

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2020

COUNCIL BILL NO. CB20-1100
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 South Broadway Streetscape (Wesley Avenue to Yale Avenue) 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 South Broadway Streetscape (Wesley Avenue to Yale Avenue) Local Maintenance District (“South Broadway Streetscape (Wesley Avenue to Yale Avenue)”), 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 South Broadway Streetscape (Wesley Avenue to Yale Avenue), was created by Ordinance No. 145, Series of 2010;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the South Broadway Streetscape (Wesley Avenue to Yale Avenue) is \$44,970.00, 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;

(d) The real property within the South Broadway Streetscape (Wesley Avenue to Yale Avenue) 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 South Broadway Streetscape (Wesley Avenue to Yale Avenue).

Section 2. The annual cost of the continuing care, operation, repair, maintenance and replacement of the South Broadway Streetscape (Wesley Avenue to Yale Avenue) to be assessed against the real properties, exclusive of improvements thereon, benefited are hereby approved.

1 **Section 3.** As the South Broadway Streetscape (Wesley Avenue to Yale Avenue) Pedestrian
2 Mall currently has sufficient reserves to pay for the 2021 annual costs of the continuing care,
3 operation, repair, maintenance and replacement of the South Broadway Streetscape (Wesley
4 Avenue to Yale Avenue) Pedestrian Mall, no additional amounts shall be assessed against
5 properties in the District.

6 **Section 4.** Any unspent revenue and revenue generated through investment shall be
7 retained and credited to the South Broadway Streetscape (Wesley Avenue to Yale Avenue) Local
8 Maintenance District for future long term or program maintenance of the District.

9 COMMITTEE APPROVAL DATE: October 13, 2020 by Consent

10 MAYOR-COUNCIL DATE: October 20, 2020

11 PASSED BY THE COUNCIL: _____ November 2, 2020

12 *Stacy Johnson* - PRESIDENT

13 APPROVED: *J. Brown* - MAYOR Nov 4, 2020

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 22, 2020

19 Pursuant to section 13-12, 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 Kristin M. Bronson, Denver City Attorney

25 BY: *J. Bronson*, Assistant City Attorney DATE: Oct 21, 2020
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