

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2022

COUNCIL BILL NO. CB22-0315
COMMITTEE OF REFERENCE:
Finance & Governance

A BILL

Approving proposed Amendments to Lease Agreements with Coffee Etc., Dazbog Denver Bldg, LLC, Pizza Republica II, and Subway Real Estate, LLC to provide additional rent relief through 3-31-2022 in response to the COVID-19 pandemic.

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

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

WHEREAS, the City has entered into commercial leases, licenses and concession agreements ("Leases") in which the City is the owner of the premises to lessees, licensees and concessionaires ("Tenant");

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

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

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

Section 1. The Lease amendments authorize the Division of Real Estate to negotiate and amend commercial leases with Coffee Etc., Dazbog Denver Bldg, LLC, Pizza Republica II, and Subway Real Estate, LLC, in City-owned buildings to provide additional rent relief through 3-31-2022, in addition to monthly payments modified in Ordinances No. 20-0388, No. 20-0665, and No. 20-1386, Series of 2020, No. 21-0219, and No. 21-1537, Series of 2021, altogether totaling twenty-four (24) months, to allow Tenants relief from the COVID-19 crisis, as long as such Tenants are and remain current on all other terms of the Lease, agree to extend the Lease for the number of months for which rent is delayed, rescheduled, modified or deferred.

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COMMITTEE APPROVAL DATE: March 22, 2022 by Consent

MAYOR-COUNCIL DATE: March 29, 2022

PASSED BY THE COUNCIL: _____

_____ - PRESIDENT

APPROVED: _____ - MAYOR _____

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

NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____

PREPARED BY: Gabrielle S. Corica, Assistant City Attorney DATE: March 31, 2022

Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the City Attorney. We find no irregularity as to form and have no legal objection to the proposed ordinance. The proposed ordinance is submitted to the City Council for approval pursuant to § 3.2.6 of the Charter.

Kristin M. Bronson, Denver City Attorney

BY: Jonathan Griffin, Assistant City Attorney DATE: Mar 31, 2022