide the required disclaimers on its website and mailers[.]” Again, the only citations to the Code referenced in the Complaint are general citations to Code sections 2.54.030 and 2.54.040. Thus, the Clerk determines that the Complaint refers to the disclaimer requirements for issue committees contained under Code section 2.54.030(B)(4). However, as discussed above, the District is not required to register as an issue committee based on its “major purpose” being the provision of the services it is statutorily obligated to provide to its customers. Therefore, the Complaint does not allege sufficient facts to support a factual and legal basis for the allegation that the District is required to include the necessary disclaimers on communications issued by issue committees, and **Allegation 6 is DISMISSED.**

Sincerely,



Jay Robb  
City Clerk

---

<sup>1</sup> The analysis and result are the same for an allegation that the District was required to register as an issue committee/disclose expenditures related to the complained-of posting on its website.