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DEPARTMENT OF LAW

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Denver, Colorado 80203  
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Office of the Attorney General

January 24, 2017

Honorable Jeff Allen  
c/o Glendale Chamber of Commerce  
950 South Birch Street  
Glendale, CO 80246

Dear Mr. Allen:

On January 23, 2017, the Colorado Independent Ethics Commission ("IEC") reviewed a complaint filed pursuant to Art. XXIX, sec. (5), of the Colorado Constitution. The complaint was deemed non-frivolous. A copy of the complaint is enclosed with this letter.

You have the right to be represented by counsel of your choice. If you do retain counsel, please ask her or him to contact me at her or his earliest convenience. The Commission would like to set up a telephone conference to address several legal issues.

Also, please feel free to review the Commission's website for additional information at <https://www.colorado.gov/pacific/iec>, or contact me directly if you have any further questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Kyle Dumler", written over a horizontal line.

Kyle Dumler  
Senior Attorney General  
Attorneys for the Independent Ethics Commission  
Ralph L. Carr Colorado Judicial Center  
1300 Broadway, 8<sup>th</sup> Floor  
Denver, CO 80203  
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RUSSELL W. KEMP  
303 • 628 • 3624 (direct)  
rkemp@irelandstapleton.com

March 18, 2016

**Via email: [iecinfo@state.co.us](mailto:iecinfo@state.co.us)**  
Independent Ethics Commission  
1300 Broadway  
Suite 240  
Denver, CO 80203

Re: Complaint Filing

Ladies and gentlemen:

Along with this letter, we are filing today the attached Complaint alleging ethical violations by Jeff Allen, Member of the City Council of Glendale, Colorado. Please use me, as counsel for the Complainant, as the point of contact for this Complaint.

We are filing a similar complaint with the City of Glendale, alleging violations of the Glendale City Code. A copy of that complaint is also attached.

Please do not hesitate to call with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "RW Kemp", written in a cursive style.

Russell W. Kemp

Enclosures



chief executive of the Chamber. At various times, most recently in December 2015, as a member of the Glendale City Council, Mr. Allen voted to approve the payment of substantial sums of City funds to the Chamber, which historically has paid its chief executive a significant annual salary and used the City funds to make payments to employees and officials of the City, to political candidates, and to the Glendale Cherry Creek Chronicle, among others.

Attached as **Exhibit 2** are the Minutes of the Regular Meeting of the City Council of Glendale, Colorado, December 1, 2015 ("December 1 Meeting"). At the December 1 Meeting, the Council considered and passed by unanimous votes Ordinance No. 7, Series of 2015, approving the City's budget for 2016, and Ordinance No. 8, Series of 2015, authorizing the City to spend the budgeted amounts. The minutes reflect that Mr. Allen was present at the December 1 Meeting and do not reflect that Mr. Allen recused himself from any action of the Council at the meeting.

The City of Glendale has a pattern of budgeting for and paying to the Greater Glendale Chamber of Commerce ("Chamber") substantial sums of money each year. Attached as **Exhibit 3** is Page B-10 of the City's 2016 budget, adopted at the December 1 Meeting. Payments to the Chamber fall under two accounts in the budget: 100-8440 "Contributions" and 100-8445 "Economic development."

Documents obtained through Colorado Open Records Act requests reflect that as of late 2015, the City anticipated that a total of \$226,500 would be paid in "contributions" in 2015. See **Exhibit 3**. Among the City's contributions in 2015 was the sum of \$80,000 paid to the Chamber, as reflected in another document obtained from the City through Colorado Open Records Act requests. See **Exhibit 4**. The City's 2016 budget again calls for \$227,000 in "Annual contributions to various organizations" in 2016. In addition to contributions, the City paid \$162,000 (budgeted as \$160,000) in 2015 for "Vendor's fee paid in connection with City's economic development." See **Exhibit 3**. The City confirmed in response to a Colorado Open Records Act request that the "Vendor" is the Chamber. See **Exhibit 5**. Accordingly, in 2015, the City paid a total of \$242,000 to the Chamber. The 2016 budget appears to track actual expenses from 2015 very closely. We attempted through another Colorado Open Records Act request to the City to confirm that these budgeted amounts will again be paid to the Chamber, but the City refused to provide information.

Other records obtained from the City show how the Chamber spends the funds received from the City for "Economic development." Attached as **Exhibit 6** is a transaction history from June 2014 to October 2015 (but not

including all months, as the City claims it does not have complete records) for the Glendale Chamber of Commerce "C" account. The records indicate that the Chamber receives approximately \$12,000-\$15,000 every month from the City, which the Chamber then uses to pay items including: Mr. Allen's credit card charges, advertising and copywriting in the Glendale Cherry Creek Chronicle, payments to City employees, payments that appear to be political candidate donations, a "pool party" for Mr. Allen, and in one month, transfers to cover "payroll" or "PR", presumably for the Chamber. The names of elected officials and employees of the City appear throughout the "C" account records. Upon information and belief, Mr. Allen receives a salary as the chief executive for the Chamber, which is primarily funded by City funds as directed by the City Council. In 2011, for example, the most recent year for which records have been obtained, Mr. Allen's predecessor as chief executive of the Chamber received a salary of approximately \$100,000.

In voting to adopt the 2016 budget, Mr. Allen as Council Member took an official act that directly benefitted him in his employment with the Chamber. The benefits include, but are not limited to, payments from the "C" account funded by the City. As the executive in control of the Chamber and as an employee, Mr. Allen would benefit from all revenue received by the Chamber, including payments from the City.

Section 4.27 of the Glendale Municipal Code provides: "No member of the Council shall vote on any question in which he has a financial interest, other than the common public interest, or on any question concerning his own conduct."

The City's Code of Ethics, Section 2.14.040(B) contains a similar prohibition: "No elected official, officer, board member, employee, or independent contractor shall perform an official act directly and substantially affecting to its economic benefit a business or other undertaking in which he either has a substantial financial interest or is engaged as counsel, consultant, representative or agent."

Mr. Allen's votes at the December 1 Meeting clearly violate both Code sections. His votes in past years to approve prior budgets and City expenditures that directly benefitted him in 2015 and before, also clearly violate both Code sections.

C.R.S. Section 24-10-109(3)(a) provides: "A member of the governing body of a local government who has a personal or private interest in any matter proposed or pending before the governing body shall disclose such interest to the governing body and shall not vote thereon and shall refrain from attempting to influence the decisions of the other members of the governing

body in voting on the matter.”

C.R.S. Section 24-10-109(3)(b) allows voting on a matter otherwise prohibited by Section 109(3)(a), but only “if his participation is necessary to obtain a quorum or otherwise enable the body to act and if he complies with the voluntary disclosure procedures under section 24-10-110.” C.R.S. Section 24-10-110 provides that the voluntary disclosure shall be made in writing to the Secretary of State.

C.R.S. Section 31-4-404(2)&(3) contains a similar prohibition and procedures for disclosure and compliance. C.R.S. 24-18-108(d) is also implicated by the actions of Mr. Allen raised in this Complaint.

There is no record of any disclosure by Mr. Allen to the Colorado Secretary of State. Furthermore, his participation in the vote was not necessary for a quorum.

The remedy to the matter I (we) would like is:

On behalf of our client, we request that the Independent Ethics Commission investigate the ethical violations described above, make findings and assess appropriate penalties, pursuant to its mandate in Article XXIX, Section 5 of the Constitution of the State of Colorado “to hear complaints, issue findings, and assess penalties...on ethics issues arising... under any other standards of conduct and reporting requirements as provided by law.” We specifically invoke the independent jurisdiction of the Independent Ethics Commission to enforce laws of the State of Colorado enacted to preserve the public trust in government service without conflicts of interest. C.R.S. Section 24-18-103(1). Pursuant to C.R.S. Section 24-18-103(2), sanctions that would be appropriate for a private trustee breaching a fiduciary duty are requested. Furthermore, sanctions pursuant to Section 6 of Article XXIX of the Constitution may be appropriate for any actions found to be a breach of the public trust for private gain.

We also invoke the jurisdiction of the Independent Ethics Commission to investigate the allegations stated above as violations of matters covered by Article XXIX of the Constitution, specifically, the gift ban in Section 3 of Article XXIX, and to issue findings and assess appropriate penalties.

[SIGNATURE ON FOLLOWING PAGE]

I (We) hereby acknowledge that I (we) will cooperate in this Complaint and will appear at any hearing if the Complaint is set for hearing.

Signature(s): \_\_\_\_\_

Attorney (if applicable): RS RUSSELL W. KEMP, #30158

(IRELAND STAPLETON PRYOR & PASCHKE, PC

Dated at Denver, Colorado, this 18<sup>th</sup> day of March, 2016.





coaching firm with her husband Bob, and helps clients implement systems for finance, human resources, and office management.

As Program Coordinator for the Greater Glendale Chamber of Commerce, Sherri supports the membership with their needs, coordinates Chamber events, and manages communications about the Chamber and member's special events.

### Megan Carthel

#### Social Media

Megan is a freelance writer for the Glendale Cherry Creek Chronicle. She comes from San Marcos, Texas, where she studied electronic media at Texas State University. Megan is an adventurer at heart - whether she's scuba diving, training for marathons and half marathons, skydiving or exploring Denver, she's always up for the challenge.

### Ryan Peru

#### Graphic Design Artist

#### RP Design

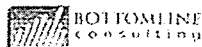
RP Design, established in 2007, has Ryan Peru as creative director and visionary. The business where the art of video, design, and delivery all merge into one complete product. The customer experience begins at conception and finalizes in deployment. RP Design consists of a close community of professionals who strive to be creative with a continuing vision of excellence and integrity.

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### Lisa Pierpont

#### President



#### BottomLine Consulting, Inc.

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### John Brandenburg

**Web Master**

***ACME Logo***

Professionally branded website designs and responsive design for mobile devices, ACME Logo has developed every type of site imaginable. From custom applications to e-commerce to informational sites, there isn't a website feature out there that can't be handled for their clients.

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**Linda Cavanagh**

**AAA Colorado**

Linda began her career with AAA Colorado 35 years ago as the Personnel Manager and continued her education in Personnel Management/Labor and Employment Law. Linda has since been promoted to the position of Sr. Vice President

**Mike Dunafon**

**Mayor of Glendale**



Mike Dunafon is the ninth mayor of Glendale in its 60-year history. Prior to his election, Mayor Dunafon served as Mayor Pro Tem for eight years and has been a member of the Glendale Planning Commission since 1999 and Chairman since 2004. A Colorado native, Mayor Dunafon has been a major player in initiating and shepherding the extraordinary 14-year transformation of the small City of Glendale into an entertainment capitol and internationally-known city. This transformation began when Dunafon first chaired the Strategic Planning Initiative in 1998. The Glendale citizens clearly sent a strong message: they wanted a new identity - a more vibrant Glendale

Co-founding the first Glendale Chamber of Commerce, Mayor Dunafon launched a full-time effort to collaboratively unite the residences and businesses of the City into a single vision. Mayor Dunafon was instrumental in establishing a community-wide newspaper, "The Glendale News," which subsequently became "The Glendale/Cherry Creek Chronicle," currently mailed to 85,000 homes and businesses in the area.

With the Mayor's guidance, Glendale became the first city in the United States to adopt rugby as the sole and official sport of the city, and today Glendale is known as "Rugbytown USA." Dunafon has a B.A. from the University of Northern Colorado, where he lettered for four years and was part of the All-Conference team. He signed contracts to play with the Denver Broncos in 1976 and 1977. His rugby career began in 1978 with the British Virgin Islands RFC and continued until 1992. He has a USA Rugby Level 3 coaching certification

**Scott Franssen**

**Tennyson Center for Children**



Scott Franssen has been a nonprofit professional in Colorado since 1997. Since then, Scott has worked for the YMCA of Metropolitan Denver, Central City Opera House Association, National Sports Center for the Disabled, and currently for Tennyson Center for Children. As a fundraiser for nonprofit organizations, Scott focuses on relationship building between people, and sees great value in communities and individuals working together to help the greater good.

As demonstrated by his dedication to working for nonprofit organizations, Scott actively seeks opportunities to serve and help others. In 2004, Scott was elected to the Board of Directors for the Greater Glendale Chamber of Commerce, a position he still maintains. The Greater Glendale Chamber membership has grown in that time from a modest 50 to almost 300.

Additionally, Scott joined the Glendale Planning Commission in 2011 to have more involvement in the future development of the City of Glendale. In April 2012, Scott was elected to the Glendale City Council representing the community in which he lives, and further demonstrating his willingness to serve.

Tennyson Center for Children was established in 1904 as an orphanage for children and today serves children, youth and their families to overcome a variety of life crises, including abuse and neglect. Programs and services are about commitment to kids. Therapists, social workers, Educators and Youth Treatment Counselors strive to help each child and family overcome barriers to happiness and success. As such, services remain child-centered, family-focused and community-based

Additional information can be found at [www.childabuse.org](http://www.childabuse.org)



**Debbie Matthews**

**Shotgun Willie's**

Debbie Matthews is the Past-President of the Greater Glendale Chamber of Commerce and has been the majority owner of Shotgun Willie's since 1982. Preceding the Chamber, Debbie was involved with the Glendale Business Association. She has a huge heart and is active with several boards and non-profit groups.



**David Peterson**

**Bull & Bush**

David Peterson is the co-owner of the Bull & Bush Pub & Brewery in Glendale, is a past-president of the Chamber and is an original member of the Board of Directors. He has been with the Bull & Bush since 1994, after graduating college. Now he and his brother, Erik, run the day to day operations. Specializing in brewing their own beer, the Pub opened in 1971 and has been a local favorite ever since.



**Barbara Bown Wyatt**

**Butler Rents**

Barb has truly grown up in the rental business. Her parents Jack and Bernie Bown bought *Butler Rents* in 1970 and she has been involved ever since. She is currently president of the American Rental Association Colorado Chapter and received the 2014 Region 7 Person of the Year.

Barb is a current board member of the Four Mile Historic Park and serves as the Education Committee Chair. She has also been involved and served on the Denver Advisory Board for the Shining Stars Foundation.



**Jeff Allen**

**Greater Glendale Chamber of Commerce**

Jeff is the current Chief Operating Officer for the Chamber and has been a member of the Chamber's Board of Directors since 2003. In his extra time he coaches the offensive line at Mullen High School, and he serves as the Chair of the Board for *Transportation Solutions*, a non-profit organization focused on transportation challenges in Glendale neighborhoods.

## Mark Smiley



### Glendale Cherry Creek Chronicle

Mark has been the Executive Editor of the Glendale Cherry Creek Chronicle since September, 2013. Mark has 15 years of executive level experience. He most recently served as the Director of Marketing and Public Relations for Seniors' Resource Center. He currently volunteers as the Chairman of the Good News Breakfast Coalition. In the past, he has served on the Board of Regents for the US Chamber of Commerce's West Institute for Organization Management, County of San Bernardino Workforce Investment Board, US Chamber of Commerce Aviation Steering Committee, and the Friends of the LA/Ontario International Airport.

Mark is the former President of Sundance Public Relations, Mayor of the city of Glendale, CO, Executive Director and co-founder of the Greater Glendale Chamber of Commerce, and President/CEO of the Ontario California Chamber of Commerce. Mark Smiley was the seventh mayor in the 61 year history of Glendale. A native of Chicago, Smiley graduated from Saint Xavier University with a B.A. in Mass Communication in 1994 and also holds a master's degree in Communication Studies from Governors State University in Chicago. He and his wife Gwen were married in Beaver Creek, CO 9 years ago and have a beautiful 4 year old daughter, Eleanore.

RECORD OF PROCEEDINGS

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MINUTES OF THE REGULAR MEETING  
OF THE CITY COUNCIL OF GLENDALE, COLORADO

December 1, 2015

Mayor Mike Dunafon led the Pledge of Allegiance.

1. Call to Order and Roll Call. Mayor Dunafon called the regular meeting of the Council to order. Sherry Frame, City Clerk, called roll. The following Council Members were present: Mayor Mike Dunafon and Council Members Jeff Allen, Scott Franssen, Joe Giglio, Dario Katardzic, and Doris Rigoni. Mayor Pro Tem Paula Bovo was absent. City Manager Jerry Peters, City Attorney Matt Giacomini, and members of City Staff also attended the meeting.

2. Approval of Agenda. Council Member Katardzic moved to approve the agenda, after moving Resolution No. 17, designating a public place for posting meeting notices during 2016, to the January 2016 agenda. All Council Members agreed. This particular motion requires no second. The motion passed unanimously.

3. Public Comments. Jeanne Price appeared before Council. She said that she had recently made an open records request, asking for annual reports for the Glendale Chamber of Commerce from the City and received only the 2011 report. She believes that a condition of money given by the City to the Chamber in 2003 was to thereafter receive copies of annual reports.

4. Consent Items

- a. Minutes of the November 3, 2015 Regular Meeting
- b. Renewal of Tavern License for Sonley Lodging, LLC d/b/a Residence Inn Denver Cherry Creek, 670 South Colorado Boulevard
- c. Renewal of New Tavern License for INDE, LLC, d/b/a El Potrero, 4501 East Virginia Avenue
- d. Renewal of Beer and Wine License, Fast Casual Pizza Denver IV, LLC, d/b/a Live Basil Pizza, 1128 South Colorado Blvd.

Council Member Franssen moved to approve the consent items. Council Member Allen seconded the motion. The motion then passed unanimously.

5. New Hotel and Restaurant Liquor License for The Noodle Shop Company – Colorado, Inc. d/b/a Noodles and Company, 4590 Leetsdale Drive. Mayor Dunafon read the matter into the record by title only, all Council Members having received copies of the same.

Chief Haskins said the Police Department completed a background check on the Application for a Hotel and Restaurant Liquor License. The Noodle Shop Co-Colorado, Inc. is owned by and operated by TNSC, Inc. A criminal check run on Vice President and Operating Manager Paul Strassen and the Secretary David Boenmighausen showed no criminal activities. A check with the State of Colorado Liquor Enforcement Section showed no record of complaints against Paul

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Strassen or David Boennighausen. TNSC, Inc. has had 15 liquor violations in Colorado since 2004, the most recent being in June 2015 in Boulder. The Chief said this is a new license, and a Premise Inspection will be completed on or before the day the establishment opens for business. Based on the investigation and with the consent of the Mayor and City Council, Chief Haskins recommended approval of the Application for Hotel and Restaurant Liquor License for The Noodle Shop Co-Colorado and Paul Strassen as the new Manager.

Kim Deluca appeared before Council as Legal Counsel for the applicant, along with General Manager Zenaida Solis. She said the business expects to open on January 15, 2016, and all employees have had ServSafe alcohol training. Council Member Franssen noted the past liquor violations against the company and asked what will be done to eliminate future violations. Ms. Deluca said that there would be immediate liquor training for all staff, from the dishwashers to the managers. If the employee is not terminated as a result, there would at least be a note placed in the personnel file. She explained the ServSafe program, which is similar to TIPS training.

Council Member Katardzic moved to approve the New Hotel and Restaurant Liquor License for The Noodle Shop Company – Colorado, Inc. d/b/a Noodles and Company, 4590 Leetsdale Drive. Council Member Franssen seconded the motion, and the motion passed unanimously.

6. New Retail Liquor License for Target Corporation d/b/a Target Store T-1806, 4301 East Virginia Avenue. Mayor Dunafon read the matter into the record by title only, all Council Members having received copies of the same.

Chief Haskins said the Police Department completed a background check for a New Retail Liquor License for Target Corporation d/b/a Target Store T-1806. He said the Colorado Liquor Enforcement Division maintains a “master file” on Target. A check with the Liquor Enforcement Section showed no record of complaints against Target Store T-1806. Based on the investigation and with the consent of the Mayor and City Council, Chief Haskins recommended approval of the New Retail Liquor License for Target Store T-1806.

Attorney Roger Morris (Attorney No. 8410) appeared before Counsel on behalf of Target. He said Target is selling its drug store operations to CVS. Target presently has a drug store liquor license, but when the sale goes through, Target will no longer be allowed to hold a drug store liquor license, as the same premise is not allowed to have two liquor licenses at the same time, covering the same area. Therefore, Target is choosing to build a retail liquor store within their larger store.

Chuck Line, Deputy City Manager, said there will be a transition time period when a pharmacist will not be on duty to meet the drug store liquor license requirements. The State will allow Target to use the drug store license for 60 days after CVS takes over the pharmacy to transition



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into the new liquor store license. If, after 60 days, the new liquor store is not complete and ready to open, liquor sales would close down until the certificate of occupancy for the build-out has been obtained. Mr. Line said that Staff requests Council add this as a condition of approval.

Max Scott of Oedipus, Inc. appeared before Council. He said Oedipus conducted a Needs and Desires Assessment for the new license. Thirty businesses favored, five opposed. One hundred forty-six residents favored, two opposed. One hundred seventy-six signatures equates to a 97.78% approval rate. Council unanimously consented to accept this testimony into the record.

Council Member Rigoni moved to approve the New Retail Liquor License for Target Corporation d/b/a Target Store T-1806, 4301 East Virginia Avenue, with the condition that the drug store liquor license can be used for 60 days after CVS has taken over the pharmacy. If Target has not received a Certificate of Occupancy on the build-out for the liquor store within the 60 days, liquor sales will cease until such Certificate is obtained. Thereafter, the New Retail Liquor Store License will go into effect. Council Member Katardzic seconded the motion, and the motion passed unanimously.

7. Public Hearing on Special Event Permit for the Hellenic Orthodox Community of Denver for Greek School Greek Night Event on December 31, 2015, at 4610 East Alameda Avenue. Mayor Dunafon read the matter into the record by title only, all Council Members having received copies of the same. The Mayor opened the public hearing.

Chief Haskins said the Police Department completed a background check on the application for a Special Events Permit submitted by the Hellenic Orthodox Community of Denver to host an event – the Greek School Greek Night – at the Assumption Greek Orthodox Cathedral at 4610 East Alameda Avenue. The event will begin on December 31, 2015, at 7:30 p.m., and end on January 1, 2016, at 2:00 a.m. The President is Bill Kallergis and the Event Manager is Natasa Kallergis. The criminal check showed no criminal activity for either party. A check with the State of Colorado Liquor Enforcement Section showed no record of complaints against the Assumption Greek Orthodox Cathedral. Based on the investigation and with the consent of the Mayor and City Council, Chief Haskins recommended approval of the Special Event Permit for the Assumption Greek Orthodox Cathedral.

Natasa Kallergis appeared before Council and said the event is the annual fundraiser held to support the Greek School. It is the 7<sup>th</sup> annual event, and the first to be held on New Year's Eve. Entertainment will include a magician and a band.

Council Member Franssen asked to clarify the space being licensed. Mr. Line said the area will be the lounge, foyer, ballroom, and Annunciation Room. Liquor will not be served on the patio.

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The Mayor closed the public hearing. Council Member Katardzic moved to approve the Special Event Permit for the Hellenic Orthodox Community of Denver for Greek School Greek Night Event on December 31, 2015, at 4610 East Alameda Avenue. Council Member Rigoni seconded the motion, and the motion passed unanimously.

8. Public Hearing on Ordinance No. 7, Series of 2015, an Ordinance of the City Council of the City of Glendale, Colorado, Adopting a Budget for the City of Glendale, Colorado, for the Calendar Year 2016, Estimating the Amount of Money Necessary to be Raised by Tax Levy Based on the Said Budget So Adopted; Estimating the Amount of Money to be Derived From Other Revenue Sources; and Setting Forth the Total Expenditures for Each Fund. Mayor Dunafo read the matter into the record by title only, all Council Members having received copies of the same. The Mayor opened the public hearing.

Linda Cassaday, Deputy City Manager and Finance Director, said the ordinance sets the budget for each of the City's funds: the general fund, open space fund (for funding maintenance and any acquisition of parks and open space), event center fund, water and wastewater funds, and employee benefits fund. This plan budgets for a \$200,000 surplus in 2016.

The Mayor closed the public hearing. Council Member Franssen moved to approve Ordinance No. 7, Series of 2015, an Ordinance of the City Council of the City of Glendale, Colorado, Adopting a Budget for the City of Glendale, Colorado, for the Calendar Year 2016, Estimating the Amount of Money Necessary to be Raised by Tax Levy Based on the Said Budget So Adopted; Estimating the Amount of Money to be Derived From Other Revenue Sources; and Setting Forth the Total Expenditures for Each Fund. Council Member Rigoni seconded the motion. The motion then passed unanimously.

9. Public Hearing on Ordinance No. 8, Series of 2015, an Ordinance of the City Council of the City of Glendale, Colorado, Appropriating Sums of Money to Defray Expenses and Liabilities of the City of Glendale for the City's Calendar Year 2016. Mayor Dunafo read the matter into the record by title only, all Council Members having received copies of the same. The Mayor opened the public hearing.

Linda Cassaday said the ordinance gives the City the authority to spend the 2016 budget monies previously approved in Ordinance No. 7, in the amount of \$32 million. This amount includes transfers between funds amounting to \$2 million.

The Mayor closed the public hearing. Council Member Rigoni moved to approve Ordinance No. 8, Series of 2015, an Ordinance of the City Council of the City of Glendale, Colorado, Appropriating Sums of Money to Defray Expenses and Liabilities of the City of Glendale for the

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City's Calendar Year 2016. Council Member Katardzic seconded the motion. The motion then passed unanimously.

10. Public Hearing on Ordinance No. 9, Series of 2015, an Ordinance of the City Council of the City of Glendale, Colorado, Levying Taxes for the Year 2015 to Defray the Costs of the Municipal Government of the City of Glendale, Colorado, for the Calendar Year Beginning January 1, 2016, and Ending December 31, 2016. Mayor Dunafon read the matter into the record by title only, all Council Members having received copies of the same. The Mayor opened the public hearing.

Linda Cassaday said the ordinance sets the property tax mill levy for the year 2015, which will be collected in 2016. The City's mill levy is 18.67 mills, the same as the last several years. That mill levy will generate approximately \$2.5 million in property taxes. The ordinance also includes an exemption for the first \$10,000 in personal property, which gives all businesses in the City a small tax break.

The Mayor closed the public hearing. Council Member Franssen moved to approve Ordinance No. 9, Series of 2015, an Ordinance of the City Council of the City of Glendale, Colorado, Levying Taxes for the Year 2015 to Defray the Costs of the Municipal Government of the City of Glendale, Colorado, for the Calendar Year Beginning January 1, 2016, and Ending December 31, 2016. Council Member Allen seconded the motion. The motion then passed unanimously.

11. Public Hearing on Ordinance No. 10, Series of 2015, an Ordinance of the City Council of the City of Glendale, Colorado, Revising the Water Rates and Fees of the Water Enterprise. Mayor Dunafon read the matter into the record by title only, all Council Members having received copies of the same. The Mayor opened the public hearing.

Linda Cassaday said an increase of 3.8% in water rates is anticipated from the City of Denver. Therefore, an increase of 4% is being requested to pay for the higher cost of water and the maintenance of the City's water lines. She said that Denver Water expects an annual increase of 3.8% for the next three years.

The Mayor closed the public hearing. Council Member Rigoni moved to approve Ordinance No. 10, Series of 2015, an Ordinance of the City Council of the City of Glendale, Colorado, Revising the Water Rates and Fees of the Water Enterprise. Mayor Katardzic seconded the motion. The motion then passed unanimously.

12. Public Hearing on Ordinance No. 11, Series of 2015, an Ordinance of the City Council of the City of Glendale, Colorado, Revising the Bimonthly Sewer User Fees and Sewer Connection

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Fees of the Wastewater Enterprise. Mayor Dunafon read the matter into the record by title only, all Council Members having received copies of the same. The Mayor opened the public hearing.

Linda Cassaday said this ordinance deals with the anticipated rate increase for wastewater. Metro Wastewater is expected to increase the sewer rates by 20%. The City is passing through only a 4% increase. Josh Bertrand, Director of Public Works, said Metro is basing their percentage on huge growth in the metro area, and that amount of growth to sewers will not occur in Glendale. He has arranged for a mid-year correction in rates by Metro Wastewater, to align Metro's costs to what will actually be used in the City.

The Mayor closed the public hearing. Council Member Giglio moved to approve Ordinance No. 11, Series of 2015, an Ordinance of the City Council of the City of Glendale, Colorado, Revising the Bimonthly Sewer User Fees and Sewer Connection Fees of the Wastewater Enterprise. Council Member Allen seconded the motion. The motion then passed unanimously.

13. Public Hearing on Ordinance No. 12, Series of 2015, an Ordinance of the City Council of the City of Glendale, Colorado, Amending the Sums of Money Appropriated to Defray Expenses Budgeted for the City of Glendale, Colorado, for the Calendar Year Beginning January 1, 2015, and Ending December 31, 2015. Mayor Dunafon read the matter into the record by title only, all Council Members having received copies of the same. The Mayor opened the public hearing.

Linda Cassaday said this ordinance amends the 2015 budget for any amounts of unexpected revenue and expenditures, such as the loan proceeds on the Gamma land acquisition, higher than expected sales and lodging tax revenues, open space funds from Arapahoe County, event center rental fees, and Glendale 180 pre-development costs.

Council Member Katardzic left the room.

The Mayor closed the public hearing. Council Member Allen moved to approve Ordinance No. 12, Series of 2015, an Ordinance of the City Council of the City of Glendale, Colorado, Amending the Sums of Money Appropriated to Defray Expenses Budgeted for the City of Glendale, Colorado, for the Calendar Year Beginning January 1, 2015, and Ending December 31, 2015. Council Member Rigoni seconded the motion. The motion then passed unanimously.

14. Ordinance No. 13, Series of 2015, an Ordinance of the City Council of the City of Glendale, Authorizing the Refunding of Certain Outstanding Certificates of Participation Pursuant to a Lease Transaction; Authorizing the Execution and Delivery by the City of a Site and Improvement Lease, a Lease Purchase Agreement, a Disclosure Certificate, an Escrow Agreement, and Other Documents Related Thereto; Setting Forth Certain Parameters and Restrictions; Authorizing Officials of the City to Take All Action Necessary to Carry Out the

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Transactions Contemplated Hereby; Ratifying Actions Previously Taken; and Providing Other Matters Related Thereto; and Declaring an Emergency. Mayor Dunafon read the matter into the record by title only, all Council Members having received copies of the same.

Leanne Toler and Les Willson from Stifel Nicolaus (investment bankers) and Dee Wisor from Butler Snow (bond counsel) appeared before Council. Two handouts were presented to Council: "Market Update" and "Sources and Uses of Funds." Les Willson spoke of the market conditions that would save the City significant money by refunding the 2006 certificates of participation. He said the City's certificate rating is A+ and the excise tax rating is AA-. When the bonds were initially issued in 2006 and 2008, it was a difficult process to find insurance, because the City had not previously been in the bond market. There was concern about concentration of tax payers, as two businesses comprised 45% of the City's sales tax revenues. A debt service reserve fund was required on the certificates in 2006 in case there was a shortfall. The cash funded debt service reserve fund can now be eliminated, which can pay down some of the existing certificates. The insurer has offered to put a reserve fund surety policy in place, at a small premium rate. The vast majority of the funds will be used to purchase "slugs," treasuries that will make the payments on the existing certificates until their call date on 12/1/2016. These will only show up as a footnote on the City's audit. Expenses will be \$199,966, which covers the cost of issuance, Stifel's fees, certificate insurance, and the reserve fund surety. Mr. Wilson pointed out the yield percentages from 2016 to 2025, which never go over 3%. The City will realize over \$200,000 savings per year to the general fund by the bond refinancing.

Dee Wisor said this is a refunding of the 2006 transaction where the Building Authority was the lessor, and property was conveyed to the lessor. The lessor then mortgaged the property for the benefit of the certificate holders, and the City leased it back. He said City Hall will be the collateral but instead of selling it, it will be leased to Zions Bank as the trustee (the "site lease"). It will then be leased back to the City (the "lease purchase agreement"), which is subject to annual appropriation by the City Council and is not a debt that requires voter approval. The ordinance also approves a continuing disclosure certificate, which is a requirement that certain documents be filed with the Municipal Securities Rulemaking Board. The treasury securities will be held in an escrow agreement, where the treasury certificates will be held until the call date of 2016, when the old securities are paid off. It is Staff's recommendation that the City have both issues in the marketplace on December 3, 2015, by 10:30 a.m., and to close on the transaction by December 17, 2015.

Council Member Katardiz returned to the Council dais.

Ms. Cassaday said at the time of the 2006 bond purchase, 10% of the proceeds had to be placed in a reserve account, so these funds have been sitting in UMB since 2006, earning less than .5%

## RECORD OF PROCEEDINGS

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in interest. That money can be freed up for use in the refunding, therefor requiring \$2 million less in the new bonding.

The Mayor said that a roll call vote was required on the ordinance. Council Member Rigoni asked what would happen if all the bonds do not get sold. Mr. Willson said that Stifel would purchase the remaining balance from the City. Council Member Giglio asked about the different reserve requirement moving forward. Mr. Willson said there will be an insurance policy in place on the reserve fund, which will be paid up front for \$28,000.

Council Member Allen moved to approve Ordinance No. 13, Series of 2015, an Ordinance of the City Council of the City of Glendale, Authorizing the Refunding of Certain Outstanding Certificates of Participation Pursuant to a Lease Transaction; Authorizing the Execution and Delivery by the City of a Site and Improvement Lease, a Lease Purchase Agreement, a Disclosure Certificate, an Escrow Agreement and Other Documents Related Thereto; Setting Forth Certain Parameters and Restrictions; Authorizing Officials of the City to Take All Action Necessary to Carry Out the Transactions Contemplated Hereby; Ratifying Actions Previously Taken; and Providing Other Matters Related Thereto; and Declaring an Emergency. Council Member Franssen seconded the motion. Council Member Giglio voted aye; Council Member Franssen voted aye; Council Member Rigoni voted aye; Council Member Katardzic voted aye; and Council Member Allen voted aye. The motion then passed unanimously.

15. Ordinance No. 14, Series of 2015, an Ordinance of the City Council of the City of Glendale, Colorado, Authorizing the Issuance of the City of Glendale, Colorado, Taxable Excise Tax Revenue Refunding Bonds, Series 2015; Pledging the Sales Tax Revenues, Use Tax Revenues, and Lodging Tax Revenues of the City for the Payment of the Bonds; and Declaring an Emergency. Mayor Dunafon read the matter into the record by title only, all Council Members having received copies of the same.

A handout from Stifel was presented to Council: "Sources and Uses of Funds." Ms. Cassaday said this is a refunding of the 2008 taxable revenue bonds that were initially issued to fund the Event Center and the Sports Center construction, as well as the purchase of the apartment building on Tennessee Avenue. The cost savings is not significant but there is a savings.

Mr. Willson said that the reason the bonds are taxable is because of their use. They did not fit in any nontaxable category. The amount of the bonds is a little over \$15 million. The majority of the proceeds will be used to purchase treasury securities. These bonds will be called in 2018 – a three-year escrow. There is no reserve fund surety. If for some reason in the future, the coverage drops below 3.0, the City would have to fund a cash funded reserve or go out and buy a reserve fund surety policy. The interest rate is 1.07% to 4.152%. The interest rate and the yield

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are the same. These are par bonds, so there would probably not be a premium associated with these bonds when they are actually sold. This will save the City \$25,000 to \$26,000 per year.

Mr. Wisor said that this ordinance also authorizes the Mayor or the City Manager or the Finance Director to make final pricing decisions when Stifel brings back a bond purchase agreement; it approves the bond purchase agreement and the escrow agreement where the treasury securities will be held pending the redemption of the outstanding bonds; an agreement with Zions Bank, acting as registrar and paying agent; the continuing disclosure certificate; and a preliminary official statement. In 2007, the voters of the City approved the issuance of the excise tax bonds, because this was required under Colorado law. The refunding, at a lower rate, does not require further voter approval.

Mr. Wisor said that on December 3, 2015, a rate will be set for the bonds, and a bond purchase agreement will be executed by the Mayor, the City Manager, or the Finance Director. Council Member Giglio asked who would be the person authorizing the sale on behalf of the City and if there was a figure the City would not go below. Ms. Cassaday said there are parameters outlined in the ordinance based on the pricing from Stifel. She said if the numbers are not right, Staff will not go through with the refinancing.

The Mayor said that a roll call vote was required on the ordinance. Council Member Allen moved to approve Ordinance No. 14, Series of 2015, an Ordinance of the City Council of the City of Glendale, Colorado, Authorizing the Issuance of the City of Glendale, Colorado, Taxable Excise Tax Revenue Refunding Bonds, Series 2015; Pledging the Sales Tax Revenues, Use Tax Revenues, and Lodging Tax Revenues of the City for the Payment of the Bonds; and Declaring an Emergency. Council Member Franssen seconded the motion. Council Member Franssen seconded the motion. Council Member Giglio voted aye; Council Member Franssen voted aye; Council Member Rigoni voted aye; Council Member Katardzic voted aye; Council Member Allen voted aye. The motion then passed unanimously.

The Mayor and Finance Director Cassaday thanked the Butler Snow and Stifel teams.

16. Ordinance No. 15, Series of 2015, an Ordinance of the City Council of the City of Glendale, Colorado, Amending the Sums of Money Appropriated to Defray Expenses Budgeted for the City of Glendale, Colorado, for the Calendar Year Beginning January 1, 2015, and Ending December 31, 2015, and Declaring an Emergency. Mayor Dunafon read the matter into the record by title only, all Council Members having received copies of the same. The Mayor opened the public hearing.

Linda Cassaday said this ordinance amends the 2015 budget to incorporate the two bond ordinances just passed. From a budget perspective, new revenues will come in and be spent to

## RECORD OF PROCEEDINGS

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refund the old bonds. These numbers will not be included in the previously printed copies of the budget. "Other Financing Sources" is being increased by \$28 million; "Other Financing Uses" and "Expenditures" by approximately \$30 million, which is the amount of funds needed to refund the existing bonds and the \$2 million coming out of the reserves and refunding those bonds, and paying the debt issuance costs.

Council Member Franssen moved to approve Ordinance No. 15, Series of 2015, an Ordinance of the City Council of the City of Glendale, Colorado, Amending the Sums of Money Appropriated to Defray Expenses Budgeted for the City of Glendale, Colorado, for the Calendar Year Beginning January 1, 2015, and Ending December 31, 2015, and Declaring an Emergency. Council Member Allen seconded the motion. The motion then passed unanimously.

17. Resolution No. 16, Series of 2015, a Resolution of the City of Glendale, Colorado, Approving the City Council Meeting Schedule for 2016. Mayor Dunafon read the matter into the record by title only, all Council Members having received copies of the same.

Jerry Peters said this resolution sets the City Council meeting dates for 2016.

Council Member Rigoni moved to approve Resolution No. 16, Series of 2015, a Resolution of the City of Glendale, Colorado, Approving the City Council Meeting Schedule for 2016. Council Member Allen seconded the motion. The motion then passed unanimously.

18. Discussion Item. Council reviewed the agendas for the December 15, 2015 and January 5, 2016 Council meetings. Ms. Cassaday said a Glendale Urban Renewal Authority meeting will follow the December 15, 2015, Council meeting to approve the budget. The resolution designating the public place for posting meeting notices during 2016 will be added to the January meeting agenda.

19. On-Going Updates

- a. DRCOG. No update.
- b. CML. No update.
- c. Transportation Solutions. No update.
- d. Infinity Park. Ms. Cassaday said the Event Center is ending the year at a record high, at 120% of the 2015 goal. The Center is booked at 35% of the 2016 goal. The rugby season has ended. There were 23 game days in 2015, compared to 16 in 2014. Twenty-five game days are being contemplated in 2016. Social media hits continue to rise – up 300% over the prior year. The women's championship drew a huge number of viewers worldwide. The Glendale Raptors took home the national championships for the second year in a row.
- e. Glendale 180. No report.



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20. Department Reports. Ms. Frame reminded Council of the new use of Dropbox for Council materials and the upcoming City holiday luncheon. Chuck Line said that work continues on the Noodles, Mercedes, and BMW sites. The BMW site will set back farther from the street, which will improve visibility for the tenants at 1000 South Colorado Blvd. Nicole Limoges, YMCA Executive Director, said the facility will be receiving some new equipment in 2016: a treadmill and a Vario machine. There were 12 new memberships in November. Ms. Cassaday thanked Council for their support in refinancing the bonds. Chief Haskins said the Police Department hosted their second Ready Glendale event, which focused on active shooters. He said the Police Department has been training extensively on active shooters scenarios, given the incidents in the country over the last several months. Captain Mike Gross served as the point person preparing the officers and led teams in two training events, one in Arapahoe County and one at the Cherry Creek Mall.

21. Public Comments. There were none.

22. Council Reports. Council thanked Staff and wished everyone a happy holiday.

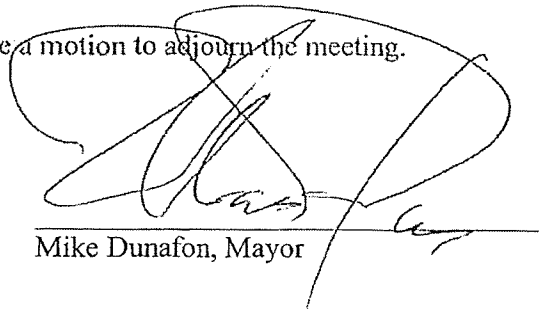
23. Other Business. There was none.

24. Items for Press Release. There were none.

25. No Executive Session was called.


26. Adjournment. Council Member Allen made a motion to adjourn the meeting.

Dated: 1 | 5 | 16



Mike Dunafon, Mayor

ATTEST:



Sherry Frame, City Clerk

***CITY OF GLENDALE***

***2016 BUDGET***



EXHIBIT

3

CITY OF GLENDALE  
ADMINISTRATION DEPARTMENT

Acct No.	Account name	Selected 2016 line item detail	2014 Actual	2015 Budget	2015 Projected	2016 Budget	% Change 2015 Projected to 2016 Budget
100-8430	Environmental initiatives	RTD passes Recycling charges	21,491	21,600	23,000	24,000	4.3%
		\$ 2,400					
		21,600					
		<u>\$ 24,000</u>					
100-8440	Contributions	Annual contributions to various organizations Support for rugby organizations Miscellaneous table sponsorships Memorial contributions	251,601	212,000	226,500	227,000	0.2%
		\$ 212,000					
		12,000					
		2,000					
		1,000					
		<u>\$ 227,000</u>					
100-8445	Economic development	Vendor's fee paid in connection with City's economic development	160,471	160,000	162,000	162,000	0.0%
100-8460	Bank charges	Bank fees/credit card fees	3,794	4,500	4,500	4,500	0.0%
100-8490	City committee costs	Miscellaneous initiatives	--	5,000	--	5,000	N/A
100-8590	Special events	Community activities	4,249	6,000	1,000	2,500	150.0%
<b>Debt service:</b>							
100-9200	Interest expense	Assumes bond refunding Dec 2015 2006 Refunding Certificates of Participation 2008 Taxable Revenue Refunding Bonds	1,600,310	1,526,538	1,526,538	892,228	-41.6%
		\$ 482,842					
		409,386					
		<u>\$ 892,228</u>					
100-9210	Principal retirements	Assumes bond refunding Dec 2015 2006 Refunding Certificates of Participation 2008 Taxable Revenue Refunding Bonds	1,515,000	1,590,000	1,590,000	1,940,000	22.0%
		\$ 875,000					
		1,065,000					
		<u>\$ 1,940,000</u>					
100-9220	Trustee fees	Fees paid on existing debt obligations	1,575	2,650	2,650	2,650	0.0%
100-9230	Debt issuance costs		--	--	--	--	N/A

CITY OF GLENDALE  
 FUNDING REQUESTS  
 FOR YEAR 2015

Organization requesting funds	Awarded 2015
Arapahoe/Douglas Mental Health (includes tables at 2 events)	3,000
Central City Opera	10,000
Four Mile Historic Park (includes \$1,000 for table at Filing)	40,000
Greater Glendale Chamber of Commerce	80,000
March of Dimes	6,000
March of Dimes (table at annual dinner)	2,500
Step 13	34,500
Tennyson Center for Children	6,500
Tennyson Center for Children (fundraiser sponsorship)	3,500
YMCA Day Camp - scholarships for Glendale children	10,000
Ecumenical Refugee Services	1,000
Rocky Mountain Human Services	5,000
<hr/>	
Total allocated by Council	202,000
Remaining available	(15,000)
Budget available	187,000



# CITY OF GLENDALE PUBLIC RECORDS REQUEST



PLEASE PRINT

Name: Jeanne Price Date of Request: October 18, 2015

Address: 848 Saint Paul Street City: Denver State: CO Zip: 80206

Phone: Day 3037485924 Evening same

Copies requested: Yes \_\_\_\_\_ No X

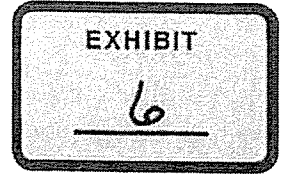
If No, appropriate staff personnel will be scheduled to accompany you during your viewing of City records.

## COLORADO OPEN RECORDS ACT (CORA) POLICY AND INSTRUCTIONS

Indicate the information you desire and/or list each requested document. Please be as specific as possible. Allow three (3) working days for a search of the records. Per the State of Colorado Open Records Act (C.R.S. 24-72-203), if the request is substantially large, an extension of seven (7) working days is permitted. You will be notified prior to the three (3) days of any extension and all estimated costs. Hourly research charges will be assessed at the maximum rate permitted by law.

Under Colo. Revised Statute 24-72-203, I am asking to **view all public records** (including emails, email attachments and other writings or documents) in your possession that relate to the following:

- Name and address of 'Vendor' receiving \$160,000 in the 2015 budget for Economic Development services. ( See Pg 28: line item 100-8445) Glendale Chamber of Commerce, 950 South Birch Street, Glendale, CO 80246.
- Copy of bill/invoice from Ricker Cunningham for May 2013 blight study. See attached.
- Number of FTE positions in City of Glendale government in 2015. See attached.
- Number of individuals receiving health insurance. Also subtotals for # of staff and # of non-staff. See attached.
- Number of elected officials (mayor, council, planning commission) participating in City health insurance. Seven.
- Number of contractors (consultants, attorneys etc). receiving health insurance. None.
- Any invoices from 2013 to present from Charles Bonniwell, attorney. None.
- Lease for 1000 S. Birch from 3/14 to present. No document exists.
- Number of individuals receiving health insurance by department. See attached.



Glendale Chamber of Commerce "C" account 6/1/14 - 7/31/14			
<i>Balance Forward - Wells Fargo Checking</i>			45,051.54
Income	City of Glendale	7/17/14	12,013.19
	TOTAL INCOME-Wells Fargo		12,013.19
Expenses	Advertising		
	Chronicle	6/17/14	5,416.67
	Chronicle	7/8/14	5,416.67
	Jewish News	7/8/14	950.38
	Julie Bonniwell-writer	6/17/14	450.00
	Julie Bonniwell-writer	7/8/14	450.00
	TOTAL		12,683.73
	Economic Dev. Expenses		
	Jeff - credit card charges	7/8/14	2,038.12
	Seward Hanfling Public Affairs	7/11/14	634.90
	TOTAL		2,673.02
	Promotional		
	Jeff - CC charge, Colfax Mara.	6/3/14	289.25
	Professional Memberships		
	South Metro Chamber	6/24/14	3,000.00
	Donations & Sponsorships		
	USAYRF Golf Tournament	7/28/14	2,500.00
	General Events		
	Central City Opera-July 3rd	7/30/14	135.00
	TOTAL EXPENSES		21,281.00
Ending Balance			35,783.73
<i>Balance Forward - Sunflower Bank Checking</i>			0.00
Income	City of Glendale	7/8/14	12,687.72
	TOTAL INCOME-Sunflower Bank		12,687.72

Credit Card Charges  
 Colfax Marathon Glendale team 289.25  
 Accelerate CO - Wash. D.C. 1,545.92  
 CO Municipal League 492.20  
 TOTAL credit card charges 2,327.37

Glendale Chamber of Commerce "C" account 11/1/14 -11/30/14

Balance Forward - Wells Fargo Checking

21,271.76

Income

City of Glendale

11/21/14 15,260.32

TOTAL BALANCE-Wells Fargo

15,260.32

Expenses

Advertising

Chronicle

11/11/14 5,416.67

Julie Bonniwell-writer

11/11/14 450.00

TOTAL

5,866.67

Transfer "C" expenses from "B" account

3,791.08

Economic Dev. Expenses

Linda Cassidy-Glendale 180

11/3/14 862.20

Jeff - credit card charges

11/11/14 499.56

Gov. Debate deposit returned

11/7/14 -1,000.00

Credit Card Charges

TOTAL

361.76

TOTAL EXPENSES

10,019.51

Elvay's-R. D. Sewald, Dunaan, Line, Michael Hancock 363.05  
 Lamars Donuts-Jeff, Jerry Peters, Arap. Cnty. Econ. Dev. pres 6.31  
 Del Friscos-Jeff, Bill Hollen, Arap. Cnty. Commissioner 67.86  
 Original Pancake House-Jeff, Mike Dunaan, Pat Guthrie 62.34

Ending Balance

26,512.57

TOTAL CREDIT CARD CHARGES

499.56

Balance Forward - Sunflower Bank Checking

11/14/14 41,069.94

Interest

3.96

TOTAL BALANCE-Sunflower Bank

41,073.90

Glendale Chamber of Commerce "C" account activity 12/1/14 -12/31/14

Balance Forward - Wells Fargo Checking

26,512.57

Expenses

Advertising

Chronicle	12/10/14	5,416.67
Julie Bonnell-writer	12/10/14	450.00
Jewish News	12/16/14	763.14
TOTAL		6,629.81

Economic Dev. Expenses

Kendra Black-DNV City Council	12/31/14	1,000.00
Liz Adams-DNV City Council	12/31/14	1,000.00
City of Glendale	12/31/14	5,050.00
Jinda Cassaday-Glendale 180	12/17/14	1,561.99
Jeff - credit card charges	12/10/14	2,924.39
TOTAL		11,536.38

TOTAL EXPENSES

TOTAL BALANCE-Wells Fargo checking

Annual member appreciation luncheon-infinity Park Event Center  
Credit Card Charges

Friends of Denver Fire Department sponsorship  
Klitchen Next Door-Jeff, Liz Adams  
Bull&Bush-Jeff, Jodi Brown, Cynthia York  
Jax Fish House-City Council  
Del Friscos-Jeff, Jerry Peters, Nancy Sharpe  
TOTAL CREDIT CARD CHARGES

1,500.00  
39.99  
49.30  
1,206.24  
128.86  
2,924.39

Balance Forward - Wells Fargo Savings

5,241.09

Interest

0.12

TOTAL BALANCE-Wells Fargo Savings

5,241.21

Balance Forward - Sunflower Bank Checking

41,073.90

Interest

3.59

TOTAL BALANCE-Sunflower Bank

41,077.49

Balance Forward - Bank of Denver Checking

24,459.50

Income

City of Glendale

12/15/14 13,231.93

Interest

12/1/14 3.37

TOTAL Bank of Denver

37,694.80



Glendale Chamber of Commerce "C" account activity 1/1/15 -1/31/15

<i>Balance Forward - Wells Fargo Checking</i>			26,512.57		
<b>Expenses</b>					
Advertising					
Chronicle	1/13/15		5,416.67		
Julie Bonniwell-writer	1/13/15		300.00		
TOTAL			5,716.67		
Economic Dev. Expenses					
Jeff - credit card charges	1/13/15	Credit Card Charges	193.71		
TOTAL			193.71		
TOTAL EXPENSES			5,910.38		
TOTAL BALANCE-Wells Fargo checking			20,802.19		
<i>Balance Forward - Wells Fargo Savings</i>					
Interest	1/12/15		5,241.11		
Temp. Trf. To cover payroll	1/21/15	Trf back 2/4/15	0.15		
			-2,000.00		
TOTAL BALANCE-Wells Fargo Savings			3,241.36		
<i>Balance Forward - Sunflower Bank Checking</i>					
Interest	1/15/15		41,077.49		
			3.84		
TOTAL BALANCE-Sunflower Bank			41,081.33		
<i>Balance Forward - Bank of Denver Checking</i>					
Income					
Interest	1/4/15		5.98		
City of Glendale	1/26/15		11,880.81		
TOTAL-Bank of Denver			49,581.59		
<i>Balance Forward - 1st Bank Savings</i>					
Interest	1/30/15		46,719.41		
			3.84		
TOTAL BALANCE-1st Bank			46,723.25		
TOTAL CREDIT CARD CHARGES			193.71		

Jax Fish House-Jeff, Peter Berg-stadium sponsor  
 Elways-Jeff, Nick LeMasters-Transportation Solutions  
 RM8TA - Rocky Mtn Business Travel



Glendale Chamber of Commerce "C" account activity 4/1/15 -4/30/15

<i>Balance Forward - Wells Fargo Checking</i>						
Income				15,633.75		
City of Glendale			4/14/15	12,584.78		
TOTAL INCOME-Wells Fargo				12,584.78		
Expenses						
Advertising						
AllOver Media-Raptors advertising		4/14/15	2,000.00			
Intermountain Jewish News-Raptors		4/14/15	688.10			
Chronicle		4/14/15	5,687.50			
Julie Bomliwell-writer		4/14/15	150.00			
TOTAL			8,525.60			
Donations & Sponsorships						
Infinity Park Stadium sponsorship		4/14/15	7,500.00			
Greek Festival sponsor		4/22/15	1,000.00			
TOTAL			8,500.00			
Economic Dev. Expenses						
Linda Casaday - reimbursement		4/22/15	3,431.92			
Jeff - credit card charges		4/14/15	1,295.53			
TOTAL			4,727.45			
TOTAL EXPENSES						
TOTAL BALANCE-Wells Fargo checking			21,753.05			
			6,465.48			
<i>Balance Forward - Wells Fargo Savings</i>						
Interest		4/9/15	5,241.58			
TOTAL BALANCE-Wells Fargo Savings			0.13			
			5,241.71			
<i>Balance Forward - Sunflower Bank Checking</i>						
Interest		4/15/15	16,087.19			
TOTAL BALANCE-Sunflower Bank			1.29			
			16,088.48			
<i>Balance Forward - Bank of Denver Checking</i>						
Interest		4/1/15	49,596.50			
TOTAL BALANCE-Bank of Denver			8.76			
			49,605.26			
<i>Balance Forward - 1st Bank Savings</i>						
Interest		4/30/15	46,730.76			
TOTAL BALANCE-1st Bank			3.07			
			46,733.83			
TOTAL C' Account Balances			124,134.76			
TOTAL CREDIT CARD CHARGES						
						31.98
						13.55
						1,250.00

Glendale Chamber of Commerce "C" account activity 5/1/15 -5/31/15

<i>Balance Forward - Wells Fargo Checking</i>					6,465.48		
<b>Income</b>							
City of Glendale	5/15/15				15,295.81		
TOTAL INCOME-Wells Fargo					15,295.81		
<b>Expenses</b>							
Advertising							
Chronicle	5/19/15				5,687.50		
Julie Bammlweil-writer	5/19/15				450.00		
TOTAL					6,137.50		
Economic Dev. Expenses							
Linda Cassaday - reimbursement	5/28/15				10,929.24		
Jeff - credit card charges	5/13/15				805.98		
TOTAL					11,735.22		
TOTAL EXPENSES					17,872.72		
TOTAL BALANCE-Wells Fargo checking							
<i>Balance Forward - Wells Fargo Savings</i>							
Interest	5/11/15				5,241.71		
TOTAL BALANCE-Wells Fargo Savings					0.14		
<i>Balance Forward - Sunflower Bank Checking</i>							
Interest	5/15/15				16,088.48		
TOTAL BALANCE-Sunflower Bank					0.99		
<i>Balance Forward - Bank of Denver Checking</i>							
Interest	5/3/15				49,605.26		
TOTAL BALANCE-Bank of Denver					9.33		
<i>Balance Forward - 1st Bank Savings</i>							
Interest	5/29/15				46,733.83		
TOTAL BALANCE-1st Bank					2.97		
TOTAL C' Account Balances					46,736.80		
					121,571.28		

*Credit Card Charges*

Snooze - Jeff Heliwell, City of Lone Tree Econ. Dev. 21.43  
 Footers - final invoice, Annual Luncheon 297.00  
 Applebee's - B Read, J Palisimo-The Road Ahead event 59.45  
 The Kitchen - C Line, J Peters, Anna Jones 78.46  
 Yard House - Chris Nevitt 61.11  
 Bull & Bush - Liz Adams fund-raising event 130.95  
 Fractured Prune - Paul Steadman Town Hall mtg 157.58  
**TOTAL CREDIT CARD CHARGES 805.98**



Chamber of Commerce "C" account activity 7/1/15 -7/31/15									
Forward - Wells Fargo Checking				14,813.31					
City of Glendale	7/24/15			12,809.13					
TOTAL INCOME-Wells Fargo				12,809.13					
Advertising									
Glendale Cherry Creek Chronicle	7/14/15			5,687.50					
Jewish Intermountain News	7/14/15			950.38					
Julie Bonniwell-writer	7/14/15			300.00					
TOTAL				6,937.88					
Donations , Professional Dues									
Mile High Development	7/10/15			500.00					
South Metro Chamber of Commerce	7/14/15			3,000.00					
TOTAL				3,500.00					
Economic Development									
Jeff Credit Card Expenses	7/10/15			2,532.90					
TOTAL EXPENSES				12,970.78					
TOTAL BALANCE-Wells Fargo checking				14,651.66					
Forward - Wells Fargo Savings									
Interest	7/9/15			5,241.97					
TOTAL BALANCE-Wells Fargo Savings				0.13					
Forward - Sunflower Bank Checking									
Interest	7/15/15			10,402.86					
TOTAL BALANCE-Sunflower Bank				0.62					
Forward - Bank of Denver Checking									
Interest	7/1/15			49,623.06					
TOTAL BALANCE-Bank of Denver				8.76					
Forward - 1st Bank Savings									
Interest	7/31/15			46,740.08					
TOTAL BALANCE-1st Bank				3.18					
C Account Balances				46,743.26					
				126,672.32					
									2,532.90
									TOTAL CREDIT CARD CHARGES

Kitchen - Jerry Peters, Michael Dewey, Vince Constantini  
Pabri's - Mark Smiley, Sherri L. - paper article planning  
Accelerate Colorado  
CO Municipal League

Glendale Chamber of Commerce "C" account activity 8/1/15 - 8/31/15			
<i>Balance Forward - Wells Fargo Checking</i>		14,651.66	
<b>Income</b>			
City of Glendale		0.00	
TOTAL INCOME-Wells Fargo			
<b>Expenses</b>			
Advertising			
Glendale Cherry Creek Chronicle	8/11/15	5,587.50	
Julie Bonniwell-writer	8/11/15	300.00	
TOTAL		5,987.50	
Economic Development			
Jeff Allen - Pool party	8/1/15	1,000.00	88.58
USPS - postcard mailing - Sevens	8/6/15	750.07	66.05
Alphagraphics - postcard printing	8/17/15	1,168.43	106.64
Jeff Credit Card Expenses	8/11/15	1,961.27	1,700.00
TOTAL		4,889.77	1,961.27
TOTAL EXPENSES		10,877.27	
TOTAL BALANCE-Wells Fargo checking		3,774.39	
<i>Balance Forward - Wells Fargo Savings</i>		5,242.10	
Interest	8/11/15	0.14	
TOTAL BALANCE-Wells Fargo Savings		5,242.24	
<i>Balance Forward - Sunflower Bank Checking</i>		10,403.48	
Interest	8/14/15	0.64	
TOTAL BALANCE-Sunflower Bank		10,404.12	
<i>Balance Forward - Bank of Denver Checking</i>		49,631.82	
Interest	8/3/15	9.63	
TOTAL BALANCE-Bank of Denver		49,641.45	
<i>Balance Forward - 1st Bank Savings</i>		46,743.26	
Interest	8/31/15	3.18	
TOTAL BALANCE-1st Bank		46,746.44	
TOTAL C Account Balances		115,808.64	

*Credit Card Charges*  
Fire Restaurant - Charlie Brown recognition party 88.58  
Elways - Steve Binder, RW Baird, discuss events-Event Center 66.05  
Fire Restaurant - Mike Dunafon, George Thorn 106.64  
DBJ - Outstanding Women in Business table sponsor 1,700.00  
TOTAL CREDIT CARD CHARGES 1,961.27





Glendale Chamber of Commerce "C" account activity 10/1/15 - 10/31/15

<i>Balance Forward - Wells Fargo Checking</i>				7,539.918		
Income						
City of Glendale	10/2/15			15,762.242		
City of Glendale	10/15/15			13,285.564		
TOTAL INCOME-Wells Fargo				29,048.806		
Expenses						
Advertising						
Glendale Cherry Creek Chronicle	10/13/15			5,687.750		
Julie Bonniwell-writer	10/13/15			150.000		
Casey Jones-writer	10/13/15			750.000		
TOTAL				6,587.750		
Economic Development						
Linda Cassaday - Glendale 180	10/5/15			3,002.288		
Jeff Credit Card Expenses	10/13/15			264.448		
Jeff - returned \$, unspent pool party	10/8/15			-700.000		
Trf to "B" checking - PR expenses	10/7/15			10,000.000		
TOTAL				12,567.736		
TOTAL EXPENSES				19,154.486		
TOTAL BALANCE-Wells Fargo checking				17,432.338		
<i>Balance Forward - Wells Fargo Savings</i>				5,242.237		
Interest	10/9/15			0.013		
TOTAL BALANCE-Wells Fargo Savings				5,242.250		
<i>Balance Forward - Sunflower Bank Checking</i>				5,404.64		
Interest	10/15/15			0.022		
TOTAL BALANCE-Sunflower Bank				5,404.86		
<i>Balance Forward - Bank of Denver Checking</i>				99,649.992		
Interest	10/1/15			8.877		
TOTAL BALANCE-Bank of Denver				49,658.869		
<i>Balance Forward - 1st Bank Savings</i>				46,749.951		
Interest	10/30/15			3.307		
TOTAL BALANCE-1st Bank				46,752.258		
<i>Balance Forward - Alpine Bank</i>				5,000.000		
Harland checks	10/7/15			-13.810		
TOTAL BALANCE-Alpine Bank				4,986.190		
TOTAL C' Account Balances				129,472.951		

Credit Card Charges  
 Staples - gift cards for Slipstream Properties 67.86  
 Whole Foods - gift cards for Slipstream Properties 100.00  
 Esters Neighborhood - Paul Kashman, Jerry Peters 43.26  
 Kona Grill - Nick LeMasters, Transportation Solutions 53.36

TOTAL CREDIT CARD CHARGES 264.48



RUSSELL W. KEMP  
303.628.3624 (direct)  
rkemp@irelandstapleton.com

March 18, 2016

**VIA COURIER**

Mayor Mike Dunafon  
City of Glendale  
950 S. Birch Street  
Glendale, CO 80246

Re: Ethics Complaint Against Council Member Jeff Allen

Dear Mayor Dunafon:

Pursuant to Chapter 2.14 of the Glendale Municipal Code, the law firm of Ireland, Stapleton, Pryor & Pascoe, PC on behalf of the firm's client, M.A.K. Investment Group, LLC, hereby files this ethics complaint against Council Member Jeff Allen.

As you know, Mr. Allen is a voting member of the City Council of Glendale, Colorado. Mr. Allen is also the Chief Operating Officer of the Greater Glendale Chamber of Commerce (the "Chamber") (on information and belief, a paid staff position) and a member of the Chamber's Board of Directors (along with you, your wife, Debbie Matthews, former City Council Member Scott Franssen, and two members of the staff of the Glendale Cherry Creek Chronicle, Chuck Bonniwell and Mark Smiley). See printouts from the Chamber's website attached as **Exhibit 1**.

This Complaint relates to Mr. Allen's dual role as Council Member and as chief executive of the Chamber. At various times, most recently in December 2015, as a member of the Glendale City Council, Mr. Allen voted to approve the payment of substantial sums of City funds to the Chamber, which historically has paid its chief executive a significant annual salary and used the City funds to make payments to employees and officials of the City, to political candidates, and to the Glendale Cherry Creek Chronicle, among others. Attached as **Exhibit 2** are the Minutes of the Regular Meeting of the City Council of Glendale, Colorado, December 1, 2015 ("December 1 Meeting"). At the December 1 Meeting, the Council considered and passed by unanimous votes Ordinance No. 7, Series of 2015, approving the City's budget for 2016, and Ordinance No. 8, Series of 2015, authorizing the City to spend the budgeted amounts. The minutes reflect that Mr. Allen was present at the December 1 Meeting and do not reflect that Mr. Allen recused himself from any action of the Council at the meeting.

The City of Glendale has a pattern of budgeting for and paying to the Greater Glendale Chamber of Commerce ("Chamber") substantial sums of money each year. Attached as **Exhibit 3** is Page B-10 of the City's 2016 budget, adopted at the December 1 Meeting. Payments to the Chamber fall under two accounts in the budget: 100-8440 "Contributions" and 100-8445 "Economic development."

Documents obtained through Colorado Open Records Act requests reflect that as of late 2015, the City anticipated that a total of \$226,500 would be paid in "contributions" in 2015. See **Exhibit 3**. Among the City's contributions in 2015 was the sum of \$80,000 paid to the Chamber, as reflected in another document obtained from the City through Colorado Open Records Act requests. See **Exhibit 4**. The City's 2016 budget again calls for \$227,000 in "Annual contributions to various organizations" in 2016. In addition to contributions, the City paid \$162,000 (budgeted as \$160,000) in 2015 for "Vendor's fee paid in connection with City's economic development." See **Exhibit 3**. The City confirmed in response to a Colorado Open Records Act request that the "Vendor" is the Chamber. See **Exhibit 5**. Accordingly, in 2015, the City paid a total of \$242,000 to the Chamber. The 2016 budget appears to track actual expenses from 2015 very closely. We attempted through another Colorado Open Records Act request to the City to confirm that these budgeted amounts will again be paid to the Chamber, but the City refused to provide information.

Other records obtained from the City show how the Chamber spends the funds received from the City for "Economic development." Attached as **Exhibit 6** is a transaction history from June 2014 to October 2015 (but not including all months, as the City claims it does not have complete records) for the Glendale Chamber of Commerce "C" account. The records indicate that the Chamber receives approximately \$12,000-\$15,000 every month from the City, which the Chamber then uses to pay items including: Mr. Allen's unspecified credit card charges, advertising and copywriting in the Glendale Cherry Creek Chronicle, payments to City employees, payments that appear to be political candidate donations, a "pool party" for Mr. Allen, and in two months, transfers to cover "payroll" or "PR", presumably for the Chamber. The names of elected officials and employees of the City appear throughout the "C" account records. Upon information and belief, Mr. Allen receives a salary as the chief executive for the Chamber, which is primarily funded by City funds as directed by the City Council. In 2011, for example, the most recent year for which records have been obtained, Mr. Allen's predecessor as chief executive of the Chamber received a salary of approximately \$100,000.

In voting to adopt the 2016 budget, Mr. Allen as Council Member took an official act that directly benefitted him in his employment with the Chamber. The benefits include, but are not limited to, payments from the "C" account funded by the City. As the executive in control of the Chamber and as an employee, Mr. Allen would benefit from all revenue received by the Chamber, including payments from the City.

Section 4.27 of the Glendale Municipal Code provides: "No member of the Council shall vote on any question in which he has a financial interest, other than the common public interest, or on any question concerning his own conduct."

The City's Code of Ethics, Section 2.14.040(B) contains a similar prohibition: "No elected official, officer, board member, employee, or independent contractor shall perform an official act directly and substantially affecting to its economic benefit a business or other undertaking in which he either has a substantial financial interest or is engaged as counsel, consultant, representative or agent."

Mayor Mike Dunafon  
City of Glendale  
March 18, 2016  
Page 3

Mr. Allen's votes at the December 1 Meeting clearly violate both Code sections. His votes in past years to approve prior budgets and City expenditures that directly benefitted him in 2015 and before, also clearly violate both Code sections.

C.R.S. Section 24-10-109(3)(a) provides: "A member of the governing body of a local government who has a personal or private interest in any matter proposed or pending before the governing body shall disclose such interest to the governing body and shall not vote thereon and shall refrain from attempting to influence the decisions of the other members of the governing body in voting on the matter."

C.R.S. Section 24-10-109(3)(b) allows voting on a matter otherwise prohibited by Section 109(3)(a), but only "if his participation is necessary to obtain a quorum or otherwise enable the body to act and if he complies with the voluntary disclosure procedures under section 24-10-110." C.R.S. Section 24-10-110 provides that the voluntary disclosure shall be made in writing to the Secretary of State.

C.R.S. Section 31-4-404(2)&(3) contains a similar prohibition and procedures for disclosure and compliance. C.R.S. 24-18-108(d) is also implicated by the actions of Mr. Allen raised in this Complaint.

There is no record of any disclosure by Mr. Allen to the Colorado Secretary of State. Furthermore, his participation in the vote was not necessary for a quorum.

Pursuant to Glendale Municipal Code Section 2.14.040(F), we respectfully request that the City Council hold a public hearing on this complaint, render findings, and take appropriate action on this complaint to provide the remedial and prospective relief necessary to protect the interests of the citizens and taxpayers of the City of Glendale.

This same complaint has also been filed with the Colorado Independent Ethics Commission to initiate an investigation of the foregoing allegations and any other violations of state ethics laws.

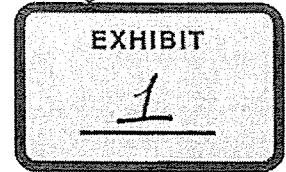
I request notice of all hearings or other action the City Council takes on this complaint.

Sincerely,



Russell W. Kemp

RWK/  
Enclosures



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- [Upcoming Events](#)
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**Click HERE  
to RSVP**

Meet the Glendale Chamber Staff



**Jeff Allen**

**Chief Operating Officer**

Jeff took over the reins of the Chamber in July 2013, and he has served on the Chamber's Board of Directors since 2003 in addition to being a member of Glendale's City Council. He heads up a finance and consulting company, *Thunderbird Capital*, and has coached high school football for several years, and most recently coached the offensive line at Mullen High School. He is also the Chair of the Board for *Transportation Solutions*, a non-profit organization that focuses on transportation challenges in the southeast Denver and Glendale neighborhoods.

When the Board of Directors named Jeff the Chief Operating Officer, Jeff said he planned to take the Chamber to the next level. He focuses on helping members feel a part of the Chamber and also help them see how the Chamber is part of growing and improving their business. He encourages the business community to become more involved with the city's residential community and with the city government in creating an improved culture of community.



**Sherri Liebhauser**

**Program Coordinator**

Born and raised in Madison, Wisconsin, Sherri and her husband Bob met at the University of Wisconsin - Madison, and are still Green Bay Packer and Wisconsin Badger fans. They lived in Florida and Texas for 16 years, learned to appreciate Southern culture, and welcomed the opportunity to relocate to Denver, where they became Bronco fans! Sherri spent over 20 years as a Human Resources and Training Manager. Her experience includes developing, designing and implementing a variety of training programs focused on management, culture, and teambuilding. Since 2005 she has owned a business

coaching firm with her husband Bob, and helps clients implement systems for finance, human resources, and office management.

As Program Coordinator for the Greater Glendale Chamber of Commerce, Sherri supports the membership with their needs, coordinates Chamber events, and manages communications about the Chamber and member's special events.

## Megan Carthel

Social Media

Megan is a freelance writer for the Glendale Cherry Creek Chronicle. She comes from San Marcos, Texas, where she studied electronic media at Texas State University. Megan is an adventurer at heart - whether she's scuba diving, training for marathons and half marathons, skydiving or exploring Denver, she's always up for the challenge



## Ryan Peru

Graphic Design Artist

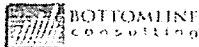
RP Design

RP Design, established in 2007, has Ryan Peru as creative director and visionary. The business where the art of video, design, and delivery all merge into one complete product. The customer experience begins at conception and finalizes in deployment. RP Design consists of a close community of professionals who strive to be creative with a continuing vision of excellence and integrity.

[www.rpdigidesign.com](http://www.rpdigidesign.com)

## Lisa Pierpont

President



*BottomLine Consulting, Inc.*

*Your accounting system should speak to you the way you need it. Every business and business leader is unique. At BottomLine Consulting, they use QuickBooks solutions to design effective, custom systems with checks and balances to give the reporting needed to make good business decisions. They help insure the accuracy of the client's data and design efficient systems that result in a better bottom line for the business. Their proven process of examining and reporting financial data has given hundreds of business owners valuable insight and confidence to make business decisions. As their client's trusted advisor, they help find ways to save costs and increase efficiencies.*



John Brandenburg

**Web Master**

***ACME Logo***

Professionally branded website designs and responsive design for mobile devices, ACME Logo has developed every type of site imaginable. From custom applications to e-commerce to informational sites, there isn't a website feature out there that can't be handled for their clients.

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**Linda Cavanagh**

**AAA Colorado**

Linda began her career with AAA Colorado 35 years ago as the Personnel Manager and continued her education in Personnel Management/Labor and Employment Law. Linda has since been promoted to the position of Sr. Vice President.

**Mike Dunafon**

**Mayor of Glendale**



Mike Dunafon is the ninth mayor of Glendale in its 60-year history. Prior to his election, Mayor Dunafon served as Mayor Pro Tem for eight years and has been a member of the Glendale Planning Commission since 1999 and Chairman since 2004. A Colorado native, Mayor Dunafon has been a major player in initiating and shepherding the extraordinary 14-year transformation of the small City of Glendale into an entertainment capitol and internationally-known city. This transformation began when Dunafon first chaired the Strategic Planning Initiative in 1998. The Glendale citizens clearly sent a strong message: they wanted a new identity - a more vibrant Glendale.

Co-founding the first Glendale Chamber of Commerce, Mayor Dunafon launched a full-time effort to collaboratively unite the residences and businesses of the City into a single vision. Mayor Dunafon was instrumental in establishing a community-wide newspaper, "The Glendale News," which subsequently became "The Glendale/Cherry Creek Chronicle," currently mailed to 85,000 homes and businesses in the area.

With the Mayor's guidance, Glendale became the first city in the United States to adopt rugby as the sole and official sport of the city, and today Glendale is known as "Rugbytown USA." Dunafon has a B.A. from the University of Northern Colorado, where he lettered for four years and was part of the All-Conference team. He signed contracts to play with the Denver Broncos in 1976 and 1977. His rugby career began in 1978 with the British Virgin Islands RFC and continued until 1992. He has a USA Rugby Level 3 coaching certification.

**Scott Franssen**

**Tennyson Center for Children**



Scott Franssen has been a nonprofit professional in Colorado since 1997. Since then, Scott has worked for the YMCA of Metropolitan Denver, Central City Opera House Association, National Sports Center for the Disabled, and currently for Tennyson Center for Children. As a fundraiser for nonprofit organizations, Scott focuses on relationship building between people, and sees great value in communities and individuals working together to help the greater good.

As demonstrated by his dedication to working for nonprofit organizations, Scott actively seeks opportunities to serve and help others. In 2004, Scott was elected to the Board of Directors for the Greater Glendale Chamber of Commerce, a position he still maintains. The Greater Glendale Chamber membership has grown in that time from a modest 50 to almost 300.

Additionally, Scott joined the Glendale Planning Commission in 2011 to have more involvement in the future development of the City of Glendale. In April 2012, Scott was elected to the Glendale City Council representing the community in which he lives, and further demonstrating his willingness to serve.

Tennyson Center for Children was established in 1904 as an orphanage for children and today serves children, youth and their families to overcome a variety of life crises, including abuse and neglect. Programs and services are about commitment to kids. Therapists, social workers, Educators and Youth Treatment Counselors strive to help each child and family overcome barriers to happiness and success. As such, services remain child-centered, family-focused and community-based.

Additional information can be found at [www.childabuse.org](http://www.childabuse.org)



**Debbie Matthews**

**Shotgun Willie's**

Debbie Matthews is the Past-President of the Greater Glendale Chamber of Commerce and has been the majority owner of Shotgun Willie's since 1982. Preceding the Chamber, Debbie was involved with the Glendale Business Association. She has a huge heart and is active with several boards and non-profit groups.



**David Peterson**

**Bull & Bush**

David Peterson is the co-owner of the Bull & Bush Pub & Brewery in Glendale, is a past-president of the Chamber and is an original member of the Board of Directors. He has been with the Bull & Bush since 1994, after graduating college. Now he and his brother, Erik, run the day to day operations. Specializing in brewing their own beer, the Pub opened in 1971 and has been a local favorite ever since.



**Barbara Bown Wyatt**

**Butler Rents**

Barb has truly grown up in the rental business. Her parents Jack and Bernie Bown bought *Butler Rents* in 1970 and she has been involved ever since. She is currently president of the American Rental Association Colorado Chapter and received the 2014 Region 7 Person of the Year.

Barb is a current board member of the Four Mile Historic Park and serves as the Education Committee Chair. She has also been involved and served on the Denver Advisory Board for the Shining Stars Foundation.



**Jeff Allen**

**Greater Glendale Chamber of Commerce**

Jeff is the current Chief Operating Officer for the Chamber and has been a member of the Chamber's Board of Directors since 2003. In his extra time he coaches the offensive line at Mullen High School, and he serves as the Chair of the Board for *Transportation Solutions*, a non-profit organization focused on transportation challenges in Glendale neighborhoods.

## Mark Smiley



### Glendale Cherry Creek Chronicle

Mark has been the Executive Editor of the Glendale Cherry Creek Chronicle since September, 2013. Mark has 15 years of executive level experience. He most recently served as the Director of Marketing and Public Relations for Seniors' Resource Center. He currently volunteers as the Chairman of the Good News Breakfast Coalition. In the past, he has served on the Board of Regents for the US Chamber of Commerce's West Institute for Organization Management, County of San Bernardino Workforce Investment Board, US Chamber of Commerce Aviation Steering Committee, and the Friends of the LA/Ontario International Airport.

Mark is the former President of Sundance Public Relations, Mayor of the city of Glendale, CO, Executive Director and co-founder of the Greater Glendale Chamber of Commerce, and President/CEO of the Ontario California Chamber of Commerce. Mark Smiley was the seventh mayor in the 61 year history of Glendale. A native of Chicago, Smiley graduated from Saint Xavier University with a B.A. in Mass Communication in 1994 and also holds a master's degree in Communication Studies from Governors State University in Chicago. He and his wife Gwen were married in Beaver Creek, CO 9 years ago and have a beautiful 4 year old daughter, Eleanore.

RECORD OF PROCEEDINGS

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MINUTES OF THE REGULAR MEETING  
OF THE CITY COUNCIL OF GLENDALE, COLORADO

December 1, 2015

Mayor Mike Dunafon led the Pledge of Allegiance.

1. Call to Order and Roll Call. Mayor Dunafon called the regular meeting of the Council to order. Sherry Frame, City Clerk, called roll. The following Council Members were present: Mayor Mike Dunafon and Council Members Jeff Allen, Scott Franssen, Joe Giglio, Dario Katardzic, and Doris Rigoni. Mayor Pro Tem Paula Bovo was absent. City Manager Jerry Peters, City Attorney Matt Giacomini, and members of City Staff also attended the meeting.

2. Approval of Agenda. Council Member Katardzic moved to approve the agenda, after moving Resolution No. 17, designating a public place for posting meeting notices during 2016, to the January 2016 agenda. All Council Members agreed. This particular motion requires no second. The motion passed unanimously.

3. Public Comments. Jeanne Price appeared before Council. She said that she had recently made an open records request, asking for annual reports for the Glendale Chamber of Commerce from the City and received only the 2011 report. She believes that a condition of money given by the City to the Chamber in 2003 was to thereafter receive copies of annual reports.

4. Consent Items

- a. Minutes of the November 3, 2015 Regular Meeting
- b. Renewal of Tavern License for Sonley Lodging, LLC d/b/a Residence Inn Denver Cherry Creek, 670 South Colorado Boulevard
- c. Renewal of New Tavern License for INDE, LLC, d/b/a El Potrero, 4501 East Virginia Avenue
- d. Renewal of Beer and Wine License, Fast Casual Pizza Denver IV, LLC, d/b/a Live Basil Pizza, 1128 South Colorado Blvd.

Council Member Franssen moved to approve the consent items. Council Member Allen seconded the motion. The motion then passed unanimously.

5. New Hotel and Restaurant Liquor License for The Noodle Shop Company – Colorado, Inc. d/b/a Noodles and Company, 4590 Leetsdale Drive. Mayor Dunafon read the matter into the record by title only, all Council Members having received copies of the same.

Chief Haskins said the Police Department completed a background check on the Application for a Hotel and Restaurant Liquor License. The Noodle Shop Co-Colorado, Inc. is owned by and operated by TNSC, Inc. A criminal check run on Vice President and Operating Manager Paul Strassen and the Secretary David Boennighausen showed no criminal activities. A check with the State of Colorado Liquor Enforcement Section showed no record of complaints against Paul

## RECORD OF PROCEEDINGS

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December 1, 2015 Minutes

Page 2 of 11

Strassen or David Boennighausen. TNSC, Inc. has had 15 liquor violations in Colorado since 2004, the most recent being in June 2015 in Boulder. The Chief said this is a new license, and a Premise Inspection will be completed on or before the day the establishment opens for business. Based on the investigation and with the consent of the Mayor and City Council, Chief Haskins recommended approval of the Application for Hotel and Restaurant Liquor License for The Noodle Shop Co-Colorado and Paul Strassen as the new Manager.

Kim Deluca appeared before Council as Legal Counsel for the applicant, along with General Manager Zenaida Solis. She said the business expects to open on January 15, 2016, and all employees have had ServSafe alcohol training. Council Member Franssen noted the past liquor violations against the company and asked what will be done to eliminate future violations. Ms. Deluca said that there would be immediate liquor training for all staff, from the dishwashers to the managers. If the employee is not terminated as a result, there would at least be a note placed in the personnel file. She explained the ServSafe program, which is similar to TIPS training.

Council Member Katardzic moved to approve the New Hotel and Restaurant Liquor License for The Noodle Shop Company – Colorado, Inc. d/b/a Noodles and Company, 4590 Leetsdale Drive. Council Member Franssen seconded the motion, and the motion passed unanimously.

6. New Retail Liquor License for Target Corporation d/b/a Target Store T-1806, 4301 East Virginia Avenue. Mayor Dunafon read the matter into the record by title only, all Council Members having received copies of the same.

Chief Haskins said the Police Department completed a background check for a New Retail Liquor License for Target Corporation d/b/a Target Store T-1806. He said the Colorado Liquor Enforcement Division maintains a “master file” on Target. A check with the Liquor Enforcement Section showed no record of complaints against Target Store T-1806. Based on the investigation and with the consent of the Mayor and City Council, Chief Haskins recommended approval of the New Retail Liquor License for Target Store T-1806.

Attorney Roger Morris (Attorney No. 8410) appeared before Counsel on behalf of Target. He said Target is selling its drug store operations to CVS. Target presently has a drug store liquor license, but when the sale goes through, Target will no longer be allowed to hold a drug store liquor license, as the same premise is not allowed to have two liquor licenses at the same time, covering the same area. Therefore, Target is choosing to build a retail liquor store within their larger store.

Chuck Line, Deputy City Manager, said there will be a transition time period when a pharmacist will not be on duty to meet the drug store liquor license requirements. The State will allow Target to use the drug store license for 60 days after CVS takes over the pharmacy to transition

## RECORD OF PROCEEDINGS

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into the new liquor store license. If, after 60 days, the new liquor store is not complete and ready to open, liquor sales would close down until the certificate of occupancy for the build-out has been obtained. Mr. Line said that Staff requests Council add this as a condition of approval.

Max Scott of Oedipus, Inc. appeared before Council. He said Oedipus conducted a Needs and Desires Assessment for the new license. Thirty businesses favored, five opposed. One hundred forty-six residents favored, two opposed. One hundred seventy-six signatures equates to a 97.78% approval rate. Council unanimously consented to accept this testimony into the record.

Council Member Rigoni moved to approve the New Retail Liquor License for Target Corporation d/b/a Target Store T-1806, 4301 East Virginia Avenue, with the condition that the drug store liquor license can be used for 60 days after CVS has taken over the pharmacy. If Target has not received a Certificate of Occupancy on the build-out for the liquor store within the 60 days, liquor sales will cease until such Certificate is obtained. Thereafter, the New Retail Liquor Store License will go into effect. Council Member Katardzic seconded the motion, and the motion passed unanimously.

7. Public Hearing on Special Event Permit for the Hellenic Orthodox Community of Denver for Greek School Greek Night Event on December 31, 2015, at 4610 East Alameda Avenue. Mayor Dunafon read the matter into the record by title only, all Council Members having received copies of the same. The Mayor opened the public hearing.

Chief Haskins said the Police Department completed a background check on the application for a Special Events Permit submitted by the Hellenic Orthodox Community of Denver to host an event – the Greek School Greek Night – at the Assumption Greek Orthodox Cathedral at 4610 East Alameda Avenue. The event will begin on December 31, 2015, at 7:30 p.m., and end on January 1, 2016, at 2:00 a.m. The President is Bill Kallergis and the Event Manager is Natasa Kallergis. The criminal check showed no criminal activity for either party. A check with the State of Colorado Liquor Enforcement Section showed no record of complaints against the Assumption Greek Orthodox Cathedral. Based on the investigation and with the consent of the Mayor and City Council, Chief Haskins recommended approval of the Special Event Permit for the Assumption Greek Orthodox Cathedral.

Natasa Kallergis appeared before Council and said the event is the annual fundraiser held to support the Greek School. It is the 7<sup>th</sup> annual event, and the first to be held on New Year's Eve. Entertainment will include a magician and a band.

Council Member Franssen asked to clarify the space being licensed. Mr. Line said the area will be the lounge, foyer, ballroom, and Annunciation Room. Liquor will not be served on the patio.

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The Mayor closed the public hearing. Council Member Katardzic moved to approve the Special Event Permit for the Hellenic Orthodox Community of Denver for Greek School Greek Night Event on December 31, 2015, at 4610 East Alameda Avenue. Council Member Rigoni seconded the motion, and the motion passed unanimously.

8. Public Hearing on Ordinance No. 7, Series of 2015, an Ordinance of the City Council of the City of Glendale, Colorado, Adopting a Budget for the City of Glendale, Colorado, for the Calendar Year 2016, Estimating the Amount of Money Necessary to be Raised by Tax Levy Based on the Said Budget So Adopted; Estimating the Amount of Money to be Derived From Other Revenue Sources; and Setting Forth the Total Expenditures for Each Fund. Mayor Dunafon read the matter into the record by title only, all Council Members having received copies of the same. The Mayor opened the public hearing.

Linda Cassaday, Deputy City Manager and Finance Director, said the ordinance sets the budget for each of the City's funds: the general fund, open space fund (for funding maintenance and any acquisition of parks and open space), event center fund, water and wastewater funds, and employee benefits fund. This plan budgets for a \$200,000 surplus in 2016.

The Mayor closed the public hearing. Council Member Franssen moved to approve Ordinance No. 7, Series of 2015, an Ordinance of the City Council of the City of Glendale, Colorado, Adopting a Budget for the City of Glendale, Colorado, for the Calendar Year 2016, Estimating the Amount of Money Necessary to be Raised by Tax Levy Based on the Said Budget So Adopted; Estimating the Amount of Money to be Derived From Other Revenue Sources; and Setting Forth the Total Expenditures for Each Fund. Council Member Rigoni seconded the motion. The motion then passed unanimously.

9. Public Hearing on Ordinance No. 8, Series of 2015, an Ordinance of the City Council of the City of Glendale, Colorado, Appropriating Sums of Money to Defray Expenses and Liabilities of the City of Glendale for the City's Calendar Year 2016. Mayor Dunafon read the matter into the record by title only, all Council Members having received copies of the same. The Mayor opened the public hearing.

Linda Cassaday said the ordinance gives the City the authority to spend the 2016 budget monies previously approved in Ordinance No. 7, in the amount of \$32 million. This amount includes transfers between funds amounting to \$2 million.

The Mayor closed the public hearing. Council Member Rigoni moved to approve Ordinance No. 8, Series of 2015, an Ordinance of the City Council of the City of Glendale, Colorado, Appropriating Sums of Money to Defray Expenses and Liabilities of the City of Glendale for the