

## EMERGENCY

JRS

- 2021

**AUTHORIZING** the City Manager to accept a donation in an amount up to \$505,000 from CincinnatiVTICA, LLC for the purpose of supporting the operations and maintenance of the Cincinnati streetcar; **AUTHORIZING** the Director of Finance to deposit the donation into Streetcar Operations Fund revenue account no. 455x8645; and further **AUTHORIZING** the transfer of service payments received in lieu of taxes for streetcar operations, in accordance with agreements with third-party developers, from Urban Redevelopment Tax Increment Equivalent II Fund 763 to Streetcar Operations Fund 455.

WHEREAS, the City of Cincinnati constructed a modern streetcar project in downtown Cincinnati (the “Streetcar”) which began passenger service in September 2016; and

WHEREAS, the City has identified certain non-City funding sources potentially available to boost the amount of total funding available to the City for the operations and maintenance of the Streetcar; and

WHEREAS, on November 19, 2014, City Council passed a motion supporting the creation of a tax incentive contribution policy in certain neighborhoods that would incentivize applicants for real property tax abatements to enter into a Voluntary Tax Incentive Contribution Agreement (“VTICA”) to voluntarily contribute a portion of their abated tax savings to the Streetcar; and

WHEREAS, the City is not a party to certain VTICA commitments, and payments made thereunder are managed and collected by a third party; and

WHEREAS, the City and the Southwest Ohio Regional Transit Authority (“SORTA”) have cooperated with Downtown Cincinnati Inc. (operating for this purpose as CincinnatiVTICA, LLC) (“CincinnatiVTICA”) to facilitate the collection of VTICA payments by CincinnatiVTICA and the application of such payments to the Streetcar; and

WHEREAS, the City and SORTA agreed to terminate SORTA’s role in management and operation of the Streetcar effective January 1, 2020, and the City now directly operates and manages the Streetcar; and

WHEREAS, CincinnatiVTICA therefore wishes to donate to the City the proceeds of the VTICA payments that have been collected from July 1, 2020 until June 30, 2021 to ensure that the funds will be used for operation and maintenance of the Streetcar; and

WHEREAS, VTICA payments received as service payments in lieu of taxes by the City for Streetcar operations need to be transferred in order to provide resources for the Streetcar and in accordance with agreements with third-party developers; and

WHEREAS, acceptance of the donation of VTICA payments is in accordance with the “Connect” goal to “develop an efficient multi-modal transportation system that supports neighborhood livability” as well as the strategy to “Plan, design, and implement a safe and

sustainable transportation system,” as described on pages 129-138 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is hereby authorized to accept donations in an amount up to \$505,000 from Cincinnati, LLC and to use the funds for the purpose of operating and maintaining the City’s streetcar system.

Section 2. That the Director of Finance is hereby authorized to deposit the donation into Streetcar Operations Fund revenue account no. 455x8645.

Section 3. That the Director of Finance is hereby authorized to transfer, in accordance with agreements with third-party developers, service payments in lieu of taxes for streetcar operations deposited in Urban Redevelopment Tax Increment Equivalent II Fund 763 to Streetcar Operations Fund 455 for the purpose of operating and maintaining the City's streetcar system.

Section 4. That the proper City officials are hereby authorized to do all things necessary and proper to carry out the provisions of Sections 1 through 3 hereof.

Section 5. 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 for the City to accept the described donation and apply it toward streetcar costs incurred by the City in anticipation of the donated funds.

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

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

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