BY AUTHORITY

ORDINANCE NO. _____ COUNCIL BILL NO. CB19-0773

SERIES OF 2019 COMMITTEE OF REFERENCE:

Finance & Governance

A BILL

For an ordinance conforming city code with historical city practices and revisions to charter section 2.9.3 if approved by electors at a special municipal election to be held in conjunction with the coordinated election of November 5, 2019.

WHEREAS, the agency known as Denver arts and venues plays an integral role in promoting cultural and arts events in the community, administering the public art program, and in the management and control of city property used for theatre, concerts, conventions, and for other cultural purposes; and

WHEREAS, on November 5, 2019, Denver arts and venues intends to seek electoral approval for revisions to city charter section 2.9.3 to conform the charter to certain historical practices.

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

Section 1. That section 2-191, D.R.M.C. shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

Section 2-191. Denver Arts and Venues ~~Denver~~

Denver ~~A~~arts and venues ~~Denver~~ shall be ~~the division of general services~~ responsible for the occupancy and operation~~s~~, care, repair and maintenance, either by the agency, or under contract and the direction of the agency, of all facilities, structures, or parts of structures owned or leased by the City and County and used for theatre, concert, auditorium, convention, ~~or~~ arena, or other cultural purposes, for management of the City and County cultural and arts events, and for administration of the public art program, creative sector development programs, and all related duties as described in this division, unless otherwise assigned by the Mayor. Denver Arts and Venues shall also have the management and control of all land on which such facilities or structures are located, and shall have the right to establish and make reasonable charges for the use of such facilities

and structures unless otherwise assigned by the Mayor. ~~The division of~~ Denver arts and venues ~~Denver~~ may perform other duties assigned by the mayor ~~manager of general services~~ not inconsistent with the Charter or the Code.

Section 2. That section 2-192, D.R.M.C. shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

Section 2-192. Director and other employees.

(a) The position of director of Denver arts and venues ~~Denver~~ is hereby established as a position of employment in Denver ~~the~~ arts and venues ~~Denver~~.

(b) The Denver arts and venues ~~Denver~~ director shall devote full time duties to the office and shall be an appointee of the mayor, serving at the pleasure of the mayor.~~be responsible to the manager of general services for the performance of the functions, powers and duties assigned to arts and venues Denver by this division, subject to and consistent with the provisions of the Charter~~.

Section 3. That section 2-193, D.R.M.C. shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

Section 2-193. Powers and duties.

(1) Work with the mayor, the city council, and all affected or interested departments, commissions, boards, officers, offices, agencies and employees of the city in cultural development activities and in operation and management of theatre, concert, auditorium, convention or arena venues; and

(2) Coordinate the activities of contractors and coordinate the various departments, commissions, boards, officers, offices, agencies and employees of the city in the preparation of those activities; and

(3) Review and analyze provisions of ordinances, rules, executive orders and other regulatory documents that may affect artistic activity in the city and advise the mayor and city council; and

(4) Administer the city's public art program, whereby a portion of capital improvement resource is utilized for public art; and

(5) Help to a~~A~~ttract and retain creative businesses and operations to Denver; and

(6) Act as liaison between the city and the Colorado C~~c~~reative I~~i~~ndustries or its state-authorized successor; and

(7) Assist the Denver district county cultural council and the Denver metropolitan ~~s~~Scientific and ~~c~~Cultural ~~f~~Facilities ~~d~~District with administration and distribution of revenues under state law; and

(8) Encourage the utilization of creative local professionals and businesses; and

(9) Coordinate the efforts of Denver arts and venues in assisting increasing tourism and visitorship in the city; and

(10) Provide technical assistance and information to arts and cultural groups concerning funding, grants, loans, and other forms of assistance available to them; and

(11) Promote the venues and arts of the city to connect community members and visitors with Denver's arts and entertainment sector; and

(12) Encourage the incorporation of art in privately funded activities and capital improvements; and

(13) Work with the departments designated by c~~C~~harter to acquire and construct all facilities, structures, or parts of structures owned or leased by the city and county and used for theatre, concert, auditorium or arena purposes; and

(14) Maintain, repair, manage and operate all facilities, structures, or parts of structures owned or leased by the city and county and used for theatre, concert, auditorium, convention, or arena purposes; and

(15) Perform centralized administrative functions for all arts and venues facilities, including budgeting, revenue receipt, and coordination of capital improvements; and

(16) Provide event support services, including booking, contract administration, ticketing, customer service, parking, and production services; and

(17) Oversee the utilization of city venues and generation of revenue by promoting cultural tourism; and

(18) Develop policies and procedures for fair corporate access to sponsorships of city events, arts, and venues; and

(19) Develop financial processes with a goal of maintaining and preserving the agency's venues~~.~~; and

(20) Offer free and low cost cultural programs for the enjoyment and enrichment of residents and visitors of the city.

Section 4. That section 2-194, D.R.M.C. shall be amended by deleting the

language stricken and adding the language underlined, to read as follows:

Section 2-194. Rules and regulations.

The Denver arts and venues director is hereby delegated the authority to promulgate such rules and regulations and informal guidelines as may be necessary or desirable to effect the purposes of this division of the code.

Section 5. That section 2-275, D.R.M.C. shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

Section 2-275. Procedure for naming buildings other than fire houses.

(b) Buildings other than fire houses and major components of buildings other than fire houses shall only be named for outstanding persons who have been influential in the cultural, political, economical or social life of the community or in recognition of an individual or corporation which has contributed substantial funding for the construction of the public buildings or major component of public buildings. In addition, major components of buildings managed by the director of ~~the division of~~ Denver arts and venues ~~Denver, or other designee of the manager of the department of general services, pursuant to section 2.9.3(E) of the Charter ("theatres and arenas facilities"),~~ may be named in recognition of substantial financial contributions to the city by individuals or entities for the administration, construction, management, maintenance, operation or repair of theatres and arenas facilities.

Section 6. If any section, paragraph, clause, or other portion of this ordinance is held to be invalid or unenforceable for any reason, the validity of the remaining portion of this ordinance shall not be affected.

Section 7. This ordinance shall only be effective after certification of passage by electors of a referred question revising charter section 2.9.3 at a special municipal election to be held in conjunction with the coordinated election of November 5, 2019, and upon publication and filing of such results with the Secretary of State.

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COMMITTEE APPROVAL DATE: August 6, 2019

MAYOR-COUNCIL DATE: August 13, 2019

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: Frank Romines, Assistant City Attorney DATE: August 15, 2019

Pursuant to section 13-12, 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 not** submitted to the City Council for approval pursuant to § 3.2.6 of the Charter.

Kristin M. Bronson, Denver City Attorney

BY: _____, Assistant City Attorney DATE: _____