



Legislation Text

File #: O-337-20, **Version:** 1

ORD TO LEVY REVISED DTID

Division of Taxation and Treasury, Department of Law

R. Martinez (x1653), P. Syring (x1020)

(Revised)

Levying special assessments for certain enhanced public services in the Revised Downtown Toledo Improvement District; and declaring an emergency.

SUMMARY & BACKGROUND:

On July 21, 2020, this Council adopted Resolution No. 262-20 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 initial 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).

On September 1, 2020, this Council adopted Resolution No. 322-20 approving the Amended Downtown Services Plan and Budget of the Revised Downtown Toledo Improvement District.

In accordance with the Petition and related proceedings, this Council has determined to levy special assessments on all lots and lands in the District except 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, to pay costs of the enhanced public services described in Section 1, to be provided over a period of five years.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: none
- The expenditure budget line item: 3050-14200-2424006STDSTD
- New revenue generated (operational revenue, grants, if any): no
- Revenue budget line item (if any): 3050-14200-2424006STDSTD
- Are funds budgeted in the current fiscal year (yes/no)?: no
- Is this a capital project (yes/no)? no
- If yes, is it new or existing (new/existing)?
- What section of the City's Strategic Plan does this support:
 - o Excellence in Basic Services (yes/no) yes
 - o Quality Community Investment (Livable City, Development) (yes/no) yes
 - o Workplace Culture & Customer Service (yes/no) yes

- Environment (yes/no) yes

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

SECTION 1. That the special assessments for the cost and expense of providing, in the Revised Downtown Toledo Improvement District, the enhanced public services pursuant to Resolution No. 323-20 adopted on September 1, 2020, amounting in the revised and amended aggregate to \$4,948,680, which were filed and are on file in the office of the Clerk of Council, are adopted and confirmed. Those special assessments are levied and assessed upon the lots and lands provided for in Resolution No. 263-20 as amended by Res. 323-20 in the respective amounts set forth in the schedule of assessments on file, which special assessments have been calculated in the manner provided in Resolution No. 263-20 and Res. 323-20 and are not in excess of the special benefits or any statutory limitation.

SECTION 2. That the special assessment against each lot or parcel of land shall be payable in whole or in part in cash or by check within 30 days after the passage of this ordinance, or at the option of the owner in five equal annual installments (ten equal semiannual installments). All payments in cash or by check shall be made to the Director of Finance of this City. All special assessments remaining unpaid at the expiration of those 30 days shall be certified by the Clerk of Council to the County Auditor as provided by law to be placed on the tax duplicate and collected as taxes are collected.

SECTION 3. That the Clerk of Council shall cause a notice of the passage of this ordinance to be published once in a newspaper of general circulation in this City and shall keep on file in the office of the Clerk of Council the special assessments.

SECTION 4. That the Clerk of Council shall deliver a certified copy of this ordinance to the County Auditor within 20 days after its passage.

SECTION 5. That the proceeds of the special assessments levied by this ordinance that are received by the City shall be applied as provided in Section 1710.12 of the Revised Code and are hereby appropriated for that purpose. This Council covenants and agrees that it will give effect to that appropriation in the ordinances it hereafter adopts appropriating money for expenditure or encumbrance. The Director of Finance is authorized and directed to make appropriate accounting entries and adjustments to reflect the City's receipt and disbursement of those proceeds.

SECTION 6. 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 7. 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 ordinance 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