

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2025

COUNCIL BILL NO. CB25-1520
COMMITTEE OF REFERENCE:
Transportation & Infrastructure

A BILL

For an ordinance approving the 2026 annual costs of the continuing care, operation, repair, maintenance and replacement of the Phase II West 38th Avenue Pedestrian Mall Local Maintenance District, in Council District 1.

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 Phase II West 38th Avenue Pedestrian Mall Local Maintenance District ("Phase II West 38th Avenue Pedestrian Mall"), 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 Phase II West 38th Avenue Pedestrian Mall, was created by Ordinance No. 818, Series of 1993;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the Phase II West 38th Avenue Pedestrian Mall is \$45,000.00, 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; and

(d) The real property within the Phase II West 38th Avenue Pedestrian Mall will be benefited in an amount equal to or in excess of the amount to be assessed against said property because of the continuing care, operation, repair, maintenance and replacement of said Phase II West 38th Avenue Pedestrian Mall.

Section 2. The annual costs of the continuing care, operation, repair, maintenance and replacement of the Phase II West 38th Avenue Pedestrian Mall to be assessed against the real properties, exclusive of improvements thereon, benefited are hereby approved.

1 **Section 3.** As the Phase II West 38th Avenue Pedestrian Mall currently has sufficient
2 reserves to pay for the 2026 annual costs of the continuing care, operation, repair, maintenance and
3 replacement of the Phase II West 38th Avenue Pedestrian Mall, no additional amounts shall be
4 assessed against properties in the District.

5 **Section 4.** Any unspent revenue and revenue generated through investment shall be
6 retained and credited to the Phase II West 38th Avenue Pedestrian Mall Local Maintenance District
7 for future long term or program maintenance of the District.

8
9 COMMITTEE APPROVAL DATE: October 22, 2025 by Consent

10 MAYOR-COUNCIL DATE: October 28, 2025 by Consent

11 PASSED BY THE COUNCIL: _____
12 _____ - PRESIDENT

13 APPROVED: _____ - MAYOR _____

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: October 30, 2025

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 Katie J. McLoughlin, Interim City Attorney

25
26 BY: _____, Assistant City Attorney DATE: _____