

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: 11/1/2021

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.)

Fox North Amended and Restated Development Agreement

3. Requesting Agency: Community Planning & Development

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Stephen Wilson	Name: Chris Nevitt
Email: Stephen.Wilson2@denvergov.org	Email: Chris.Nevitt@denvergov.org

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

Amendment to the Fox Park development to address 4 key items:

- a. Parks & Recreation: 1) Original DA required conveyance of open space to Parks & Rec. 2) Based on environmental conditions and possible structured parking under park spaces, conveyance not required. 3) Metropolitan district will build, own, maintain all parks and plazas. 4) City will enjoy perpetual public access easement (per Section 10.8.1 of the DZC).
- b. New Housing/Community Benefits – The Developer agrees to: 1) Build 7% of onsite units as Income Restricted Units. 2) Pay 125% of today's Linkage Fee for all non-residential development. 3) Contribute \$4.25M to support off-site permanent affordable homeownership opportunities in Globeville (Habitat for Humanity). 4) Contribute \$2.00M to support community, housing, and economic development (Birdseed Collective).
- c. New Off-Site Infrastructure Facilities – Based on Next Steps Study and need for new multi-modal capacity to support development, Fox Park will: 1) Design & reconstruct regional "Cluster" facility (Fox St./38th Ave./Park Ave./ I-25 Ramps). 2) Design & construct additional new full-multi-modal access for Fox Island. 3) Feasibility analysis and design of Huron Bridge over 38th Ave. 4) Design of 44th Ave. Bridge & Bikeway Improvements.
- d. Environmental Issues Management: 1) City & developer goals for Fox Park best served by standard public ownership of public roads and utilities. 2) But presence of Asarco Superfund site (OU-3) complicates clean-up oversight and introduces additional liability issues. 3) Highest-level City standards & protocols will govern clean-up. 4) Fox Park working with EPA on clean-up settlement agreement. CAO and DDPHE working with EPA on mitigation of potential City liability. 5) Per XO-100, rights-of-way will remain private until City liability risk is sufficiently mitigated.

6. City Attorney assigned to this request (if applicable): Nathan Lucero

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: BR21 1357

Date Entered: _____

7. City Council District: 9 – Candi CdeBaca

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):

Vendor/Contractor Name:

Manuel Jimenez, Vita Fox North, L.P., a Delaware limited partnership

West Globeville Metropolitan District No. 1

West Globeville Metropolitan District No. 2

Contract control number: CPLAN-2021161088

Location: 4400 N Fox Street

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): N/A

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

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

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

To be completed by Mayor's Legislative Team:

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Scope of work:

Was this contractor selected by competitive process?

If not, why not?

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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