

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2025

COUNCIL BILL NO. CB25-1517
COMMITTEE OF REFERENCE:
South Platte River

A BILL

For an ordinance approving the 2026 annual costs of the continuing care, operation, repair, maintenance and replacement of the West 38th Avenue Phase I 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 West 38th Avenue Phase I Pedestrian Mall Local Maintenance District ("West 38th Avenue Phase I 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 West 38th Avenue Phase I Pedestrian Mall, was created by Ordinance No. 653, Series of 1998;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the West 38th Avenue Phase I Pedestrian Mall is \$36,400.00, 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 West 38th Avenue Phase I 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 West 38th Avenue Phase I Pedestrian Mall.

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

1 **Section 3.** As the West 38th Avenue Phase I Pedestrian Mall currently has sufficient reserves
2 to pay for the 2026 annual costs of the continuing care, operation, repair, maintenance and
3 replacement of the West 38th Avenue Phase I 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 West 38th Avenue Phase I Pedestrian Mall Local Maintenance District
7 for future long term or program maintenance of the District.

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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.

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24 Katie J. McLoughlin, Interim City Attorney

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26 BY: _____, Assistant City Attorney DATE: _____