

EMERGENCY  
**Legislative Resolution**

JRS *AWB*

RESOLUTION NO. 49 - 2020

**APPROVING** the petition for the creation of the Over-the-Rhine South Special Improvement District of Cincinnati, thereby establishing the district; **APPROVING** the articles of incorporation for Over-the-Rhine South Special Improvement District of Cincinnati, Inc., the nonprofit corporation formed to operate and govern the district; and **ADOPTING** the 2021-2024 services plan for the district.

WHEREAS, the City has received a petition requesting, pursuant to Ohio Revised Code Section 1710.02, that the Council (i) create the Over-the-Rhine South Special Improvement District of Cincinnati (“SID”); (ii) approve the articles of incorporation for the Over-the-Rhine South Special Improvement District of Cincinnati, Inc., the nonprofit entity that will operate and govern the SID; and (iii) adopt the 2021-2024 services plan for the SID (“Petition”); and

WHEREAS, the Petition, an unexecuted copy of which is attached hereto as Exhibit A, is on file with the Clerk of Council and is available for public inspection, and it bears the signatures of the owners of real property of more than sixty percent of the front footage of all real property located in the SID that abuts upon any street, alley, public road, place, boulevard, parkway, park entrance, easement, or other existing public improvement within the SID; and

WHEREAS, the territory within the SID shall be defined as all area located (i) south of Liberty Street, (ii) east of Central Parkway, (iii) north of Central Parkway, and (iv) west of Broadway Street, with (v) the boundary also encompassing the following additional area located east of Broadway Street: the area south of East 13th Street, west of Spring Street, and north of Central Parkway; and

WHEREAS, certain property will be excluded from the SID, including church property and property owned by the state, county, township, municipal, or federal government, except those properties owned by a church, county, township, or municipal corporation that has specifically requested in writing that its property be included in the SID; and

WHEREAS, the City has specifically requested in writing that its properties be included in the SID; and

WHEREAS, a map depicting the SID is attached hereto as Exhibit B, and a detailed listing of all properties to be included in the SID was filed together with the Petition, is on file with the Clerk of Council, and is available for public inspection; and

WHEREAS, pursuant to Section 1710.02(E) of the Ohio Revised Code, the Council has also received proposed articles of incorporation for the Over-the-Rhine South Special Improvements District of Cincinnati, Inc. (“Articles of Incorporation”), a nonprofit corporation that would govern the SID, a copy of which is attached hereto as Exhibit C; and

WHEREAS, pursuant to Section 1710.02(F) of the Ohio Revised Code, the Council has further received the proposed 2021-2024 Over-the-Rhine South Special Improvement District of Cincinnati services plan (“Services Plan”), and a copy of the plan is attached hereto as Exhibit D; and

WHEREAS, pursuant to Ohio Revised Code Sections 1710.02(E) and (F), the Council must approve or disapprove the creation of the SID, the Articles of Incorporation, and the proposed Services Plan within 60 days of receiving the Petition and associated materials; and

WHEREAS, the Council finds and determines, after reviewing the Petition, the Articles of Incorporation, the Services Plan, and all other pertinent information, that it is in the best interest of the City to approve the Petition and accompanying materials; now, therefore,

**BE IT RESOLVED** by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the Council hereby approves the petition for the creation of the Over-the-Rhine South Special Improvement District of Cincinnati (“SID”), which petition bears the signatures of the owners of real property of more than sixty percent of the front footage of all real property located in the SID that abuts upon any street, alley, public road, place, boulevard, parkway, park entrance, easement, or other existing public improvement within the SID, and which petition is on file with the Clerk of Council and is available for public inspection, an unexecuted copy of which is attached hereto as Exhibit A and incorporated herein by reference, and, accordingly, the Council hereby establishes the SID.

Section 2. That the territory of the SID, which is depicted on the map attached hereto as Exhibit B and incorporated herein by reference, shall include all property not exempted by law located (i) south of Liberty Street, (ii) east of Central Parkway, (iii) north of Central Parkway, and (iv) west of Broadway Street, with (v) the boundary also encompassing the following additional area located east of Broadway Street: the area south of East 13th Street, west of Spring Street, and

north of Central Parkway, which property is identified on the list on file with the Clerk of Council and available for public inspection.

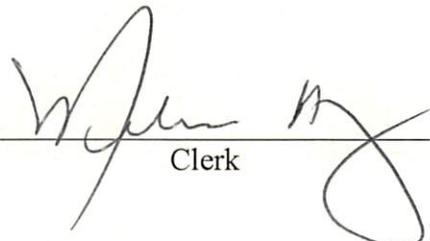
Section 3. That the Council hereby approves the articles of incorporation for Over-the-Rhine South Special Improvement District of Cincinnati, Inc. ("Articles of Incorporation"), a copy of which is attached hereto as Exhibit C and incorporated herein by reference.

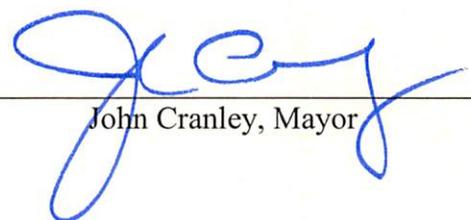
Section 4. That the Council hereby adopts the 2021-2024 Over-the-Rhine South Special Improvement District of Cincinnati services plan ("Services Plan"), a copy of which is attached hereto as Exhibit D and incorporated herein by reference.

Section 5. Pursuant to the Ohio Revised Code Section 1710.02(D), the Clerk of Council is hereby directed to file or cause to be filed a copy of this resolution and the Articles of Incorporation with the Ohio Secretary of State.

Section 6. That this legislative resolution shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to begin the process for establishing the assessments necessary to timely implement the Services Plan.

Passed: September 2, 2020

Attest:   
Clerk

  
John Cranley, Mayor