

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2009

COUNCIL BILL NO. 650
COMMITTEE OF REFERENCE:
Public Works

4
5 **A BILL**

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

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

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

16 (a) A local maintenance district providing for the continuing care, operation, repair,
17 maintenance and replacement of the South Downing Street Pedestrian Mall, was created by
18 Ordinance No. 784, Series of 1992;

19 (b) The annual costs of the continuing care, operation, repair, maintenance and
20 replacement of the South Downing Street Pedestrian Mall are \$12,830.00 which amount the
21 Manager of 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 South Downing Street Pedestrian Mall will be benefited
27 in an amount equal to or in excess of the amount to be assessed against said property because
28 of the 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 South Downing Street Pedestrian Mall to be assessed against the real
31 properties, exclusive of improvements thereon, benefited are hereby approved.

32 **Section 3.** As the South Downing Street Pedestrian Mall currently has sufficient reserves to pay
33 for the 2010 annual costs of the continuing care, operation, repair, maintenance and
34 replacement of the South Downing Street Pedestrian Mall, no additional amounts shall be
35 assessed against properties in the District.

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

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

6 CONSENT AGENDA: (by consent) September 8, 2009

7 MAYOR-COUNCIL DATE: October 6, 2009

8 PASSED BY THE COUNCIL _____ 2009

9 _____ - PRESIDENT

10 APPROVED: _____ - MAYOR _____ 2009

11 ATTEST: _____ - CLERK AND RECORDER,
12 EX-OFFICIO CLERK OF THE
13 CITY AND COUNTY OF DENVER

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

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

16 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
17 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
18 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
19 §3.2.6 of the Charter.

20 City Attorney

21 BY: _____, _____ City Attorney - _____ 2009