

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team

at MileHighOrdinance@DenverGov.org by 9 a.m. Friday. Contact the Mayor's Legislative team with questions

Date of Request: 8/26/2024 _____

Please mark one: Bill Request or Resolution Request

Please mark one: The request directly impacts developments, projects, contracts, resolutions, or bills that involve property and impact within .5 miles of the South Platte River from Denver's northern to southern boundary? (Check map [HERE](#))

Yes No

1. Type of Request:

Contract/Grant Agreement Intergovernmental Agreement (IGA) Rezoning/Text Amendment

Dedication/Vacation Appropriation/Supplemental DRMC Change

Other:

2. Title: (Start with *approves*, *amends*, *dedicates*, etc., include name of company or contractor and indicate the type of request:

Approves an amendment to the Denargo Market Development Agreement (Reception #2021116089) between the City and County of Denver, JV Denargo LLC, and Denargo Market Metropolitan District No. 1 regarding environmental standards.

3. Requesting Agency: Community Planning and Development

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution (e.g., subject matter expert)	Contact person for council members or mayor-council
Name: Jim Turner	Name: Deirdre Oss, AICP
Email: Jim.Turner@denvergov.org	Email: Deirdre.Oss@denvergov.org

5. General description or background of proposed request. Attach executive summary if more space needed:

This amendment is specific to environmental standards related to construction of infrastructure on city property that is not ROW or Parks. Initial provisions in the original DA have been found to be impractical and require revision. The amendment also updates language throughout the agreement where actions have been completed. The agreement assured that the soil meets standards protective of parks users and construction workers acceptable to the City and all utility providers. The amendment removes the distinction between new and existing utility corridors, and instead focuses on the more general requirement for construction of city infrastructure on property owned by the City NOT associated with open space and parks to remove soils to a depth of two (2) feet below pavement for the full width of the parcel unless removal will destabilize or damage existing public utilities and infrastructure.

6. City Attorney assigned to this request (if applicable): Adam Hernandez

7. City Council District: 9

8. ****For all contracts, fill out and submit accompanying Key Contract Terms worksheet****

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

Key Contract Terms

Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):
Development agreement.

Vendor/Contractor Name (including any dba's): JV DENARGO LLC, a Delaware limited liability company ("JV"), JV LODO DENARGO LLC, a Delaware limited liability company ("JV LODO" and, collectively with JV, "Developer"), and DENARGO MARKET METROPOLITAN DISTRICT NO. 1, a Colorado quasi-municipal corporation and political subdivision (together with its permitted assigns, the "District")

Contract control number (legacy and new): Existing Development Agreement: 202158583

Location: 2650 Arkins Court, 3205 & 3280 Denargo Street, and 2700 Wewatta Way

Is this a new contract? Yes No **Is this an Amendment?** Yes No **If yes, how many?** 1

Contract Term/Duration (for amended contracts, include existing term dates and amended dates):

Contract Amount (indicate existing amount, amended amount and new contract total): N/A

<i>Current Contract Amount</i>	<i>Additional Funds</i>	<i>Total Contract Amount</i>
(A)	(B)	(A+B)

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>

Scope of work: The amended and restated development agreement applies only to the remaining 12.97 acres of undeveloped Denargo Market property to address environmental standards and protocols for construction of city infrastructure on city owned property. The Amended and Restated Development Agreements also retains reference to the affordable housing agreement, maintenance, and funding responsibilities for public amenities called for in the Amended and Restated Denargo Market GDP, including establishment of rights-of-way and open spaces, along with voluntary affordable housing commitments from the applicant and vested property rights among other things. In order to update the Environmental Standards and Environmental Protocols, include the 2022 Amended Affordable Housing Agreement, and update more minor Project details that have evolved as the Project has progressed, the Parties therefore enter into this Amended and Restated Development Agreement to amend such standards and intend that this Amended and Restated Development Agreement supersede and replace the Development Agreement.

Was this contractor selected by competitive process? No **If not, why not?** This is a development agreement outlining requirements or development of a property with parties who own or have jurisdiction over the subject property.

Has this contractor provided these services to the City before? Yes No

Source of funds:

Is this contract subject to: W/MBE DBE SBE XO101 ACDBE N/A

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

WBE/MBE/DBE commitments (construction, design, Airport concession contracts):

Who are the subcontractors to this contract? None

To be completed by Mayor's Legislative Team:

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Date Entered: _____