



Legislation Text

File #: 2390-2020, Version: 1

This ordinance approves the recommendation of an assessment equalization board appointed under Ohio Revised Code Section 727.16 in connection with a Plan of Services under Ohio Revised Code Chapter 1710 requested to be implemented in cooperation with the 5th Avenue and 4th Street Special Improvement District of Columbus, Inc. (the "SID").

On June 29, 2020, the Council of the City of Columbus, Ohio (the "City Council") adopted Resolution No. 0104X-2020 declaring the necessity to implement the Plan of Services adopted by the SID and the necessity to levy a special assessment for the improvements and services set forth in said plan upon the lots and lands benefited under the plan (the "Resolution of Necessity").

By notice dated June 30, 2020, the Clerk of Council served notice upon the owners of the lots or parcels of land to be assessed for the Plan of Services in accordance with Ohio Revised Code Section 727.13.

As provided in Ohio Revised Code Section 727.15, the Clerk of Council received objections to the estimated assessments.

As provided in Ohio Revised Code Section 727.16, the City Council appointed an assessment equalization board consisting of three disinterested freeholders of the City of Columbus, Ohio (the "City") and fixed the time and place of a hearing to be held on October 6, 2020. As provided in Ohio Revised Code Section 727.16, the Clerk of Council notified the objectors of the time and place of such hearing.

On October 6, 2020, following the procedures required under Ohio Revised Code Section 727.17, the assessment equalization board met to hear and determine the objections to the estimated assessments that were filed under Ohio Revised Code Section 727.15.

On October 9, 2020 the assessment equalization board reported its recommendations, including changes which should be made to the estimated assessments, to the City Council, a copy of which report is attached to this Ordinance as **Exhibit A**.

The City Council desires to approve the report, including the changes to the estimated assessments recommended by the assessment equalization board.

FISCAL IMPACT: No funding is required for this legislation.

To approve the report of the assessment equalization board appointed in connection with the Plan of Services for the 5th Avenue and 4th Street Special Improvement District of Columbus, Inc. including the changes to the estimated assessments recommended by the board; and to declare an emergency.

WHEREAS, on June 29, 2020, the Council of the City of Columbus, Ohio (the "City Council") adopted Resolution No. 0104X-2020 declaring the necessity to implement the Plan of Services adopted by the 5th Avenue and 4th Street Special Improvement District, Inc. (the "SID") 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 (the "Resolution of Necessity"); and

WHEREAS, by notice dated June 30, 2020, the Clerk of Council served notice upon the owners of the lots or parcels of land to be assessed for the Plan of Services (the "Plan") in accordance with Ohio Revised Code Section 727.13; and

WHEREAS, as provided in Ohio Revised Code Section 727.15, the Clerk of Council received objections to the estimated

assessments; and

WHEREAS, as provided in Ohio Revised Code Section 727.16, the City Council appointed an assessment equalization board consisting of three disinterested freeholders of the City of Columbus, Ohio (the “City”) and fixed the time and place of a hearing to be held on October 6, 2020. As provided in Ohio Revised Code Section 727.16, the Clerk of Council notified the objectors of the time and place of such hearing; and

WHEREAS, on October 6, 2020, following the procedures required under Ohio Revised Code Section 727.17, the assessment equalization board met to hear and determine the objections to the estimated assessments that were filed under Ohio Revised Code Section 727.15; and

WHEREAS, on October 9, 2020 the assessment equalization board reported its recommendations, including changes which should be made to the estimated assessments, to the City Council, a copy of which report is attached to this Ordinance as **Exhibit A**; and

WHEREAS, as recommended by the assessment equalization board, an updated estimate of special assessments has been prepared and attached to this Ordinance as **Exhibit B**; and

WHEREAS, in order to memorialize the changes to the estimated assessments recommended by the assessment equalization board, an update to the text of the Plan has been prepared and attached to this Ordinance as **Exhibit C**; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to approve the report of the assessment equalization board in order to approve and certify the changes to the estimated assessment to the County Auditor of Franklin County, Ohio in a timely manner to enable the SID to provide the economic and continued improvements and services to be provided under the Plan and to provide for the preservation of public health, peace, property, safety and welfare; **NOW, THEREFORE**,

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

SECTION 1. That as provided in Ohio Revised Code Section 727.17, the report of the assessment equalization board, including the changes to the estimated assessments, attached to this Ordinance as **Exhibit A**, is hereby approved.

SECTION 2. That as further provided in Ohio Revised Code Section 727.17, the changes to the estimated assessments recommended by the assessment equalization board and attached to this Ordinance as **Exhibit B** are hereby approved. If this City Council shall adopt an ordinance under Ohio Revised Code Section 727.23 determining to proceed with the Plan such ordinance shall adopt the estimated assessments approved by this Ordinance, as provided under Ohio Revised Code Section 727.23(B).

SECTION 3. That in order to memorialize the changes to the estimated assessments recommended by the assessment equalization board, this City Council hereby approves the changes to the Plan shown in **Exhibit C** to this Ordinance, and the Plan is hereby amended as shown in **Exhibit C**.

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its adoption and approval by the Mayor, or ten days after adoption if the Mayor neither approves nor vetoes the same.