



**City Clerk**  
300 LaPorte Avenue  
PO Box 580  
Fort Collins, CO 80522  
**970.221.6515**  
970.221-6295 - fax  
[fcgov.com/cityclerk](http://fcgov.com/cityclerk)

January 18, 2024

Ross Cunniff, Registered Agent  
PFC Action  
2267 Clydesdale Drive  
Fort Collins, CO 80526

Via email: [rcunniff@gmail.com](mailto:rcunniff@gmail.com)

**Re: Response to Complaint against PFC Action**

Mr. Cunniff:

The City is in receipt of your response to the campaign finance complaint filed against PFC Action. The City appreciates your response, explanation, and documentation of the two corporate entities bearing your name as their respective registered agents, PFC Action and Preserve Fort Collins.

As you are aware, the complaint filed against PFC Action made allegations that the GoFundMe fundraising page received anonymous donations in violation of Section 7-136(a) of the Code of the City of Fort Collins (the "Code"). However, as you pointed out in your response, these "anonymous" donations are not anonymous to the GoFundMe fundraiser organizers but are marked as anonymous to anyone else who views the fundraiser's page if the donor so chooses. The City would note that such anonymous donations would need to be identified for purposes of campaign finance reporting requirements under the Code, should PFC Action receive donations in the future as a registered issue committee for a City "[b]allot issue. ballot question or issue" as defined by Section 7-132 of the Code.

However, the information you provided indicates that PFC Action and Preserve Fort Collins are not the same entity, that the GoFundMe is organized under Preserve Fort Collins, and that PFC Action funds Preserve Fort Collins, as stated on the Preserve Fort Collins website. Moreover, and most importantly, there is likely no pending "[b]allot issue. ballot question or issue" as defined by Section 7-132 of the Code. A "contribution" is defined under Section 7-132 to include "payment made to a third party for the benefit of any candidate committee, issue committee or political committee." Code § 7-132. Here, in the absence of a matter being set for an election, the City through my office does not have jurisdiction under Article V of Chapter 7 of the Code to prosecute an alleged violation if the elements of a violation were otherwise present. Please note that as of today's date, following Council action on January 16, 2024, an ordinance repealing

the land use ordinance that would have been subject to referendum has been finally approved by the City Council; thus, no matter will be set for election at this time within the meaning of Chapter 7 of the Code.

Accordingly, based on the original allegations in the complaint and the corresponding information you provided in your response, as well as the fact there is no matter set for election under Chapter 7 of the Code, the City is dismissing the complaint in full at this time. If you have any questions regarding this dismissal, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink that reads "Rita R. Knoll". The signature is written in a cursive, flowing style.

Rita R. Knoll  
Chief Deputy City Clerk

cc: Corey Y. Hoffmann, Esq.  
Carrie Daggett, City Attorney  
Sara Arfmann, Assistant City Attorney