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CITY CLERK'S OFFICE



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: Fred Clifford
Address: 11405 W. 17th Place City: Lakewood State: CO Zip: 80215
Telephone number: 303-215-1375 Email address: cliffwrw@comcast.net

Counsel's Information - If you are represented by counsel, you must provide the following:

Attorney's Name: N/A
Law Firm: _____
Address: _____ City: _____ State: _____ Zip: _____

Information of the person alleged to have committed a violation:

Full Name: Krya de Gruy
Address: 75 S. Garrison St. City: Lakewood State: CO Zip: 80226

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

Section 2.54.030

"In no event shall contributions to a candidate committee be used for personal purposes not reasonably supporting the election of the candidate."

- (1) On 5/22/18 de Gruy donated \$25 to candidate Perl for Denver
- (2) On 12/13/17 de Gruy donated \$2,000 to Ward 5 candidate Dana Gutwein

Fred Clifford
Complainant's Signature

2/12/2019
Date

Counsel's Signature (required if applicable)

Date

Margy Greer
Lakewood City Clerk
City of Lakewood
480 S. Allison Pkwy.
Lakewood, CO 80226

February 1, 2019

RE: Campaign Finance Violation Complaint Against Kyra deGruy

Dear Ms. Greer:

Pursuant to Lakewood City Ordinance 2.54.050 B Enforcement (1), I hereby file a complaint that City Council Candidate **Kyra deGruy** violated Section 2.54.030 of the City's Municipal Election Procedures by using campaign funds for "personal purposes".

The applicable section of the Municipal Election Procedures is Section 2.54.030 (6) which requires:

(d) In no event shall contributions to a candidate committee be used for personal purposes not reasonably related to supporting the election of the candidate.


Colorado state law further clarifies "candidate committees may not contribute to another candidate committee."

In the regularly scheduled 2018 annual report covering the period of December 7, 2017 through November 1, 2018, Ms. deGruy reported expending campaign funds on "donations" and "consulting" to other candidates in 2018 as follows:

- (1) May 22, 2018 – "donation" of \$25 to Denver candidate committee "Perl For Denver",
- (2) December 17, 2017 – **\$2,000 to Dana Gutwein**, candidate for City Council Ward 5. This contribution is labeled "consulting". I submit this 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.

Both of these expenditures were made after the election and unrelated to the campaign.

Respectfully submitted,


Fred Clifford
11405 W. 17th Place
Lakewood, CO 80215

ITEMIZED EXPENDITURES STATEMENT

(more than \$20.00)

Full Name of Committee	Kyra deGruy for Council Ward 1
Reporting Period	December 7th, 2017 through November 1st, 2018
TOTAL EXPENDITURES	\$ 3,793.20 (total amount is calculated based on the entries below)

#	Date of Expense	Amount	Name	Address	City/State/Zip	Purpose of Expenditure	Electioneering Communication (Y/N)
1	12/8/17	\$ 16.00	Squarespace	Online		Website hosting	N
2	12/13/17	\$ 2,000.00	Dana Gutwein	2205 S Flower St.	Lakewood, CO 80227	Consulting	N
3	12/18/17	\$ 1,390.00	MG Community Connection	800 Pearl St. #1011	Denver, CO 80203	Paid Canvassers	Y
4	1/2/18	\$ 10.00	Facebook	Online		Facebook ads	Y
5	1/2/18	\$ 5.00	Google	Online		Gmail hosting	N
6	1/8/18	\$ 16.00	Squarespace	Online		Website hosting	N
7	2/2/18	\$ 5.00	Google	Online		Gmail hosting	N
8	2/8/08	\$ 16.00	Squarespace	Online		Website hosting	N
9	3/2/18	\$ 5.00	Google	Online		Gmail hosting	N
10	3/2/18	\$ 2.00	1st bank	550 S. Wadsworth Blvd.	Lakewood, CO 80226	Business debit card fee	N
11	3/8/18	\$ 16.00	Squarespace	Online		Website hosting	N

ITEMIZED EXPENDITURES STATEMENT

(more than \$20.00)

#	Date of Expense	Amount	Name	Address	City/State/Zip	Purpose of Expenditure	Electioneering Communication (Y/N)
12	4/2/18	\$ 5.00	Google	Online		Gmail hosting	N
13	4/4/18	\$ 2.00	1st bank	550 S. Wadsworth Blvd.	Lakewood, CO 80226	Business debit card fee	N
14	4/9/18	\$ 16.00	Squarespace	Online		Website hosting	N
15	4/9/18	\$ 99.99	Paypal	2420 17th St.	Denver, CO 80202	Training for women in politics	N
16	5/2/18	\$ 2.00	1st bank	550 S. Wadsworth Blvd.	Lakewood, CO 80226	Business debit card fee	N
17	5/3/18	\$ 5.00	Google	Online		Gmail hosting	N
18	5/8/18	\$ 16.00	Squarespace	Online		Website hosting	N
19	5/22/18	\$ 25.00	Perl For Denver	PO Box 371223	Denver, CO 80237	Donation	N
20	5/29/18	\$ 14.00	Squarespace	Online		Website hosting	N
21	6/4/18	\$ 5.00	Google	Online		Gmail hosting	N
22	6/5/18	\$ 2.00	1st bank	550 S. Wadsworth Blvd.	Lakewood, CO 80226	Business debit card fee	N
23	6/8/18	\$ 16.00	Squarespace	Online		Website hosting	N
24	7/2/18	\$ 5.00	Google	Online		Gmail hosting	N

▶ Chapter 2.01 - Boards, Commissions and Committees
▶ Chapter 2.02 - City Council
▶ Chapter 2.04 - Administrative Departments
▶ Chapter 2.05 - Removal of Members of the Lakewood City Council
▶ Chapter 2.06 - City Manager
▶ Chapter 2.08 - Operating Departments
▶ Chapter 2.12 - General Officers
▶ Chapter 2.13 - Transcripts of Proceedings Before Administrative Bodies
▶ Chapter 2.14 - Fees for Photocopying and Certification of City Documents
▶ Chapter 2.16 - Planning Department-Board of Adjustment
▶ Chapter 2.20 - Municipal Court
▶ Chapter 2.21 - Judicial Review Commission
▶ Chapter 2.36 - Police Retirement
▶ Chapter 2.44 - Federal Rent Supplement Program
▶ Chapter 2.48 - Park Control and Management
▶ Chapter 2.52 - Initiative and Referendum Procedures
▶ Chapter 2.53 - Municipal Election Procedures
▼ Chapter 2.54 - Campaign and Political Finance In Municipal Elections
2.54.010 Declaration
2.54.020 Definitions
2.54.030 Candidates-Committees-Registration-Contribution Limits-Expenditures-Reporting
2.54.040 Reporting Requirements-Where and When Filed
2.54.050 Duties of the City Clerk – Recordkeeping–Enforcement-Sanctions
2.54.060 City - Limitations on Contributions
2.54.070 Electioneering

2.54.030 Candidates-Committees-Registration-Contribution Limits-Expenditures-Reporting



A. Candidates and Candidate Committees

(1) Affidavit. Within ten days after an individual becomes a candidate and before circulating any petition, such individual shall certify, by affidavit filed with the City Clerk, that the candidate is familiar with the provisions of this Chapter.

(2) Candidate Committee Registration. Except as otherwise provided in this Chapter, all candidate committees shall register with the City Clerk within ten days after accepting any contribution or making any expenditure. Registration shall include a statement listing:

- The organization's full name, spelling out any acronyms used therein;
- A natural person authorized to act as a registered agent or representative;
- A street address and telephone number for the principal place of operations;
- All affiliated candidates and committees;
- The purpose or nature of interest of the committee or party;
- The name of the financial institution where the committee has opened an account.

(3) Contribution Limits. A candidate committee may accept no more than Two Thousand Five Hundred Dollars (\$2,500.00) from any person for candidates for City Council, and no more than Five Thousand Dollars (\$5,000) from any person for candidates for Mayor.

(4) Reports.

(a) All candidate committees shall report to the City Clerk their contributions received, including the name and address of each person who has contributed more than twenty dollars; expenditures made, and obligations entered into by the committee or party.

(b) In the case of contributions made to a candidate committee, the disclosure required by this section shall also include the occupation and employer of each person who has made contributions totalling one hundred dollars (\$100) or more to such committee.

(5) Reimbursement. A candidate's candidate committee may reimburse the candidate for expenditures the candidate has made on behalf of the candidate committee. Any such expenditures may be reimbursed at any time. Notwithstanding any other provision of law, any expenditure reimbursed to the candidate by the candidate's candidate committee within the election cycle during which the expenditure is made shall be treated only as an expenditure and not as a contribution to and an expenditure by the candidate's candidate committee. Notwithstanding the date on which any such expenditure is reimbursed, the expenditure shall be reported at the time it is made in accordance with the requirements of this section.

(6) Unexpended contributions. Unexpended campaign contributions to a candidate committee may be:

(a) Contributed to a candidate committee established by the same candidate for a different public office, if the candidate committee making such a contribution is affirmatively closed by the candidate no later than ten (10) days after the date such a contribution is made;

(b) Donated to a charitable organization recognized by the internal revenue service; or

(c) Returned to the contributors, or retained by the committee for use by the candidate in a subsequent campaign.

(d) In no event shall contributions to a candidate committee be used for personal purposes not reasonably related to supporting the election of the candidate.

(e) A candidate committee for a former officeholder or a person not elected to office shall expend all of the unexpended campaign contributions retained by such candidate committee, for the purposes specified in this Section 6, no later than nine (9) years from the date such officeholder's term expired or from the date of the election at which such person was a candidate for office, whichever is later.

(f) In addition to any use described in this Section 6, a person elected to a public office may use unexpended campaign contributions held by the person's candidate committee for any of the following purposes:

(1) Voter registration;

(2) Political issue education, which includes obtaining information from or providing information to the electorate;