

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2022

COUNCIL BILL NO. CB22-1257
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

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

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

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

(a) A local maintenance district providing for the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall B, was created by Ordinance No. 840, Series of 1998;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall B is \$100,907.32 which amount the Executive Director of the Department of Transportation and Infrastructure has the authority to expend for the purposes stated herein;

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

(d) The portion of the annual costs for the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall B to be assessed against the properties, exclusive of improvements thereon, benefited is \$81,238.46;

(e) The portion of the annual costs of the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall B to be borne by the City and County of Denver is \$19,668.86; and

1 (f) The real property within the Broadway Pedestrian Mall B 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 B.

4 **Section 2.** The annual costs of the continuing care, operation, repair, maintenance and
5 replacement of the Broadway Pedestrian Mall B 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 B in the amount of \$81,238.46 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 EXPOSITION ADDITION
15 BLOCK 8

16 Lots

17 1-2, inclusive except the East 53'	\$2,092.08
18 3-24	\$1,046.04

20 FIRST ADDITION TO LINCOLN SUBDIVISION
21 BLOCK 1

22 Lots

23 1-5	\$1,153.65
24 30-31, inclusive	\$2,089.25
25 32-33	\$1,044.63
26 34-46	\$1,046.04

28 UNPLATTED

29
30 Those portions of the SE ¼, NW ¼ and NE ¼, SW ¼ Section 15, Township 4 South, Range 68
31 West of the 6th Principal Meridian located between the south line of the Phase II Broadway
32 Pedestrian Mall (approximately the centerline of the Center Avenue extended from the east) and a
33 point 180.0 feet north of the northerly right-of-way line of Interstate 25, the west line of South
34 Broadway and a line located 100 feet west of and parallel with said west line.

35 \$32,588.29

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

39 **Section 5.** Without demand, said assessments as set forth in Section 3 herein, shall be due
40 and payable on the first day of January of the year next following the year in which this assessing

1 ordinance became effective, and said assessments shall become delinquent if not paid by the last
2 day of February of the year next following the year in which this assessing ordinance became
3 effective. A failure to pay said assessments as hereinabove set forth shall become a lien on the
4 property subject to the assessment, and such lien may be sold by the City as provided by the Charter
5 and ordinances of the City and County of Denver.

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

9 COMMITTEE APPROVAL DATE: October 25, 2022 by Consent

10 MAYOR-COUNCIL DATE: November 8, 2022

11 PASSED BY THE COUNCIL: _____ November 21, 2022

12 _____ - PRESIDENT

13 APPROVED: _____ - MAYOR Nov 22, 2022

14 ATTEST: _____ - CLERK AND RECORDER,
15 EX-OFFICIO CLERK OF THE
16 CITY AND COUNTY OF DENVER

17 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____

18 PREPARED BY: Bradley T. Neiman, Assistant City Attorney DATE: November 10, 2022

19 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
20 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
21 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
22 § 3.2.6 of the Charter.

23
24 Kerry Tipper, Interim Denver City Attorney

25 BY: *Anshul Bagga*, Assistant City Attorney DATE: Nov 10, 2022
26 _____