



Legislation Details (With Text)

**File #:** O-166-22      **Version:** 2      **Name:**  
**Type:** Ordinance      **Status:** Approved  
**File created:** 3/29/2022      **In control:** Economic Development Department  
**On agenda:** 4/12/2022      **Final action:** 4/12/2022  
**Title:** Authorizing the appropriation of funds deposited in 2022 into the Hawthorne Hills Tax Increment Financing (“TIF”) Fund; authorizing an operating transfer of all such funds to the Capital Improvement Program Fund; and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Audio: City Council Meeting 4/12/2022

Date	Ver.	Action By	Action	Result
4/12/2022	2	City Council	Suspension	Pass
4/12/2022	2	City Council	Emergency	Pass
4/12/2022	2	City Council	Passage	Pass

Hawthorne Hills TIF - disbursement of TIF Payments  
Econ Development/Law  
B. Sehlhorst (x1692)/E. Granata (x1034)

**Authorizing the appropriation of funds deposited in 2022 into the Hawthorne Hills Tax Increment Financing (“TIF”) Fund; authorizing an operating transfer of all such funds to the Capital Improvement Program Fund; and declaring an emergency.**

**SUMMARY & BACKGROUND:**

Ordinance 114-20 (the “TIF Ordinance”) authorized a Tax Increment Financing exemption for certain real property referred to as the Hawthorne Hills Site (formerly known as Southwyck Mall), as authorized under Ohio Revised Code sections 5709.41 through 5709.43. The TIF Ordinance authorized Service Payments in lieu of taxes to include payments to the Toledo City School District with the balance to be used for the payment of public improvements benefiting the Hawthorne Hill site, including the reimbursement of site acquisition and maintenance costs of the City. In accordance with the Revised Code and the TIF Ordinance, the Service Payments, after payment to the School District, are deposited into the city’s municipal public improvement tax increment equivalent fund (the “Hawthorne Hills Tax Increment Fund” or “Hawthorne Hills TIF Fund”). Service Payments totaling \$68,290.50 have been deposited into in the Hawthorne Hill TIF Fund so far in 2022sail.

This Ordinance appropriates all service payments to be received in 2022 into the Hawthorne Hills Tax Increment Fund for the payment of the authorized public improvements, specifically the reimbursement of site acquisition costs to the City; and authorizes an operating transfer of the appropriated funds into the City’s Capital Improvement Program Fund.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That all amounts received in 2022 by the City from the Lucas County Treasurer as service payments in lieu of taxes and deposited into the Hawthorne Hills Tax Increment Fund, Account Code 5037-16400-5661001STDSTD, pursuant to Ordinance 114-20, are appropriated for the purpose of reimbursement of the City's acquisition costs of the Hawthorne Hills property and other eligible costs of public improvements in accordance with the TIF Ordinance and the Service Payment Agreement dated May 29, 2020.

SECTION 2. That operating transfers of all amounts appropriated in Section 1 are authorized for the above state purposes from Account Code 5037-16400-5661001STDSTD to the Capital Improvement Program Fund.

SECTION 3. That this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage. The reason for the emergency lies in the fact that the same is necessary for the immediate preservation of the public peace, health, safety and property, and for further reason that the Ordinance must be immediately effective in order to allow the timely payment of obligations under the Hawthorne Hills TIF Ordinance and related agreements.

Vote on emergency clause: yeas 12, nays 0.

Passed: April 12, 2022, as an emergency measure: yeas 12, nays 0.

Attest:

Gerald E. Dendinger  
Clerk of Council

Matt Cherry  
President of Council

Approved:

April 13, 2022  
Wade Kapszukiewicz  
Mayor