

1 **BY AUTHORITY**

2 ORDINANCE NO.
3 SERIES OF 2020

COUNCIL BILL NO. 20-0388
DIRECT FILE - BLACK

4 **A BILL**

5 **Approving proposed Amendments to approximately ten Leases, Licenses and**
6 **Concession Agreements in response to the COVID-19 health crisis, to be**
7 **negotiated by the Director of Real Estate to provide relief for the tenants.**

8 **WHEREAS**, the Mayor declared a state of local disaster emergency on March 12, 2020,
9 pursuant to C.R.S. 24-33.5-701, et seq. ("City Emergency Declaration"), due to the spread of COVID-
10 19, as may be amended, the Governor of the State of Colorado declared a Disaster Emergency (D
11 2020 003) dated March 11, 2020, as may be amended, on the same basis, and the President of the
12 United States issued a Declaration of Emergency on March 13, 2020, due to the COVID-19 crisis
13 ("Nationwide Emergency Declaration"); and

14 **WHEREAS**, the City Council, pursuant to Proclamation No. 20-0350 passed on April 13,
15 2020, urged and supported a moratorium on rent because many people are unable to pay as a result
16 of repercussions from the COVID-19 crisis ("Proclamation");

17 **WHEREAS**, the City has entered into approximately ten (10) commercial leases, licenses and
18 concession agreements ("Leases") in which the City is the owner of the premises occupied by these
19 certain lessees, licensees and concessionaires ("Tenants");

20 **WHEREAS**, the City desires to give the Director of Real Estate ("Director") the authority to
21 negotiate amended Leases with the City's Tenants; and

22 **WHEREAS**, in accordance with the Proclamation, City Council desires to give the City's
23 Tenants relief from rent payments due to the City.

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

25 **Section 1.** The Director is hereby authorized to negotiate and enter into amendments to
26 Leases with all City Tenants, including those listed on Exhibit A attached hereto.

27 **Section 2.** The Lease amendments may modify payment of rent for a period of up to three
28 months to allow Tenants relief from the COVID-19 crisis, as long as such Tenants are and remain
29 current on all other terms of the Lease and agree to extend the Lease for the number of months for
30 which rent is delayed, rescheduled, modified or deferred.

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1 COMMITTEE APPROVAL DATE: N/A

2 MAYOR-COUNCIL DATE: N/A

3 PASSED BY THE COUNCIL: _____

4 _____ - PRESIDENT

5 APPROVED: _____ - MAYOR _____

6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____

10 PREPARED BY: Jo Ann Weinstein, Assistant City Attorney DATE: April 23, 2020

11 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
12 the City Attorney. We find no irregularity as to form and have no legal objection to the proposed
13 ordinance. The proposed ordinance is submitted to the City Council for approval pursuant to § 3.2.6
14 of the Charter.

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16 Kristin M. Bronson, Denver City Attorney

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18 BY: , Assistant City Attorney DATE: Apr 22, 2020