

## EMERGENCY

EESW

- 2021

**AUTHORIZING** the receipt of judgment bond proceeds of the sum of \$6,250,000 into Judgment Bond Fund 815; **AUTHORIZING** the expenditure of the sum of \$6,250,000 from Judgment Bond Fund 815 for the purpose of making payments for settlements and judgments against the City.

WHEREAS, the City and some of its officials were defendants to the lawsuit captioned *Ron Plush, et al. vs. City of Cincinnati, et al.*, Hamilton County Common Pleas Case Number A1903752 for which there is a settlement agreement which has been approved by the United States District Court for the Southern District of Ohio in an order in Case Number 21-MC-0004; and

WHEREAS, the settlement, negotiated by the parties to the lawsuit with the assistance of an independent mediator, requires payment of \$6,000,000 to the Kyle Plush Qualified Settlement Fund, which was established by an order of the United States District Court for the Southern District of Ohio, for the purpose of paying damages to Plaintiffs; and

WHEREAS, the settlement requires a \$250,000 payment to the Kyle Plush Qualified Settlement Fund for the purpose of funding an independent team of experts to identify and facilitate continuous improvement of the functions of the Emergency Communications Center (ECC); and

WHEREAS, the City will issue judgment bonds to provide for the funds required to make these payments required by the settlement, and the proceeds of the judgment bonds will be deposited into Judgment Bond Fund 815; and

WHEREAS, payment of the funds to the Kyle Plush Qualified Settlement Fund will be made from Judgment Bond Fund 815; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That Council hereby authorizes the receipt of judgment bond proceeds of the sum of \$6,250,000 into Judgment Bond Fund 815.

Section 2. That the expenditure of \$6,250,000 is hereby authorized from Judgment Bond Fund 815 for the purpose of providing payments into the Kyle Plush Qualified Settlement Fund which are required by the settlement agreed to in the case of *Ron Plush, et al. vs. City of Cincinnati, et al.*, Hamilton County Common Pleas Case Number A1903752.

Section 3. That the appropriate City officers are hereby authorized to do all things necessary and proper to implement the provisions of Sections 1 and 2 herein.

Section 4. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to accomplish the authorized transactions so that the funding described herein is in place immediately to comply with the monetary terms of the settlement agreement in the case of *Ron Plush, et al. vs. City of Cincinnati, et al.*, Hamilton County Common Pleas Case Number A1903752.

Passed: \_\_\_\_\_, 2021

\_\_\_\_\_  
John Cranley, Mayor

Attest: \_\_\_\_\_  
Clerk