

EMERGENCY

City of Cincinnati

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An Ordinance No. 345

- 2024

AMENDING Ordinance No. 169-2024, which authorized the City Manager to accept a cash donation of \$89,000 from the Cincinnati Reds Community Fund and an in-kind donation of goods and professional services from Playground Equipment Services, Inc. valued at up to \$61,000 for the installation of a turf infield at the Bond Hill Recreation Area by correctly identifying the source of the in-kind donation of goods and professional services as the Cincinnati Reds Community Fund; **AUTHORIZING** payment of \$61,000 from Cincinnati Recreation Commission capital improvement program project account no. 980x199x231903, "Athletics Facilities Renovation," and \$89,000 from Cincinnati Recreation Commission capital improvement program project account no. 980x199x241917, "Bond Hill Baseball Field RCF," to Playground Equipment Services, Inc. as a moral obligation for the installation of a turf infield at the Bond Hill Recreation Area sports field and recreation area; and **AUTHORIZING** the City Manager to provide payment of \$150,000 to Playground Equipment Services, Inc. upon its acceptance of the terms and conditions contained in the attached unexecuted proposed contract.

WHEREAS, the Cincinnati Recreation Commission ("CRC") and the Cincinnati Reds Community Fund ("RCF") have been working cooperatively for several years to provide the best baseball and softball experience possible to area youth and adult leagues; and

WHEREAS, the estimated total cost of the installation of a turf infield and revitalization of the ballfield at the Bond Hill Recreation Area was estimated to be \$300,000, which sum consisted of a cash contribution of \$89,000 from the Cincinnati Reds Community Fund, an in-kind contribution from the Cincinnati Reds Community Fund valued at up to \$61,000, and contributions from various existing CRC capital improvement program project accounts of \$150,000; and

WHEREAS, on May 22, 2024, Council passed Ordinance No. 169-2024, which authorized the City Manager to accept a cash donation of \$89,000 from RCF and an in-kind donation of goods and professional services from Playground Equipment Services, Inc. valued at up to \$61,000 for the installation of a turf infield at the Bond Hill Recreation Area; and

WHEREAS, Ordinance No. 169-2024 misidentified Playground Equipment Services, Inc. as the source of the in-kind donation of goods and professional services valued at up to \$61,000, and instead RCF is the correct source of the in-kind donation of goods and services valued at up to \$61,000 for the installation of a turf infield at the Bond Hill Recreation Area; and

WHEREAS, as a condition for the cash donation, RCF required that Playground Equipment Services ("PES") perform the work for the installation of the turf infield at the Bond Hill Recreation Area due to its expertise with such work, and the City approved a direct award to PES in accordance with Cincinnati Municipal Code Section 321-87; and

WHEREAS, PES completed the installation of the turf infield at the Bond Hill Recreation Area before a contract could be executed; and

WHEREAS, CRC staff has been educated on the best practices for coordinating and negotiating contracts prior to the receipt of services to prevent moral obligations in the future; and

WHEREAS, sufficient resources are available in Cincinnati Recreation Commission capital improvement program project account no. 980x199x231903, "Athletics Facilities Renovation," and Cincinnati Recreation Commission capital improvement program project account no. 980x199x241917, "Bond Hill Baseball Field RCF," to pay PES for these services; and

WHEREAS, Council desires to provide payment of \$150,000 to PES for such services and authorizes the City Manager to provide such payment upon PES's acceptance of the terms and conditions contained in the attached unexecuted proposed contract; now, therefore,

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

Section 1. That Sections 1 through 5 of Ordinance No. 169-2024, approved by Council on May 22, 2024, are amended as follows:

Section 1. That the Director of Finance is authorized to establish new capital improvement program project account no. 980x199x241917, "Bond Hill Baseball Field RCF," to provide resources for the installation of a turf infield at the Bond Hill Recreation Area Center.

Section 2. That the City Manager is authorized to accept a donation of \$89,000 from the Reds Community Fund to provide resources for the installation of a turf infield at the Bond Hill Recreation Area Center.

Section 3. That the Director of Finance is authorized to deposit \$89,000 from the Reds Community Fund into Fund 319, "Contributions For Recreation Purposes," to provide resources for the installation of a turf infield at the Bond Hill Recreation Area Center.

Section 4. That the City Manager is authorized to transfer and appropriate \$89,000 from the unappropriated surplus of Fund No. 319 "Contributions for Recreation Purposes" into newly established capital improvement program project account no. 980x199x241917 "Bond Hill Baseball Field RCF," to provide resources for the installation of a turf infield at the Bond Hill Recreation Area Center.

Section 5. That the City Manager is hereby authorized to accept an in-kind donation of goods and professional services from ~~Playground Equipment Services~~ the Reds Community Fund valued at up to \$61,000 for the installation of a turf infield at the Bond Hill Recreation Area.

Section 2. That all terms of Ordinance No. 169-2024 not amended in this ordinance remain in full force and effect.

Section 3. That the Director of Finance is authorized to make a total payment of \$150,000 to Playground Equipment Services, Inc. as follows: \$61,000 from Cincinnati Recreation Commission capital improvement program project account no. 980x199x231903, "Athletics Facilities Renovation," and \$89,000 from Cincinnati Recreation Commission capital improvement program project account no. 980x199x241917, "Bond Hill Baseball Field RCF," in compliance with the provisions of Section 4 of this ordinance and as a moral obligation for services provided to the Cincinnati Recreation Commission.

Section 4. That the City Manager is authorized to provide payment of \$150,000 to Playground Equipment Services, Inc. upon its acceptance of the terms and conditions contained in the attached unexecuted proposed contract.

Section 5. That the proper City officials are authorized to do all things necessary and proper to carry out the provisions of Sections 1 through 4 of this ordinance.

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 the immediate need to pay Playground Equipment Services, Inc. in a timely manner for services provided to the Cincinnati Recreation Commission.

Passed: October 23, 2024

Attest: [Signature]
Clerk

[Signature]
Aftab Pureval, Mayor

HEREBY CERTIFY THAT ORDINANCE NO. 745-2024
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 11/5/2024
[Signature]
CLERK OF COUNCIL

Deletions are struck through. Additions are underlined.