

# Len Colamarino for Atascadero City Council

## Candidate Statement – July 2008

### Why You Should Read this Document



My name is Len Colamarino and I publish a Web site about civic issues facing Atascadero and nearby communities. Earlier this year, I posed "Ten Questions for City Council Candidates" in order to elicit from candidates a description of their qualifications and platforms. I also recommended that voters ask all candidates to provide written answers to these questions to find out whether they are qualified for the job and what they think and plan to do on the City Council.

On July 7, 2008, I announced my decision to run for Atascadero City Council myself. It only seems fair that I answer the same questions I've challenged others to address, so I present my detailed answers below. Thank you for reading, and please feel free to contact me at [www.upgradeatascadero.org](http://www.upgradeatascadero.org) if you have any questions or comments.

### Len Colamarino's Answers to Ten Questions for City Council Candidates

*1. What in your background, training and experience qualifies you to manage the affairs of a city of 28,000 people?*

My extensive background in business, both as a lawyer and a principal, prepares me well to deal with the challenges facing Atascadero, especially during this time when the city's business is in a state of crisis. Over more than three decades I have gained experience with business matters of all kinds, working on diverse transactions involving a broad range of industries, and dealing with enterprises of almost every variety, from small companies operating locally to multinational corporations engaged in worldwide business, as well as governments at every level. The business affairs of a modern municipal corporation of Atascadero's size are complicated and wide-ranging and call for the kind of seasoned professionalism that I can bring to managing them. I will be able not only to understand the city's affairs in all their complexity, but also make the informed judgments that Atascadero needs to meet the challenges that it is facing.

I will bring a new and needed business perspective to the Atascadero City Council. As a business lawyer in New York for three decades, one might say that I have seen it all. Beyond that, I had the privilege and advantage of seeing it from a high level. Having begun my career in a large Wall Street law firm representing many of the world's most prestigious businesses, where no expense was spared in insuring that our high-stakes matters were handled correctly, I learned how to habitually do things the right way and not just the expedient way. Later, after I developed my own corporate clientele and built my own firm, in the most competitive business center in the world, I applied the same high standards on behalf of my business clients and the companies in which I acquired interests as a principal. As a member of the Atascadero City Council, I would apply the same standards on behalf of the City of Atascadero.

My legal experience will also be a great asset for Atascadero. As a municipal corporation is a creature of the law and controlled by law in just about every respect, almost everything a

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city government does is regulated by detailed laws that are often difficult to fully understand. Whether it is the Brown Act, FEMA, fair wage restrictions, environmental regulations, or countless other legal limitations, laws and legal considerations have to be factored into almost every step that a municipal corporation contemplates taking. My legal expertise will greatly advantage me on the Council, and it will advantage the residents of Atascadero to have a member on the Council who is literate in the law and capable of understanding all of the dimensions of the issues with which the city has to contend.

In case there is any concern that as a lawyer I will be too preoccupied by a busy practice to give sufficient attention to City Council matters, let me note that I am no longer engaged in the active practice of law. In fact, I am not even admitted to the California Bar. The reduced workload that I have now is centered around a few companies based outside of California of which I am a principal. My activities for them as a principal, director and legal officer are not so absorbing that I will be unable to give City Council matters the time and attention that they require.

My experience in living and working in places other than Atascadero until the end of 2004 adds to my qualifications. I will bring new vision, energy and approaches to a city that is suffering in part because those in charge do not know how to adapt to the changes that time and growth have brought. They just keep doing things in the old ways, even when it has become painfully apparent that the old ways are not working. Atascadero will derive considerable advantage from having at least one member of the Council who has seen how it is done in other places and who will be able to draw on lessons learned from other municipalities. My extensive prior experience living and working in various big cities, medium-sized cities, suburban communities and small towns gives me a broad frame of reference to draw on, and will cause me to be flexible and objective in attacking the problems facing Atascadero. What I have seen elsewhere also strengthens my optimism about Atascadero, because the places where I have previously resided or worked did not have a lot of Atascadero's natural advantages, yet most managed to overcome problems much worse than those confronting Atascadero.

#### *2. Who will you consider your constituency as a member of the Atascadero City Council?*

I will represent the interests of the entire Atascadero community. I want to be emphatic in stating that my constituency will not be limited to any one segment of the population or any particular group or groups. I am seeking, and welcome, support for my candidacy from all who want a representative of the entire community on the Council. I hope that all voters will look with an open mind at my qualifications and my policies, even if they consider themselves members of one of the city's vying factions, and realize that voting for me is a smart choice for the community.

During my career as a practicing lawyer, it was my occupation to hire myself out as a representative of various private business interests, and to serve as the paid advocate of those private interests. That occupation was very rewarding to me, but my involvement in public affairs is not about continuing to represent private, individual or special interests. On the contrary, in operating my UpGrade Atascadero website, and in running for a City Council seat, it is my purpose to act solely on behalf of the general public interest of our community. I feel confident that this approach will be supported by many voters in Atascadero, because I believe that painful experience has shown that Atascadero needs

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Council members dedicated to representing the entire community and not just one group or another.

One of the reasons that I am running for City Council now is because Atascadero is suffering greatly from its deeply divided state, and the absence of leaders ready, willing and able to transcend the divisions. All too many Atascaderans now see a town of "us" and "them," and feel that they are in some sort of adversary contest to gain or preserve power, and prevent the other side from doing so. One of the goals of my candidacy and my time in office will be to get above that, for I believe that restoring unity in Atascadero is of vital importance for our community. Because that is the right thing to do, and because I know that even those here who have been drawn into the partisan competition remain basically well intentioned and community-minded, I am stepping up to rise above the factional strife and to represent the interests of the entire Atascadero community.

*3. Do you have a political party affiliation that will influence how you proceed as a member of the Atascadero City Council?*

I am an independent, registered to vote as non-affiliated, and not a member of any political party. That is not accidental or by default. I made a conscious decision to be independent when I first became eligible to vote, because I did not then, and still do not, want to have my voting choices or political positions directed or biased by considerations of party affiliation. The years have only reinforced my determination to stay independent and guard against being prejudiced for or against any particular candidates or positions based on party affiliations or party platforms. As a member of the Atascadero City Council, I will govern myself in this same way, considering every matter before me on its individual merits and evaluating every message without being influenced by the identity of the messenger who delivers it.

*4. Do you have any ideological orientation that will influence how you proceed as a member of the Atascadero City Council?*

I am not an ideologue and consider myself neither a conservative nor a liberal. If some kind of description must be applied to me—and I would prefer to be respected as an individual and not be reduced to a label—the description of "moderate" or "centrist" would probably come closest to being accurate.

I have been intellectually active throughout my life, and during my youth was attracted at different times to ideas both on the extreme left and the extreme right. I grew from my experience to believe that extreme positions rarely withstand impartial analysis and to distrust ideological commitment. In the course of my legal education and experience, like most judges, lawyers and law students, I have often had the experience of hearing one side of a controversy presented and feeling persuaded, then hearing the other side presented and feeling equally persuaded.

My orientation is to try to see and appreciate both sides of every issue, and to be suspicious of claims that there is but one legitimate point of view on a subject. Over the years, it has been my experience that upon understanding the positions of both sides, the truth is usually found to lie in the middle.

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*5. Are you, or have you ever been, a member of any special interest group?*

No.

*6. As a member of the Atascadero City Council, will you have any conflicts of interest due to business interests or business or personal relationships?*

No. I can foresee no conflicts of interest, because I am not engaged in business in the City of Atascadero. This is another advantage related to my relative newcomer status here. I do not have any conflicting business entanglements, and there is little possibility that any of my personal relationships will produce conflicts of interest for me on the Council.

The matter of conflicts of interests is one at which Atascadero voters should look carefully. It is important not to have "a government of our friends, by our friends and for our friends." In a community such as Atascadero, where there are many webs of business and personal relationships, there is a danger of having a government dominated by "in crowd" and "out crowd" favoritism and disfavoritism. In such a community, it is vitally important for members of the City Council to be attuned sensitively to the possibility that they will be influenced in their official activities by their business interests or the interests of their family members and friends. And even if they think that they will be unaffected by such influences, they need to be mindful of the fact that in many circumstances it may seem to impartial observers that they are prejudiced and that there will be, therefore, an appearance of impropriety. In all cases where a conflict is possible or an appearance of impropriety is present, the affected Council members should recuse themselves from participating in the Council's decision in the case.

At election time, voters should consider the question of conflicts of interest and decide whether some candidates for Council have so many business or personal relationships in Atascadero that they are likely to have their impartiality compromised on an unacceptably large number of matters likely to come before the Council.

*7. Have you accepted financial contributions from any special interest groups or any individuals or organizations doing business, or planning to do business, with the City of Atascadero?*

No. Furthermore, I will not accept financial contributions in excess of \$500 from any special interest group, business or individual, whether or not they have business with the city. Any contribution in excess of \$500 or so could make me feel a sense of obligation and loyalty toward the contributor. As I refuse to expose myself to such influences, or allow it to appear that I owe favors to big financial backers, I am ruling out all such large contributions.

If other candidates do not impose similar limitations on the financial contributions that they accept, you should question it. First, what kind of person is going to take more than \$500 or so and not feel like they have to do something to reciprocate or show their appreciation if they succeed in getting elected to the City Council? Second, when financial contributions of that size are made, especially by businesses, isn't it reasonable to believe that the

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contributions are being made as a sort of investment that is expected to be repaid by favors to be granted if the candidate succeeds in getting elected?

Another consideration relates to the influence of money in our government. While we have a capitalist system in the realm of private enterprise, capitalism is not a system of government, and has no place in American government. While money rules in the business world, it is not supposed to rule in our democratic system of government. On the contrary, a basic requirement of democracy is that it be egalitarian, with everyone getting equal voting rights and representation, irrespective of how much money or status they have. Allowing unlimited contributions subverts that democratic goal, however. It unfairly advantages those businesses and wealthy individuals with enough money to afford to give large cash amounts to candidates and, thereby, put themselves in a position of being owed favors by those who win elections. For all of these reasons, voters should ask themselves whether a candidate who imposes no limit on financial contributions to his or her campaign is one who is honestly dedicated to representing the best interests of the community.

Let me make clear that I am not independently wealthy and am not rejecting large monetary contributions because I have no need for the money. I lack extra money of my own to devote to this endeavor, and do need help in financing the campaign. But because the point of this undertaking on my part is to do the right thing, I am not going to put myself at risk of undue influence in order to get elected, and I am not going to further compromise our government's trustworthiness and credibility by letting big financial contributions into my campaign.

I just have to hope to get a lot of small contributions. If that does not happen, I will have to campaign on the cheap.

#### *8. What is your vision for Atascadero?*

My website, UpGrade Atascadero—located at <http://www.upgradeatascadero.org>—and my blog Five Syllable City—which can be found at <http://blog.upgradeatascadero.org>—reveal in detail my vision for Atascadero. You will find numerous writings of mine there that will give you a lot of insight into my thinking and knowledge about my ideas for Atascadero. In fact, I am confident that you can learn more about my views from the writings on my website than you can learn about the views of any of the other candidates. In any event, below is a summary of my vision of Atascadero.

The residential areas here are as nice as any I have seen anywhere in the world. I do not believe in trying to fix what is not broken. So the plan for the residential areas is to maintain what we have, with an emphasis on keeping the roads and other infrastructure in good working order, and emergency services at a level that protects our safety and security.

Atascadero's business sector is a different matter. It is in need of a complete makeover. We need to substantially expand and balance the local economy, starting with the retail sector, where enhancement and diversification are sorely needed. In meeting that challenge, the way to start is by defining and developing distinct business districts in our city. The first priority is reviving the downtown district, where we need to create a busy and attractive central business area for our community. The Carlton was a start. The Lewis Avenue Bridge helped. The Colony Square project offers hope. It is overdue, however, for the largest

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landowner in the downtown, the city of Atascadero, to start doing its part. By its inaction in repairing the historic city hall and putting it to productive use, the city is stifling development in the downtown area. On the Council I will consider it a priority to get the city to start properly managing Atascadero's most valuable and strategically important, physical asset—the old city hall—in a proactive and professional manner. The city needs to act as expeditiously as possible in committing itself to a plan to rebuild the old city hall and apply it to its highest and best use. As things are, with Atascadero's signature downtown structure standing there, crumbling, with no plan on the books for restoring it to a productive use—a full four and a half years after the earthquake---private developers are deterred by uncertainty and risk from committing any of their own resources to projects in Atascadero's downtown district. That has to change.

My vision for the old city hall is to take full advantage of its grandeur and commanding presence in the city by making it the site of a major museum. Used in that way, the building would act as a magnet to draw activity into the downtown area. That would boost the prospects for Colony Square and encourage needed redevelopment around the Sunken Gardens. Once those areas are built out, the downtown should be expanded to the east by pursuing suitable and environmentally sensitive development along the Creek and in the area where the Junior High School campus is now. We would then have a downtown appropriate for a city of Atascadero's size, and a hub for our community's business, social, entertainment and cultural activity. With gasoline prices headed only higher for the foreseeable future, having a place in our own town to shop, dine, meet and entertain ourselves, out of our cars, is of mounting importance to our quality of life and cost of living, and will enhance the value of our properties. Revitalizing the downtown commercially will also lead to renewed residential development in the central part of the city, as individuals will be increasingly attracted to reside where a short walk or bike ride will enable them to shop, dine and entertain themselves, without the costs of driving.

In my vision of a redeveloped business sector for Atascadero, there will also be improvement in the district that I call the Central Strip area, which is located on El Camino Real from Highway 41 down to Spencer's food store. That disorderly area needs to be organized better in order to cultivate an identity and improve the marketing of the Strip, especially to passers-by on the Freeway. In that regard, attractive signage and lighting in the retro style associated with suburban strips in the 1950s and 60s could help to give the area a distinctive, attractive common theme and sense of place, to make it more inviting and user-friendly than it is now. It would also permit more direct advertising along the Freeway, aimed at enticing passers-by to stop on Atascadero's stylish Central Strip for refueling and quick snacks and meals. To accomplish this, the city could offer to work with the businesses on the Central Strip in the sort of business-government partnership that I have seen accomplish so much in other cities where I have lived.

A third important district for retail activity is the big box store district that is already partially formed at the northern end of Atascadero. Currently, the most notable big box stores there are Home Depot, Staples and Office Depot. In the next couple of years, it looks like Wal-Mart might also arrive, which would probably bring a few more specialty big box operations, and maybe some of the chain restaurants that often open around groups of big box stores. If the voters adopt the Shield Initiative, or the Wal-Mart project is not completed for some other reason, it will be necessary to recruit some other big box retailers to that area. With the right strategy, that should be doable.

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The above represents a glimpse of the vision that I have for Atascadero. The objective is to give us a more diverse, balanced and dynamic retail sector, along with a place for every kind of resident to find, in our hometown, the types of shopping, entertainment, social and cultural activity that we want and need. Reviving the retail sector in this way is the key to turning around our declining sales tax revenues and putting the city back on sound financial footing. Equally important, this kind of redevelopment will improve our quality of life going forward and give us a city with a sense of place and a culture and appearance that will make us proud. If we step up, it can be done.

#### *9. How do you plan to implement that vision as a City Council member?*

As a City Council member, I will assign the highest priority to adopting, with all deliberate speed, a definite plan to rebuild the old city hall for its highest and best use. To begin downtown redevelopment in earnest, and to start the revival of our community, it is crucial for the city to commit to a plan to restore that structure and re-integrate it, as productively as possible, into the business, social and cultural life of the community, without further delay. As stated above, my belief is that the old city hall would best be used as the site of a major museum, which would attract visitors and locals alike to the downtown, and working on that project will be a priority of mine.

At the same time, I will work at stimulating downtown development in other ways, for example: (1) getting the city to adopt a step-by-step strategic plan for downtown development, complete with a schedule for rebuilding the old city hall and architectural renderings and plans for the buildings surrounding the Sunken Gardens; (2) offering as many incentives as possible to projects in the downtown area, especially projects involving properties around the Sunken Gardens; (3) recruiting proven, adequately-capitalized developers to get in on the ground floor of Atascadero's downtown redevelopment; (4) encouraging Atascadero Main Street, the Chamber of Commerce and other interested organizations to become more ambitious in promoting downtown development and staging events in the area; and (5) promoting Atascadero more effectively for tourism, particularly among strategically selected target markets, such as wine tourists.

I will also encourage the business community to become more active and engaged in improving the overall retail environment. On that point, I will work to create a business-government partnership along the lines described above in the section outlining my plans for improving the Central Strip district. In addition, I will work to get the City Council, the Planning Commission and the city staff to engage in planning, and to adopt standards and strategies aimed at effectively organizing the commercial sector of Atascadero into distinct, complementary business districts. As explained above, by such actions we will diversify and balance the retail economy and provide a place in Atascadero for every resident to satisfy locally almost all of his or her business, social, entertainment and cultural needs.

#### *10. What is your position on the Wal-Mart project?*

It is overdue for the voters to decide this matter with finality. I therefore welcome the upcoming vote on the Atascadero Shield Initiative. As I have stated in my blog, it is my belief that the only way for Atascadero to conclusively resolve this matter and come to

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closure on it is by a democratic vote of the residents. Whatever the outcome, I will treat it as binding on me on the City Council.

However the Wal-Mart controversy turns out, the project's fate will neither save nor destroy Atascadero. The vision that I have outlined above does not depend on the Wal-Mart project, one way or the other. Whether the Wal-Mart project goes forward or not, we can and will adapt and do what it takes to rebuild our city's business sector. Getting the divisive Wal-Mart controversy behind us will help, though, as it will reveal that the differences among us are not as significant as they may have seemed in recent years, and it will remove a distraction that has been disabling Atascadero in addressing the many other problems bearing down on us during these difficult economic times.

### **More About Len Colamarino**

Len Colamarino is a resident of Atascadero. After living here for some three years, Len became active in civic affairs due to his growing concern about the problems plaguing Atascadero's commercial and government sectors. While he will remain content in Atascadero regardless of what is done about those problems, Len started the UpGrade Atascadero website, <http://upgradeatascadero.org/>, on the premise that it will be a service and benefit for all parties concerned if Atascadero's commercial and governmental failings can be remedied.

Len's professional background is as a lawyer, having practiced business law in New York City for almost thirty years. After graduating in 1976 from the University of Pennsylvania Law School, where he was a staff editor of the Law Review, Len went to work at a large Wall Street law firm. Upon developing his own corporate clientele in the early 1980s, Len started a boutique corporate law firm with two other partners. That firm, Colamarino & Sohns, LLP, located in Midtown Manhattan across from St. Patrick's Cathedral, at 645 Fifth Avenue, was where he maintained his practice until he relocated to California at the end of 2004. Throughout those years, Len enjoyed a sophisticated general business practice which embraced, among other things, dispute resolution, including litigation and arbitration, corporate governance, finance, drafting and negotiating of contracts for many kinds of transactions and international law. His practice also acquainted Len with numerous industries and exposed him to various kinds of businesses.

Before attending law school, Len majored in economics, and minored in political science and history, at the State University of New York at Buffalo. He received his B.A. in 1973, summa cum laude, and was elected to Phi Beta Kappa and Omicron Delta Epsilon (an honorary economics fraternity).

Len has served as a director of numerous corporations, and continues to serve as a director, as well as a member of management and legal officer, for several corporations in which he has an interest as a principal, none of which are located in San Luis Obispo County.

Len was born in Rochester, New York, in 1951. He is married to Katrin Colamarino, who maintains a consulting practice directed at non-profit organizations, as well as a busy schedule of local volunteer activity.