



BOARD OF EQUALIZATION NOTICE

November 12, 2024

Dear City Council Member,

A Board of Equalization hearing is scheduled during your regular City Council meeting on November 18, 2024, for the following Group 2 local maintenance districts:

<u>Local Maintenance District</u>	<u>Council District</u>
20 th Street Pedestrian Mall	9 & 10
22 nd Street & Park Avenue West Pedestrian Mall	9
Broadway Pedestrian Mall A	7
Broadway Pedestrian Mall B	7
Broadway Viaduct Pedestrian Mall	9
Consolidated Larimer Street Pedestrian Mall	9
Phase II Broadway Pedestrian Mall	7
South Broadway Streetscape (Arizona to Iowa)	7
South Broadway Streetscape (Iowa to Wesley)	7
South Broadway Streetscape (Wesley to Yale)	7
St. Luke's Pedestrian Mall	9 & 10
West 32 nd Avenue Pedestrian Mall	1

The due date of October 31, 2024, for receiving protest letters has expired. As of that deadline, 10 protest letters for some of the local maintenance districts comprising Group 2 have been received and are attached. Those protest letters are for properties within the 20th Street Pedestrian Mall local maintenance district (2 protest letters) and the St. Luke's Pedestrian Mall local maintenance district (8 protest letters), both in Council Districts 9 and 10.

Since no other protests were received by the due date, a Board of Equalization Hearing will **only** be held for the 20th Street Pedestrian Mall local maintenance district and the St. Luke's Pedestrian Mall local maintenance district. In accordance with Section 20-209.5, D.R.M.C., City Council, sitting as the Board of Equalization, shall hear and determine all written complaints and objections filed with the Manager of the Department of Transportation and Infrastructure ("DOTI") and may confirm the assessments proposed or make any modifications which may seem equitable and just.

For the reasons described below under the section "Ballpark Denver General Improvement District," DOTI is recommending that the Board of Equalization make an adjustment to a zero assessment for the 20th Street Pedestrian Mall local maintenance district.

City and County of Denver Department of Transportation & Infrastructure
Division Name Here
Address | Denver, CO 80XXX
www.denvergov.org/doti
Phone: 720-913-1311

Assessments related to government-owned property will be offset by City funds. The types of governments for Group 2 that will be offset are:

1. City and County of Denver
2. The Regional Transportation District
3. United States of America

Any reductions of non-government property approved by the Board of Equalization will also be funded from City funds. Staff from DOTI and the City Attorney’s Office will be present to provide information and respond to any questions.

Ballpark Denver General Improvement District

An election was held and unofficially passed on November 5, 2024, for the organization of the Ballpark Denver General Improvement District, located in Council District 9; it is anticipated that the election results will be certified on or before November 15, 2024 and the Ballpark Denver General Improvement District will be officially organized at that time. Upon the formal creation of the Ballpark Denver General Improvement District, it is anticipated that the Manager of DOTI will seek City Council consideration and approval of the termination and dissolution of four of the local maintenance districts in this Group 2. The continuing care, operation, repair, maintenance, and replacement of the local public improvements within those four sought-to-be dissolved local maintenance districts will then become the responsibility of the Ballpark Denver General Improvement District. Subject to the organization of the Ballpark Denver General Improvement District, the four local maintenance districts that the Manager of DOTI will seek City Council approval to be dissolved are:

<u>Local Maintenance Districts to be Dissolved</u>	<u>Council District</u>
20 th Street Pedestrian Mall	9 & 10
22 nd Street & Park Avenue West Pedestrian Mall	9
Broadway Viaduct Pedestrian Mall	9
Consolidated Larimer Street Pedestrian Mall	9

DOTI proposes the following plan to make sure that there will be zero assessments in 2025 for the above four sought-to-be dissolved local maintenance districts.

1. To ensure a zero assessment in 2025 for the 20th Street Pedestrian Mall, DOTI recommends that City Council, sitting as Board of Equalization, adjusts all 2025 assessments for the district to zero.

2. To ensure a zero assessment in 2025 for the Consolidated Larimer Street, Broadway Viaduct and the 22nd Street & Park Avenue West Pedestrian Mall local maintenance districts, DOTI recommends that City Council amends each respective dissolution ordinance at First Reading (just to City Council approval, currently scheduled to occur on Monday, November 25, 2024) such that these three local maintenance districts' 2025 assessments are zero.

Please contact me should you have any questions or if I may be of additional assistance.

Sincerely,



Brendan Kelly, PE

Attachments: Budget Summary – Group 2 2025 Local Maintenance Districts
Protest Letter Summary
Protest Letters

11/12/24

Budget Summary
Group 2 - 2025 Budget Year Local Maintenance Districts

Local Maintenance District	2024 Budget	2025 Budget	Budget Change From 2024 to 2025	Council District
20 th Street Pedestrian Mall	\$61,800	\$72,604 ¹	17.5% Increase	9 & 10
22 nd Street & Park Avenue West Pedestrian Mall	\$119,945	\$126,875 ²	5.8% Increase	9
Broadway Pedestrian Mall A	\$65,700	\$65,700	No Change	7
Broadway Pedestrian Mall B	\$110,356	\$110,356	No Change	7
Broadway Viaduct Pedestrian Mall	\$52,600	\$52,600	No Change	9
Consolidated Larimer Street Pedestrian Mall	\$89,200	\$111,311 ³	24.8% Increase	9
Phase II Broadway Pedestrian Mall	\$389,761	\$389,761	No Change	7
South Broadway Streetscape (Arizona to Iowa)	\$47,200	\$114,297.89 ⁴	142.2% Increase	7
South Broadway Streetscape (Iowa to Wesley)	\$92,200	\$151,000 ⁴	63.8% Increase	7
South Broadway Streetscape (Wesley to Yale)	\$44,970	\$101,000 ⁴	124.6% Increase	7
St. Luke's Pedestrian Mall	\$344,720	\$295,249	14.4% Decrease	9 & 10
West 32 nd Avenue Pedestrian Mall	\$14,300	\$14,300	No Change	1

¹The 2025 budget increase is due to needed tree maintenance; tree guards purchase/install; tree well preparation for planting; watering, pruning, mulching 19 trees; planting five 3" caliper trees; repair/test irrigation system; tree guard purchase/install; purchase/install 2 trash receptacles; Tree Health Program. **Because the Ballpark General Improvement District is now organized, this district will be dissolved and it is anticipated that the 2025 assessment will be zero.**

²The 2025 budget increase is due to increased maintenance costs and the need to build reserves. **Because the Ballpark General Improvement District is now organized, this district will be dissolved and it is anticipated that the 2025 assessment will be zero.**

³The 2025 budget increase is due to needed tree maintenance; tree guards purchase/install; tree well preparation for planting; watering, pruning, mulching trees; planting one 3" caliper tree; repair/test irrigation system; tree guard purchase/install; Tree Health Program. **Because the Ballpark General Improvement District is now organized, this district will be dissolved and it is anticipated that the 2025 assessment will be zero.**

⁴The 2025 budget increase is necessary to address significant deferred repair and replacement of the landscaping, decorative pedestrian lighting, flagstone and other local public improvements and the need to replenish the reserves.

2025 Group 2 Local Maintenance District Protest Letter Summary

Local Maintenance District	Protest Exhibit	Address	2025 Proposed Assessment	Registered Agent / Owner	Council District
20 th Street Pedestrian Mall	Exhibit A	2024 Market St	\$7,258.95	Panayes Dikeou / Market Street LLC	9
20 th Street Pedestrian Mall	Exhibit B	1320 20 th St	\$7,258.37	Kenneth Monfort / 1962 Market Street Partners LLC	10
St. Luke's Pedestrian Mall	Exhibit C	100 Park Ave W 1104	\$104.98	Jonathan Palmer / Park Avenue Condo LLC	9
St. Luke's Pedestrian Mall	Exhibit D & Exhibit E	100 Park Ave W 1604	\$104.98	Alexey Egorov	9
St. Luke's Pedestrian Mall	Exhibit F	100 Park Ave W 1805	\$104.98	Beth Konikoff	9
St. Luke's Pedestrian Mall	Exhibit G	1850 N Pearl St	\$28,470.92	Panayes Dikeou / 1850 Pearl LLC	10
St. Luke's Pedestrian Mall	Exhibit H	601 E 18 th Ave	\$28,403.91	Panayes Dikeou / 11 th & Ash LLC	10
St. Luke's Pedestrian Mall	Exhibit I	701 E 18 th Ave	\$4,267.67	Eileen Cohen	10
St. Luke's Pedestrian Mall	Exhibit J	1860 N Washington St 204	\$113.05	Robert Holland	10

EXHIBIT A

MARKET STREET LLC
1615 CALIFORNIA STREET SUITE 707
DENVER, CO, 80202

Date: October 29th, 2024

To: Brendan Kelly

From: *NEU Goldblatt*

RE: 20th Street Pedestrian Mall Local Maintenance District

Last week, we received the 2025 Notice of Assessment. The \$72,604.00 for the continuing care, operation, repair, maintenance, and replacement is allocated nearly equally between 10 owners.

We feel that it is unnecessary for us to pay this cost as we already currently have \$52,521.37 in the bank accounts for this district!

The district has been run by only two board members, including a city representative, Brendan Kelly, and another individual who is not even a property owner and it became apparent after our due diligence that:

1. The prices they are paying for services are above market.
2. Brendan Kelly has been reimbursing the other board member for services rendered instead of paying the bills directly. We believe that Brendan's actions are not acceptable and against the city's protocol. Until such time that documentation is provided in the form of cancelled checks from the other board member to contractors and suppliers, the stakeholders have no assurance that the money they contributed was spent correctly.
3. Insurance has not been previously obtained by the contractors.

We feel that it is unnecessary for us to pay this cost as we already currently have \$52,521.37 in the bank accounts for this district!

Property Address 2024 Market St
Name NEU Goldblatt
Signature *[Signature]*
Phone 303 884 6192

EXHIBIT B

Date: October 24, 2024

To: Eric Henderson
20th Street Pedestrian Mall Local Maintenance District Property Owners
C/O Dikeou Realty
1615 California Street, Suite 707
Denver, CO 80202

From: 1962 Market Street Partners, LLC

Re: 20th Street Pedestrian Mall Local Maintenance District Property Owners

Last week, the city sent the 2025 Notice of Assessment for a proposed \$72,604.00 for the continuing care, operation, repair, maintenance, and replacement of the 20th Street landscaping.

It is unnecessary for us to pay this cost as we currently have \$52,521.37 in the bank accounts for this District!

The current board only consists of the City Representative, Brendan Kelly, and another individual who is not even a property owner in the District. In 2024, the District paid one of the board members in excess of \$50,000.00 for reimbursement of an invoice. Until such time that the board can substantiate that the amount paid was reasonable and the contractor had liability insurance to protect the District and the property owners, the District should cease collecting from the ten property owners.

Property Address: 1962 Market Street, Denver, CO 80202

Name: Kenneth Montfort

Signature: 

Phone: 303-731-1404

EXHIBIT C

Date: October 22, 2024

To: Denver Manager of
transportation and Infrastructure
Districts Management office
201 W. Colfax Dept 509
Denver, CO 80202

From: Park Ave Condo LLC

RE: St. Luke's Pedestrian Mall Maintenance District

I hereby object to the budget and desire that the St. Luke's Pedestrian Mall Maintenance District be eliminated altogether, as it is no longer needed.

The district formation initially included abundant landscaping, flower beds, etc, but has been replaced with hardscape, and as such, we no longer need this district.

Thank you

Property Address 100 PARK AVE W #1104 Denver, CO 80205
Name Jonathan Palmer - Owner
Signature JTPalmer

EXHIBIT D

Date: October 31, 2024

To: Eric Henderson
St. Luke's Pedestrian Mall Maintenance District - Care of Dikeou
1615 California Street Suite 707
Denver, Colorado, 80202

From: Alexey L. Egorov

RE: St. Luke's Pedestrian Mall Maintenance District

I hereby object to the budget and desire that the St. Luke's Pedestrian Mall Maintenance District be eliminated altogether, as it is no longer needed.

The district formation initially included abundant landscaping, flower beds, etc, but has been replaced with hardscape, and as such, we no longer need this district.

Thank you

Property Address 100 Park Ave 1604

Name ALEXEY EGOROV

Signature 

EXHIBIT E

Date: October 31, 2024

To: Eric Henderson
St. Luke's Pedestrian Mall Maintenance District - Care of Dikeou
1615 California Street Suite 707
Denver, Colorado, 80202

From: Natalia F. Bozhko

RE: St. Luke's Pedestrian Mall Maintenance District

I hereby object to the budget and desire that the St. Luke's Pedestrian Mall Maintenance District be eliminated altogether, as it is no longer needed.

The district formation initially included abundant landscaping, flower beds, etc, but has been replaced with hardscape, and as such, we no longer need this district.

Thank you

Property Address 100 Park Ave 1604

Name Natalia Bozhko

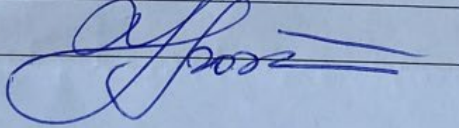
Signature 

EXHIBIT F

Date: October 29, 2024

To: Eric Henderson
St. Luke's Pedestrian Mall Maintenance District - Care of Dikeou
1615 California Street Suite 707
Denver, Colorado, 80202

From: Beth Konikoff

RE: St. Luke's Pedestrian Mall Maintenance District

I hereby object to the budget and desire that the St. Luke's Pedestrian Mall Maintenance District be eliminated altogether, as it is no longer needed.

The district formation initially included abundant landscaping, flower beds, etc, but has been replaced with hardscape, and as such, we no longer need this district.

Thank you

Property Address 100 Park Ave 1805

Name BETH KONIKOFF


Signature 

EXHIBIT G

1850 PEARL LLC

1615 CALIFORNIA STREET SUITE 707
DENVER, CO, 80202

Date: October 29th, 2024

To: Brendan Kelly

From: 1850 Pearl LLC

RE: St. Luke's Pedestrian Mall Maintenance District

I hereby object to the budget and desire that the St. Luke's Pedestrian Mall Maintenance District be eliminated altogether as it is no longer needed.

The district formation initially included abundant landscaping, flower beds, etc... but has been replaced with hardscape, and as such, we no longer need this district.

Thank you

Property Address 1850 Pearl Street

Name Chloe Dikeou, Manager

Signature 

EXHIBIT H

11TH AND ASH LLC
1615 CALIFORNIA STREET SUITE 707
DENVER, CO, 80202

Date: October 29th, 2024

To: Brendan Kelly

From: 11th AND ASH LLC

RE: St. Luke's Pedestrian Mall Maintenance District

I hereby object to the budget and desire that the St. Luke's Pedestrian Mall Maintenance District be eliminated altogether as it is no longer needed.

The district formation initially included abundant landscaping, flower beds, etc... but has been replaced with hardscape, and as such, we no longer need this district.

Thank you

Property Address 601 E 18th Ave

Name James Rudy


Signature 

EXHIBIT I

Date: October 27, 2024

To: Eric Henderson
St. Luke's Pedestrian Mall Maintenance District - Care of Dikeou
1615 California Street Suite 707
Denver, Colorado, 80202

From: Eileen Cohen

RE: St. Luke's Pedestrian Mall Maintenance District

I hereby object to the budget and desire that the St. Luke's Pedestrian Mall Maintenance District be eliminated altogether, as it is no longer needed.

The district formation initially included abundant landscaping, flower beds, etc, but has been replaced with hardscape, and as such, we no longer need this district.

Thank you

Property Address 701 E. 18th AVE

Name Eileen Cohen

Signature Eileen Cohen

EXHIBIT J

From: [Robert Holland](#)
To: ehenderson1972@gmail.com; [Kelly, Brendan J. - DOTI Engineer and Architect Splst](#)
Subject: [EXTERNAL] St Lukes pedestrian mall maintenance district property owners
Date: Wednesday, October 30, 2024 3:49:50 PM

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender.

[Report Suspicious](#)

Hello

My name is Robert Holland I live at 1860 Washington Street #204 and the above district needs to be dissolved. Nearly 100% percent of the landscaping is either rocks or bricks and does not need to be maintained at a district level