



Date: August 31, 2020

To: Councilmember Jeff Pastor

From: Andrew W. Garth, Interim City Solicitor

AWG

202001427

Subject: Resolution – Creation of Transportation Development Districts

Transmitted herewith is a resolution captioned as follows:

EXPRESSING the City of Cincinnati’s strong support for the creation of Transportation Development Districts (“TDDs”) in the State of Ohio; **URGING** that the Ohio General Assembly pass legislation to enable the creation of TDDs in the State of Ohio; **EXPRESSING** support for TDDs that may be utilized to fund, promote, plan, design, construct, improve, maintain, and operate transportation-related projects; **EXPRESSING** support for working with projects that include bridges, streets, roads, highways, access roads, interchanges, intersections, signing, signalization, parking lots, bus stops, stations, garages, terminals, hangars, shelters, rest areas, docks, wharfs, lake or river ports, airports, railroads, light rail, other mass transit and any similar or related improvement of infrastructure; **EXPRESSING** support for forming a board of directors who will possess and exercise all of the district’s legislative and executive powers, after qualified district voter approval; **EXPRESSING** support for TDDs to contract with the Ohio Department of Transportation (“ODOT”) or the local transportation authority to receive revenue from the district to apply to project costs; further **ENCOURAGING** the Ohio General Assembly to create TDDs that have the necessary authority to implement and fund transportation projects; and **REAFFIRMING** that the City of Cincinnati is a city that supports robust transportation infrastructure improvement programs.

AWG/KMB(lnk)
Attachment
319530

RESOLUTION NO. _____ - 2020

EXPRESSING the City of Cincinnati's strong support for the creation of Transportation Development Districts ("TDDs") in the State of Ohio; **URGING** that the Ohio General Assembly pass legislation to enable the creation of TDDs in the State of Ohio; **EXPRESSING** support for TDDs that may be utilized to fund, promote, plan, design, construct, improve, maintain, and operate transportation-related projects; **EXPRESSING** support for working with projects that include bridges, streets, roads, highways, access roads, interchanges, intersections, signing, signalization, parking lots, bus stops, stations, garages, terminals, hangars, shelters, rest areas, docks, wharfs, lake or river ports, airports, railroads, light rail, other mass transit and any similar or related improvement of infrastructure; **EXPRESSING** support for forming a board of directors who will possess and exercise all of the district's legislative and executive powers, after qualified district voter approval; **EXPRESSING** support for TDDs to contract with the Ohio Department of Transportation ("ODOT") or the local transportation authority to receive revenue from the district to apply to project costs; further **ENCOURAGING** the Ohio General Assembly to create TDDs that have the necessary authority to implement and fund transportation projects; and **REAFFIRMING** that the City of Cincinnati is a city that supports robust transportation infrastructure improvement programs.

WHEREAS, transportation systems are central to the movement of people, goods and services within the State of Ohio; and

WHEREAS, demands for transportation improvements have greatly outpaced the funds available to meet them; and

WHEREAS, in response to this demand, the Ohio General Assembly and Ohio Department of Transportation have established various mechanisms for successful public-public and public-private partnerships; and

WHEREAS, the Ohio General Assembly authorized the creation of Transportation Improvement Districts ("TIDs") through Ohio Revised Code Chapter 5540 as a mechanism to raise revenue for the repair of roads, highways, and bridges within a defined geographic area; and

WHEREAS, these TIDs are public-public and public-private partnerships that expand financing options for transportation projects that serve a public purpose, including highway and rail projects, transit equipment, air and water transportation facilities, and elderly and/or handicapped vehicles; and

WHEREAS, Transportation Development Districts ("TDDs") are a separate political subdivision of the state that may be created for the purpose of issuing bonds, levying taxes, and applying special assessments or tolls to finance transportation-related improvement projects that would not interfere with a TID; and

WHEREAS, the benefits to a project assisted by these TDD partnerships may include inflation cost savings, early economic and public benefits, financing tailored to the project's needs, and a reduced cost of project financing; now, therefore,

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

Section 1. That the Mayor and this Council strongly support the creation of Transportation Development Districts ("TDDs") in the State of Ohio to fund, promote, plan, design, construct, improve, maintain, and operate transportation-related projects.

Section 2. That the Mayor and this Council support TDDs to work with projects that include bridges, streets, roads, highways, access roads, interchanges, intersections, signing, signalization, parking lots, bus stops, stations, garages, terminals, hangars, shelters, rest areas, docks, wharfs, lake or river ports, airports, railroads, light rail, other mass transit and any similar or related improvement of transportation infrastructure.

Section 3. That the Mayor and this Council encourage the Ohio General Assembly to empower the TDDs to: fund, promote, plan, design, construct, improve, maintain, and operate one or more projects or assist in doing so and be a political subdivision of the state; work with projects that include bridges, streets, roads, highways, access roads, interchanges, intersections, signing, signalization, parking lots, bus stops, stations, garages, terminals, hangars, shelters, rest areas, docks, wharfs, lake or river ports, airports, railroads, light rail, other mass transit, and any similar or related improvement of infrastructure; form a board of directors who will possess and exercise all of the district's legislative and executive powers, after qualified district voter approval; contract with the Ohio Department of Transportation ("ODOT") or the local transportation authority to receive revenue from the district to apply to project costs; increase or decrease the number of projects it is authorized to complete, subject to voter approval, or modify a project subject to ODOT or local transportation authority approval; levy special assessments,

after qualified district voter approval; impose a property tax of 10 cents/\$100 assessed valuation, after district voter approval; impose a sales tax not to exceed one percent (1%), after qualified district voter approval; collect tolls or fees on appropriate highways and roads, following qualified district voter approval; incur contract and liabilities appropriate to its purpose; purchase land or receive contribution of land and cash for project right-of-way; limit and control access from adjacent property to a district project; sell and convey excess right-of-way for fair market value to any person or entity; contract with a federal agency, state agency, political subdivisions of the state, ODOT, a local transportation authority, a corporation, partnership, or individual regarding funding, promotion, planning, designing, constructing, improving, maintaining or operating a project; contract with ODOT or a local transportation authority to transfer the project to them free of cost; sue and be sued in its name, and receive service of process; fix compensation of its employees and contractors, with competitive bidding practices for contracts in excess of \$5,000, and award contracts based on lowest and best standards; purchase property necessary or convenient for its activities, with competitive bidding practices for purchases in excess of \$1,000, and award purchases based on lowest and best standards; collect and disburse funds for its activities; condemn land for a project, upon prior approval by ODOT or the local transportation authority, per the Ohio Revised Code; obtain insurance, the cost of which will be charged to the project, to protect itself, its officers and its employees, against loss of real or personal property of any kind; require contractors to obtain liability insurance, also naming the district, its directors and employees as insured; self-insure if economically unfeasible to purchase insurance or if it has sufficient funds to cover anticipated judgments; pay for costs of an audit by the state auditor, occurring no less than once every three years; and exercise other powers necessary or convenient for the district to accomplish its purposes.

Section 4. That the Mayor and this Council reaffirm that the City of Cincinnati is a city that supports and encourages transportation infrastructure improvement programs.

Section 5. That this resolution be spread upon the minutes of Council and copies sent to Governor Mike DeWine; Speaker of the Ohio House of Representatives Robert R. Cupp; Ohio Senate President Larry Obhof; all of the members of the Cincinnati delegation of the Ohio General Assembly; and the Ohio Department of Transportation, 1980 West Broad Street, Columbus, Ohio 43223.

Passed: _____, 2020

John Cranley, Mayor

Attest: _____
Clerk

Submitted by Councilmember Jeff Pastor