

## EMERGENCY

KKF

- 2022

**AUTHORIZING** the City Manager to accept and deposit a donation in an amount of up to \$1,083,906 from the Cincinnati Parks Foundation, as originally donated by the Western & Southern Financial Fund, into Parks Private Endowment and Donations Fund 430; **AUTHORIZING** the transfer and appropriation of \$1,083,906 from the unappropriated surplus of Parks Private Endowment and Donations Fund 430 to capital improvement program project account no. 980x203x182015, “Lytle Park Improvements,” for the purpose of providing resources for the restoration and improvement of Lytle Park; and **AUTHORIZING** the transfer and appropriation of \$200,000 from the unappropriated surplus of Park Board Permanent Improvement Fund 752 to capital improvement program project account no. 980x203x182015, “Lytle Park Improvements,” for the purpose of providing resources for the restoration and improvement of Lytle Park.

WHEREAS, the Cincinnati Park Board (“Park Board”) facilitated a community engagement process to produce a design and renovation plan (“Plan”) for Lytle Park in collaboration with the Western & Southern Financial Fund (the “Fund”), which included new plazas, brick walkways, a decorative fountain, a running track, new landscape, lighting, and benches; and

WHEREAS, on December 10, 2014, Council approved Ordinance No. 0339-2014, which authorized the City Manager to accept and appropriate a payment in the amount of \$1,111,077.54 from the State of Ohio Department of Transportation to newly established capital improvement program project account no. 980x203x152015, “Lytle Park Improvements,” for the purpose of partially funding the restoration and improvement of Lytle Park following the State of Ohio’s completion of the Lytle Tunnel Rehabilitation Project as compensation for damage to the existing park; and

WHEREAS, on August 9, 2017, Council approved Ordinance No. 0226-2017, which authorized the City Manager to accept and appropriate an amount up to \$1,600,000 from the Cincinnati Parks Foundation, as originally donated by the Fund, to capital improvement program project account no. 980x203x152015, “Lytle Park Improvements,” for the purpose of partially funding the restoration and improvement of Lytle Park; and

WHEREAS, on June 20, 2018, Council approved Ordinance No. 0154-2018, which authorized the City Manager to accept and appropriate an amount up to \$50,000 from the Cincinnati Park Commissioners’ Private Endowment Funds to newly established capital improvement program project account no. 182015, “Lytle Park Improvements,” for the purpose of having necessary funding in place to allow the Park Board to move forward with appropriate contracting in order to stabilize and repair infrastructure at various locations throughout the Park System; and

WHEREAS, the \$50,000 appropriation to capital improvement program project account no. 182015, “Lytle Park Improvements,” will provide resources to make improvements to Lytle Park, including, but not limited to, replacing part of the playground located at Lytle Park that was removed as part of the park renovation; and

WHEREAS, on April 24, 2019, Council approved Ordinance No. 0132-2019, which authorized the City Manager to accept and appropriate an amount up to \$248,390 from the Cincinnati Parks Foundation, as originally donated by the Fund, to capital improvement project account no. 980x203x152015, “Lytle Park Improvements,” for the purpose of providing resources for the restoration and improvement of Lytle Park; and

WHEREAS, the Plan has evolved over time in response to changing conditions around the park, availability of funding, and inflated construction costs, so the Park Board and the Fund entered into a new Memorandum of Understanding (“MOU”) to provide additional funding to complete the Plan, including a new bocce ball court and relocation of a large London Plane tree; and

WHEREAS, under the MOU the parties agreed that the Fund would contribute up to an additional \$1,083,906, inclusive of the \$248,390 already approved, and that the City would contribute an additional \$200,000 to complete the project; and

WHEREAS, the Lytle Park Improvements project was delayed due to litigation but now is cleared to begin; and

WHEREAS, the additional funds under this ordinance will supplement the prior funds received for the project; and

WHEREAS, there are no new FTEs associated with this donation; and

WHEREAS, this ordinance is in accordance with the “Live” goal to “[b]uild a robust public life” and strategy to “[d]evelop and maintain inviting and engaging public spaces that encourage social interaction between different types of people,” as described on pages 147 – 152 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 and deposit a donation in an amount of up to \$1,083,906 from the Cincinnati Parks Foundation, as originally donated by the Western & Southern Financial Fund, into Parks Private Endowment and Donations Fund 430 for the purpose of providing resources for the restoration and improvement of Lytle Park.

Section 2. That the transfer and appropriation of the sum of \$1,083,906 from the unappropriated surplus of Parks Private Endowment and Donations Fund 430 to capital improvement program project account no. 980x203x182015, "Lytle Park Improvements," for the purpose of providing resources for the restoration and improvement of Lytle Park is hereby authorized.

Section 3. That the City Manager is hereby authorized to transfer and appropriate \$200,000 from the unappropriated surplus of Park Board Permanent Improvement Fund 752 to capital improvement program project account no. 980x203x182015, "Lytle Park Improvements," for the purpose of providing resources for the restoration and improvement of Lytle Park.

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

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 to accept this donation and transfer the funding necessary to avoid a disruption in service.

Passed: \_\_\_\_\_, 2022

\_\_\_\_\_  
Aftab Pureval, Mayor

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