

BY AUTHORITY

2 ORDINANCE NO. _____

COUNCIL BILL NO. CB25-1976

3 SERIES OF 2025

COMMITTEE OF REFERENCE:

4 South Platte River

A BILL

For an ordinance approving the termination and dissolution of the Broadway Pedestrian Mall B 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.

11 **WHEREAS**, Ordinance No. 840, Series of 1998, created the local maintenance district
12 commonly known as the Broadway Pedestrian Mall B Local Maintenance District (the “Broadway B
13 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 B 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 B LMD for the continuing care, operation,
31 repair, maintenance and replacement of the public improvements for which the Broadway B LMD is
32 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 B LMD and transfer any surplus funds of the Broadway B LMD, following
2 payment of outstanding expenses that may be necessary to wind up its business, to the District, all
3 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 B LMD is hereby terminated and dissolved. Upon such termination and dissolution, the Broadway B
11 LMD shall no longer exist except as may be necessary to wind up its business in accordance with
12 the City Charter and the Denver Revised Municipal Code at the direction of the Executive Director
13 of DOTI. Further, upon such termination and dissolution, any surplus funds remaining in the accounts
14 of the Broadway B LMD, following payment of outstanding expenses that may be necessary to wind
15 up its business, shall be transferred to and used by the District only within the boundaries of the
16 Broadway B LMD. The District shall segregate and account for such funds upon receipt. Lastly, upon
17 such termination and dissolution, the District shall assume responsibility from the Broadway B LMD
18 for the continuing care, operation, repair, maintenance and replacement of the public improvements
19 located within its respective boundaries; the District may enter into one or more intergovernmental
20 agreements with other governmental entities to share in such responsibility.

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

31 **Section 4.** That Council has previously approved Ordinance No. 25-1727, Series of 2025,
32 which provides for the 2026 assessments payable by the property owners within the boundaries of
33 the Broadway B LMD to pay for the annual costs of the continuing care, operation, repair,
34 maintenance and replacement of the public improvements located within the Broadway B LMD

1 ("Assessing Ordinance"). Due to the termination and dissolution of the Broadway B LMD described
2 in this Ordinance, the Assessing Ordinance is hereby repealed in its entirety and Council confirms
3 that no 2026 assessments shall be imposed as described in the Assessing Ordinance.

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5 **REMAINDER OF PAGE INTENTIONALLY LEFT BLANK**

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: _____