



## Legislation Text

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**File #:** 2128-2023, **Version:** 1

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**BACKGROUND:** Council previously adopted Resolution 0144x-2022 (the "Resolution of Necessity") on July 18, 2022, which declared the necessity of 1) constructing streetscape improvements and 2) levying a special assessment in the City of Columbus, Ohio (the "City") for parking structure improvements on the southeast corner of the intersection of West Rich Street and McDowell Street.

The Resolution of Necessity imposed Special Assessments on the Assessed Parcels in proportion to the special benefits conferred upon such Assessed Parcels from the Project in order to pay for a portion of the cost and expense of the Project.

This Ordinance authorizes the levy of the special assessment upon the lots and lands of the Special Benefit District ("Assessed Parcels") benefited by the construction of parking structure improvements near the southeast corner of the intersection of West Rich Street and McDowell Street known as the East Franklinton - Casto/CMHA Parking Garage project (the "Project"), as contemplated in Resolution 0144x-2022 and Ordinance to Proceed (1973-2023) pursuant to Section 55(b) of the Charter of the City of Columbus determining that such action is necessary.

All of the costs of the Project have been encumbered by City Council; the final assessment amount has been determined, the final assessment report prepared, and the assessing Ordinance should now be passed pursuant to Section 178 of the Charter of the City of Columbus.

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

**EMERGENCY DESIGNATION:** Emergency action is requested in order that the assessment process may be completed in time for the County Auditor to place the assessments on the specially benefited lots and lands to repay the City for a portion of the cost to construct the Project.

To levy a special assessment upon the lots and lands of the Special Benefit District specially benefited by the construction of streetscape improvements near the southeast corner of the intersection of West Rich Street and McDowell Street, as contemplated in Resolution 0144x-2022 and Ordinance 1973-2023; and to declare an emergency.

**WHEREAS,** the total cost of the Project (the "Project Cost") shall be an amount equal to the costs of acquiring, constructing, installing, equipping, or improving the Project, which is estimated to be \$4,246,500.00. The special assessments for the Project (the "Special Assessments") shall be collected in 60 consecutive semi-annual installments of \$43,850 each. The Special Assessments shall be assessed in proportion to the benefits upon the Assessed Parcel. The Special Assessments shall be calculated as of the Determination Date and allocated to the Assessed Parcel based on the Proportional Benefit to such Assessed Parcel. The percentage of Proportional Benefit for the Assessed Parcel shall be multiplied by the Annual Special Assessment (a maximum of \$87,700) to determine the annual amount of Special Assessments to be paid by the Assessed Parcel. The portion of the Project Cost allocable to the City is none, as allowable under Section 181-1 of the Charter.

**WHEREAS,** Council previously adopted Resolution 0144x-2022 (the "Resolution of Necessity") on July 18, 2022, which declared the necessity of acquiring, constructing, installing, equipping, or improving off-street parking facilities

near the southeast corner of the intersection of West Rich Street and McDowell Street, and acquiring interests in the site thereof, together with all necessary and proper appurtenances and levying a special assessment in in order to fund a portion of the costs to construct a parking garage that will include 200 public parking spaces; and

**WHEREAS**, this Council subsequently passed Ordinance 1973-2023 on July 17, 2023, therein determining to proceed with the Project and the special assessments; and

**WHEREAS**, all of the costs of the Project have been assembled; and the final assessment amount has been determined, the final assessment report prepared, and the assessing Ordinance should now be passed pursuant to Section 178 of the Charter of the City of Columbus; and

**WHEREAS**, an emergency exists in the usual daily operation of the City, in that it is necessary to authorize that the assessment process may be completed in time for the County Auditor to place the assessments on the benefited lots and lands to repay the City for a portion of the cost to construct the Project; for the preservation of the public health, peace, property, safety, and welfare; now therefore,

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

**SECTION 1.** Capitalized terms not otherwise defined herein shall have the meaning assigned to each term in the Petition filed with the Clerk of Council.

**SECTION 2.** The total cost of the Project (the "Project Cost") shall be an amount equal to the costs of acquiring, constructing, installing, equipping, or improving the Project, which is estimated to be \$4,246,500.

**SECTION 3.** The special assessments for the Project (the "Special Assessments") shall be collected in 60 consecutive semi-annual installments of \$43,850 each. The Special Assessments shall be assessed in proportion to the benefits upon the Assessed Parcel. The Special Assessments shall be calculated as of the Determination Date and allocated to the Assessed Parcel based on the Proportional Benefit to such Assessed Parcel. The percentage of Proportional Benefit for the Assessed Parcel shall be multiplied by the Annual Special Assessment (a maximum of \$87,700) to determine the annual amount of Special Assessments to be paid by the Assessed Parcel. The portion of the Project Cost allocable to the City is none, as allowable under Section 181-1 of the Charter.

**SECTION 4.** That the Clerk of Council shall deliver a certified copy of this Ordinance to the County Auditor within fifteen (15) days after its passage.

**SECTION 5.** 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 passage if the Mayor neither approves nor vetoes the same.