



## Legislation Details (With Text)

---

**File #:** 0888-2010      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 6/7/2010      **In control:** Minority and Small Business Development Committee

**On agenda:** 6/21/2010      **Final action:** 6/23/2010

**Title:** To determine to proceed with the Plan of Services of the Discovery Special Improvement District of Columbus, Inc.; to provide for the levy of assessments in said district; and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
6/23/2010	1	CITY CLERK	Attest	
6/22/2010	1	MAYOR	Signed	
6/21/2010	1	Columbus City Council	Approved	Pass
6/21/2010	1	COUNCIL PRESIDENT PRO-TEM	Signed	
6/9/2010	1	CITY ATTORNEY	Reviewed and Approved	
6/9/2010	1	Dev Drafter	Sent to Clerk's Office for Council	
6/8/2010	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
6/8/2010	1	Dev Drafter	Sent for Approval	
6/7/2010	1	Dev Drafter	Sent for Approval	

**BACKGROUND:** In 2003 the Discovery District Development Corporation asked Capitol South Community Urban Redevelopment Corporation to initiate an effort to work with Discovery District property owners to create a Special Improvement District (SID) on the east side of downtown. Property owners were surveyed and overwhelmingly were in support of seeing a proposal to create a SID. The SID was created for a five year period and has been very successful. The SID property owners now wish to terminate the existing Plan for Improvements and Services a year early and reauthorize the Discovery Special Improvement District for an additional five year period, with slightly different boundaries, but still called the Discovery Special Improvement District. The property owners initiated a one-petition process to reauthorize the SID in which at least 60% of the property owners within the District signed that they are interested in reauthorizing the SID and approving the Articles of Incorporation. This petition was accepted and approved by Columbus City Council by Ordinance 0479-2010, passed April 5, 2010. Another action required by the Ohio Revised Code is the approval of the Plan for Improvements and Services and the inclusion of City owned property in said plan. This legislation was approved by Columbus City Council by Resolution No. 0033X-2010, passed April 5, 2010. The third piece of legislation was to declare the necessity to implement the Plan of Services adopted by the Discovery Special Improvement District of Columbus, Inc., and to levy a special assessment for the services. This legislation was approved by Columbus City Council by Resolution No. 0059X-2010, passed May 10, 2010.

This legislation is an ordinance to proceed with the Plan of Services of the Discovery Special Improvement District of Columbus, Inc., and to provide for the levy of assessments to property owners within the Special Improvement District.

Emergency action is requested on this legislation to allow the special assessment process to proceed in a timely manner.

**FISCAL IMPACT:** No funding is required for this legislation.

To determine to proceed with the Plan of Services of the Discovery Special Improvement District of Columbus, Inc.; to provide for the levy of assessments in said district; and to declare an emergency.

**WHEREAS**, Chapter 1710 of the Revised Code, effective September 29, 1994 provides for the creation of Special Improvement Districts (SIDS), by non-profit corporations governed by trustees elected by the property owners for the provision of special services in a designated district; and

**WHEREAS**, this Council has approved the Discovery Special Improvement District of Columbus, Inc. Petition and Articles of Incorporation by Ordinance No. 0479-2010, passed April 5, 2010; and

**WHEREAS**, this Council has approved the Plan for Services to be provided by the Discovery Special Improvement District of Columbus, Inc. by Resolution No. 0033X-2010, passed April 5, 2010; and

**WHEREAS**, this Council has adopted Resolutions No. 0059X-2010, passed May 10, 2010, declaring the necessity of implementing the Plan of Services of the Discovery Special Improvement District of Columbus, Inc.; and

**WHEREAS**, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to proceed with the Plan of Services of the Discovery Special Improvement District of Columbus, Inc., all for the immediate preservation of the public health, property, safety and welfare; **NOW, THEREFORE**,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**Section 1.** That it is hereby determined to proceed with the Plan of Services of the Discovery Special Improvement District of Columbus, Inc. as set forth in said Plan heretofore approved by Resolution No. 0033X-2010, passed on April 5, 2010 and as provided for in the Resolution of Necessity, No 0059X-2010 passed on May 10, 2010.

**Section 2.** That the services constituting the Plan shall be made in accordance with the provision of the Resolution of Necessity, No. 0059X-2010, and in accordance with the Plan of Services and estimate of cost of the Plan previously approved and on file in the office of the Clerk of Council.

**Section 3.** That the Council does hereby find that no claim for damages resulting from said Plan of Services have been filed with the Clerk of Council.

**Section 4.** That the assessable portion of the cost of the Plan of Services shall be assessed against the benefiting properties, in the manner and in the number of annual installments as provided in the Resolution of Necessity.

**Section 5.** That the estimated assessment heretofore prepared and filed in the office of the Clerk of this Council in accordance with the Resolution of Necessity and as equalized by the Board of Revision are hereby adopted and confirmed.

**Section 6.** That the portion of the cost provided in the above-mentioned Resolution of Necessity to be assessed are hereby levied and assessed in the manner and number of installments provided in said Resolution No. 0059X-2010 and on the lots and lands described therein, which assessments are in proportion to the special benefits and are not in excess of any statutory limitations.

**Section 7.** The assessment against each lot or parcel of land shall be payable over five (5) years in semi-annual installments. All assessments shall be collected as follows:

In two semi-annual collections by the County Treasurer. The City Auditor shall certify the herein-referenced unpaid special assessment to the County Auditor as provided by law.

**Section 8.** That pursuant to the provisions of Section 1710.11 of the Ohio Revised Code, Discovery Special Improvement District of Columbus, Inc., as soon as funds are available, may make and execute contract(s) for said Plan of Services in accordance with Discovery Special Improvement District of Columbus, Inc. rules for competitive bidding, and such improvements and services

shall be financed as provided in the aforesaid Resolution of Necessity.

**Section 9.** That the Clerk of Council shall cause a notice of passage of this ordinance to be published once in a newspaper of general circulation in the City of Columbus and to continue on file in the office of the Clerk of Council said assessments.

**Section 10.** That the Clerk of Council is hereby directed to deliver a certified copy of this ordinance to the Auditor of Franklin County, Ohio within fifteen (15) days after its passage.

**Section 11.** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**Section 12.** That the Clerk of Council is hereby directed to post a copy of this ordinance in the Office of the Clerk of Council.

**Section 13.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.