

1 BY AUTHORITY

2 ORDINANCE NO. \_\_\_\_\_  
3 SERIES OF 2019

COUNCIL BILL NO. \_\_\_\_\_  
COMMITTEE OF REFERENCE:

4  
5 A BILL

6  
7 **For an ordinance conforming city code with historical city practices and revisions**  
8 **to charter section 2.9.3 if approved by electors at a special municipal election to**  
9 **be held in conjunction with the coordinated election of November 5, 2019.**

10 **WHEREAS**, the agency known as Denver arts and venues plays an integral role in promoting  
11 cultural and arts events in the community, administering the public art program, and in the  
12 management and control of city property used for theatre, concerts, conventions, and for other cultural  
13 purposes; and

14  
15 **WHEREAS**, on November 5, 2019, Denver arts and venues intends to seek electoral approval  
16 for revisions to city charter section 2.9.3 to conform the charter to certain historical practices.

17 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

18 **Section 1.** That section 2-191, D.R.M.C. shall be amended by deleting the language stricken  
19 and adding the language underlined, to read as follows:

20 **Section 2-191. Denver Arts and Venues-Denver**

21 Denver Aarts and venues ~~Denver~~ shall be the ~~division of general services~~ responsible for the  
22 occupancy and operations, care, repair and maintenance, either by the agency, or under contract and  
23 the direction of the agency, of all facilities, structures, or parts of structures owned or leased by the  
24 City and County and used for theatre, concert, auditorium, convention, ~~or arena,~~ or other cultural  
25 purposes, for management of the City and County cultural and arts events, and for administration of  
26 the public art program, creative sector development programs, and all related duties as described in  
27 this division, unless otherwise assigned by the Mayor. Denver Arts and Venues shall also have the  
28 management and control of all land on which such facilities or structures are located, and shall have  
29 the right to establish and make reasonable charges for the use of such facilities and structures unless  
30 otherwise assigned by the Mayor. ~~The division of Denver arts and venues Denver~~ may perform other  
31 duties assigned by the mayor ~~manager of general services~~ not inconsistent with the Charter or the  
32 Code.

33 **Section 2.** That section 2-192, D.R.M.C. shall be amended by deleting the language stricken  
34 and adding the language underlined, to read as follows:

35 **Section 2-192. Director and other employees.**

1 (a) The position of director of Denver arts and venues ~~Denver~~ is hereby established as a position of  
2 employment in Denver ~~the arts and venues-Denver~~.

3 (b) The Denver arts and venues ~~Denver~~-director shall devote full time duties to the office and shall be  
4 an appointee of the mayor, serving at the pleasure of the mayor.~~be responsible to the manager of~~  
5 ~~general services for the performance of the functions, powers and duties assigned to arts and venues~~  
6 ~~Denver by this division, subject to and consistent with the provisions of the Charter.~~

7 **Section 3.** That section 2-193, D.R.M.C. shall be amended by deleting the language stricken  
8 and adding the language underlined, to read as follows:

9 **Section 2-193. Powers and duties.**

10 (1) Work with the mayor, the city council, and all affected or interested departments, commissions,  
11 boards, officers, offices, agencies and employees of the city in cultural development activities and in  
12 operation and management of theatre, concert, auditorium, convention or arena venues; and

13 (2) Coordinate the activities of contractors and coordinate the various departments, commissions,  
14 boards, officers, offices, agencies and employees of the city in the preparation of those activities; and

15 (3) Review and analyze provisions of ordinances, rules, executive orders and other regulatory  
16 documents that may affect artistic activity in the city and advise the mayor and city council; and

17 (4) Administer the city's public art program, whereby a portion of capital improvement resource is  
18 utilized for public art; and

19 (5) Help to attract and retain creative businesses and operations to Denver; and

20 (6) Act as liaison between the city and the Colorado Creative Industries or its state-authorized  
21 successor; and

22 (7) Assist the Denver district county cultural council and the Denver metropolitan Scientific and  
23 Cultural Facilities District with administration and distribution of revenues under state law; and

24 (8) Encourage the utilization of creative local professionals and businesses; and

25 (9) Coordinate the efforts of Denver arts and venues in assisting increasing tourism and visitorship in  
26 the city; and

27 (10) Provide technical assistance and information to arts and cultural groups concerning funding,  
28 grants, loans, and other forms of assistance available to them; and

29 (11) Promote the venues and arts of the city to connect community members and visitors with  
30 Denver's arts and entertainment sector; and

31 (12) Encourage the incorporation of art in privately funded activities and capital improvements; and

32 (13) Work with the departments designated by Charter to acquire and construct all facilities,  
33 structures, or parts of structures owned or leased by the city and county and used for theatre, concert,  
34 auditorium or arena purposes; and

- 1 (14) Maintain, repair, manage and operate all facilities, structures, or parts of structures owned or  
2 leased by the city and county and used for theatre, concert, auditorium, convention, or arena  
3 purposes; and  
4 (15) Perform centralized administrative functions for all arts and venues facilities, including budgeting,  
5 revenue receipt, and coordination of capital improvements; and  
6 (16) Provide event support services, including booking, contract administration, ticketing, customer  
7 service, parking, and production services; and  
8 (17) Oversee the utilization of city venues and generation of revenue by promoting cultural tourism;  
9 and  
10 (18) Develop policies and procedures for fair corporate access to sponsorships of city events, arts,  
11 and venues; and  
12 (19) Develop financial processes with a goal of maintaining and preserving the agency's venues-; and  
13 (20) Offer free and low cost cultural programs for the enjoyment and enrichment of residents and  
14 visitors of the city.

15 **Section 4.** That section 2-194, D.R.M.C. shall be amended by deleting the language stricken  
16 and adding the language underlined, to read as follows:

17 **Section 2-194. Rules and regulations.**

18 The Denver arts and venues director is hereby delegated the authority to promulgate such rules  
19 and regulations and informal guidelines as may be necessary or desirable to effect the purposes of  
20 this division of the code.

21 **Section 5.** That section 2-275, D.R.M.C. shall be amended by deleting the language stricken  
22 and adding the language underlined, to read as follows:

23 **Section 2-275. Procedure for naming buildings other than fire houses.**

24 (b) Buildings other than fire houses and major components of buildings other than fire houses shall  
25 only be named for outstanding persons who have been influential in the cultural, political, economical  
26 or social life of the community or in recognition of an individual or corporation which has contributed  
27 substantial funding for the construction of the public buildings or major component of public buildings.  
28 In addition, major components of buildings managed by the director of ~~the division of~~ Denver arts and  
29 venues ~~Denver, or other designee of the manager of the department of general services, pursuant to~~  
30 ~~section 2.9.3(E) of the Charter (“theatres and arenas facilities”)~~, may be named in recognition of  
31 substantial financial contributions to the city by individuals or entities for the administration,  
32 construction, management, maintenance, operation or repair of theatres and arenas facilities.

33 **Section 6.** If any section, paragraph, clause, or other portion of this ordinance is held to be

1 invalid or unenforceable for any reason, the validity of the remaining portion of this ordinance shall not  
2 be affected.

3 **Section 7.** This ordinance shall only be effective after certification of passage by electors of a  
4 referred question revising charter section 2.9.3 at a special municipal election to be held in conjunction  
5 with the coordinated election of November 5, 2019, and upon publication and filing of such results with  
6 the Secretary of State.

7 COMMITTEE APPROVAL DATE: August 6, 2019

8 MAYOR-COUNCIL DATE: August 13, 2019

9 PASSED BY THE COUNCIL \_\_\_\_\_

10 \_\_\_\_\_ - PRESIDENT

11 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_

12 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
13 EX-OFFICIO CLERK OF THE  
14 CITY AND COUNTY OF DENVER  
15

16 NOTICE PUBLISHED IN THE DAILY JOURNAL \_\_\_\_\_; \_\_\_\_\_

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18 PREPARED BY: Frank Romines, Assistant City Attorney; DATE: July 23, 2019

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20 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the  
21 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
22 ordinance. The proposed ordinance **is not** submitted to the City Council for approval pursuant to §  
23 3.2.6 of the Charter.  
24

25 Kristin M. Bronson, Denver City Attorney

26  
27 BY: \_\_\_\_\_, Assistant City Attorney DATE: \_\_\_\_\_  
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