

1 **BY AUTHORITY**

2 ORDINANCE NO. \_\_\_\_\_  
3 SERIES OF 2024

COUNCIL BILL NO. CB24-1732  
COMMITTEE OF REFERENCE:  
Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance approving the termination and dissolution of the 22nd Street**  
7 **and Park Avenue West Pedestrian Mall Local Maintenance District and directing**  
8 **that the remaining funds thereof, after payment of outstanding expenses, be**  
9 **transferred to and used by the Ballpark Denver General Improvement District**  
10 **within the property formerly located within said local maintenance district.**

11 **WHEREAS**, Ordinance No. 1090, Series of 1994, created the local maintenance district  
12 commonly known as the 22nd Street and Park Avenue West Pedestrian Mall Local Maintenance  
13 District (the “22nd Street and Park Avenue West LMD”); and

14 **WHEREAS**, the City Council (“Council”) of the City and County of Denver, Colorado (“City”)  
15 approved Ordinance No. 766, Series of 2024 (“Creation Ordinance”), which created the Ballpark  
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 5, 2024, 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**, all of the property contained within the 22nd Street and Park Avenue West LMD  
29 is encompassed within the District and, to avoid the duplication of services, the District has the  
30 capability to assume responsibility from the 22nd Street and Park Avenue West LMD for the  
31 continuing care, operation, repair, maintenance and replacement of the public improvements for  
32 which the 22nd Street and Park Avenue West LMD is responsible located within its respective  
33 boundaries; and

1           **WHEREAS**, in accordance with Section 21 of the Creation Ordinance, the Executive Director  
2 of the City’s Department of Transportation and Infrastructure (“DOTI”) desires to terminate and  
3 dissolve the 22nd Street and Park Avenue West LMD and transfer any surplus funds of the 22nd  
4 Street and Park Avenue West LMD, following payment of outstanding expenses that may be  
5 necessary to wind up its business, to the District, all in conformance with this Ordinance.

6           **NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF**  
7 **DENVER:**

8           **Section 1.** That Council hereby finds that the results of the Election have been duly  
9 canvassed and the District has been declared organized with one or more TABOR questions also  
10 being approved, all in accordance with the Creation Ordinance.

11           **Section 2.** That, in accordance with Section 21 of the Creation Ordinance, the 22nd Street  
12 and Park Avenue West LMD is hereby terminated and dissolved. Upon such termination and  
13 dissolution, the 22nd Street and Park Avenue West LMD shall no longer exist except as may be  
14 necessary to wind up its business in accordance with the City Charter and the Denver Revised  
15 Municipal Code at the direction of the Executive Director of DOTI. Further, upon such termination  
16 and dissolution, any surplus funds remaining in the accounts of the 22nd Street and Park Avenue  
17 West LMD following payment of outstanding expenses that may be necessary to wind up its business  
18 shall be transferred to and used by the District only within the boundaries of the 22nd Street and  
19 Park Avenue West LMD. The District shall segregate and account for such funds upon receipt.  
20 Lastly, upon such termination and dissolution, the District shall assume responsibility from the 22nd  
21 Street and Park Avenue West LMD for the continuing care, operation, repair, maintenance and  
22 replacement of the public improvements located within its respective boundaries.

23           **Section 3.** That Council has previously approved Ordinance No. 1606, Series of 2024,  
24 which provides for the 2025 assessments payable by the property owners within the boundaries of  
25 the 22nd Street and Park Avenue West LMD to pay for the annual costs of the continuing care,  
26 operation, repair, maintenance and replacement of the public improvements located within the 22nd  
27 Street and Park Avenue West LMD (“Assessing Ordinance”). Due to the termination and dissolution  
28 of the 22nd Street and Park Avenue West LMD described in this Ordinance, the Assessing  
29 Ordinance is hereby repealed in its entirety and Council confirms that no 2025 assessments shall  
30 be imposed as described in the Assessing Ordinance.

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1 COMMITTEE APPROVAL DATE: December 3, 2024 by Consent

2 MAYOR-COUNCIL DATE: December 10, 2024

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 DAILY JOURNAL: \_\_\_\_\_;

10 PREPARED BY: Bradley T. Neiman, Assistant City Attorney DATE: December 12, 2024

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 Kerry Tipper, Denver City Attorney

17  
18 BY: Jonathan Griffin, Assistant City Attorney DATE: Dec 12, 2024