

1
2 **BY AUTHORITY**

3 ORDINANCE NO.
4 SERIES OF 2009

COUNCIL BILL NO. 644
COMMITTEE OF REFERENCE:
Public Works

6 **A BILL**

7 **For an ordinance assessing the annual costs of the continuing care,**
8 **operation, repair, maintenance and replacement of the 20th Street Pedestrian**
9 **Mall Local Maintenance District upon the real property, exclusive of**
10 **improvements thereon, benefited.**

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

12 **Section 1.** Upon consideration of the recommendation of the Manager of Public Works that an
13 ordinance be enacted for the purpose of assessing the annual costs of the continuing care,
14 operation, repair, maintenance and replacement of the 20th Street Pedestrian Mall upon the real
15 property, exclusive of improvements thereon, benefited the Council finds, as follows:

16 (a) A local maintenance district providing for the continuing care, operation, repair,
17 maintenance and replacement of the 20th Street Pedestrian Mall, was created by Ordinance No.
18 822, Series of 1994;

19 (b) The annual costs of the continuing care, operation, repair, maintenance and
20 replacement of the 20th Street Pedestrian Mall are \$4,350.00 which amount the Manager of
21 Public Works has the authority to expend for the purposes stated herein;

22 (c) The Manager of Public Works has complied with all provisions of law relating to the
23 publishing of notice to the owners of real properties to be assessed and to all persons interested
24 generally, and the Council sitting as a Board of Equalization has heard and determined all written
25 complaints and objections filed with the Manager of Public Works;

26 (d) The real property within the 20th Street Pedestrian Mall will be benefited in an
27 amount equal to or in excess of the amount to be assessed against said property because of the
28 continuing care, operation, repair, maintenance and replacement of said Pedestrian Mall.

29 **Section 2.** The annual costs of the continuing care, operation, repair, maintenance and
30 replacement of the 20th Street Pedestrian Mall to be assessed against the real properties,
31 exclusive of improvements thereon, benefited are hereby approved.

32 **Section 3.** As the 20th Street Pedestrian Mall currently has sufficient reserves to pay for the
33 2010 annual costs of the continuing care, operation, repair, maintenance and replacement of the

1 20th Street Pedestrian Mall, no additional amounts shall be assessed against properties in the
2 District.

3 **Section 4.** Any unspent revenue and revenue generated through investment shall be retained
4 and credited to the 20th Street Pedestrian Mall Local Maintenance District for future long term or
5 program maintenance of the District.

6 **Section 5.** This Ordinance shall be recorded among the records of the Clerk and Recorder of
7 the City and County of Denver.

8 COMMITTEE APPROVAL: (by consent) September 8, 2009

9 MAYOR-COUNCIL DATE: October 6, 2009

10
11 PASSED BY THE COUNCIL _____ 2009

12 _____ - PRESIDENT

13 APPROVED: _____ - MAYOR _____ 2009

14 ATTEST: _____ - CLERK AND RECORDER,
15 EX-OFFICIO CLERK OF THE
16 CITY AND COUNTY OF DENVER

17 NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2009; _____ 2009

18 PREPARED BY: Jo Ann Weinstein - ASSISTANT CITY ATTORNEY - November 5, 2009

19 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
20 the 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 David R. Fine, City Attorney

24 BY: _____, _____ City Attorney - _____ 2009