

An Ordinance No. 17

- 2025

AUTHORIZING the City Manager to execute a Funding Agreement with Corryville Community Development Corporation, providing for a grant from the City to fund streetscape and other public infrastructure improvements to public rights-of-way including William H. Taft Road, Auburn Avenue, and McMillan Street in the Corryville neighborhood of Cincinnati; **AUTHORIZING** the transfer and appropriation of the sum of \$1,106,558 from the unappropriated surplus of Corryville Equivalent Fund 488 (Corryville TIF District) to the Department of Community and Economic Development non-personnel operating budget account no. 488x164x7200 to provide resources for streetscape improvements and other public infrastructure improvements along to rights-of-way including William H. Taft Road, Auburn Avenue, and McMillan Street in the Corryville neighborhood of Cincinnati; **AUTHORIZING** the transfer and appropriation of the sum of \$110,000 from the unappropriated surplus of Corryville Equivalent Fund 488 (Corryville TIF District) to the Department of Community and Economic Development personnel operating budget account no. 488x164x7100 to provide staffing resources in support of the streetscape improvements and other public infrastructure improvements to public rights-of-way including William H. Taft Road, Auburn Avenue, and McMillan Street in the Corryville neighborhood of Cincinnati; and further **DECLARING** expenditures from such accounts related to the streetscape and other public infrastructure improvements to public rights-of-way including William H. Taft Road, Auburn Avenue, and McMillan Street in the Corryville neighborhood of Cincinnati, to be a public purpose and constitute a "Public Infrastructure Improvement" (as defined in Ohio Revised Code Section 5709.40(A)(8)) that will benefit and/or serve the District 9-Corryville District Incentive District, subject to compliance with Ohio Revised Code Sections 5709.40 through 5709.43.

WHEREAS, Corryville Community Development Corporation ("Developer") desires to undertake a public infrastructure project adjacent to a forthcoming private development project located at 47 William H. Taft Road, which public infrastructure improvements are to be completed on William H. Taft Road, E. McMillan Street, and Auburn Avenue in the Corryville neighborhood of Cincinnati (the "City ROW"); and

WHEREAS, Developer's public infrastructure project will consist of improvements including the construction of improved sidewalks, crosswalks, and sidewalk lighting, the addition of bump outs for increased pedestrian safety, and the undergrounding of utility poles and infrastructure in the City ROW, at an estimated total cost of approximately \$1,106,558 (the "Public Infrastructure Project"), all as more fully described in the Funding Agreement attached as Attachment A hereto (the "Agreement"); and

WHEREAS, under the proposed Agreement the City will provide a \$1,106,558 grant to Developer to fund the Public Infrastructure Project; and

WHEREAS, pursuant to Ordinance No. 419-2002, passed on December 18, 2002, Council created the District 9-Corryville District Incentive District (the "TIF District") to, in part, fund "Public Infrastructure Improvement[s]" (as defined in Section 5709.40 of the Ohio Revised Code) that benefit or serve the TIF District; and

WHEREAS, the Public Infrastructure Project is located within the boundaries of the TIF District; and

WHEREAS, the proposed expenditures set forth in the Agreement are valid public improvements as they will serve the public purpose of creating jobs and other beneficial economic impacts, supporting the revitalization of the Corryville neighborhood business district, improving conditions for students, faculty, staff, and visitors of the University of Cincinnati; and

WHEREAS, Section 13 of Article VIII of the Ohio Constitution provides that, in order to create or preserve jobs and employment opportunities, and to improve the economic welfare of the people of the state, it is in the public interest and a proper public purpose for the state or its political subdivisions to acquire, construct, enlarge, improve, or equip; and to sell, lease, exchange, or otherwise dispose of, property, structures, equipment, and facilities for industry commerce, distribution, and research; and to make loans and to provide moneys for the acquisition, construction, enlargement, improvement, or equipment of such property, structures, equipment, and facilities; and

WHEREAS, the City believes that the Public Infrastructure Project will benefit and/or serve the TIF District; is in the vital and best interests of the City and health, safety, and welfare of its residents; and is in accordance with the public purposes and provisions of applicable federal, state, and local laws and requirements; 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 execute a Funding Agreement with Corryville Community Development Corporation (“Developer”), in substantially the form attached to this ordinance as Attachment A (the “Agreement”), pursuant to which (a) Developer will complete certain streetscape improvements and other public infrastructure improvements, including the construction of improved sidewalks, crosswalks, and sidewalk lighting, the addition of bump outs for increased pedestrian safety, and the undergrounding of utility poles and infrastructure along William H. Taft Road, E. McMillan Street, and Auburn Avenue (collectively, the “Public Infrastructure Project”); and (b) the City will make a \$1,106,558 grant to support the Public Infrastructure Project.

Section 2. That the Director of Finance is hereby authorized to transfer and appropriate \$1,106,558.00 from the unappropriated surplus of Corryville Equivalent Fund 488 to the

Department of Community and Economic Development non-personnel operating budget account no. 488x164x7200 to provide resources for the Public Infrastructure Project, as allowable by Ohio law and as further described in the Agreement.

Section 3. That the Director of Finance is hereby authorized to transfer and appropriate \$110,000.00 from the unappropriated surplus of Corryville Equivalent Fund 488 to the Department of Community and Economic Development personnel operating budget account no. 488x164x7100 to provide staffing resources in support of the Public Infrastructure Project, as allowable by Ohio law.

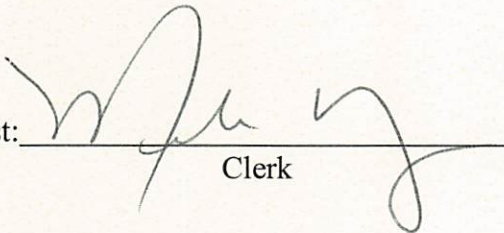
Section 4. That Council hereby declares that (a) the improvements associated with the Public Infrastructure Project constitute a "Public Infrastructure Improvement" (as defined in Section 5709.40(A)(8) of the Ohio Revised Code), that will benefit and/or serve the District 9-Corryville District Incentive District, subject to compliance with Ohio Revised Code Sections 5709.40 through 5709.43; and (b) the Public Infrastructure Improvements serve a public purpose because it will support the revitalization of the Corryville neighborhood business district, improving conditions for students, faculty, staff, and visitors of the University of Cincinnati.

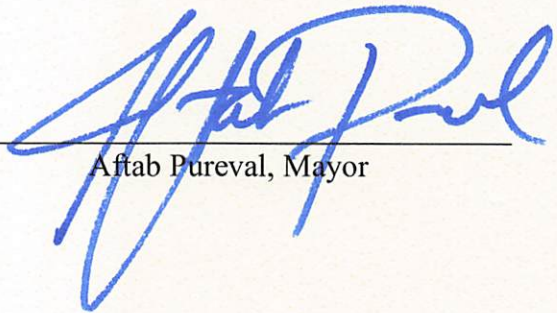
Section 5. That Council authorizes the appropriate City officials to take all necessary and proper actions as they deem necessary or appropriate to fulfill the terms of this ordinance and the Agreement, including, without limitation, executing any and all releases, terminations, closing documents, agreements, amendments, and other instruments pertaining to the Public Infrastructure Project.

Section 6. 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

to enable Developer to move forward with the Public Infrastructure Project as soon as possible, which will result in the improvement of conditions for visitors to the University of Cincinnati and its surrounding areas at the earliest possible date.

Passed: January 29, 2025

Attest: 
Clerk


Aftab Pureval, Mayor

I HEREBY CERTIFY THAT ORDINANCE NO. 17-2025
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 2/11/2025
Melissa Harty
CLERK OF COUNCIL