

STATE OF COLORADO SECRETARY OF STATE Administrative Hearing Office 1700 Broadway, Suite 550 Denver, CO 80290	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
<p>IN THE MATTER OF: ELECTIONS DIVISION of the SECRETARY OF STATE Complainant</p> <p>v.</p> <p>GREELEY DESERVES BETTER, Respondent</p>	
<p>Attorney for Respondent: Suzanne M. Taheri, #23411 WEST GROUP LAW & POLICY 6501 E. Belleview Ave, Suite 375 Englewood, CO 80111 Phone Number: (303) 263-0844 Email: st@westglp.com</p>	Case Number: 2026 AHO 13 CPF
ANSWER	

Respondent Greeley Deserves Better, through undersigned counsel, states as follows in answer to the Elections Division of the Secretary of State’s complaint:

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.*

Greeley Deserves Better's Response: This paragraph contains legal argument to which no response is required.

2. *Here, Greeley Deserves Better registered as an issue committee with the City of Greeley, but failed to timely file reports of contributions and expenditures.*

Greeley Deserves Better's Response: Greeley Deserves Better denies this claim.

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

Greeley Deserves Better's Response: This paragraph contains legal argument to which no response is required.

PARTIES

4. *Complainant is the Elections Division ("Division") of the Colorado Secretary of State.*

Greeley Deserves Better's Response: Admit that the Elections Division is listed as the complainant.

5. *Respondent is Greeley Deserves Better, an issue committee registered with the the City of Greeley.*

Greeley Deserves Better's Response: Admit that Greeley Deserves Better was an issue committee registered with the City of Greeley.

JURISDICTION AND VENUE

6. *The Division has jurisdiction under § 1-45-111.7.*

Greeley Deserves Better's Response: Greeley Deserves Better denies this claim. The conflict of interest referral from the City of Greeley was illusory. Further, there is no jurisdiction for activities that occurred that were not raised in the complaint on September 8, 2025. The City of Greeley Code provides a 30-day statute of limitations for complaints.¹ No complaint was filed

¹ Such complaint shall be filed with the city clerk no later than 30 calendar days after complainant knew or should have known by the exercise of reasonable diligence of the alleged violation. Greeley City Code Sec. 2-128 (c)(1).

regarding activities after September 8, 2025. The portions of the complaint filed by the division on May 8, 2026, citing activity after September 8, 2025, is well past the statute of limitations.

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

Greeley Deserves Better's Response: This paragraph contains a statement of law to which no response is required.

8. *This complaint is filed within 30 days of the Division's April 8, 2026, Notice of Investigation. § 1-45-111.7(5)(a)(IV).*

Greeley Deserves Better's Response: This paragraph contains a statement of law to which no response is required.

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

Greeley Deserves Better's Response: Denied. The matter should be before the City of Greeley clerk.

ALLEGATIONS

10. *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.*

Greeley Deserves Better's Response: Greeley Deserves Better neither admits nor denies this summary of the issue.

11. *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. [footnote omitted]*

Greeley Deserves Better's Response: Greeley Deserves Better admits this claim.

12. *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.*

Greeley Deserves Better's Response: Greeley Deserves Better admits this claim.

13. *On June 30, 2025, Greeley Deserves Better registered as an issue committee. Its stated purpose was to “support a ballot initiative to repeal Ordinance 2025-15.”*

Greeley Deserves Better’s Response: Greeley Deserves Better admits this claim.

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.*

Greeley Deserves Better’s Response: Greeley Deserves Better admits this claim.

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.”*

Greeley Deserves Better’s Response: Greeley Deserves Better admits this claim.

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. [footnote omitted]*

Greeley Deserves Better’s Response: Greeley Deserves Better admits this claim.

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.*

Greeley Deserves Better’s Response: Greeley Deserves Better admits that it availed itself

of the right to appeal the hearing officer’s decision but denies the characterization as a pivot.

Greeley Deserves Better admits that as of September 4, 2025, all parties were aware that the

ballot measure would not be placed on the November 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 changed the official zoning map for Greeley to establish a planned unit development zone for the West Greeley Project. [footnote omitted]*

Greeley Deserves Better’s Response: Greeley Deserves Better admits this claim.

However, the claim is not relevant to these proceedings.

19. *Less than two weeks later, Greeley Deserves Better amended its purpose as to “support a ballot initiative to repeal Ordinance 2025-15 and Ordinance 2025-30.” 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.*

Greeley Deserves Better’s Response: Greeley Deserves Better denies it amended its purpose. Greeley Deserves Better asserts it was told by the City Clerk’s office it could not amend its purpose and an amendment would not be accepted. Thereafter, a separate committee was established to support the referendum petition for Ordinance 2025-30. Further, the claim is not relevant to these proceedings.

20. *While this was happening, Greeley Deserves Better was corresponding with the City of Greeley about its campaign finance reports.*

Greeley Deserves Better’s Response: Greeley Deserves Better admits this claim.

21. *Colorado law establishes two filing schedules: 1) an infrequent filing calendar and 2) a frequent filing calendar. The latter applies in “election years,” and the former applies in “off-election years.”*

Greeley Deserves Better’s Response: This paragraph contains a legal statement to which no response is required.

22. *For municipal elections in cities, like Greeley, with a population of at least 1,000 people, the frequent filing schedule requires reports to be filed “no later than sixty days, thirty days, and fifteen days before, and thirty days after the major election in election years.” § 1-45-108(2)(a)(II.5). The infrequent calendar requires reports to be filed annually “on the first day of the month in which the anniversary of the major election occurs. Id.*

Greeley Deserves Better’s Response: This paragraph contains a legal statement to which no response is required.

23. *On information and belief, on September 4, 2026, following the district court’s decision on the motion for a preliminary injunction, the Committee corresponded with the City of Greeley asking to be moved to an infrequent filing schedule. On September 11, 2025, the City of Greeley refused.*

Greeley Deserves Better's Response: Greeley Deserves Better admits it requested to change to an infrequent schedule. Any further correspondence speaks for itself.

24. *Under the frequent filing schedule, the Committee had a report of contributions and expenditures due on the first Monday in September, or September 5, 2026. The Committee ultimately filed this report on September 19, 2026.*

Greeley Deserves Better's Response: Greeley Deserves Better admits that the frequent filing schedule required a filing on September 5, 2026. Greeley Deserves Better denies that such filing requirement legally applied to Greeley Deserves Better.

25. *In its initial September 19, 2026 report, the Committee reported \$13,540 worth of monetary contributions, and \$6,480.15 worth of expenditures. Among the reported contributions was a \$3,000 contribution from "We are Greeley."*

Greeley Deserves Better's Response: Greeley Deserves Better admits this claim.

26. *On information and belief, Greeley Demands Better is a related issue committee to Greeley Deserves Better. Also on September 19, 2026, Greeley Demands Better issued a press release criticizing the City's decision not to move the Committee to an infrequent filing calendar and noting that the Greeley Deserves Better had received "one donation from We are Greeley, a 501(c)(4) organization, which provides protection from retaliation for funders and supporters of the repeal effort."*

Greeley Deserves Better's Response: Greeley Deserves Better denies this claim. Greeley Deserves Better and Greeley Demands better are separate committees and separate legal entities as was required by the City Clerk.

27. *Three days later, on September 22, 2026, the Committee amended its September 19, 2026 report to reflect an additional \$34,800 worth of non-monetary contributions from We are Greeley to Greeley Deserves Better for "signature gathering."*

Greeley Deserves Better's Response: Greeley Deserves Better admits this claim.

28. *Greeley Deserves Better timely filed reports on October 3, 2025, October 20, 2025, and December 2, 2025.*

Greeley Deserves Better's Response: Greeley Deserves Better admits that reports were filed on those days. However, the claim is not relevant to these proceedings.

29. *The Committee then failed to file any additional reports, which were due on December 26, 2025, January 26, 2026, and February 9, 2026.*

Greeley Deserves Better's Response: Greeley Deserves Better denies that reports were due on those days. Further, the claim is not relevant to these proceedings.

30. *On March 3, 2026, after the special election was held, the Committee filed a report covering its financial activity between December 2, 2026, and February 23, 2026. The report indicated that the Committee had collected \$125 worth of monetary contributions during this period and made a total of \$3,153.93 worth of monetary expenditures. Of that amount, \$3,148.03 went to Greeley Demands Better for "Event Expense."*

Greeley Deserves Better's Response: Greeley Deserves Better admits this claim.

However, the claim is not relevant to these proceedings.

31. *Visually, this chain of events looks like this:*

Date	Occurrence
May 6, 2025	City Council passes Ordinance 2025-15
June 30, 2025	Greeley Deserves Better registers as an issue committee to "support a ballot initiative to repeal Ordinance 2025-15."
August 6, 2025	Sufficient signatures are submitted to qualify the initiative to repeal Ordinance 2025-15 to the November ballot.
August 8, 2025	A protest to the initiative petition is filed.
August 26, 2025	A hearing is held on the initiative protest.
August 31, 2025	Hearing Officer holds that the initiative cannot be placed on the November ballot.

September 4, 2025	Weld County District Court denies preliminary injunction that would have placed repeal initiative on the November ballot.
September 4, 2025	Greeley Deserves Better asks the City of Greeley to move it to an “infrequent” filing calendar.
September 5, 2025	Report due under frequent filing calendar.
September 11, 2025	City refuses to move Greeley to an “infrequent” filing calendar.
September 16, 2025	City Council passes Ordinance 2025-30
September 19, 2025	Greeley Deserves Better files report of contributions and expenditures that was due on September 5.
September 19, 2025	Greeley Demands Better issues press release criticizing the City’s decision not to move Greeley Deserves Better to an infrequent filing schedule.
September 22, 2025	Greeley Deserves Better amends the report it filed on September 19 to report an additional \$34,800 in non-monetary contributions.
September 25, 2025	Greeley Deserves Better amends its purpose to “support a ballot initiative to repeal Ordinance 2025-15 and 2025-30.”
October 7, 2025	Report due under frequent filing calendar.
October 20, 2025	Report due under frequent filing calendar.

November 3, 2025	Report due under infrequent filing calendar.
December 2, 2025	City Council votes to refer the repeal of Ordinance 2025-30 to a special election on February 24, 2026.
December 4, 2025	Report due under frequent filing calendar.
February 24, 2026	Effort to repeal Ordinance 2025-30 appears on the ballot, and passes
March 3, 2026	Greeley Deserves Better files a report covering the period of December 2, 2026 through March 3, 2026.

Greeley Deserves Better's Response: Greeley Deserves Better denies reports were due on a frequent filing schedule.

32. On September 16, 2025, a campaign finance complaint was filed against Greeley Deserves Better by an organization called "Greeley Forward." The complaint alleged that Greeley Deserves Better had failed to file a required report of contributions and expenditures.

Greeley Deserves Better's Response: Greeley Deserves Better admits a complaint was filed.

33. The complaint was referred to the Division by the City of Greeley pursuant to Section 1-45-111.7(10), C.R.S.

Greeley Deserves Better's Response: Greeley Deserves Better admits that the complaint was referred to the Division, but denies that the Division has jurisdiction to adjudicate the complaint because the claimed conflict of interest is illusory.

34. On September 26, 2025, the Division sent the Committee a Notice of Initial Review and Opportunity to Cure. The Division found that the complaint filed by Greeley Forward

had alleged a violation of campaign finance law, but that the complaint alleged a curable violation.

Greeley Deserves Better's Response: Greeley Deserves Better admits a notice was sent.

35. *On October 10, 2025, the Committee responded that Notice. It asserted that it was not under an obligation to file reports while its appeal of the hearing officer's decision was pending, and that it was not required to report on a frequent filing schedule because its repeal initiative would not appear on the November ballot.*

Greeley Deserves Better's Response: Greeley Deserves Better's letter speaks for itself.

36. *However, the Committee indicated that it had filed a report once the City of Greeley told it that it was still subject to the frequent filing schedule, and "continues to report on the frequent filing schedule"*

Greeley Deserves Better's Response: Greeley Deserves Better letter speaks for itself.

COLORADO CAMPAIGN FINANCE LAW

37. *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.*

Greeley Deserves Better's Response: This paragraph contains a legal statement to which no response is required.

38. *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.*

Greeley Deserves Better's Response: This paragraph contains a legal statement to which no response is required.

39. *For municipal elections in cities, like Greeley, with a population of at least 1,000 people, such reports "must be filed no later than sixty days, thirty days, and fifteen days before, and thirty days after the major election in election years and annually in off-election years on the first day of the month in which the anniversary of the major election occurs." § 1-45-108(2)(a)(II.5).*

Greeley Deserves Better's Response: This paragraph contains a legal statement to which no response is required.

40. *For the purposes of this section, “election year’ means . . . each year in which the . . . issue committee’s issue appears on the ballot.” § 1-45-108(2)(a)(III).*

Greeley Deserves Better’s Response: This paragraph contains legal statement to which no response is required.

41. *Under the Secretary’s rules governing campaign and political finance, an issue committee must file reports on a frequent filing schedule “during any year in which an issue that the committee supports or opposes appears on, or seeks access to, the ballot.” 8 CCR 1505-6, Rule 17.2.3.*

Greeley Deserves Better’s Response: This paragraph contains legal statement to which no response is required.

**CLAIM ONE
FAILURE TO FILE TIMELY REPORT RELATED TO 2025 ELECTION
(Greeley Municipal Code § 2-127)**

42. *All preceding allegations are incorporated.*

Greeley Deserves Better’s Response: All preceding responses are incorporated.

43. *In 2025 the Committee supported a ballot issue to repeal Ordinance 2025-15. That issue sought access to the ballot in the City of Greeley for November 2025.*

Greeley Deserves Better’s Response: Greeley Deserves Better denies there was ever a ballot issue. The City improperly approved a petition that had no legal effect. There is no registration and reporting requirement to circulate a petition that has no legal effect.

44. *The Committee registered as an issue committee in June 2025.*

Greeley Deserves Better’s Response: Greeley Deserves Better admits this claim.

However, the claim is not relevant to these proceedings.

45. *The Committee failed to timely file a report of contributions sixty days before the November 2025 election, or on September 5, 2026.*

Greeley Deserves Better's Response: Greeley Deserves Better denies this claim. No reports were due under the frequent filing schedule because it was already known that the initiative would not appear on the November ballot.

46. When the Committee did file that report on September 19, 2026, the report was incomplete. The Committee amended that report to report an additional \$34,800 in contributions three days later, on September 22, 2026.

Greeley Deserves Better's Response: Greeley Deserves Better admits that the report filed on September 19, 2026, was subsequently amended.

47. 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.

Greeley Deserves Better's Response: Greeley Deserves Better denies both the jurisdiction of the Division over this issue and the entitlement to any relief under the Constitution, the Fair Campaign Practices Act, or the Greeley Municipal Code.

CLAIM TWO
FAILURE TO FILE TIMELY REPORTS RELATED TO 2026 ELECTION
(Greeley Municipal Code § 2-127)

48. In 2026, the Committee supported a ballot issue to repeal Ordinance 2025-30. That issue sought access to the ballot in the City of Greeley for February 2026, and appeared on the February 24, 2026 special election ballot in the City of Greeley.

Greeley Deserves Better's Response: Greeley Deserves Better denies this claim. Further, the claim is not relevant to these proceedings.

49. The Committee registered as an issue committee in June 2025 and amended its purpose to note its support of the initiative to repeal Ordinance 2025-30 on September 25, 2026.

Greeley Deserves Better's Response: Greeley Deserves Better denies this claim. To the extent an amendment was accepted it was administrative error. Further, the claim is not relevant to these proceedings.

50. *Between September 25, 2026 and December 2, 2026, the Committee filed on the frequent filing calendar related to the November 2025 election.*

Greeley Deserves Better's Response: Greeley Deserves Better admits this claim.

However, the claim is not relevant to these proceedings.

51. *On December 2, 2026, the Greeley City Council voted to refer the initiative to repeal Ordinance 2025-30 to a special election on February 24, 2026.*

Greeley Deserves Better's Response: Greeley Deserves Better admits this claim.

However, the claim is not relevant to these proceedings.

52. *Under Colorado law, issue committees supporting a measure appearing on the February 24, 2026 ballot were required to file reports sixty, thirty, and fifteen days prior to that election, and again thirty days after that election.*

Greeley Deserves Better's Response: Greeley Deserves Better does not admit or deny this claim, as it a legal conclusion.

53. *The Committee did not file any reports between December 2, 2026 and March 3, 2026. As a result, the Committee missed three reports that should have been filed in advance of the February 24, 2026 special election.*

Greeley Deserves Better's Response: Greeley Deserves Better denies this claim. Further, the claim is not relevant to these proceedings.

54. *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.*

Greeley Deserves Better's Response: Denied. Greeley Deserves Better denies the jurisdiction of the Division to adjudicate this matter because the claimed conflict of interest is illusory and further denies it failed to timely file any report.

DEFENSES

Greeley Deserves Better asserts the following Defenses:

1. The Complaint fails to state a claim for which relief can be granted.

2. Once it was known to the City that the matter would not be on the ballot, Greeley Deserves Better was only required to report on an infrequent filing schedule, if at all.
3. The City of Greeley demonstrated bad faith throughout all proceedings.
4. The Division lacks jurisdiction to adjudicate this complaint because the conflict of interest is illusory. The City of Greeley has at varying times denied complaints of initiative and referendum proponents regarding conflicts of interest. Now, the City of Greeley asserts a conflict of interest in an effort to leverage the power of the State against the initiative proponents.
5. To the extent that this Complaint alleges any activity taking place after the Complaint was filed, it is untimely and outside the statute of limitations. Greeley Municipal Code Section 2-128(c)(1) requires a complaint to be filed no later than 30 days after the complainant knew or should have known of the alleged violation.
6. Greeley Deserves Better properly cured any alleged violations.
7. Enforcement of the code is unconstitutional under the First Amendment as applied to Greeley Deserves better.
8. All proceedings leading to the election, including campaign reporting, were suspended upon appeal to the district court.²
9. Greeley Deserves Better reserves the right to designate additional defenses if disclosures or discovery reveals the existence thereof.

Respectfully submitted this June 8, 2025.

s/Suzanne Taheri
WEST GROUP LAW & POLICY
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Englewood, CO 80111
Phone Number: (303) 263-0844
Email: st@westglp.com

² Upon timely appeal to the county district court of any decision of the city clerk, all proceedings leading to any election upon any initiative or referendum petition shall be suspended until final disposition of such review. If an election is thereafter required to be held, the period of time required for judicial review shall not be included in the computation of time periods under this chapter, and any such periods shall be extended by the time required for such review and appeal. Greeley City Code Sec. 2-89(d)

CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of June 2026 a true and correct copy of the document was served via email to:

Peter Baumann

Peter.baumann@coag.gov

/s/ Suzanne Taheri

Suzanne Taheri

Duly signed original on file at West Group