

EMERGENCY
Legislative Resolution

JRS

BWL

RESOLUTION NO. 50 - 2020

DECLARING the necessity of assessing properties in the Over-the-Rhine South Special Improvement District of Cincinnati to implement the 2021-2024 services plan for the district in accordance with Section 727.12 and Chapter 1710 of the Ohio Revised Code.

WHEREAS, on September 2, by Legislative Resolution No. 49-2020, the Council approved the petition for (i) the creation of the Over-the-Rhine South Special Improvement District of Cincinnati ("SID"); (ii) the approval of the articles of incorporation for the non-profit corporation formed to operate and govern the SID; and (iii) the adoption of the 2021-2024 services plan for the SID ("Services Plan"); and

WHEREAS, pursuant to Ohio Revised Code Section 1710.02(F), the Services Plan is deemed to specially benefit the property owners in the SID, and the City is required to levy an assessment to pay for the costs of the Services Plan; and

WHEREAS, Ohio Revised Code Section 1710.06 further requires the City follow the procedures as provided in Chapter 727 of the Ohio Revised Code to establish the assessment; and

WHEREAS, the 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 it is hereby declared necessary and conducive to the public health, safety, convenience, and general welfare to assess all property located in the Over-the-Rhine South Special Improvement District of Cincinnati ("SID") and not excluded by 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 2021-2024 Services Plan ("Services Plan") for the SID.

Section 2. That the Services Plan, specifications, and cost estimates corresponding to the necessary assessments are on file with the Clerk of Council and are available for public inspection, and they are incorporated herein by reference and hereby approved.

Section 3. 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% 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% of the assessment, as further set forth in the Services Plan.

Section 4. That the City does not intend to issue securities in anticipation of either the levy or collection of the special assessments.

Section 5. That 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 commence with the taxes that are due and payable in January 2021.

Section 6. That the costs for any plans, improvements, and any related expenses shall be funded solely by the funds raised by this assessment.

Section 7. That the City Manager, or her designee, is authorized to prepare, in accordance with the method of assessment set forth in Sections 2 and 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 8. That notice of the passage of this resolution 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

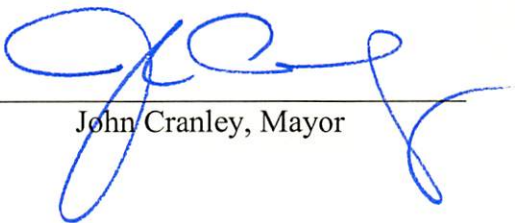
address to which tax bills are sent, by publication, and in accordance with Article II, Section 6 of the City Charter.

Section 9. That the assessment may be levied and collected before the Services Plan, improvements, and any related expenses are commenced.

Section 10. 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