

NOTICE OF PUBLIC HEARING  
BEFORE THE  
CITY AND COUNTY OF BROOMFIELD

**DATE:** March 25, 2025  
**TIME:** 6:00 p.m.  
**PLACE:** Council Chambers, George Di Ciero City & County Building  
One DesCombes Drive  
Broomfield, Colorado 80020

Notice is hereby given that a public hearing will be held before the City and County of Broomfield on

ORDINANCE NO. 2263

An ordinance declaring the organization of the Broomfield Town Square Business Improvement District, establishing and appointing a Board of Directors, and approving the 2025 and 2026 Operating Plan and Budget

**Recitals.**

Whereas, a Petition for the Organization of the Broomfield Town Square Business Improvement District (the "Petition") was filed with the Clerk of the City and County of Broomfield (the "City") on or about February 19 , 2025.

Whereas, on February 25, 2025, the City Council of the City and County of Broomfield ("City Council") fixed by order the time and place for a hearing on the Petition.

Whereas, on March 25, 2025, the City Council held a public hearing on the Petition.

Now, therefore, be it ordained by the City Council of the City and County of Broomfield, Colorado:

**Section 1.**

The City Council hereby makes the following findings regarding the Petition for the proposed Broomfield Town Square Business Improvement District (the "BID"):

- (1) Notice of place and time of the hearing on the Petition was published in the Broomfield Enterprise and mailed to each property owner within the service area and the boundaries of the proposed BID at such property owner's last known address, as disclosed by county tax records.
- (2) The Petitioners are the owners of real or personal property in the service area of the proposed BID (a) having a valuation for assessment of not less than fifty percent (50%) of the valuation for assessment of all real and personal property in the service area of the proposed BID; and (b) which comprises at least fifty percent (50%) of the acreage in the legal boundaries of the proposed BID.
- (3) The signatures of the Petitioners are genuine.
- (4) The Petition was accompanied by a bond with security approved by the City Council or a cash deposit sufficient to cover all expenses connected with the proceedings in case the organization of the BID is not effected.

- (5) The corporate name of the proposed BID is Broomfield Town Square Business Improvement District.
- (6) A general description of the boundaries and service area of the proposed BID is as follows:
- (a) The legal description of the BID is set forth in Exhibit A, attached here to and incorporated herein. A map of the BID is on file with the City and County Clerk.
  - (b) The legal description of the Service Area of the BID is set forth Exhibit B, attached hereto and incorporated herein. A map of the Service Area is on file with the City and County Clerk.
  - (c) Pursuant to Section 31-25-1208(3), C.R.S., if at any time, the tax classification of property within the Service Area is changed from residential or agricultural to business or commercial uses, such property shall no longer be excluded from the boundaries of the BID.
- (7) The property within the boundaries and the service area of the proposed BID is located within the boundaries of the City; therefore, the City has jurisdiction to organize the BID.
- (8) None of the taxable real or personal property to be included in the boundaries of the proposed BID is classified for property tax purposes as either residential or agricultural.
- (9) No property to be included in the boundaries of the proposed BID is within the boundaries of another business improvement district authorized under Title 31, C.R.S.
- (10) All of property within the service area of the BID is a location hereby designated for new business or commercial development pursuant to Section 31-25-1203(10), C.R.S.
- (11) The Petition was duly signed and presented in conformity with Sections 31-25-1201, et seq., C.R.S., as amended (the “Business Improvement District Act”), the allegations of the Petition are true, and the types of services or improvements to be provided by the proposed BID are those services or improvements which best satisfy the purposes set forth in the Business Improvement District Act.

## **Section 2.**

The City Council hereby declares the above-described Broomfield Town Square Business Improvement District organized in accordance with the Business Improvement District Act, and all other applicable statutes and laws of the State of Colorado. The BID shall be a quasi-municipal corporation and political subdivision of the State with all powers and responsibilities thereof.

## **Section 3.**

Pursuant to Section 31-25-1209(1)(b), C.R.S., the City Council may appoint the initial members for the Board of Directors of the BID (the “Board”) to serve at the pleasure of the City Council. Each member of the Board shall be an elector of the BID as “elector” is defined in Section 31-25-1203(4)(a), C.R.S.

- (1) The City Council hereby establishes the Board of Directors of five (5) members and hereby appoints as directors the individuals named in the 2025 and 2026 Operating Plan to serve as the initial members of the Board of Directors.
- (2) Members of the Board of Directors shall serve at the pleasure of the City Council pursuant to Section 31-25-1209(1)(b), C.R.S. Any subsequent members of the Board of Directors shall be appointed by resolution of the City Council.

(3) The Board of Directors shall carry out the responsibilities required of such Board by the Business Improvement District Act, any Operating Plan and Budget, and all other applicable ordinances and laws.

**Section 4.**

In accordance with Section 31-25-1211, C.R.S., the 2025 and 2026 Operating Plan and Budget is hereby approved. A copy of the 2025 and 2026 Operating Plan and Budget is available on file with the City and County Clerk. Given the date of this Ordinance, the 2025 and 2026 Operating Plan and Budget shall apply to the BID's activities for the remainder of 2025 and for 2026. If the BID amends the 2025 and 2026 Operating Plan or either the 2025 Budget or 2026 Budget after this Ordinance is effective, the amendment must be approved by the City Council in substantially the same manner as the process for formulating the operating plan and budget for each year. Beginning on September 30, 2026 (for use in 2027), an annual Operating Plan and Budget will be submitted to the City Council on or before September 30th of each year.

**Section 5.**

All acts, orders, resolutions, or parts thereof, of the City that are inconsistent or in conflict with this Ordinance, are hereby repealed to the extent only of such inconsistency or conflict.

**Section 6.**

Should any part or provision of this Ordinance be adjudged unenforceable or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, it being the intention that the various provisions hereof are severable.

**Section 7.**

The City and County Clerk is hereby directed to advise the representatives of the BID in writing of this action and to attach a certified copy of this Ordinance.

**Section 8.**

This ordinance is effective seven days after publication following final passage.

Introduced and approved after first reading on February 25, 2025, and ordered published in full.

APPROVED AS TO FORM:  
/s/ Nancy Rodgers  
City and County Attorney

*Bold type indicates new material to be added to the Broomfield Municipal Code.  
Dashes through words indicate deletions from the Broomfield Municipal Code.*

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