## BY AUTHORITY ORDINANCE NO. \_\_\_\_\_ COUNCIL BILL NO. CB20-1094 SERIES OF 2020 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 Downing Street Pedestrian Mall Local Maintenance District upon the real property, exclusive of

## BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

improvements thereon, benefited.

**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 Downing Street Pedestrian Mall Local Maintenance District ("South Downing Street Pedestrian Mall"), 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 Downing Street Pedestrian Mall, was created by Ordinance No. 784, Series of 1992;
- (b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the South Downing Street Pedestrian Mall is \$22,500.00, 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 portion of the annual costs for the continuing care, operation, repair, maintenance and replacement of the South Downing Street Pedestrian Mall to be assessed against the properties, exclusive of improvements thereon, benefited are \$22,118.64;
- (e) The portion of the annual costs of the continuing care, operation, repair, maintenance and replacement of the South Downing Street Pedestrian Mall to be borne by the City and County of Denver is \$381.36; and

- (f) The real property within the South Downing Street Pedestrian Mall 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 Downing Street Pedestrian Mall.
  - **Section 2.** The annual cost of the continuing care, operation, repair, maintenance and replacement of the South Downing Street Pedestrian Mall to be assessed against the real properties, exclusive of improvements thereon, benefited are hereby approved.
- **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and replacement of the South Downing Street Pedestrian Mall in the amount of \$22,118.64 are hereby assessed against the real properties, exclusive of improvements thereon, within said local maintenance district as follows:
- NOTE: Where a series of lots is followed by "inclusive", the amount appearing after the series shall be the total for all lots in the series. Where a series of lots is not followed by "inclusive", the amount appearing after such series shall be the assessment for each lot in the series.
- 16 EVANSTON 2<sup>ND</sup> FILING

17	Block	33
17	DIOCK	SS

17 Block 3

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19	18-19	\$381.36
20	North 1.0' Lot 20	\$15.26
21	South 24.0' Lot 20	\$366.11

22 21-23 \$381.36

24 BLOCK 56

25 Lots

26	1-7	\$381.36
27	8 Except South 14.0'	\$167.81
28	8 South 14 0'	\$213.56

29 9-23

\$381.36

31 MOUNTAIN VIEW PLACE 2ND FILING

32 Block 17

33 Lots

34 19-20 \$381.36 35 21-24 \$381.36

36 37 BLOCK 24

38 Lots

39 1-4 \$381.36 40 5-11 \$381.36 41 12-23 \$381.36

42

Section 4. The assessments made pursuant hereto shall be a lien in the several amounts				
assessed against each lot or tract of land set forth in Section 3 herein, and such lien shall have the				
priority of the lien for local public improvement districts.				
Section 5. Without demand, said assessments as set forth in Section 3 herein, shall be due				
and payable on the first day of January of the year next following the year in which this assessing				
ordinance became effective, and said assessments shall become delinquent if not paid by the last				
day of February of the year next following the year in which this assessing ordinance became				
effective. A failure to pay said assessments as hereinabove set forth shall become a lien on the				
property subject to the assessment, and such lien may be sold by the City as provided by the Charter				
and ordinances of the City and County of Denver.				
Section 6. Any unspent revenue and revenue generated through investment shall be				
retained and credited to the South Downing Street Pedestrian Mall Local Maintenance District for				
future long term or program maintenance of the District.				
COMMITTEE APPROVAL DATE: October 13, 2020 by Consent				
MAYOR-COUNCIL DATE: October 20, 2020				
PASSED BY THE COUNCIL: November 2, 2020				
- PRESIDENT				
APPROVED: MAYOR				
ATTEST: CLERK AND RECORDER, EX-OFFICIO CLERK OF THE CITY AND COUNTY OF DENVER				
NOTICE PUBLISHED IN THE DAILY JOURNAL:;;				
PREPARED BY: Bradley T. Neiman, Assistant City Attorney DATE: October 22, 2020				
Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to § 3.2.6 of the Charter.				
Kristin M. Bronson, Denver City Attorney				
BY: Assistant City Attorney DATE: Oct 21, 2020				