

EMERGENCY

CMZ

- 2023

APPROVING AND ADOPTING a Capital Improvement Program and Budget for Fiscal Year 2024, transferring and appropriating taxes and other revenue and existing funds for the purpose of carrying out certain parts of the Capital Improvement Program, and providing for the transfer and appropriation of Cincinnati Southern Railway lease-supported note proceeds to other parts of said Capital Improvement Program; **AUTHORIZING** the transfer and return of \$1,500,000 to source the General Fund 050 from existing capital improvement program project account no. 980x101x231034, “Community Budget Requests - GFCO,” to provide resources for the FY 2024 Operating Budget and Capital Improvement Program; and further **DECLARING** certain projects to be for a public purpose, all for the purpose of carrying 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 of Cincinnati and from Cincinnati Southern Railway lease-supported note proceeds; 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 2024 (“FY 2024”) 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 \$1,500,000 is hereby transferred and returned to source the General Fund 050 from existing capital improvement program project account no. 980x101x231034, “Community Budget Requests - GFCO,” to provide resources for the FY 2024 Operating Budget and Capital Improvement Program.

Section 3. That \$1,300,000 is transferred and appropriated via reprogramming to new capital improvement program project accounts according to Schedule A, attached hereto and by this reference made a part hereof, for the improvements listed in Schedule A.

Section 4. That \$3,309,000 from the 0.15 percent income tax is transferred and appropriated to the individual project accounts listed in Schedule B, attached hereto and by this reference made a part hereof, for the improvements listed in Schedule B.

Section 5. That \$10,691,000 from the 0.15 percent income tax is appropriated to the permanent improvement project accounts listed in Schedule C, attached hereto and by this reference made a part hereof, for the permanent improvements listed in Schedule C.

Section 6. That \$27,800,000 to be raised by the issuance of bonds by the City is transferred and appropriated to existing project accounts according to Schedule D, attached hereto and by this reference made a part hereof, for the improvements listed in Schedule D.

Section 7. That \$26,100,000 in notes and investment earnings from the Cincinnati Southern Railway rollover is transferred and appropriated according to Schedule E, attached hereto and by this reference made a part hereof, for the improvements listed in Schedule E.

Section 8. That \$250,000 from the Blue Ash Airport reserve account 757x3475 is transferred and appropriated to the individual project account listed in Schedule F, attached hereto and by this reference made a part hereof, for the improvements listed in Schedule F.

Section 9. That the Hazard Abatement/Demolition Program; Affordable Housing Trust Funding – Capital; Small Scale Rental Rehab Loan Program; Strategic Housing Initiatives Program (SHIP); Home Enhancement Loan Program (HELP); 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; Community Facility Improvements – Art Museum; Duke Street Light Installation and Renovation; and Convention Center Improvements capital improvement program projects are hereby 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 money from project accounts shall be made, nor shall expenditures thereof be contracted for, unless the money therefore has been received by the City or is 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 therefore 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 therefore 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 hereby 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 of Cincinnati.

Section 13. That appropriations and allocations to the various projects remaining unexpended at the end of FY 2024 shall remain in the individual project accounts and may be expended at a later time; provided, however, 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 hereof shall become effective as of July 1, 2023.

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 2024 Capital Improvement Program, which begins July 1, 2023.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk