

ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo, Department of Transportation and Infrastructure at jason.gallardo@denvergov.org by **12:00pm NOON on Monday**. Contact Jason with questions.

Date of Request: August 5, 2021

Please mark one: Bill Request or Resolution Request

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: grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.)

Amends CB 18-1321 to correct an administrative error. CB 18-1321 was adopted by City Council in 2018 and established the creation of the Skyline Park Local Maintenance District.

3. Requesting Agency: Department of Transportation and Infrastructure

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Brendan Kelly	Name: Jason Gallardo
Email: brendan.kelly@denvergov.org	Email: jason.gallardo@denvergov.org

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

See Executive Summary

6. City Attorney assigned to this request (if applicable): Brad Neiman

7. City Council District: 9

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

Not applicable

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: BR21 0921

Date Entered: _____

EXECUTIVE SUMMARY

The purpose of this Ordinance Request is to amend CB 18-1321 to correct an administrative error. CB 18-1321 was adopted by City Council in 2018 and established the creation of the Skyline Park Local Maintenance District (Skyline Park LMD). The Skyline Park LMD is located in Council District 9 and encompasses the entirety of Skyline Park.

The City Charter, § 7.6.2 - Local Maintenance Districts, provides, in part:

“The City and County of Denver shall have the power to create local maintenance districts, conferring special benefits upon real property within such districts and general benefits to the City and County at large under provisions as the City and County may by ordinance provide, for the continuing care, operation, security, repair, maintenance and replacement of local public improvements.”

Additionally, Section 20-201, D.R.M.C., provides, in part:

“Pursuant to the authority of charter § 7.6.2, the City and County of Denver may create local maintenance districts, conferring special benefits upon real property within such districts and general benefits to the city and county at large under the provisions of this article IX, for the continuing care, operation, security, repair, maintenance and replacement of local public improvements.”

It was originally intended that the Skyline Park LMD would be authorized to provide all of the services related to public improvements allowed under both the City Charter and the City Code. Such services include providing security for such public improvements. However, an administrative error in the preparation and filing of CB 18-1321 resulted in the word “security” not being included in the list of authorized services that the Skyline Park LMD could provide. This unintentional oversight was only recently discovered. The proposed amendment to CB 18-1321 is to correct the administrative error by adding security as an allowed service of the Skyline Park LMD.

Please note that all communications and documents presented to or prepared by the City prior to the filing of CB 18-1321 in 2018 included and contemplated authorizing the Skyline Park LMD to provide security services related to the public improvements located within its boundaries. Below is a listing of the communications and documents that included and contemplated authorizing the Skyline Park LMD to provide security services prior to the filing of CB 18-1321:

1. Meetings/communications with the Mayor’s Office, CD 9 (CM Brooks at that time), DOF, PW (now DOTI) and Parks
2. Manager of Public Works’ (now DOTI) Order
3. Skyline Park LMD Benefit Study
4. Property Owner Petitions
5. LUTI Committee Meeting Presentation
6. Ordinance Request

Similar to every other local maintenance district organized pursuant to the City Charter and the City Code, and if approved by City Council, the provision of security services would be strictly limited to the Skyline Park LMD’s responsibility to its local public improvements. Security staff retained by the Skyline Park LMD would be required to complete Denver Park Ranger training to ensure security staff function as ambassadors and that Denver Parks rules and regulations are being enforced legally and consistently. Furthermore, their responsibilities would be limited to ambassadorial services, as well as observing and/or investigating unlawful activities related to the public infrastructure within the boundaries of the Skyline Park LMD and reporting such unlawful activities to the appropriate Park Rangers and/or Denver Police Officers for enforcement. Under all circumstances, any security guards retained by the Skyline Park LMD would not be authorized to carry firearms.

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