

Don B. Cameron
2021 East Street
Golden, CO 80401

Monica Mendoza
Clerk – City of Golden
911 10th Street
Golden, CO 80401

11/15/19

Re: Suggested improvements to Candidate Handbook and Finance Reporting

Dear Monica,

When I decided to run for office, I was greatly aided by the Candidate Handbook that you provided to me once I indicated my intent to file. I also learned a lot on the campaign trail. I want to share some observations and suggestions for subsequent candidates that could be incorporated into your handbook. I also include here, and perhaps it needs to go to legal counsel or city council, suggestions around other election issues I have come across as well.

Page 4 – Signs

The handbook provides reference to the city sign code, which is good, but I think the code itself is hard/problematic to enforce around sign locations. My proposal would make this less contentious because it will make it clearer where signs can and cannot be, and will make neighbor on neighbor complaints less likely. I had signs removed from people's yards due to confusion over city ROW, and suspect others did too.

If you dig into the sign code, the locational information section that is relevant seems to be here:

18.32.30.d.4

No other signs shall be allowed within the public right-of-way or overhanging public property except for municipal traffic control and other official public or government signs.

As a member of planning commission, I have seen city staff admit that property lines and city ROW are not well understood nor consistent across the city. Had I not had a property survey done, I would not know where my property boundary ended and city ROW began, and most people including code enforcement do not have this information readily available. Therefore, I would suggest a very slight change to this which would make enforcement of the locational situation with all signs, but political signs in particular easier.

18.32.30.d.4

*No other signs shall be allowed within the publicly **maintained** right-of-way or overhanging public property except for municipal traffic control and other official public or government signs. **If a sidewalk exists, any signs shall be on the private side of sidewalk.***

Proposed changes provided in bold, italic, underline

The city has such a convoluted sidewalk and public ROW situation in town that clarity on this is necessary. There are some sidewalks adjacent to the back of the curb, some that have a narrow burn strip, some that have a wide burn strip, and some sidewalks are missing entirely. The rationale for the second clause is to avoid confusion where ownership may not be clear, such as in an HOA where the individual home owner may not do maintenance, but neither does the city, and pushes it onto the recognized private property.

Solicitation – There is nothing in the handbook about solicitation, nor avoiding violating city codes around this. As you know during the campaign, I tried to clarify the situation to avoid violating city code. I would think the city has an interest in making sure that candidates do not intentionally, or unintentionally violate city code with respect to

solicitation and therefore has an interest in providing more clarity around this issue. I quote below the relevant portion of the code again.

4.44.010 - Notice prohibiting solicitors.

Every resident of the city shall have the right to post a notice or notices upon his residential property, including, but not limited to, apartments, townhomes, condominium units and detached residences, to the effect that peddlers, solicitors and hawkers shall not enter the premises or solicit or attempt to solicit orders or sales from the occupant or occupants thereof. Any person who shall go in or upon any place so posted without previous invitation so to do from the occupant or occupants thereof, for the purpose of soliciting orders for the sale of, or selling, goods, wares, merchandise, services, magazines, contracts, policies of insurance, stocks, bonds, rights, or anything of value, is guilty of an unlawful act.

I would propose that this be included in the candidate handbook explicitly, along with the suggestion that candidates shall upon knocking on a door, or ringing a doorbell with a no solicitation sign, first **ask for permission or time from the person answering the door to have a conversation**. It should not be incumbent on a candidate to seek legal counsel to run for office, the rules should be made clear to all. I include in Appendix the email from Dave Williamson from this summer on this topic, titled Poll Taking.

Candidate Campaign Filing Report

I would like to thank you and the city for providing the spreadsheet for reporting campaign contributions. I found it very user friendly with exception of the calculations limit that I had to address with an amended filing. But I was able to fix that and would recommend that all calculations be extended for a much longer entry (I used 1000 entries) with the following example code:

```
=SUM(E7:INDEX(E7:E1007,MATCH(TRUE,(E7:E1007=""),0)))
```

What this code does, is sum all lines until a blank line is found, for 1000 entries.

Gifts in Kind

From the city supplied spreadsheet, here is the definition:

Contributions In-Kind: The fair market value of all non-monetary gifts or loans of \$20 or more should be reported here.

As you know we exchanged over the summer a question around “house parties” and whether they are considered a gift in kind. You stated that after some research that some candidates have reported these and others have not. The rules should be applied consistently, and claimed as in-kind donations in all cases. A party in which the candidate “just happens to attend” and the party was going to happen anyway is a little nebulous. However, I would suggest we always err on the side of disclosure and include these donations, and include them toward contribution limits as well. If a person chooses to host a private meeting with more than one candidate for the same or different offices then the amount of expenditure could be split. I would point out that I could find no information at IRS.gov on in-kind donations, but did find a link at the Federal Election Commission. Perhaps that link could be provided too. On a related note, the tax filing requirements mention both \$25K limits and \$50K limits and while I know counsel is unlikely to want to provide advice around this, I would again suggest a link to IRS.gov to assist candidates.

[Link to FEC definition](#)

Tax Filing requirements for political organizations – [Link to IRS rules](#) (exempt less than 25K of income or expense)

Endorsements versus Contributions in-Kind

When does an endorsement cross over to a contribution in-kind? I attach below an email I received on 10/30 from Miner’s Alley playhouse. The playhouse generally uses (exclusively?) its email distribution list to market its’ plays, provide information about upcoming shows and scheduled events. Since it comes from and is used for marketing purposes, does this endorsement cross over and become a contribution in-kind? It is worth noting that I was very upset by this email and have received an apology for use of the email list for this purpose which is also included in the Appendix. As to the monetary value of this, it is tricky, but an attempt should be made to investigate it further. For

example, since this is really direct marketing, the cost of email could be compared to ad click cost in Facebook or other social media to capture the value of the email endorsement.

On a related note, the organization that sent this is a 501-3,c, (Organized under the name Morrison Theater Company), and probably should not have sent this note out under their organization's email list. Perhaps when the Informer sends out its election issue it could remind all such non-profit entities in town about the rules that limit what non-profits are allowed to do with respect to elections. Also, a city entity, Downtown Development Authority, is listed as a sponsor, which seems to imply that this city entity supports the content of the email and possibly that city funding was used to pay to send the email. For our smaller nonprofits, especially, a reminder like this might help them avoid tax status and other similar problems.

I hope you will give serious consider to including changes to the handbook for the good of the city. Keeping our elections clean and non-partisan is important and providing the handbook and campaign finance spreadsheet are valuable services that you provide. I hope you accept these inputs as constructive and in a spirit of always striving for improvement.

Sincerely,

Don B. Cameron (electronically signed).

****An Important Message that Impacts Golden...**b>**

Miners Alley Playhouse <len@minersalley.com>
Reply-To: Miners Alley Playhouse <len@minersalley.com>
To: dbcameron@alumni.northwestern.edu

30 October 2019 at 17:45



A Special Thank You to Our 2019 Season Sponsors!

Dear Don,

As most of you know, Miners Alley Playhouse is very involved in the community of Golden. We have been watching the Golden leadership – particularly City Council – quite closely for years now. **This week's election is extremely important, and we thought we should let you know the positions of each of the candidates for Mayor in relation to the arts.**

Laura Weinberg and Don Cameron have very different views regarding the role and importance of the arts/cultural organizations in Golden. According to Mr. Camerons's website, he says he appreciates the arts and culture, but that,

"I think supporting the arts is an individual choice to be made by people who have interest in those activities."

Considering the data showing how important arts education is to childhood development (and to the development of skills ranging from math to empathy), that seems a short-sighted position to take. Without public funding, access to the arts would only be available to the wealthy. The position also seems a bit disingenuous: Does it mean that someone who does not see value in open space shouldn't have to help pay for it? Or for those of us who don't have children shouldn't have to help pay for our schools?

Laura Weinberg's position is quite different:

"The arts are an essential part of building community and connecting people. Golden's arts and cultural organizations have a positive economic impact for the city and an important role in education. The city should invest in arts and cultural programs that deliver authenticity and engage audiences in the unique experience of Golden."

This statement, like the others we've heard from her, exemplify her thoughtful and informed positions. Laura Weinberg has consistently shown herself to be bright, kind, an excellent speaker, deeply committed to the issues we care about, and dedicated to Golden. She has been endorsed by a wide variety of Golden citizens and groups, from teachers to artists to business owners to environmentalists. She has the temperament to walk that fine line between fighting for a cause and actively listening to opposing views. ***We think she'll be a great advocate for Golden, and the arts, and for what we all love about Golden, with the skills to get things done.***

For Lisa and I, the choice is clear. And if you believe that the City of Golden should be investing and supporting the performing arts, as well as all of the fine cultural institutions in Golden, then please research the candidates' positions on this issue. This is an important election with very real consequences for the heart of Golden, so please make sure to vote.

If you would like to learn more about Laura Weinberg, her website is: <https://www.lauraforgolden.com>

If you are not currently planning on voting for Laura, please feel free to contact her campaign. She will listen to you! Her position on some issues might surprise you, and she might change your mind about some things (or you might change hers!).

Ballots must be turned in by Tuesday, November 5th. PLEASE DON'T FORGET TO VOTE!

Sincerely,

Len & Lisa



This email was sent to dbcameron@alumni.northwestern.edu
why did I get this? [unsubscribe from this list](#) [update subscription preferences](#)
Miners Alley Playhouse · [1224 Washington Ave Ste 200](#) · Golden, CO 80401-1241 · USA

Appendix – Poll Taking



Don Cameron <cameron2021don@gmail.com>

FW: Poll Taking?

David Williamson <dwilliamson@wandhlaw.com>
To: cameron2021don@gmail.com
Cc: Monica Mendoza <MMendoza@cityofgolden.net>

9 September 2019 at 18:29

Mr. Cameron;

As you know, I am general legal counsel to the City of Golden. I saw the email exchange between yourself and Golden City Clerk, Monica Mendoza, today, and felt it was necessary to provide clarification.

First, and foremost, please understand that the City Clerk is not an attorney, and is *not* authorized to provide legal advice to third parties, such as yourself. Further, any opinions from my office directed to the Clerk's office is legal advice *to our client, the City Clerk*, and is not intended as advice to, nor should it be relied upon, by third parties, such as yourself. Said otherwise, if you are unclear on the interpretation of the Golden Municipal Code, you should seek advice from your own attorney.

As to your specific inquiry, you should understand that you are, in essence, seeking an advisory legal opinion, which I will provide only upon direction of my client, the Golden City Council. Advisory opinions are seldom provided to third parties because they are largely dependent upon factual circumstances that may, or may not, be known or disclosed. Given the facts as presented below, I would have to say that my office is not in a position to give an advisory opinion, even if authorized by City Council, without more factual background investigation.

That said, I do understand your inquiry as to whether Section 4.44.010 extends to merely solicitation of a vote, as opposed to purely commercial solicitation. Of course, there could be variants of the facts that may not be as clear. (e.g. One who is soliciting funds to support a political campaign.) The question as to the applicability of the ordinance to a set of given facts is ultimately determined by deciphering the "intent" of the City Council when the ordinance was enacted. One would ask whether the conduct at question is the conduct that the city council intended to prohibit by the language of the ordinance.

Whether or not the City's trespass ordinance has been violated requires a different analysis. The primary factual consideration in a possible trespass prosecution is whether adequate notice has been communicated (by a property owner or otherwise) that the activities in question on the private property are not permissible. (The precise language on any "no solicitation" sign posted by the property owner is likely key.)

I do apologize for any confusion to you pertaining to the email from the City Clerk, including the reference to the opinions from our office to the City Clerk. However, I do believe you should seek legal counsel from your own attorney as to whether the conduct in question violates any laws. The City Clerk is not authorized to provide such an opinion, and any legal opinion from our office communicated to the City Clerk was intended for the benefit of our client only.

David S. Williamson
Williamson & Hayashi, LLC
1650 38th St., Suite 103W



Don Cameron <cameron2021don@gmail.com>

A Personal Apology From Len & Lisa...

Miners Alley Playhouse <len@minersalley.com>
Reply-To: Miners Alley Playhouse <len@minersalley.com>
To: dbcameron@alumni.northwestern.edu

12 November 2019 at 12:08

Dear Don,

On October 30, Lisa & I sent an email to you all regarding our personal concerns about each Golden mayoral candidate’s public support for the arts in Golden. Laura Weinberg won that election with a narrow margin. Since then, we have received a few very thoughtful emails from Mr. Cameron and others, objecting that the message looked like it had come from Miners Alley Playhouse.

We are sending this message now to apologize to all of you for that confusion, and for a few other errors in judgment made in relation to that email, which we will certainly never make again. Neither Miners Alley Playhouse, nor its sponsors, were involved in the drafting of our email, and we sincerely regret not having done more to make that clear. We therefore want to apologize to MAP’s other employees and supporters for tying our personal views to them in any way, and to Mr. Cameron and his supporters for sending our email using this inappropriate vehicle.

Lisa and I are Golden residents. Our daughter attends Golden schools, and Lisa’s parents live in Golden. We have a deep love of this city, its character, and its citizens. Most of all, we are grateful for all that each of you does to make the entire metro area such a wonderful place to live.

With thanks,

Len Matheo
