



Legislation Text

File #: 0102X-2020, **Version:** 1

BACKGROUND: This Council is being asked to approve and to declare the necessity to implement the Plan for Public Services and Improvements (Plan of Services) adopted by the University District Special Improvement District of Columbus, Inc. and the necessity to levy a special assessment for the services set forth in said Plan of Services upon the lots and lands benefiting under the Plan, and to declare an emergency.

The University District Special Improvement District was created in 2015 with 75 percent of the owners of all real property located within the district signed a petition acknowledging that they were interested in creation of the Special Improvement District and approved of the Plan for Public Services and Improvements. The petition was accepted and approved by Columbus City Council by Ordinance No. 0641-2015, passed on March 23, 2015.

The current term of the University District Special Improvement District (University District SID) will conclude in December 2020.

A one petition process has been initiated in which at least 60 percent of the frontage owners of all real property located within the District signed that they are interested in reauthorizing the SID and they approve of the Plan of Improvements and Services to be provided by the University District SID. This petition to reauthorize the University District SID was accepted and approved by Columbus City Council by Ordinance No. 0800-2020, passed May 4, 2020. Another action required by the Ohio Revised Code is the approval of the Plan of Public Services and Improvements. This legislation was approved by City Council by Resolution No. 0066X-2020, passed May 18, 2020.

This legislation is the third of four actions required by Chapter 1710 of the Ohio Revised code to reauthorize.

Emergency action is required to allow the University District Special Improvement District of Columbus, Inc. to implement its Plan of Services and to permit the special assessment process to proceed in a timely manner.

FISCAL IMPACT: No funding is required for this legislation.

To declare the necessity to implement the Plan for Public Services and Improvements (Plan of Services) adopted by the University District Special Improvement District of Columbus, Inc. and the necessity to levy a special assessment for the improvements and services set forth in said plan upon the lots and lands benefiting under the plan; 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 designated district. The University District Special Improvement District was created in 2015 for a five-year period ending December 2020.

WHEREAS, the property owners located in the University District Special Improvement Development area have initiated a petition to reauthorize the SID and have filed the petition with the Clerk of the Columbus City Council along with the Articles of Incorporation of the University District Special Improvement District of Columbus, Inc., an Ohio non-profit corporation, to be responsible for the operation of the SID; and

WHEREAS, the petition to approve and to accept the Articles of Incorporation of University District Special Improvement District of Columbus, Inc. was accepted by City Council by Ordinance No. 0080-2020, passed May 4, 2020.

WHEREAS, the property owners located in the district have included in their initial petition the approval of the Plan of Public Services and Improvements (Plan of Services) to be provided by the University District Special Improvement District of Columbus, Inc. pursuant to the Ohio Revised Code Chapter 1710; and

WHEREAS, the petition to approve the Plan of Services to be provided by the University District Special Improvement District of Columbus, Inc. was accepted and approved by City Council by Resolution No. 0066X, passed May 18, 2020; and

WHEREAS, the Plan of Services calls for the provision of these services of the University District Special Improvement District of Columbus, Inc. to be funded by a special assessment; and

WHEREAS, Section 1710.02 and 1710.06 of the Ohio Revised Code authorizes the participating subdivision to levy a special assessment to pay for the cost of the services as set forth in said Plan for the economic development and continued improvement of the University District Area; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, Economic Development Division, in that it is immediately necessary to implement the Plan of Services adopted by the University District Special Improvement District and the necessity to levy a special assessment for the services set forth in the Plan for the economic development and continued improvement of the University District Area, all for the preservation of public health, peace, property safety and welfare; **NOW THEREFORE**,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. It is declared necessary to implement the Plan of Pubic Services and Improvements (Plan of Services) of the University District Special Improvement District of Columbus, Inc. (University District SID) in the City of Columbus. Boundaries are set per the Plan of Services of the University District SID as approved by the Council of the City of Columbus in Resolution No. 0066X-2020.

SECTION 2. The Plan and estimate of cost of the services set forth by the University District SID for a total of approximately \$475,000.00 per year for each of the five years of the Plan of Services, are now on file in the Office of the Clerk of Council as Exhibit A, respectively, to Resolution No. 0066X-2020, are approved, and the Plan of Services be performed as shown therein. The lots and lands benefiting from and to be assessed are for the services set forth in the Plan of Services are shown in Exhibit A, on file with the City Clerk, attached hereto and incorporated by reference.

SECTION 3. The Council of the City of Columbus finds and determines that 1) the Plan of Services is conducive to the public health, convenience and welfare of this City and inhabitants thereof, and 2) the lots and lands to be assessed as described in Attachment A, on file with the City Clerk, are especially benefited by the services set forth in the Plan in amount equal to or greater than the assessed amounts.

SECTION 4. A portion of the cost of the services set forth in the Plan shall be assessed as per the Plan of Services of the University District SID, as approved by the Council of the City of Columbus in Resolution No. 0066X-2020. The Council of the City of Columbus hereby determines said assessments for providing services per the Plan of Services of the University District SID for all such lots and lands as described in Exhibit A, on file with the City Clerk, are necessary. The portion of the cost of the services to be paid by the Ohio State University shall be included in the Plan of Public Services and Improvements as approved by Resolution No. 0066X-2020.

SECTION 5. That the University District SID is authorized and directed to prepare and file with Council in the office of the Clerk of Council an assessment report in accordance with the method of assessment provided for in this resolution. Such assessment report shall show the lots and lands assessed and the amount of assessment as to each. When the estimated assessments have been so filed, the Council Clerk shall cause notice of the adoption of this Resolution and the filing of the estimated assessment to be served in a manner provided by law on the owners of all lots and lands to be

assessed.

SECTION 6. That the assessment to be levied shall be paid in semi-annual installments and that the term of assessment shall be for five (5) years from January 1, 2021 through December 31, 2025; and further provided that owner of any property assessed may, at his or her option, pay such assessment in cash within thirty (30) days after passage of the assessing ordinance.

SECTION 7. The Clerk of Council is directed to certify a copy of this Resolution to the City Auditor.

SECTION 8. The assessment to be levied and collected pursuant to this Resolution may be levied and collected in whole or in part to the performance of the Plan.

SECTION 9. That the Clerk of Council is hereby directed to post a copy of this Resolution as provided by law.

SECTION 10. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Resolution is hereby declared to be an emergency measure and shall take effect and in force from and after its adoption and approval by the Mayor or ten days after adoption if Mayor neither approves nor vetoes the same.