

EMERGENCY

Legislative Resolution

JRS

EE SW

RESOLUTION NO. 59 - 2024

APPROVING the petition for the 2025-2028 Services Plan that was submitted by property owners within the Over-the-Rhine South Special Improvement District; **APPROVING** the 2025-2028 Services Plan adopted by Over-the-Rhine South Special Improvement District, Inc.; and **DECLARING** the necessity of assessing the real property within the Over-the-Rhine South Special Improvement District in order to raise funds for the implementation of the 2025-2028 Services Plan in accordance with Chapters 727 and 1710 of the Ohio Revised Code.

WHEREAS, on September 2, 2020, Council approved the creation and articles of incorporation for the Over-the-Rhine South Special Improvement District, Inc. ("SID"), duly formed and approved under Chapter 1710 of the Ohio Revised Code ("R.C."); and

WHEREAS, pursuant to R.C. Section 1710.06, the SID board of trustees adopted a 2025-2028 Services Plan (the "Services Plan") for the special improvement district known as the Over-the-Rhine South Special Improvement District (the "District"); and

WHEREAS, as required by R.C. Section 1710.06, the owners of over sixty percent of the front footage of real property in the District that will be assessed have approved the Services Plan and submitted a petition to Council to approve the Services Plan ("Petition"); and

WHEREAS, pursuant to R.C. Section 1710.06(B), Council is required to either approve or reject the Petition within sixty days after receiving it; and

WHEREAS, Council finds that approving the Petition and the Services Plan will (i) improve safety and the perception of safety of the District; (ii) encourage pride in location and space within the District; (iii) enhance the appearance of streets, sidewalks, and public spaces; (iv) provide resources for social service outreach programs to offer assistance to those who are panhandling and experiencing homelessness; and (v) provide a sustainable funding source for beautification efforts, streetscape improvements, stakeholder relations, and other projects as directed by the SID board of trustees; and

WHEREAS, Council further finds that a special assessment on real property within the District and not excluded from assessment by applicable law is necessary in order to raise funds for the implementation of the Services Plan; and

WHEREAS, to levy this assessment, R.C. Section 1710.06 requires the City follow the procedures set forth in R.C. Chapter 727; and

WHEREAS, accordingly, pursuant to R.C. Section 727.12, Council hereby resolves to declare the necessity of an assessment to pay for the costs of the Services Plan; now, therefore,

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

Section 1. That Council hereby approves the petition for the 2025-2028 Services Plan (“Services Plan”) for the Over-the-Rhine South Special Improvement District (the “District”) adopted by Over-the-Rhine South Special Improvement District, Inc. pursuant to Ohio Revised Code Section 1710.06 (the “Petition”), which Petition was signed by the owners of over sixty percent of the front footage of real property in the District that will be assessed and which Petition has been submitted to the Clerk of Council and is available for public inspection.

Section 2. That Council hereby approves the Services Plan described in the Petition, a copy of which Services Plan has been submitted to the Clerk of Council and is available for public inspection.

Section 3. That it is hereby declared necessary and conducive to the public health, safety, convenience, and general welfare to assess all property located in the District and not excluded from assessment by applicable law, an inventory of which property is on file with the Clerk of Council and is available for public inspection, to pay for the costs of implementing the Services Plan.

Section 4. That the District and the area to be assessed SID shall include all property not exempted by law located (i) south of Liberty Street; (ii) east of Central Parkway; (iii) north of Central Parkway; (iv) west of Broadway Street; and (v) with 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 5. That the funds to be raised by the assessment shall be used to pay the costs associated with the implementation of the Services Plan, which estimated costs have been submitted to the Clerk of Council and are available for public inspection.

Section 6. That the assessments shall be calculated and apportioned by using a combination of (i) the percentage of an assessed property's front footage relative to the front footage of all assessed properties in the district (which for purposes of the assessment shall include all property that abuts upon a street, alley, public road, place boulevard, parkway, park entrance, easement, or public improvement), which shall consist of 25 percent of the assessment; and (ii) the percentage of an assessed property's tax value relative to the tax value of all assessed properties in the district, which shall consist of 75 percent of the assessment, which calculation is further set forth in the Services Plan.

Section 7. That the assessment may be levied and collected before the Services Plan, improvements, and any related expenses are commenced.

Section 8. That the costs for the Services Plan shall be funded solely by the funds raised by this assessment.

Section 9. That the City of Cincinnati does not intend to issue securities in anticipation of either the levy or collection of the assessment.

Section 10. That the City Manager is hereby authorized to take all necessary and proper steps to prepare an estimated assessment in cooperation with Over-the-Rhine South Special Improvement District, Inc. consistent with the method of assessment set forth herein showing the amount of the assessment against each lot or parcel of land to be assessed (the "Estimated Assessment") and to file the same with the Clerk of Council for inspection by the public.

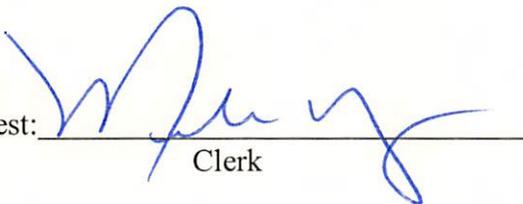
Section 11. That, once levied, the assessments shall be certified to the Hamilton County Auditor to be placed on the tax bills and paid in eight semi-annual installments, at the same time

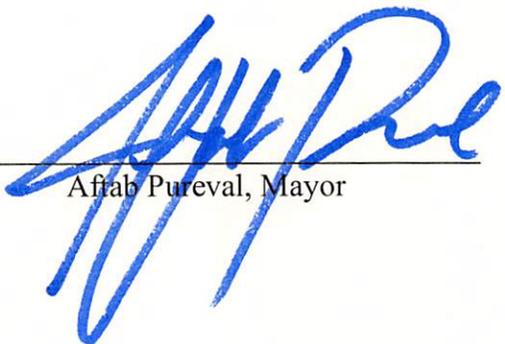
and in the same manner as real property taxes, and shall commence with the taxes that are due and payable in January 2025.

Section 12. That notice of the passage of this resolution and the filing of the Estimated Assessment shall be given pursuant to Chapter 727.13 of the Ohio Revised Code by the Clerk of Council, or a person designated by the Clerk, upon the owners of the parcels of land to be assessed, in the same manner as service of summons in civil cases, by certified mail addressed to such owner at his or her last known address or to the address to which tax bills are sent, by publication, and in accordance with Article II, Section 6 of the City Charter.

Section 13. 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: June 12, 2024

Attest: 
Clerk


Aftab Pureval, Mayor

I HEREBY CERTIFY THAT ORDINANCE NO. 12
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 6/25/2024
Melissa Antone
CLERK OF COUNCIL