

**EMERGENCY**

CNS

- 2024

**APPROVING AND ADOPTING** a Capital Improvement Program and Budget for Fiscal Year 2025, transferring and appropriating taxes and other revenue and existing funds to carry out certain parts of the Capital Improvement Program and to provide for the transfer and appropriation of proceeds from the Cincinnati Southern Railway to other parts of said Capital Improvement Program; **AUTHORIZING** the Director of Finance to establish Fund No. 712, “Railway Trust Infrastructure,” to receive revenue from the Cincinnati Southern Railway Board of Trustees and to make expenditures for the rehabilitation, modernization, or replacement of existing infrastructure improvements; and further **DECLARING** certain projects to be for a public purpose, all to carry out the Capital Improvement Program.

WHEREAS, it is necessary that Council approve the expenditure of funds in existence or in collection for certain capital improvements; and

WHEREAS, in order to present a comprehensive program, it is advisable to authorize the transfer and appropriation to certain capital improvement accounts of funds to be raised by the issuance of bonds of the City; now, therefore,

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

Section 1. That there is adopted and approved as the Capital Improvement Program and Budget for the Fiscal Year 2025 (“FY 2025”) the projects included in Sections 3 through 8 to be established and financed in the amounts and from the sources set forth therein.

Section 2. That the Director of Finance is authorized to establish Fund No. 712, “Railway Trust Infrastructure,” to receive revenue from the Cincinnati Southern Railway Board of Trustees and to make expenditures, pursuant to Ohio Revised Code Section 746.06, for the rehabilitation, modernization, or replacement of existing infrastructure improvements, including but not limited to streets, bridges, municipal buildings, parks and green space, site improvements, recreation facilities, improvements for parking purposes, and any other public facilities that are owned by a municipal corporation with a useful life of five or more years, but expenditures from the fund shall not be used for the construction of new infrastructure improvements or for the

payment of debt service, which means the principal, interest, and redemption premium payments, and any deposits pertaining thereto, required with respect to bonds.

Section 3. That \$2,112,000 from the 0.15 percent income tax is transferred and appropriated to the individual project accounts listed in the attached Schedule A for the improvements listed in Schedule A.

Section 4. That \$23,535,000 from the 0.15 percent income tax is appropriated to the permanent improvement project accounts listed in the attached Schedule B for the permanent improvements listed in Schedule B.

Section 5. That \$33,250,000 to be raised by the issuance of bonds by the City is transferred and appropriated to project accounts according to the attached Schedule C for the improvements listed in Schedule C.

Section 6. That \$29,201,000 in Cincinnati Southern Railway revenue is transferred and appropriated according to the attached Schedule D for the improvements listed in Schedule D.

Section 7. That \$250,000 from the Blue Ash Airport reserve account 757x3475 is transferred and appropriated to the individual project account listed in the attached Schedule E for the improvements listed in Schedule E.

Section 8. That \$17,600,000 from General Fund 050 is transferred and appropriated to the capital project accounts listed in the attached Schedule F for the improvements listed in Schedule F.

Section 9. That the Hazard Abatement/Demolition Program; Affordable Housing Trust Funding – Capital; Strategic Housing Initiatives Program (SHIP); Home Enhancement Loan Program (HELP) – GF; Business Retention/New Growth; Commercial & Industrial Public Improvements; Community Development Focus District; Neighborhood Business District Improvements; Neighborhood Business Property Holding; Retail/Commercial Opportunities;

Viable Small Business Development; Economic Development Initiatives – GF; Property Development Improvements – GF; Neighborhood Business District Improvements – GF; Green Cincinnati Sustainability Initiatives – GF; Community Budget Request Program; Findlay Market Renovations; Lunken Airport Improvements – GF; Duke Street Light Installation and Renovation; Undedicated Street Improvements; and Convention Center Improvements capital improvement program projects are declared to serve a public purpose because the projects will foster local improvements and investment and increase neighborhood vitality.

Section 10. That no expenditure of resources from project accounts shall be made, nor shall expenditures thereof be contracted for, unless the resources have been received by the City or are in the process of collection.

Section 11. That the Director of Finance is authorized to draw her warrant upon the Treasury of the City for the amounts appropriated and for the purposes stated in this ordinance, upon receiving the proper certificates and vouchers approved by the City Manager or the Manager's designee, the appropriate board, or other officers authorized by law to approve the same, or upon receiving the proper certificates and vouchers authorized by an ordinance or resolution of Council to make the expenditures, provided that vouchers for payment out of any of the foregoing appropriations by order of a court decree shall be approved by the City Solicitor in addition to any other authority required by law.

Section 12. That Council authorizes the proper boards or officials to enter into any contract or contracts for any of the projects or parts thereof set forth in the Sections herein. Said board or official shall execute said contracts in accordance with all applicable law, including the charter and ordinances of the City.

Section 13. That appropriations and allocations to the various projects remaining unexpended at the end of FY 2025 shall remain in the individual project accounts and may be

expended at a later time, provided that money not required in a particular project account, as determined by Council, shall be returned by the Director of Finance to the fund from which it was originally transferred.

Section 14. That nothing in this ordinance shall be construed as intending to supersede or dispense with the procedures or acts required by state or federal laws or regulations relating to matters involving assessments or state or federal assistance projects.

Section 15. That Sections 1 through 14 shall become effective as of July 1, 2024.

Section 16. 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 need to have funding in place to carry out the City's Fiscal Year 2025 Capital Improvement Program, which begins July 1, 2024.

Passed: \_\_\_\_\_, 2024

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Aftab Pureval, Mayor

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