

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2018

COUNCIL BILL NO. CB18-1118
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 Broadway Pedestrian Mall A 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 Manager of Public Works that an ordinance be enacted for the purpose of assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall A Local Maintenance District (“Broadway Pedestrian Mall A”), 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 Broadway Pedestrian Mall A, was created by Ordinance No. 839, Series of 1998;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall A is \$62,370.00, which amount the Manager of Public Works has the authority to expend for the purposes stated herein;

(c) The Manager of Public Works 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 Manager of Public Works;

(d) The portion of the annual costs for the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall A to be assessed against the properties, exclusive of improvements thereon, benefited are \$54,151.14;

(e) The portion of the annual costs of the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall A to be borne by the City and County of Denver is \$8,218.86; and

(f) The real property within the Broadway Pedestrian Mall A 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 Pedestrian Mall.

1 **Section 2.** The annual cost of the continuing care, operation, repair, maintenance and
 2 replacement of the Broadway Pedestrian Mall A to be assessed against the real properties, exclusive
 3 of improvements thereon, benefited are hereby approved.

4 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and
 5 replacement of the Broadway Pedestrian Mall A in the amount of \$54,151.14 are hereby assessed
 6 against the real properties, exclusive of improvements thereon, within said local maintenance district
 7 as follows:

8 NOTE: Where a series of lots is followed by “inclusive”, the amount appearing after the series shall
 9 be the total for all lots in the series. Where a series of lots is not followed by “inclusive”, the amount
 10 appearing after such series shall be the assessment for each lot in the series.

11 BROADWAY ADDITION TO BYERS SUBDIVISION
 12 BLOCK 3

13 Lots	
14 11	\$962.78
15 12-20	\$802.31
16 12' Wide Strip Adjacent to Lot 11	\$385.11

17
 18 BLOCK 4

19 Lots	
20 11-14	\$800.51
21 15 South 12.5 feet	\$401.15

22
 23 GREENWAY’S RESUBDIVISION OF BLOCK 36
 24 BLOCK 36

25 Lots	
26 1	\$996.79
27 2-8	\$804.24

28
 29 POLK’S RESUBDIVISION OF BLOCK 33, BYERS SUBDIVISION
 30 BLOCK 33

31 Lots	
32 1-9	\$802.31
33 10	\$994.88

34
 35 POLK’S RESUBDIVISION OF BLOCK 34, BYERS SUBDIVISION
 36 BLOCK 34

37 Lots	
38 1-9	\$802.31
39 10	\$994.88

40
 41 RESUBDIVISION OF BLOCKS 1, 2 AND 3 GALLUP’S SOUTH BROADWAY
 42 SUBDIVISION

43 Lots	
44 1	\$641.34
45 2-18	\$801.76
46 19	\$4,650.20

1 **Section 4.** The assessments made pursuant hereto shall be a lien in the several amounts
2 assessed against each lot or tract of land set forth in Section 3 herein, and such lien shall have the
3 priority of the lien for local public improvement districts.

4 **Section 5.** Without demand, said assessments as set forth in Section 3 herein, shall be due
5 and payable on the first day of January of the year next following the year in which this assessing
6 ordinance became effective, and said assessments shall become delinquent if not paid by the last
7 day of February of the year next following the year in which this assessing ordinance became
8 effective. A failure to pay said assessments as hereinabove set forth shall become a lien on the
9 property subject to the assessment, and such lien may be sold by the City as provided by the Charter
10 and ordinances of the City and County of Denver.

11 **Section 6.** Any unspent revenue and revenue generated through investment shall be
12 retained and credited to the Broadway Pedestrian Mall A Local Maintenance District for future long
13 term or program maintenance of the District.

14 COMMITTEE APPROVAL DATE: October 9, 2018 by Consent

15 MAYOR-COUNCIL DATE: October 16, 2018

16 PASSED BY THE COUNCIL: _____

17 _____ - PRESIDENT

18 APPROVED: _____ - MAYOR _____

19 ATTEST: _____ - CLERK AND RECORDER,
20 EX-OFFICIO CLERK OF THE
21 CITY AND COUNTY OF DENVER

22 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____

23 PREPARED BY: Noah M. Cecil, Assistant City Attorney DATE: October 18, 2018

24 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
25 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
26 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
27 § 3.2.6 of the Charter.

28 Kristin M. Bronson, Denver City Attorney

29 BY: Kristin J. Crawford, Assistant City Attorney DATE: Oct 18, 2018