



**Public Works Committee
Meeting Summary**

June 2, 2009 **1:30 p.m.** **Conference Room 391**

Members Present: **Johnson, Nevitt**
Members Absent: **Lehmann, López**
Other Council: **Garcia**

Agenda: Creation of Tennyson St. Local Maintenance District

1. Creation of Tennyson Streetscape Local Maintenance District (LMD)

Committee Action

The Committee approved filing the proposed Tennyson Streetscape Local Maintenance District, and requested a future discussion of the various types of special districts, focusing on the variations in the requirements and processes for creation and the methods of assessment.

Summary of Discussion

Brendan Kelly, Public Works Department, and Jen Wellborn, Assistant City Attorney, presented the proposed district, located in Council District 1. The proposed district encompasses most of the block faces on Tennyson between W. 38th and W. 44th avenues and a few properties north of W. 44th Ave. This area straddles a long-existing maintenance district because its property owners did not want to participate.

The Better Denver Bonds include \$2.1M for streetscape improvements, including decorative sidewalk paving and curb edging, street furniture, tree grates and trees, and pedestrian lighting. Due to the use of voter-approved bond funds, the City requires a district be created to ensure the continuing care and maintenance of any streetscape improvements. A group of property owners organized an outreach campaign to garner the required petition signatures. After the Protest Hearing in February, an error in the petition was discovered. Even though the signatures represented well over the required 35% support, based on the assessed value of the unimproved lots (with 58%), the petition process was repeated with a corrected petition. Again, the owners of land representing 58% of assessed value supported creation of the district. The second Protest Hearing was held on June 1.

A preliminary 2009 district budget was developed, based on experience of 25 existing districts with similar streetscape improvements. Changes may be made, but the current draft budget is \$44,800, based on an average of \$12.94 per lineal foot. The costs will be apportioned to individual property owners based on each property's lineal front footage as a proportion of the total lineal front footage of the improvements.

Councilman Garcia noted that a benefit study of the proposed district was prepared, but parking is not specifically listed. Streetscape enhancements can either enhance or restrict parking; it is an important and related item. He asked how the proponents are assured that parking will be considered in the design. Mr. Kelly replied that the intent of the bond project is specifically streetscape improvements, which doesn't include parking. However, the Request for Proposals will request that the consultants look at parking.

If the district is created, the Mayor will make appointments to the Board as soon as possible. The first assessments would be collected in 2011, after the construction is completed.

Councilwoman Johnson suggested the Committee discuss all of the types of special districts with staff from Public Works and the City Attorney's Office. There are too many variations. Others agreed, and there was discussion of the proposed CID (community investment district) concept a few years ago.