

EXECUTIVE SUMMARY

Denver Arts & Venues is seeking City Council approval of an ordinance that will authorize Denver Arts & Venues to amend a commercial lease agreement with The Denver Center for the Performing Arts (DCPA) for the Garner Galleria Theatre to provide rent abatement in connection with disruptions caused by the COVID-19 pandemic.

- Because of COVID-19, performance venues are closed and/or nearly vacant to ensure public safety and comply with public health orders and social distancing mandates,
- The viability of tenant's business depends upon use of the theatre; as such, we recognize that it is not necessarily feasible to require rental payments until the resumption of normal business activities can safely occur indoors,
- City Council has previously authorized two three-month periods of rent forgiveness accompanied by two three-month extensions of the existing lease,
- City Council has additionally addressed rent abatement/payment for 2021 in the third amendment of this lease, however, rent for the periods of November 2020 and December 2020 has not been addressed.
- It is uncertain on what date performance venues in Denver will be able to resume normal business activities, and
- The ability to resume normal business activities rests on factors entirely out of the City's or Lessee's control,

Denver Arts & Venues seeks to amend the lease by abatement of rent during the months of November 2020 and December 2020.

- This amendment is consistent with the intent of prior amendments addressing rent abatement.
- While not a substantive change, for purposes of clarity, this amendment specifically requires worker benefits and protections during the months of November and December.