

EMERGENCY

City of Cincinnati

EVK

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An Ordinance No. 19

- 2024

AMENDING Ordinance No. 289-2018, to remove certain real property located at 3401 Rosenthal Way in the Riverside neighborhood of Cincinnati from the tax increment financing (TIF) exemption area created by that ordinance.

WHEREAS, the City, 3191 River Road LLC, an Ohio limited liability company, and Southside Redevelopment, LLC, an Ohio limited liability company (“Remainder Developer”) are parties to a certain Project Incentive Agreement dated January 18, 2019, pertaining to the multi-phase development located in the Riverside neighborhood of Cincinnati (the “Development Site”); and

WHEREAS, Remainder Developer conveyed a portion of the Development Site, being a vacant parcel located at 3401 Rosenthal Way, as more particularly described on Attachment A hereto (the “Property”), to FG-GBH LLC, an Ohio limited liability company and affiliate of Freestore Foodbank, Inc. (“FG-GBH”), to be used as a community resource and distribution center, including classroom space for free workforce training (the “Project”); and

WHEREAS, on September 19, 2018, Council passed Ordinance No. 289-2018 (the “TIF Ordinance”), to exempt certain real property, including, without limitation, the Property, from real property taxation pursuant to Section 5709.41 of the Revised Code (the “TIF Area”); and

WHEREAS, the City and Remainder Developer entered into a Service Agreement dated January 18, 2019 (the “Service Agreement”), which requires owners of the parcels constituting the Remainder Property (as defined in the Service Agreement) to make service payments in lieu of taxes pursuant to Section 5709.41 of the Revised Code; and

WHEREAS, FG-GBH desires to obtain a real property tax exemption for the Property based on its intent to exclusively use the Property for charitable purposes, and has; therefore, asked the City to remove the Property from the TIF Area; and

WHEREAS, in order to enable FG-GBH to file for a separate real property tax exemption for the Property, Council has determined to amend the TIF Ordinance to remove the Property from the TIF Area, and authorize the City Manager to execute a release of the Service Agreement; now, therefore,

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

Section 1. That Ordinance No. 289-2018, passed on September 19, 2018 (the “TIF Ordinance”), is hereby amended to remove certain real property located at 3401 Rosenthal Way,

as more particularly described on Attachment A hereto (the "Property"), from the property tax exemption area created thereby.

Section 2. That the TIF Ordinance, except as amended herein, shall remain in full force and effect.

Section 3. That the proper City officials are hereby authorized to take all necessary and appropriate actions to fulfill the provisions of this ordinance, including, without limitation, releasing that certain Service Agreement dated January 18, 2019 as it relates to the Property and, in such officials' discretion, the parcel immediately adjacent thereto.

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 to enable FG-GBH LLC to file for a separate real property tax exemption for the Property at the earliest possible time and not incur additional costs.

Passed: January 18, 2024

Jan. Michele Lemoy Kearney
VICE Mayor

Attest: [Signature]
Clerk

I HEREBY CERTIFY THAT ORDINANCE NO 19-2024
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 1/30/2024
Melissa Antley
CLERK OF COUNCIL