

STATE OF COLORADO  
SECRETARY OF STATE  
1700 BROADWAY #550  
DENVER, COLORADO 80290

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BEFORE THE SECRETARY OF STATE, COLORADO DEPARTMENT OF STATE,  
ADMINISTRATIVE HEARING OFFICER

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AHO Case No. \_\_\_\_\_

ED Case Nos. 2025-109; 2026-13

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In the Matter of

ELECTIONS DIVISION OF THE SECRETARY OF STATE,

Complainant,

vs.

WE ARE GREELEY, and GREELEY DEMANDS BETTER,

Respondents.

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### **COMPLAINT**

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Pursuant to § 1-45-111.7, C.R.S. (2025), the Elections Division of the Secretary of State files this complaint against We Are Greeley and Greeley Demands Better, (“Respondents”).

### **BACKGROUND**

1. To provide voters with information about the sources of election-related communications, Colorado law requires committees supporting or opposing ballot measures, known as issue committees, to file reports of contributions and expenditures. These reports must be filed with the appropriate officer, must disclose the committees’ contributions and expenditures, and must be filed on a schedule set by Colorado or local law.

2. Here, We Are Greeley spent tens of thousands of dollars in 2025 and 2026 to oppose a municipal ballot measure in Greeley, Colorado, including by making direct contributions to Greeley Demands Better for the express purpose of allowing donors to

remain anonymous. Despite such spending, it neither registered as an issue committee nor reported its contributions and expenditures in accordance with local and state law.

3. Accordingly, the Elections Division brings this action for appropriate relief.

### **PARTIES**

4. Complainant is the Elections Division (“Division”) of the Colorado Secretary of State.

5. Respondent is We Are Greeley, a nonprofit organization registered with the Colorado Secretary of State’s business and licensing division, ID # 20251776648.

6. Respondent is Greeley Demands Better, an issue committee registered with the Greeley City Clerk.

### **JURISDICTION AND VENUE**

7. The Division has jurisdiction under § 1-45-111.7.

8. The Division files this complaint with a hearing officer consistent with § 1-45-111.7(5)(a)(IV).

9. This complaint is filed within 30 days of the Division’s May 6, 2026, Notice of Investigation and Consolidation. § 1-45-111.7(5)(a)(IV).

10. Venue is proper before the hearing officer under § 1-45-111.7(5).

### **ALLEGATIONS**

11. This Complaint arises out of a series of complex events surrounding the “West Greeley Project,” a proposed mixed-use development including a new hockey arena, hotel, and indoor water park.

12. On May 6, 2025, the Greeley City Council passed Ordinance 2025-15. Ordinance 2025-15 related to the financing for pre-development services for the West Greeley Project.<sup>1</sup>

13. After Ordinance 2025-15 was passed, there was an effort to place a ballot issue before Greeley voters that would repeal Ordinance 2025-15. In June 2026, an initiative petition was filed with the City of Greeley to place this repeal before the voters.

14. On August 6, 2025, proponents of the petition submitted sufficient signatures to qualify the repeal effort for the November ballot. However, two days later, a protest to the initiative petition was also filed with the City.

15. The protest alleged first that the initiative petition was “administrative and not legislative,” and therefore unconstitutional, and second that the initiative’s title was not “fair and accurate.”

16. A hearing was held on the protest on August 26, 2025. On August 31, 2025, the Hearing Officer presiding over the protest held that Ordinance 2025-15 was “administrative” in nature, not legislative, which had the effect of holding that its repeal could not be subject to a ballot initiative.<sup>2</sup>

17. Proponents of the repeal effort quickly pivoted to state district court, but on September 4, 2025, the Weld County District Court denied proponents’ motion for a preliminary injunction. The effect of that ruling was that the repeal effort would not appear on the November 2025 ballot.

18. On September 16, 2025, the Greeley City Council passed another Ordinance related to the West Greeley Project, Ordinance 2025-30. Ordinance 2025-30 would have

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<sup>1</sup> Ordinance 2025-15 can be found here: <https://tinyurl.com/m93ucy9f>.

<sup>2</sup> The Hearing Officer’s determination can be found here: <https://tinyurl.com/e9j3xzvy>.

changed the official zoning map for Greeley to establish a planned unit development zone for the West Greeley Project.<sup>3</sup>

19. An effort to repeal Ordinance 2025-30 quickly got under way, and on December 2, 2026, the City Council voted to refer an initiative calling for that repeal to a special election on February 24, 2026. The initiative passed at that election, effectively halting the project.

20. We Are Greeley incorporated on July 16, 2025. On its website, [www.wearegreeley.com](http://www.wearegreeley.com), We Are Greeley describes its mission as “fostering civic engagement and public education in our community,” with the goal of “ensur[ing] transparency and fairness in all public financing decisions affecting Greeley residents.”

21. The website further explains that We Are Greeley is a “social welfare organization,” that there are “no limits on the amounts that may be contributed to We Are Greeley by an individual, corporation, union, or trade association,” and the “We Are Greeley’s policy is not to provide the names of its donors to the general public.” The website also indicates that “We Are Greeley only accepts contributions from Greeley residents.”

22. As of the date of this Complaint, the only information on We Are Greeley’s website that is not fundraising-related or that does not describe the organization itself, is a “a comprehensive review by Newmark Valuation & Advisory” of the “feasibility studies used to justify Greeley’s proposed Catalyst development.”<sup>4</sup>

23. In 2025 and 2026, We Are Greeley interacted with two separate issue committees registered with the City of Greeley: (1) Greeley Deserves Better, and (2) Greeley Demands Better. Both Greeley Deserves Better and Greeley Demands Better were organized to support initiatives repealing Ordinance 2025-15 and/or Ordinance 2025-30.

24. According to Greeley Deserves Better’s reports of contributions and expenditures, We Are Greeley made the following contributions to Greeley Deserves Better:

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<sup>3</sup> Ordinance 2025-30 can be found here: <https://tinyurl.com/yub27cwc>.

<sup>4</sup> The “Catalyst Development” is another term for the West Greeley Project.

- a. A \$3,000 monetary contribution on August 5, 2025;
- b. A \$17,400 non-monetary contribution for “signature gathering” on August 22, 2025; and
- c. Another \$17,400 non-monetary contribution for “signature gathering” on July 29, 2025.

25. On September 25, 2025, Greeley Demands Better issued a press release. In that press release, it described Greeley Deserves Better’s donors, including We Are Greeley, which it described as a 501(c)(4) organization “which provides protection from retaliation for funders and supporters of the repeal effort.” The press release went on to say that “this organization became necessary after numerous established business leaders and long-time community members expressed fears and instances of retaliation from city officials and project proponents for questioning” the West Greeley Project.

26. According to Greeley Demands Better’s reports of contributions and expenditures, We Are Greeley made the following contributions to Greeley Demands Better:

- a. A \$30,000 non-monetary contribution for “signature gathering” on September 29, 2025; and
- b. A \$30,000 non-monetary contribution for “signature gathering” on October 1, 2025.

27. On November 6, 2025, Tom Hacker and Leonard Wiest filed a campaign finance complaint with the Greeley City Clerk. The complaint alleged that We Are Greeley had violated local and state laws by failing to register as an issue committee and report its contributions.

28. The Clerk determined that a conflict of interest existed, and on November 20, 2025, she referred the Hacker and Wiest complaint to the Division consistent with state and local law.

29. After the referral, the Division conducted an initial review of the Hacker and Wiest complaint. After that review, the Division moved to dismiss the complaint on the

grounds that it was not timely filed under Greeley’s 30-day statute of limitations for campaign finance complaints. § 2-128(c), Greeley Municipal Code.

30. The Deputy Secretary of State denied the motion to dismiss and remanded the matter to the Division.

31. Following that remand, the Division offered We Are Greeley an opportunity to cure the alleged violations on December 19, 2025.

32. Meanwhile, on December 17, 2025, Hacker and Wiest supplemented their original complaint. The supplement identified declarations that had been filed in parallel litigation in which declarants associated with We Are Greeley, Greeley Deserves Better, and/or Greeley Demands Better had sworn that:

- a. “[T]he people who helped organize Greeley Deserves Better recommended the formation of a separate 501(c)(4) organization, that would allow supporters to contribute to the referendum effort anonymously, consistent with federal and state law. That organization was registered under the name ‘We Are Greeley.’”; and
- b. “We Are Greeley, was established to allow anonymous contributions be made to the referendum effort,”

33. On February 17, 2026, the Greeley City Clerk received a second campaign finance complaint. This complaint was filed by Tony Belfiore. Like Hecker and Wiest, Belfiore was represented in his complaint by Christopher Beall at Recht Kornfeld PC.

34. On February 26, 2026, the Clerk again referred the Belfiore complaint to the Division because of an alleged conflict.

35. The Belfiore complaint alleged that Greeley Demands Better and We Are Greeley were “conspiring to avoid required campaign finance disclosure obligations by arranging to have campaign expenses paid by We Are Greeley that benefit Greeley Demands Better without hav[ing] such expenses reported by either organization.”

36. As evidence, the Belfiore complaint pointed to large discrepancies between Greeley Demands Better’s reported contributions and its reported expenditures, and We Are

Greeley’s “admission to paying for consultants, public relations firms, and other specialists working on the Ballot Issue 1A campaign.”

37. Meanwhile, in response to the Division’s opportunity to cure, We Are Greeley responded that it “does not meet the definition of an issue committee and therefore has no deficiencies to cure.” Specifically, We Are Greeley argued that it did not have a “major purpose” of supporting or opposing any ballot measure.

38. After reviewing the Belfiore complaint, the Division determined that it arose from a common set of operative facts as the Hacker and Wiest complaint.

39. Accordingly, on May 6, 2026, the Division consolidated the two complaints and moved them into an investigation under section 1-45-111.7(5).

### **COLORADO CAMPAIGN FINANCE LAW**

40. Under the Greeley Municipal Code, issue committees “shall file with the city clerk all reports and disclosures as required by the [Fair Campaign Practices Act (“FCPA”)] and in accordance with the schedule set forth in the FCPA.” § 2-127, Greeley Municipal Code.

41. Under the Greeley Municipal Code, campaign finance complaints must be filed “no later than 30 calendar days after the complainant knew or should have known by the exercise of reasonable diligence of the alleged violation.” § 2-128(c)(1), Greeley Municipal Code.

42. Under Colorado law, all issue committees “shall report to the appropriate officer their contributions received, . . . expenditures made, and obligations entered into.” § 1-45-108(1)(a)(I), C.R.S.

43. An issue committee is a non-natural person that has spent or received at least \$200 to support or oppose any ballot issue or ballot question and that has “a major purpose” of supporting or opposing any ballot issue or ballot question.” Colo. Const. art. XXVIII, § 2(10)(a).

44. In the context of any local ballot issue or ballot question, an organization’s major purpose “is determined based on the consideration of . . . its organizational documents.

. . or the organization’s demonstrated pattern of conduct, as reflected through” a non-exclusive set of factors drawn from *Cerbo v. Protect Colo. Jobs, Inc.*, 240 P.3d 495 (Colo. App. 2010). 8 CCR 1505-6, Rule 4.4.1.

**CLAIM ONE**  
**FAILURE TO REGISTER AND REPORT**  
**(Greeley Municipal Code § 2-127)**

45. All preceding allegations are incorporated.

46. In 2025 and 2026, We Are Greeley had a major purpose of supporting or opposing any local ballot issue or ballot question.

47. That major purpose was reflected by its demonstrated pattern of conduct supporting efforts to repeal Ordinance 2025-15 and Ordinance 2025-30.

48. We Are Greeley neither registered as an issue committee nor reported its contributions and expenditures.

49. In fact, We Are Greeley consistently represented that its express purpose was to allow persons to support the repeal of those ordinances while remaining anonymous.

50. The Division is entitled to relief under Article XXVIII of the Colorado Constitution and the Fair Campaign Practices Act, § 1-45-101 et seq. and the Greeley Municipal Code.

**PRAYER FOR RELIEF**

WHEREFORE, the Elections Division prays for judgment and relief as follows:

1. Penalties as set out under 8 CCR 1505-6, Rule 23.4.3 and Greeley Municipal Code section 2-129(b).
2. Such other relief as the Hearing Officer may deem appropriate.

Respectfully submitted this 5th day of June, 2026

PHILIP J. WEISER  
Attorney General

/s/ Peter G. Baumann

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## CERTIFICATE OF SERVICE

This is to certify that I will cause the foregoing to be served this 5<sup>th</sup> day of June, 2026, by email and/or U.S. mail, addressed as follows:

We Are Greeley and Greeley Demands Better  
C/O Attorney Suzanne Taheri  
6501 E. Belleview Ave. Suite 375  
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st@westglp.com  
*Respondents*

Leonard Wiest, Tom Hacker, Tony Belfiore  
C/O Attorney Christopher Beall  
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*Third-Party Complainants*

/s/ Peter G. Baumann