

Resolution No. 669-2025

AS AMENDED

By Council Members Spencer, Hairston and Griffin (by departmental request)

AN EMERGENCY RESOLUTION

Approving the creation of the Gordon Square Arts District - Cleveland Improvement District as a Special Improvement District in the City; accepting petitions from owners of property in the District; approving a new plan for public services; declaring it necessary to provide maintenance, security, marketing, and other services for the District; and providing for the assessment of the cost of such work upon benefited properties in the District; and declaring an emergency.

WHEREAS, Chapter 1710 of the Ohio Revised Code ("Revised Code") authorizes the formation of special improvement districts within the boundaries of a municipality by petition of property owners in a district and approval by the municipality for the purpose of developing and implementing plans for public improvements and public services that benefit the district; and

WHEREAS, owners of at least sixty percent (60%) of the front footage of all real property located in the Gordon Square Arts District - Cleveland Improvement District (the "District") that abuts upon any street, alley, public road, place, boulevard, parkway, park entrance, easement, or other existing public improvement within the District, excluding certain property as provided in Section 1710.02(E) of the Revised Code, have signed petitions ("Petitions") requesting that the City of Cleveland ("City") re-create the District as described in this ordinance; and

WHEREAS, the District is governed by the Gordon Square Arts District - Cleveland Improvement Corporation ("Corporation"), an Ohio nonprofit corporation formed under Chapters 1702 and 1710 of the Revised Code; and

WHEREAS, under Section 1710.02(F) of the Revised Code, the petitioners have proposed a new plan for public services benefitting all of the District (the "Plan"), and have submitted the Plan as part of the Petitions proposing the re-creation of the District; and

WHEREAS, the Petitions have been submitted to the municipal executive ("Mayor") and the legislative authority (Cleveland City Council, or "Council") of the City; and

Resolution No. 669-2025
AS AMENDED

WHEREAS, under Section 1710.02(E) of the Revised Code, the City has sixty (60) days to approve or disapprove the Petitions by resolution; and

WHEREAS, this resolution constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Petitions are accepted and approved and are placed in File No. 669-2025-B.

Section 2. That, under Chapter 1710 of the Revised Code, the District is hereby created with approximate boundaries as follows:

Consisting of Detroit Avenue, between West 58th and West 73rd Streets as well as a portion of the west sides of both West 65th and 67th Streets, as shown in map placed in the above mentioned file, to include active store fronts along those sides of West 65th and 67th Streets.

Section 3. That it is determined and declared necessary and conducive to the public health, convenience and welfare of the City to provide maintenance, security, marketing, and additional permitted services for the District for a five-year period commencing January 1, 2026.

Section 4. That it is determined that the properties contained within the District will be specially benefited by the above-described public services and shall be assessed to pay for the cost of the services, calculated in proportion to the benefits that may result from the services.

Section 5. That the Plan placed in the above-mentioned file is approved at an estimated cost of \$831,428.41.

Section 6. That the entire cost of the Plan will be paid by special assessment of the properties in the District levied in proportion to the benefits that may result from the services within the District. The cost of the Plan shall include the cost of printing,

Resolution No. 669-2025

AS AMENDED

serving, and publishing notices, resolutions, and ordinances; the costs incurred in connection with the preparation, levy, and collection of the special assessments; the expenses of legal services; the cost of all labor and materials; and all other necessary expenditures allowed by law.

Section 7. That the special assessments are to be assessed against the properties commencing in tax year 2025 for collection in 2026 and shall continue through tax year 2029 for collection in 2030; provided, however, if the proceedings relating to the special assessments are completed at such time that the County Fiscal Officer of Cuyahoga County, Ohio, determines that collections shall not commence in 2026, then the collection schedule may be deferred by one (1) year. The special assessments shall be assessed in each calendar year in the amount, manner, and number of installments as provided for in this resolution and/or as equalized by the Assessments Equalization Board, as defined in Section 727.16 of the Revised Code.

Section 8. That no notes or bonds of the City shall be issued in anticipation of the levy or collection of the special assessments.

Section 9. That the Commissioner of Assessments and Licenses of the City is authorized to prepare and separately file with the Clerk of Council an estimated special assessment for each lot or parcel of land to be assessed, which are based on the estimated cost of the Plan. After the estimated special assessments have been filed, the Clerk of Council shall cause notice of the adoption of this resolution and the amounts of estimated special assessments to be served in the manner provided by law on the owners of all lots and parcels to be assessed.

Section 10. That payment for the assessments shall be due in each of the years 2026, 2027, 2028, 2029, and 2030; unless collection is deferred by one year as indicated in Section 7.

Resolution No. 669-2025

AS AMENDED

Section 11. That the assessments to be levied shall be certified to the County Fiscal Officer to be placed on the tax duplicate and collected the same as other taxes, as provided by law. The City shall be under no duty or obligation to separately bill or collect from property owners any amounts of special assessments provided for herein.

Section 12. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of the Council and that all deliberations of the Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 13. That, pursuant to Section 727.12 of the Revised Code, this resolution of necessity requires the affirmative vote of three-fourths of all the members elected to Council for passage.

Section 14. That the Director of City Planning is authorized to enter into a contract with Gordon Square Arts District - Cleveland Improvement Corporation, which contract shall be prepared by the City's Director of Law, shall contain a provision requiring Gordon Square Arts District - Cleveland Improvement Corporation to indemnify the City from any liabilities arising out of or related to unauthorized or otherwise deficient petition signatures, and such additional provisions as the Director of Law deems necessary to benefit and protect the public interest

Section 14 15. That this resolution is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

MC:nl
5-19-2025
FOR: Director Mersmann

Res. No. 669-2025 AS AMENDED

REPORT
after second Reading

By Council Members Spencer, Hairston and Griffin
(by departmental request)

AN EMERGENCY RESOLUTION

Approving the creation of the Gordon Square Arts District - Cleveland Improvement District as a Special Improvement District in the City; accepting petitions from owners of properties in the District; approving a new plan for public services; declaring it necessary to provide maintenance, security, marketing, and other services for the District; and providing for the assessment of the cost of such work upon benefited properties in the District; and declaring an emergency.

READ FIRST TIME

and referred to
by the council

REPORTS

CITY CLERK

READ SECOND TIME

by the council

CITY CLERK

READ THIRD TIME

by the council

PRESIDENT

CITY CLERK

APPROVED

MAYOR