

**SPRINGFIELD TOWNSHIP TRUSTEES
LUCAS COUNTY, OHIO**

RESOLUTION NO. 19-023

Levying additional special assessments for the YMCA Greater Toledo; and declaring an emergency.

The Board of Trustees of Springfield Township, Lucas County, Ohio, met in regular session on November 4, 2019 at 7617 Angola Road, Holland, Ohio, with the following members present:

Tom Anderson Jr., and Robert Bethel

Tom Anderson Jr. moved the adoption of the following Resolution:

SUMMARY & BACKGROUND:

The City of Toledo, City of Oregon, City of Maumee, City of Northwood, City of Perrysburg, City of Sylvania, Village of Whitehouse, Township of Monclova, Township of Springfield, Township of Swanton, Township of Sylvania, Ohio and the Toledo-Lucas County Port Authority ("Port Authority") have partnered to create an Energy Special Improvement District ("District") under Ohio Revised Code Chapter 1710 and a non-profit corporation, known as the Northwest Ohio Advanced Energy Improvement District ("Corporation"), to govern the District. Property owners within the District are permitted to make certain "energy efficiency improvements" to their properties, which constitute a "special energy improvement project", and pay for the cost of the special energy improvement project by way of special assessments in accordance with the process set out in Chapters 727 and 1710 of the Ohio Revised Code. Revised Code Section 1710.01(G) provides that special energy improvement projects (including energy efficiency improvements) constitute public improvements and are therefore subject to special assessments.

On December 17, 2018, the Board of Trustees adopted Resolution 18-036 levying special assessments, amounting in the aggregate to \$633,489.97, and placed for a term of nineteen (19) years. Subsequent to the adoption of this legislation, the District and the Young Men's Christian Association of Greater Toledo (the "Petitioner") determined that the initial assessment was insufficient to complete all of the necessary work. Final costs for the Special Energy Improvement Projects are now known and this assessing Resolution completes the assessing process. It is therefore necessary to increase the amount of the project cost by \$25,047.00 to cover the additional work. The additional cost will be paid by increasing the amount of the annual assessments by two thousand, nine hundred sixty-five dollars and sixty-four cents (\$2,965.64) to a new annual assessment amount of \$36,307.22 commencing in tax year 2019 for collection in 2020 continuing through tax year 2031 to be collected in 2032. Commencing in tax year 2032 for collection in 2033 continuing through tax year 2037 to be collected in 2038, the

annual assessment will be \$33,341.58. This special assessment process is a voluntary process with one hundred percent of the cost of the special energy improvement projects being assigned to the specially benefited properties.

Revised Code Section 727.38 provides that if an initial assessment proves insufficient to pay the cost of a public improvement, the legislative authority of a municipal corporation may levy an additional assessment to supply the increase cost of the public improvement. The plans and specifications for Wolf Creek Special Energy Improvement Project are on file with the Township Fiscal Officer. The Petitioner has waived all further notices, hearings, claims for damages, rights to appeal and other rights of property owners under the law, including but not limited to those specified in the Ohio Constitution, Chapter 727 of the Revised Code. The Petitioner consents to the immediate imposition of the special assessments upon the various properties specially benefited by Special Energy Improvement Project by levying this additional assessment against the benefitted properties.

NOW, THEREFORE, Be it resolved by the Board of Trustees:

SECTION 1. The special assessments for the cost of providing Special Energy Improvement Projects in the District pursuant to Resolution 18-036 adopted by this Board on December 17, 2018 (the Resolution to Levy), which were filed and are on file in the office of the Fiscal are adopted and confirmed. Subsequent to the adoption of this legislation, the District and the Petitioner determined that the initial assessment was insufficient to complete all of the necessary work. Additional special assessments in the aggregate of \$38,553.41 are levied and assessed upon the properties in the respective amounts set forth in the schedule attached as Exhibit A and on file with the Fiscal Officer, which special assessments have been calculated in a manner provided for in the Resolution of Necessity and are not in excess of the special benefits or any statutory limitation.

SECTION 2. The Petitioner waives the right to pay the special assessments in cash within thirty days after the passage of this Resolution, and shall pay the additional assessments by increasing the amount of the annual assessments by two thousand, nine hundred sixty-five dollars and sixty-four cents (\$2,965.64) to a new annual assessment amount of \$36,307.22 commencing in tax year 2019 for collection in 2020 continuing through tax year 2031 to be collected in 2032. Commencing in tax year 2032 for collection in 2033 continuing through tax year 2037 to be collected in 2038, the annual assessment will be \$33,341.58 in accordance with the schedules attached hereto as Exhibit A. All special assessments shall be certified by the Fiscal Officer to the County Auditor as provided by law to be placed on the tax duplicate and collected as taxes are collected. All payments shall be made to the County Treasurer of Lucas County, Ohio and shall be subject to the same delinquency procedures, penalties, and interest as the payment of real property taxes in accordance with Ohio Revised Code Chapter 323.

SECTION 3. The Board finds and determines that it has previously waived notice of the passage of this assessing Resolution and therefore no notice need be published in a newspaper of general circulation in the Township.

SECTION 4. The Fiscal Officer shall deliver a certified copy of this Resolution to the County Auditor within twenty days after its passage, but in no event later than the second Monday in September, 2020 (or by such other date as may be specified in the Ohio Revised Code or acceptable to the County Auditor of Lucas County, Ohio for the certification of assessments in connection with the preparation of the general tax list for tax year 2020).

SECTION 5. The proceeds of the special assessments levied by this Resolution that are received by the Township shall be applied as provided in Section 1710.12 of the Revised Code and are hereby appropriated for that purpose. This Board covenants and agrees that it will give effect to the appropriation in the Resolutions 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 Township's receipt and disbursement of those proceeds.

SECTION 6. This Board finds and determines that all formal actions of this Board and any of its committees concerning and relating to the passage of this Resolution were taken, and that all deliberations of this Board and any of its committees that resulted in those formal actions were held, in meetings open to the public in compliance with the law.

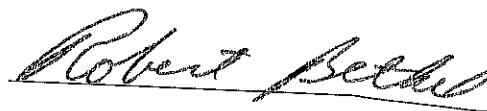
SECTION 7. This Resolution is declared to be an emergency measure and shall take effect and be enforced from and after its passage. The reason for the emergency lies in the fact that this Resolution is necessary for the immediate preservation of the public peace, health, safety and property and for the further reason that the immediate action is necessary in order to conserve energy and protect the environment of the Township, as well as, undertake the construction of the public improvements and enable and provide for the timely levying, certification and collection of the special assessments for Wolf Creek Special Energy Improvement Projects.

Robert Bethel seconded the motion and roll resulted as follows:

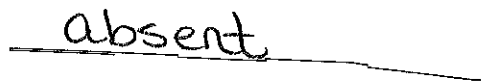
Andrew Glenn – ABSENT

Tom Anderson Jr. – YES

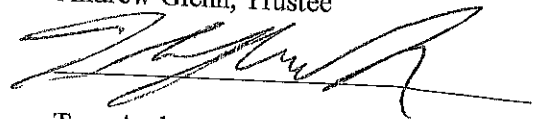
Robert Bethel – YES



Robert Bethel, Trustee



Andrew Glenn, Trustee



Tom Anderson Jr., Trustee

ATTEST:



Barbara Dietze, Fiscal Officer

November 4, 2019, Trustee Meeting

EXHIBIT A
Project Plan for Wolf Creek YMCA

The Property, which is owned by the Petitioner and described in Exhibit A to the Petition, will be subject to special assessments for energy improvements in accordance with ORC Chapter 1710.

Address: 2100 Holland-Sylvania Road, Holland, Ohio 43528
Parcel #: 65-24777

Additional Special Energy Improvements:

1. Building Automation System (BAS)

| | |
|---|---------------------|
| Initial total project cost: | \$338,417.00 |
| Adjusted project cost: | \$363,464.00 |
| Initial total cost including financing & other charges: \$ | \$400,915.29 |
| Adjusted total cost including financing & other charges: | \$430,315.44 |
| Initial total assessment payments to be collected: | \$633,489.97 |
| Adjusted total assessment payments to be collected: | \$672,043.34 |
| Adjusted Estimated Annual assessment payments: | |
| Tax years 2019-2031 | \$ 36,307.22 |
| Tax years 2032-2037 | \$ 33,341.58 |

Number of semi-annual installments: 38

First annual assessment due: January 31, 2020

| County Taxable Year | Total Annual Assessment Parcel 65-24777 | Year Payments Are Due | 1st Half (Due 1/31) | 2nd Half (Due 7/31) |
|-------------------------|---|-----------------------|---------------------|---------------------|
| 2019 | \$36,307.22 | 2021 | \$18,153.61 | \$18,153.61 |
| 2020 | \$36,307.22 | 2022 | \$18,153.61 | \$18,153.61 |
| 2021 | \$36,307.22 | 2023 | \$18,153.61 | \$18,153.61 |
| 2022 | \$36,307.22 | 2024 | \$18,153.61 | \$18,153.61 |
| 2023 | \$36,307.22 | 2025 | \$18,153.61 | \$18,153.61 |
| 2024 | \$36,307.22 | 2026 | \$18,153.61 | \$18,153.61 |
| 2025 | \$36,307.22 | 2027 | \$18,153.61 | \$18,153.61 |
| 2026 | \$36,307.22 | 2028 | \$18,153.61 | \$18,153.61 |
| 2027 | \$36,307.22 | 2029 | \$18,153.61 | \$18,153.61 |
| 2028 | \$36,307.22 | 2030 | \$18,153.61 | \$18,153.61 |
| 2029 | \$36,307.22 | 2031 | \$18,153.61 | \$18,153.61 |
| 2030 | \$36,307.22 | 2032 | \$18,153.61 | \$18,153.61 |
| 2031 | \$36,307.22 | 2021 | \$18,153.61 | \$18,153.61 |
| 2032 | \$33,341.58 | 2033 | \$16,670.79 | \$16,670.79 |
| 2033 | \$33,341.58 | 2034 | \$16,670.79 | \$16,670.79 |
| 2034 | \$33,341.58 | 2035 | \$16,670.79 | \$16,670.79 |
| 2035 | \$33,341.58 | 2036 | \$16,670.79 | \$16,670.79 |
| 2036 | \$33,341.58 | 2037 | \$16,670.79 | \$16,670.79 |
| 2037 | \$33,341.58 | 2038 | \$16,670.79 | \$16,670.79 |
| Total Assessment | \$672,043.34 | | | |