## BY AUTHORITY ORDINANCE NO. \_\_\_\_\_ COUNCIL BILL NO. CB20-1096 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 West 44th Avenue and Eliot 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 West 44th Avenue and Eliot Street Pedestrian Mall Local Maintenance District ("West 44th Avenue and Eliot 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 West 44th Avenue and Eliot Street Pedestrian Mall, was created by Ordinance No. 39, Series of 2002 and amended by Ordinance No. 843, Series of 2003;
- (b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the West 44th Avenue and Eliot Street Pedestrian Mall is \$8,200.00, 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 West 44th Avenue and Eliot 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 West 44th Avenue and Eliot Street Pedestrian Mall.

Section 2. The annual	I cost of the continuing care, ope	eration, repair, maintenance and
replacement of the West 44th Avenue and Eliot Street Pedestrian Mall to be assessed against the		
real properties, exclusive of imp	provements thereon, benefited are	hereby approved.
Section 3. As the West	44 <sup>th</sup> Avenue and Eliot Street Pede	strian Mall currently has sufficient
reserves to pay for the 2021 ann	nual costs of the continuing care, o	peration, repair, maintenance and
replacement of the West 44th A	venue and Eliot Street Pedestrian	Mall, no additional amounts shall
be assessed against properties	in the District.	
Section 4. Any unspe	ent revenue and revenue general	ted through investment shall be
retained and credited to the West 44th Avenue and Eliot Street Pedestrian Mall Local Maintenance		
District for future long term or program maintenance of the District.		
COMMITTEE APPROVAL DAT	E: October 13, 2020 by Consent	
MAYOR-COUNCIL DATE: Octo	•	
PASSED BY THE COUNCIL: _	November 2, 202	20
- Sai Gilmone	PRESIDEN	NT
APPROVED:	- PRESIDEN	Nov 4, 2020
ATTEST:	CLERK AN	ID RECORDER,
		IO CLERK OF THE COUNTY OF DENVER
NOTICE PUBLISHED IN THE D	DAILY JOURNAL:	
	eiman, Assistant City Attorney	
Pursuant to section 13-12, D.R.I City Attorney. We find no irre	M.C., this proposed ordinance has egularity as to form, and have no	been reviewed by the office of the legal objection to the proposed
3.2.6 of the Charter.	ance is not submitted to the City (	Council for approval pursuant to §
Kristin M. Bronson, Denver City	Attorney	
BY: Joseph	, Assistant City Attorney DA	TE: Oct 21, 2020