



# ***National Western Center Citizens Advisory Committee***

**Thursday, August 31, 2017 – Meeting Summary**

---

## **1. Welcome and Introductions**

Maria Garcia Berry and Terrance Carroll called the room to attention. All attendees introduced themselves prior to beginning the agenda.

Terrance Carroll read aloud a letter from Mayor Michael Hancock regarding the Framework Agreement. Mayor Hancock reaffirmed the commitment of the City to the NWC and to strengthening collaborative efforts with the GES neighborhoods. He requested that the CAC provide a referred list of qualifiers to fill the neighborhood representative position for the NWC Authority.

Maria noted that prior to the CAC there were several developments in the conversation regarding the Framework Agreement. The schedule for the CAC was adjusted so that members could engage in a thorough discussion to present questions, comments and concerns for the Framework Agreement.

## **2. NWC Partner Updates**

### **NWCO**

Kelly Leid reported that in addition to the framework agreement, NWCO is working on the procurement strategy and industry engagement plan. He announced that relative to Arts and Venues one of the topics that came up was the idea of exploring different ways to tap into the Community Investment Fund (CIF). Both the NWC and Denver Arts and Venues are open to partnering to create a strategy to tap into the fund and advancing the community benefit.

### **WSSA**

Pat Grant welcomed everyone in attendance and was excited to be a part of the discussion.

### **CSU**

There was no presentation from CSU, however Maria Garcia Berry announced Tony Frank had received the River Award from the Greenway Foundation.

### **Denver Museum of Nature and Science**

Nancy Walsh was pleased to announce a Triceratops fossil had been found in Thornton and that the DMNS has been involved in the process of digging it up. Both horns and part of the frill had been unearthed as well as a rib and the beak which will be on display at the museum. Because the site is not open to the public it will be

broadcast live into schools and on Facebook Live at 11:00 a.m. on Tuesday, September 5<sup>th</sup> and students will be given the opportunity to ask questions and engage with experts. DMNS has reached out to Garden Place elementary and Swansea elementary school to participate.

## **NDCC**

Michael Sapp noted phases two and three were completed at Argo Park. Dunham Park was also completed two weeks prior to the CAC. Additionally, the 30% design process for 47<sup>th</sup> and York pedestrian bridge will begin in the near future.

### **3. Follow-Up Discussion of the National Western Center Framework Agreement**

Drew Dutcher gave a brief update on the Inter Neighborhood Cooperation (INC) meeting Framework Agreement discussion on Saturday, August 26<sup>th</sup>. In that meeting, Drew Dutcher brought forth his concerns for the Framework Agreement which is near completion. On Tuesday, August 29<sup>th</sup> Denver City Councilmembers examined the Framework Agreement in the Land Use, Transportation & Infrastructure (LUTI) Committee. At the LUTI committee, NWCO resisted the 30-day extension because the contract was drafted over a long period of time with several opportunities for community input to be gathered. Dutcher noted that on September 7<sup>th</sup>, the ordinance for the Framework will be filed, beginning the 30-day timeframe that City Council will have to approve or deny the contract. It was suggested at the INC meeting that the Framework Agreement be put on a one-month delay. INC drafted a letter to council requesting the ordinance filing be delayed by thirty days for additional community consideration. AE added that the Framework Agreement drafting process was lacking in community input. She noted that much of the document was created behind closed doors and felt that the community ought to have additional time to participate in the process, but she added that there are sensitivities around the document and for legal reasons drafting the contract did require private discussions. AE suggested the CAC explore other entry points for the community to influence decisions about the NWC and the surrounding neighborhoods. If a 30-day extension is granted, the community and governing bodies for the NWC must implement a plan to ensure that time is used wisely and concerns are addressed before it goes to Council.

Members discussed the Framework Agreement with regard to specific provisions. On Page 63 of the agreement it was explained that it is not discretionary for retailers and vendors to contribute to the Community Investment Fund; retailers and vendors are required to contribute. Maria Garcia Berry also explained that the Community Investment Fund contribution must also be handled sensitively because not every event will be able to absorb an additional cost for the CIF. Kelly Leid added that the CIF dollars will be spent at the discretion of the community. He noted there is considerable interest in a land trust in the GES neighborhood and that the CIF money could go to that. There will also be other community projects that are for the community but separate from the CIF, such as the community kitchen.

### **3. Address AE's Questions Regarding the Framework Agreement**

The CAC discussed AE's list of questions which were answered as follows:

Q: What would cause a national search to "not be in the best interest of...?"

A: On tab 5 page 12, the document states that for the first CEO, the city and CSU and WSSA should nominate one representative to the committee to conduct a national search. It was also explained that in the future the board could select somebody for the CEO position without the requirement of conducting a

national search. This was included because in the circumstance that an existing Denver candidate is well known and qualified, it would be an unnecessary, time-consuming and costly to conduct a national search.

Q: Does the Authority have any influence should the City move to dispose of land at NWC? What are the controls, in general, on the City's right to sell NWC land?

A: On tab 5, page 24 the document states the city cannot dispose of campus property that is not mutually agreed upon by the city and the Authority. The city cannot dispose of key facilities such as the stockyards, the livestock center, the equestrian center, the arena or the expo hall under requirements imposed by the RTA.

Q: Is 2C a tabbed section in the Framework Book (a la HB 15-1344). Did I miss it? Should it be?

A: 2C is not a tab. HB 1344 is included however because it includes requirements from the State (for the \$250 million State contribution) that it must be outlined. 2C was not included because voters approved the State funding, but it was not conditional to the initiative.

Q: What is the qualifying criteria for/purpose of the no-term limited "Designated Director(s)"?

A: This was of particular concern to WSSA and CSU because they have a president/CEO who serves for a long period. The intent was to create an opportunity for longer terms for those who have a high level of expertise and stake in the NWC.

Q: Do Directors replaced mid-term have to be approved by City Council?

A: Yes, any appointment to the board must be approved by City Council.

Q: In the event of a vacancy in the Local Area Director position, how is that vote assured until the vacancy is filled? Given that there is only one such designate, it does not have a remedy parallel to the 6 City, 2 CSU, and 2 WSSA appointees in this formula.

A: If WSSA has an appointee who resigns, the remaining representative's vote is weighted for two. This question was unable to be answered in full and CAC members were told it would require further consideration.

Q: Would it be advisable to include the Local-Area Director to assure alignment of facilities use with the interests of the adjacent neighborhoods? In particular impacts from traffic, parking, noise control, and to spotlight thinking toward facilities use enriching local enterprises?

A: It was explained that there is only one required subcommittee and the Authority has the ability to decide on its own the other subcommittees it may have. The required subcommittee will be for the purpose of ensuring the Authority is using the campus as much as possible and developing as much revenue as possible so as to prevent the partners from having to continue to dedicate their own revenue to the Authority over time. The intent was to give the Authority its own level of sovereignty and to reduce the requirements imposed on it by the stakeholders.

Q: When hiring administrative staff to "manage and operate the Campus hereunder", why is it ok for the Authority to "give preference in hiring to current WSSA and Denver Arts and Venues staff employed at the Campus as of the Effective Date."? This excludes new blood via interest from qualified candidates, including from within the GES neighborhoods.

A: The point of that provision was to ensure current employees are not replaced. They will be given special consideration because they have already been doing those jobs and developed a skill set. That provision within the Framework Agreement was really about fairness to existing employees.

Q: Is this the section where a Recital could be added that the Authority and Equity Partners may approve and allocate Revenue Sharing from NWC generated intellectual property and other products? How could this then be carried over into the language for the Community Investment Fund on page 63, same Tab?

A: The section about intellectual property is really around partner -having intellectual property. It is not about intellectual property that is generating money but around marketing and branding so that mailers can include things like the CSU or WSSA logo. The city will probably not be producing income from intellectual property from the site.

Q: Do the Sunshine Laws apply to the meetings of the Steering Committee?

A: It was explained that Steering Committee is subject to the Colorado Open Records Act (CORA). It was also explained that the city of Denver has its own open meetings requirements which apply when a certain number of elected officials are in the same room and the Steering Committee will not reach that threshold so the meetings will not be required to remain open to the public.

Q: How can the commitments required of the Local-Area Director be generalized as an overriding aspirational wisdom (value + insight) required of all members of the Board?

suggested the appointments by the equity partners strive to find people that embrace the mandate that the position be accountable to the neighborhoods. She proposed 1) The CAC require the first meeting of the Authority to have on its agenda the initial discussion of how to broaden the ways to generate revenue into the CIF; and 2) Trust the community with the money. The contract stipulates that Denver, WSSA, and CSU are funding the Authority that will be paid back over time. AE motioned that the NWC advance \$500,000-\$1 million dollars be provided to the community fund that could be paid back as it generates money over time.

A: Councilwoman Debbie Ortega suggested that the community have access to the Coliseum as a means of holding events and creating commerce. She noted the investment into the community must be significant so that those benefits are clear early in the process and not after the NWC has been completed. This question will also require additional attention.

#### Questions and Comments

- John Zapien expressed the concern that not moving forward could have negative consequences. The political environment today is very favorable to the NWC but that may not always be the case. He felt that the Framework Agreement should move forward as is.
- Candi CdeBaca was in favor of the 30-day extension. She noted that at LUTI the week prior, the CAC was represented as having a level of authority within the process what that is not the case. She felt that the NWC Authority board was lacking in equity and adequate representation of all stakeholders. CdeBaca noted that when the community voted yes for 2C, nobody foresaw the displacement of families from the neighborhood because they can no longer to afford to live there.
- Nancy Grady Jones agreed with CdeBaca. She felt that the 11-person authority board out to have more equitable representation. She also voiced concerns for the Community Investment Fund, which she felt, was lacking in community input.
- Vernon Hill expressed the concern that the Community Investment Fund is too open ended and suggested that it needs more concrete examples of how vendors and retailers contribute to the CIF.
- Nancy Grady Jones suggested that marijuana tax revenues should be put back into the community particularly due to the fact that the neighborhood hosts a large portion of marijuana operations and the tax money generated from those operations should go back into the community.
- Nola Miguel noted that the NWC will be bringing 10-12 thousand jobs and those people will need a place to live and more affordable housing options. There must also be more concrete discussions around the Community Investment Fund.
- Mickey Zeppelin requested more information detailing how the neighborhood will be involved in the decision making process for the NWC.

#### **4. Community Announcements & Public Comments**

The CAC planned to meet on September 7<sup>th</sup> at 5:00p.m. to discuss the Framework Agreement further. Councilmembers Albus Brooks and Debbie Ortega agreed to attend and participate in the discussion.

#### **5. Attendance**

Maria Garcia Berry  
Terrance Carroll (Facilitator)

AE (Globeville)  
Larry Burgess (ESG Business Association)  
Candi CdeBaca (Swansea)  
Bettie Cram (Swansea)  
Patricia Carmody (Colorado Watershed)  
Drew Dutcher (Elyria-Swansea)  
Jim Garcia (Clinica Tepeyac)  
Anne Hayes (Westfield)  
Vernon Hill (JJJ Properties)  
Kelly Leid (NWCO)  
Dave Oletski (Goveville)  
Armando Payan (Globeville)  
Michael Symula (Family Environmental)  
Juan Veloz (Elyria-Swansea)  
Nancy Walsh (DMNS)  
John Zapien (Globeville)  
Slavica Park (Focus Points)