

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor’s Legislative Team

at MileHighOrdinance@DenverGov.org by **3:00pm on Monday**. Contact the Mayor’s Legislative team with questions

Date of Request: 8/29/2018

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.)

Approves the Lease to Own Agreement with CMC QALICB, LLC.

3. Requesting Agency: Technology Services/ Denver Marketing and Media Services

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Corrine Williams	Name: Julie Martinez
Email: Corrine.Williams@denvergov.org	Email: Julie.Martinez@denvergov.org

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

Denver Marketing & Media Services (DMMS) is leading an effort with Rocky Mountain Public Media (RMPM) which is building a Community Media Center as a separate condominiumized unit at the nonprofit’s new Buell Arapahoe Square facility located at 2201 Arapahoe St., Denver, CO 80205. When constructed, the Community Media Center will create a permanent home for community media and ensure that the City doesn’t have to rely on a community or public access vendor to own and maintain a facility for this purpose, resulting in a more sustainable model for accessible media as consumer habits change with advances in technology. The Community Media Center, and a partnership with RMPM, will also provide increased programming reach with state-wide distribution channels, state-of-the-art multimedia studios and equipment, an opportunity to create a workforce pipeline in the media arts and leverage PEG funds as more and more cable subscribers “cut the cord” and move to over the “Over the Top” streaming services (such as Hulu, Youtube, Netflix, etc.).

RMPM is using a New Market Tax Credit financing to build its facility by which the condominiumized unit will be owned by an entity called the CMC QALICB, LLC. Due to this financial structure, the DMMS is working with the CAO and BMO to finalize a Lease Agreement where the City will lease the facility and at the end of seven years the lease will permit the CMC QALICB, LLC. to exercise a put option to allow purchase by the City for up to \$2,300,000 anticipated to be paid by PEG funds to the CMC QALICB, LLC. In the event the CMC QALICB, LLC determines not to exercise the put option, the CMC QALICB, LLC will notify the City and the City will have an opportunity under a call to purchase the condominiumized unit for then Fair Market Value. The Fair Market Value in seven years may be more than the \$2,300,000. In the event the City does not exercise the call option, the City will be able to continue to lease the property for the remainder of the 29 year term.

To be completed by Mayor’s Legislative Team:

Resolution/Bill Number: RR18 1071

Date Entered: _____

The City will lease the 5,375-square-foot Community Media Center within the larger RMPM facility. If the City owns the property by exercise of either a put or a call, the city-owned condominium unit can be sold or leased as the city deems appropriate. This deal leverages and expands upon the commitment the city has already made to the RMPM facility through an OED loan and a Community Development Block Grant (CBDG), bringing to life the original community and workforce-focused intent behind the city's support.

As currently designed, the new City leased to own Community Media Center will include a studio, editing, and digital and programmatic education spaces for shared use between the Public, Education, and Government (PEG) access group of providers, and RMPM.

* Also see the attached Info Graphic

- 6. **City Attorney assigned to this request (if applicable):** Steve Hahn and Laurie Heydman
- 7. **City Council District:** N/A - Citywide
- 8. ****For all contracts, fill out and submit accompanying Key Contract Terms worksheet****

Key Contract Terms

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

Lease to Purchase of Real Property in excess of \$500,000

Vendor/Contractor Name: CMC QALICB, LLC.

Contract control number: TECHS-201844521-00

Location: N/A Citywide

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

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

(New Contract)Contract Term: 10/01/2018 – 9/31/2025 Duration: 8 years
 (Amended Contract)Current term: xx/xx/xxxx - xx/xx/xxxx Proposed term: xx/xx/xxxx - xx/xx/xxxx Duration: x years

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

<i>Current Contract Amount</i>	<i>Additional Funds</i>	<i>Total Contract Amount</i>
(A)	(B)	(A+B)
		\$2,300,000

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
		9/31/2025

Scope of work:

The Term Sheet and associated documents are in draft form, under negotiation between DMMS, RMPM, CAO, and BMO and will be Final at the time it is presented to Mayor Council.

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Was this contractor selected by competitive process? No

If not, why not? Sole Source

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

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

Who are the subcontractors to this contract?

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