

Legislative Resolution

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AWB

RESOLUTION NO. _____ - 2022

DECLARING the necessity of assessing for the control of blight and disease of shade trees along the streets and the public right-of-way, and for planting, care, maintenance, trimming, and removing of shade trees in and along the streets within the City of Cincinnati's Urban Forestry Maintenance District for the calendar year 2023.

WHEREAS, the City of Cincinnati created an Urban Forestry Maintenance District for the purpose of controlling the blight and disease of shade trees within the public right-of-way, and for the planting, care, and maintenance of shade trees as authorized by Ohio Revised Code Section 727.011, including without limitation the estimated cost of capital improvements, equipment, personnel, and maintenance to support the Urban Forestry Maintenance District; and

WHEREAS, the Board of Park Commissioners oversee the Urban Forestry Program to serve the needs of the Urban Forestry Maintenance District; and

WHEREAS, the Board of Park Commissioners, by motion on December 16, 2021, urged the continuation of the Urban Forestry Program in accordance with the plans, estimates, and schedules currently filed with the Clerk of Council; and

WHEREAS, the Board of Park Commissioners recommend levying an assessment of \$0.31 per front foot to fund the 2023 Urban Forestry Program, for total revenue of about \$3.3 Million per year, which is an increase from the current rate of \$0.21 per front foot (about \$2.4 Million total), which is to be assessed on the property tax rolls in calendar year 2023 and collected for use in the Urban Forestry Program's Fiscal Year 2024 budget; and

WHEREAS, the increase is necessary due to an increase of over 30 percent in operational costs over the past several years for emergency management and preventative maintenance contractual services, personnel, maintenance, equipment, and materials, that has resulted in budget shortfalls for Fiscal Years 2022 and 2023; and

WHEREAS, Park staff researched impacts to Cincinnati private property owners, finding that the majority of property owners, both above and below the low- to moderate-income status, would see an annual cost increase from \$10.50 to \$15.50 per year; and

WHEREAS, Park staff researched other Ohio municipalities that impose assessments for their urban forestry programs and found that Cincinnati has one of the lowest rates in the state, with a comparable program in the City of Toledo imposing an assessment of \$0.50 per front foot while serving a smaller population and less overall tree canopy coverage; now, therefore,

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

Section 1. That it is hereby declared necessary and conducive to public health, convenience, safety, and welfare to continue the Urban Forestry Program for the control of blight and disease of shade trees along the streets and the public right-of-way, and for the planting, care, maintenance, trimming, and removing of shade trees in and along the streets and the public right-of-way within the City of Cincinnati's Urban Forestry Maintenance District, including without limitation the estimated cost of capital improvements, equipment, personnel, and maintenance to support the Urban Forestry Maintenance District, which includes all territory within, and coextensive with, the City's boundaries, for the year 2023.

Section 2. That the plans and estimates of costs to fund the Urban Forestry Program, now on file with the Clerk of Council, are hereby approved.

Section 3. That the City of Cincinnati shall pay at least two percent of the total cost and expense of the Urban Forestry Program and assume the costs for intersections and uncollectible assessments against state and federally-owned property. The assessment shall be by the front foot method, at the rate of \$0.31 per front foot, upon all lots and lands bounding and abutting public right-of-way in the Urban Forestry Maintenance District.

Section 4. That the assessment shall be paid in cash to the City Treasurer within thirty days after the passage of the assessing ordinance. Assessments not paid in cash within that period shall be certified by the proper City of Cincinnati official to the Hamilton County Auditor for collection and shall be paid in one annual installment, at the same time and in the same manner as real property taxes due and payable in December 2023.

Section 5. That the City of Cincinnati does not intend to issue securities in anticipation of the levy or collection of the assessment.

Section 6. That the City Administration shall prepare, in accordance with the method of assessment set forth in Section 3 hereof, an estimate of the amount of the assessment against each lot or parcel to be assessed, and shall file it in the Office of the Clerk of Council.

Section 7. That notice of the passage of this resolution shall be given pursuant to Sections 727.13 and 727.14 of the Ohio Revised Code.

Section 8. That this legislative resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk