

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2025

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

5 **A BILL**

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

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

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

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

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

25 **WHEREAS**, upon its creation, the District is a public or quasi-municipal subdivision of the
26 State of Colorado and a body corporate with the limited proprietary powers set forth in Part 6, Article
27 25, Title 31, C.R.S., subject to the Creation Ordinance; and

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

33 **WHEREAS**, in accordance with Section 21 of the Creation Ordinance, the Executive Director
34 of the City’s Department of Transportation and Infrastructure (“DOTI”) desires to terminate and

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

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

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

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

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

32 **Section 4.** That Council has previously approved Ordinance No. 25-1728, Series of 2025,
33 which provides for the 2026 assessments payable by the property owners within the boundaries of
34 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: _____
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 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
18 BY: _____, Assistant City Attorney DATE: _____