

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2020

COUNCIL BILL NO. CB20-1098
COMMITTEE OF REFERENCE:
4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance assessing the annual costs of the continuing care, operation,**
7 **repair, maintenance and replacement of the Broadway Pedestrian Mall A Local**
8 **Maintenance District upon the real property, exclusive of improvements thereon,**
9 **benefited.**

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

11 **Section 1.** Upon consideration of the recommendation of the Executive Director of the
12 Department of Transportation and Infrastructure that an ordinance be enacted for the purpose of
13 assessing the annual costs of the continuing care, operation, repair, maintenance and replacement
14 of the Broadway Pedestrian Mall A Local Maintenance District (“Broadway Pedestrian Mall A”), for
15 the upcoming year, upon the real property, exclusive of improvements thereon, benefited, the
16 Council finds, as follows:

17 (a) A local maintenance district providing for the continuing care, operation, repair,
18 maintenance and replacement of the Broadway Pedestrian Mall A, was created by Ordinance No.
19 839, Series of 1998;

20 (b) The annual cost of the continuing care, operation, repair, maintenance and
21 replacement of the Broadway Pedestrian Mall A is \$60,000.00, which amount the Executive Director
22 of the Department of Transportation and Infrastructure has the authority to expend for the purposes
23 stated herein;

24 (c) The Executive Director of the Department of Transportation and Infrastructure has
25 complied with all provisions of law relating to the publishing of notice to the owners of real properties
26 to be assessed and to all persons interested generally, and the Council sitting as a Board of
27 Equalization has heard and determined all written complaints and objections, if any, filed with the
28 Executive Director of the Department of Transportation and Infrastructure;

29 (d) The portion of the annual costs for the continuing care, operation, repair, maintenance
30 and replacement of the Broadway Pedestrian Mall A to be assessed against the properties, exclusive
31 of improvements thereon, benefited are \$52,093.45;

32 (e) The portion of the annual costs of the continuing care, operation, repair, maintenance
33 and replacement of the Broadway Pedestrian Mall A to be borne by the City and County of Denver
34 is \$7,906.55; and

1 (f) The real property within the Broadway Pedestrian Mall A will be benefited in an amount
2 equal to or in excess of the amount to be assessed against said property because of the continuing
3 care, operation, repair, maintenance and replacement of said Broadway Pedestrian Mall A.

4 **Section 2.** The annual cost of the continuing care, operation, repair, maintenance and
5 replacement of the Broadway Pedestrian Mall A to be assessed against the real properties, exclusive
6 of improvements thereon, benefited are hereby approved.

7 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and
8 replacement of the Broadway Pedestrian Mall A in the amount of \$52,093.45 are hereby assessed
9 against the real properties, exclusive of improvements thereon, within said local maintenance district
10 as follows:

11 NOTE: Where a series of lots is followed by “inclusive”, the amount appearing after the series shall
12 be the total for all lots in the series. Where a series of lots is not followed by “inclusive”, the amount
13 appearing after such series shall be the assessment for each lot in the series.

14	BROADWAY ADDITION TO BYERS SUBDIVISION	
15	BLOCK 3	
16	Lots	
17	11	\$926.19
18	12-20	\$771.82
19	12' Wide Strip Adjacent to Lot 11	\$370.48
20	BLOCK 4	
21	Lots	
22	11-14	\$770.09
23	15 South 12.5 feet	\$385.91
24	GREENWAY'S RESUBDIVISION OF BLOCK 36	
25	BLOCK 36	
26	Lots	
27	1	\$958.91
28	2-8	\$773.67
29	POLK'S RESUBDIVISION OF BLOCK 33, BYERS SUBDIVISION	
30	BLOCK 33	
31	Lots	
32	1-9	\$771.82
33	10	\$957.07
34	POLK'S RESUBDIVISION OF BLOCK 34, BYERS SUBDIVISION	
35	BLOCK 34	
36	Lots	
37	1-9	\$771.82
38	10	\$957.07


1	RESUBDIVISION OF BLOCKS 1, 2 AND 3 GALLUP'S SOUTH BROADWAY	
2	SUBDIVISION	
3	Lots	
4	1	\$616.97
5	2-18	\$771.29
6	19	\$4,473.47
7		

8 **Section 4.** The assessments made pursuant hereto shall be a lien in the several amounts
9 assessed against each lot or tract of land set forth in Section 3 herein, and such lien shall have the
10 priority of the lien for local public improvement districts.

11 **Section 5.** Without demand, said assessments as set forth in Section 3 herein, shall be due
12 and payable on the first day of January of the year next following the year in which this assessing
13 ordinance became effective, and said assessments shall become delinquent if not paid by the last
14 day of February of the year next following the year in which this assessing ordinance became
15 effective. A failure to pay said assessments as hereinabove set forth shall become a lien on the
16 property subject to the assessment, and such lien may be sold by the City as provided by the Charter
17 and ordinances of the City and County of Denver.

18 **Section 6.** Any unspent revenue and revenue generated through investment shall be
19 retained and credited to the Broadway Pedestrian Mall A Local Maintenance District for future long
20 term or program maintenance of the District.

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22 **[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]**
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1 COMMITTEE APPROVAL DATE: October 13, 2020 by Consent
2 MAYOR-COUNCIL DATE: October 20, 2020
3 PASSED BY THE COUNCIL: _____
4 _____ - PRESIDENT
5 APPROVED: _____ - MAYOR _____
6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER
9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____
10 PREPARED BY: Bradley T. Neiman, Assistant City Attorney DATE: October 22, 2020
11 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the
12 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
13 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
14 3.2.6 of the Charter.
15
16 Kristin M. Bronson, Denver City Attorney
17
18 BY:  _____, Assistant City Attorney DATE: Oct 21, 2020