

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2025

COUNCIL BILL NO. CB25-1974
COMMITTEE OF REFERENCE:
South Platte River

A BILL

For an ordinance approving the termination and dissolution of the Phase II Broadway Pedestrian Mall Local Maintenance District and directing that the remaining funds thereof, after payment of outstanding expenses, be transferred to and used by the Broadway Denver General Improvement District within the property formerly located within said local maintenance district.

WHEREAS, Ordinance No. 819, Series of 1993, created the local maintenance district commonly known as the Phase II Broadway Pedestrian Mall Local Maintenance District (the "Broadway Phase II LMD"); and

WHEREAS, the City Council ("Council") of the City and County of Denver, Colorado ("City") approved Ordinance No. 917, Series of 2025 ("Creation Ordinance"), which created the Broadway Denver General Improvement District ("District") subject to the approval of the electors of the District voting for the organization of the District by a majority of the votes cast for the organization at an election held on November 4, 2025, as provided in Part 6 of Article 25 of Title 31, C.R.S. ("Election"); and

WHEREAS, one or more ballot issues conforming to Article X, Section 20 of the Colorado Constitution ("TABOR Questions") were also considered by the electors of the District at the Election; and

WHEREAS, the results of the Election have been duly canvassed and the District has been declared organized with one or more TABOR Questions also being approved; and

WHEREAS, upon its creation, the District is a public or quasi-municipal subdivision of the State of Colorado and a body corporate with the limited proprietary powers set forth in Part 6, Article 25, Title 31, C.R.S., subject to the Creation Ordinance; and

WHEREAS, substantially all of the property contained within the Broadway Phase II LMD is encompassed within the District and, to avoid the duplication of services, the District has the capability to assume responsibility from the Broadway Phase II LMD for the continuing care, operation, repair, maintenance and replacement of the public improvements for which the Broadway Phase II LMD is responsible located within its respective boundaries; and

WHEREAS, in accordance with Section 21 of the Creation Ordinance, the Executive Director of the City's Department of Transportation and Infrastructure ("DOTI") desires to terminate and

dissolve the Broadway Phase II LMD and transfer any surplus funds of the Broadway Phase II LMD, following payment of outstanding expenses that may be necessary to wind up its business, to the District, all in conformance with this Ordinance.

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

Section 1. That Council hereby finds that the results of the Election have been duly canvassed and the District has been declared organized with one or more TABOR questions also being approved, all in accordance with the Creation Ordinance.

Section 2. That, in accordance with Section 21 of the Creation Ordinance, the Broadway Phase II LMD is hereby terminated and dissolved. Upon such termination and dissolution, the Broadway Phase II LMD shall no longer exist except as may be necessary to wind up its business in accordance with the City Charter and the Denver Revised Municipal Code at the direction of the Executive Director of DOTI. Further, upon such termination and dissolution, any surplus funds remaining in the accounts of the Broadway Phase II LMD, following payment of outstanding expenses that may be necessary to wind up its business, shall be transferred to and used by the District only within the boundaries of the Broadway Phase II LMD. The District shall segregate and account for such funds upon receipt. Lastly, upon such termination and dissolution, the District shall assume responsibility from the Broadway Phase II LMD for the continuing care, operation, repair, maintenance and replacement of the public improvements located within its respective boundaries; the District may enter into one or more intergovernmental agreements with other governmental entities to share in such responsibility.

Section 3. In addition to the foregoing Section 2, for property located within the Broadway Phase II LMD that is not also located within the boundaries of the District and the improvements within, if such property and improvements will be maintained by other governmental entity(ies) pursuant to one or more intergovernmental agreements between the District and such governmental entity(ies) other than the District after the termination and dissolution of the Broadway Phase II LMD as described herein, then any surplus funds remaining in the accounts of the Broadway Phase II LMD shall be distributed over to the District and such other governmental entity(ies) based upon the percentage of improvements to be maintained by each respective party, provided that such party(ies) have agreed in writing to assume the full responsibility for maintaining such improvements and negating the requirement for the District to provide such services on its own.

Section 4. That Council has previously approved Ordinance No. 25-1728, Series of 2025, which provides for the 2026 assessments payable by the property owners within the boundaries of the Broadway Phase II LMD to pay for the annual costs of the continuing care, operation, repair,

1 maintenance and replacement of the public improvements located within the Broadway Phase II
2 LMD ("Assessing Ordinance"). Due to the termination and dissolution of the Broadway Phase II LMD
3 described in this Ordinance, the Assessing Ordinance is hereby repealed in its entirety and Council
4 confirms that no 2026 assessments shall be imposed as described in the Assessing Ordinance.

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1 COMMITTEE APPROVAL DATE: December 3, 2025 by Consent

2 MAYOR-COUNCIL DATE: December 9, 2025

3 PASSED BY THE COUNCIL: 12/22/2025

4 Signed by:
 - 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 DENVER POST: _____;

10 PREPARED BY: Bradley T. Neiman, Assistant City Attorney DATE: December 11, 2025

11 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of
12 the 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 Miko Ando Brown, Denver City Attorney

17 Signed by:
18 BY: , Assistant City Attorney DATE: 12/10/2025 | 4:07 PM MST