



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 0104X-2020, **Version:** 1

BACKGROUND: This Council is being asked to declare the necessity to implement the Plan of Services adopted by the 5th Avenue and 4th Street Special Improvement of Columbus, Inc. and the necessity to levy a special assessment for the services set forth in said plan upon the lots and lands benefiting under the plan; and to declare an emergency.

BACKGROUND: On May 4, 2020 Ordinance 0812-2020 passed approving the 5th Avenue and 4th Street Special Improvement District of Columbus, Inc.'s (5th & 4th St. SID) Petition and Articles of Incorporation and the inclusion of a City owned parcel creating the City's seven Special Improvement District for a term of 5 years. On May 18, 2020 Resolution 0070X-2020 became effective approving the 5th Ave. & 4th St. SID'S Plan of Services.

This legislation is to declare the necessity to implement the Plan of Services adopted by the 5th & 4th St. SID and the necessity to levy a special assessment for the services set forth in the plan pursuant to the Ohio Revised Code Chapter 1710.02 and 1719.06,

This legislation is the third of the four actions required by Chapter 1710 of the Ohio Revised Code. City Council must approve the necessity to implement the Plan of Services of the 5th Avenue and 4th Street Special Improvement District of Columbus, Inc., and to levy a special assessment for the services set forth in said plan upon the lots and lands benefiting under the plan.

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 declare the necessity to implement the Plan of Services adopted by the 5th Avenue and 4th Street Special Improvement 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, the property owners located in the 5th and 4th St. Special Improvement Development area have initiated a petition to authorize the SID and have filed the petition with the Clerk of the Columbus City Council and to plan for improvement and services and have filed the petition with the Columbus City Council along with the Articles of Incorporation of the 5th Avenue and 4th Street Special Improvement District of Columbus, Inc., (5th & 4th St. SID), an Ohio non-profit corporation to be responsible for the operation of the SID; and

WHEREAS, the petition to create the 5th & 4th Street SID was accepted by City Council by Ordinance 0812-2020, passed May 4, 2020; and

WHEREAS, the Columbus City Council by the same ordinance authorized that the property of the municipal corporation abutting upon the streets described in the petition is included in the district; and,

WHEREAS, the property owners located in the district have included in their initial petition the approval of the Plan of Services to be provided by the 5th & 4th Street SID, pursuant to the Ohio Revised Code Chapter 1710; and

WHEREAS, the petition to approve the Plan of Services to be provided by the 5th & 4th Street SID was accepted and approved by Resolution 0070X-2020, passed May 18, 2020; and,

WHEREAS, the Plan for Services calls for the provisions of these services to the 5th & 4th St. SID to funded by special

assessment; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to declare the necessity to implement the Plan of Improvements and Services adopted by the 5th & 4th Street SID and the necessity to levy a special assessment for the services set forth in the plan allow the special assessment process to proceed in a timely manner for the economic and continued improvement of the 5th & 4th St. SID and 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 necessary to implement the Plan of Services of the 5th & 4th St. SID in the City of Columbus. Boundaries are set per the Plan of Services of the 5th & 4th St. SID as approved by the Council of the City of Columbus in Ordinance 0812-2020.

SECTION 2. The Plan and estimate of cost of the services prepared by the SID providing for a total estimated cost of approximately \$290,000.00 for the first year to be adjusted for each of the remaining four years of the Plan, are now on file in the Office of the Clerk Of Council as Exhibit A, respectively, to Resolution 0070X-2020, are approved, the Plan shall be performed as shown therein. The lots and lands benefiting from and to be assessed for the services set forth in the Plan are shown in Exhibit A, on file with the City Clerk, and incorporated by reference.

SECTION 3. This Council finds and determines that 1) the Plan of Services is conducive to the public health, convenience and welfare of the 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 amounts 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 5th & 4th St. SID as approved by the Council of the City of Columbus in Resolution 0070X-2020. The Council of the City of Columbus hereby determines said assessment for services to be per the Plan of Services of the 5th & 4th St. SID for all such lots and lands as described in Exhibit A, on file with the City Clerk. The portion of the cost of the services to be paid by the City shall be provided in the Plan and as approved by Resolution 0070X-2020.

SECTION 5. That the 5th & 4th St. SID is authorized and directed to prepare and file with Council in the office of the Clerk of Council as 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 amounts of assessment as to each. When the estimated assessment have been so filed, the Council Clerk shall cause notice of adoption of this resolution and the filing of the estimated assessment to be served in a manner provided by law on the owner of all lots and lands to be assessed.

SECTION 6. That the assessment to be levied shall be paid in semi-annual installation and that the term of the assessment shall be for five (5) years from January 1, 2021 through December 31, 2025; and further 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 prior 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 apart hereof, this Resolution is hereby declared to be an emergency measure and shall take effect and be in full force from and immediately upon its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.