



Legislation Text

File #: O-336-20, **Version:** 1

ORD TO PROCEED WITH REVISED DTID

Division of Taxation and Treasury, Department of Law
Martinez (x1653), Syring (x1020)
(Revised)

Determining to proceed with the provision of enhanced public services in the Revised Downtown Toledo Improvement District; confirming approval of the petition for the revised Downtown Toledo Improvement District; and declaring an emergency.

SUMMARY & BACKGROUND:

On July 21, 2020, this Council adopted Resolution No. 262-20 and on September 1, 2020 adopted Res. 322-20 approving the establishment of the Revised Downtown Toledo Improvement District (the District), the Articles of Incorporation of Revised Downtown Toledo Improvement District Inc. and an Amended plan for enhanced public services in the District, all in accordance with a petition signed by the owners of at least 60% of the frontage of all real property located within the District that abuts upon any street, alley, public road, place, boulevard, park entrance, easement or other existing public improvement (excluding property owned by the United States of America and the State of Ohio and property owned by a church, Lucas County or the City, unless that church, the County or the City, as applicable has requested the inclusion of that property) that was submitted to and accepted by this Council on that date (the Petition).

The Petition requested that this Council levy special assessments against the benefited properties in the District to pay costs of the enhanced public services described in an initial plan.

This Council adopted Resolution No. 263-20 on July 21, 2020, declaring the necessity of providing the enhanced public services as described in the petition. Further this Council adopted Res. 323-20 on September 1, 2020 declaring the necessity of providing the enhanced public services as provided in the Amended Downtown Services Plan and Budget.

This Council has on this date adopted a Resolution approving the report of the Assessment Equalization Board appointed by Resolution No. 261-20 adopted July 21, 2020.

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

SECTION 1. That it is determined to proceed with the provision of the enhanced public services described in the Petition approved by Resolutions No. 262-20 and No. 263-20 and the Amended Downtown Services Plan and Budget approved by Resolutions No, 322-20 and 323-20 (the Comprehensive Plan), each of which is now on file in the office of the Clerk of Council.

SECTION 2. That this Council confirms the approval of the petition for the revised Downtown Toledo Improvement District.

SECTION 3. That the enhanced public services shall be provided in accordance with the provisions of Resolution No. 323-20 and the Comprehensive Plan.

SECTION 4. That all claims for damages resulting from the provision of the enhanced public services that have been legally filed shall be inquired into after completion of the provision of the services, and the Director of Law is authorized and directed to institute legal proceedings in a court of competent jurisdiction to inquire into those claims.

SECTION 5. That the whole cost of the enhanced public services to be assessed in accordance with Resolution No. 323-20 shall be assessed in the manner and pursuant to the payment schedule set forth, and on the lots and lands described, in that Resolution.

SECTION 6. That the estimated special assessments previously prepared and filed in the office of the Clerk of Council are adopted.

SECTION 7. That the Clerk of Council shall deliver a certified copy of this ordinance to the County Auditor within 15 days after its passage.

SECTION 8. That this Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this ordinance were taken, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were held, in meetings open to the public in compliance with the law.

SECTION 9. That this Ordinance is declared to be necessary for the immediate preservation of the public peace, health, safety and property of the City and for the further reason that the immediate effectiveness of this resolution is necessary to cause enhanced public services to be provided in the District, which services are urgently needed to maintain and improve the District as a business, cultural, residential and recreational community; wherefore, this ordinance shall be in full force and effect from and immediately after its passage by the required number of votes, otherwise, at the earliest time permitted by law.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council

_____.

Attest: _____
Clerk of Council