

## **EMERGENCY**

**TJL**

**- 2026**

**AUTHORIZING** the City Manager to execute a Funding Agreement with Urban Sites Capital Advisors, LLC providing for a grant from the City to fund design plans and engineering services to facilitate future streetscape improvements and other public infrastructure improvements to public rights-of-way including the portion of Walnut Street located north of E. 14th Street and south of Liberty Street in the Over-the-Rhine neighborhood of Cincinnati; **AUTHORIZING** the transfer and appropriation of the sum of \$87,230 from the unappropriated surplus of the Downtown/OTR East Equivalent Fund 483 (Downtown/OTR East TIF District) to Department of Community and Economic Development non-personnel operating budget account no. 483x164x7400 to provide resources to facilitate future streetscape improvements and other public infrastructure improvements to rights-of-way including the portion of Walnut Street located north of E. 14th Street and south of Liberty Street in the Over-the-Rhine neighborhood of Cincinnati; and further **DECLARING** expenditures from such account related to the design plans and engineering services to facilitate future streetscape improvements and other public infrastructure improvements to public rights-of-way including the portion of Walnut Street located north of E. 14th Street and south of Liberty Street in the Over-the-Rhine neighborhood of Cincinnati, to be a public purpose and constitute a “Public Infrastructure Improvement” (as defined in Ohio Revised Code (“R.C.”) Section 5709.40(A)(8)) that will benefit and/or serve the District 4-Downtown/OTR East District Incentive District, subject to compliance with R.C. Sections 5709.40 through 5709.43.

WHEREAS, Urban Sites Capital Advisors, LLC (“Developer”) desires to obtain design plans and engineering services to facilitate a future streetscape improvement and public infrastructure project adjacent to a forthcoming private development project being undertaken by Lockard, LLC, an affiliated entity of Developer, located at 1422-1450 Walnut Street and 101 E. Liberty Street in the Over-the-Rhine neighborhood of Cincinnati (the “City ROW”); and

WHEREAS, Developer’s public infrastructure project will consist of obtaining designs drawings and schematic plans for future improvements to the City ROW, including concept proposals for the location and construction of future improved sidewalks, crosswalks, sidewalk lighting, utility infrastructure, and elements to increase pedestrian safety in the City ROW, at an estimated total cost of approximately \$87,230 for such pre-development costs (the “Public Infrastructure Project”), all as more fully described in the Funding Agreement attached as Attachment A hereto (the “Agreement”); and

WHEREAS, under the proposed Agreement the City will provide an \$87,230 grant to Developer to fund the Public Infrastructure Project; and

WHEREAS, pursuant to Ordinance No. 414-2002, passed on December 18, 2002, Council created the District 4-Downtown/OTR East District Incentive District (the “TIF District”) to, in part, fund “Public Infrastructure Improvement[s]” (as defined in R.C. Section 5709.40) that benefit or serve the TIF District; and

WHEREAS, the Public Infrastructure Project is located within the boundaries of the TIF District; and

WHEREAS, the proposed expenditures set forth in the Agreement are valid public improvements as they will serve the public purpose of creating jobs and other beneficial economic impacts, supporting the revitalization of the Over-the-Rhine neighborhood, improving conditions for the residents and visitors of Over-the-Rhine; and

WHEREAS, Section 13 of Article VIII of the Ohio Constitution provides that, in order to create or preserve jobs and employment opportunities, and to improve the economic welfare of the people of the state, it is in the public interest and a proper public purpose for the state or its political subdivisions to acquire, construct, enlarge, improve, or equip; and to sell, lease, exchange, or otherwise dispose of, property, structures, equipment, and facilities for industry commerce, distribution, and research; and to make loans and to provide moneys for the acquisition, construction, enlargement, improvement, or equipment of such property, structures, equipment, and facilities; and

WHEREAS, the City believes that the Public Infrastructure Project will benefit and/or serve the TIF District; is in the vital and best interests of the City and health, safety, and welfare of its residents; and is in accordance with the public purposes and provisions of applicable federal, state, and local laws and requirements; and

WHEREAS, providing resources to facilitate future streetscape improvements and other public infrastructure improvements to public rights-of-way including the portion of Walnut Street located north of E. 14th Street and south of Liberty Street in the Over-the-Rhine neighborhood of Cincinnati is in accordance with the “Live” goal to “[c]reate a more livable community” and strategy to “[b]ecome more walkable” as described on pages 156-158 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 execute a Funding Agreement with Urban Sites Capital Advisors, LLC (“Developer”), in substantially the form attached to this ordinance as Attachment A (the “Agreement”), pursuant to which (a) Developer will obtain certain design plans and engineering services to facilitate future streetscape improvements and related public infrastructure improvements including improved sidewalks, crosswalks, sidewalk lighting, utility infrastructure, to public rights-of-way including the portion of Walnut Street located north of E. 14th Street and south of Liberty Street in the Over-the-Rhine neighborhood of Cincinnati

(collectively, such pre-development work being referred to herein as the “Public Infrastructure Project”); and (b) the City will make a \$87,230 grant to support the Public Infrastructure Project.

Section 2. That the Director of Finance is hereby authorized to transfer and appropriate \$87,230 from the unappropriated surplus of the Downtown/OTR East Equivalent Fund 483 (Downtown/OTR East TIF District) to Department of Community and Economic Development non-personnel operating budget account no. 483x164x7400 to provide resources for the Public Infrastructure Project, as allowable by Ohio law and as further described in the Agreement.

Section 3. That Council hereby declares that (a) the improvements associated with the Public Infrastructure Project constitute a “Public Infrastructure Improvement” (as defined in R.C. Section 5709.40(A)(8)), that will benefit and/or serve the District 4-Downtown/OTR East District Incentive District, subject to compliance with R.C. Sections 5709.40 through 5709.43; and (b) the Public Infrastructure Improvements serve a public purpose because it will support the revitalization of the Over-the-Rhine neighborhood, improving conditions for residents and visitors of Over-the-Rhine.

Section 4. That Council authorizes the appropriate City officials to take all necessary and proper actions as they deem necessary or appropriate to fulfill the terms of this ordinance and the Agreement, including, without limitation, executing any and all releases, terminations, closing documents, agreements, amendments, and other instruments pertaining to the Public Infrastructure Project.

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 allow Developer to engage design and engineering service professionals to

enable Developer to move forward with the Public Infrastructure Project as soon as possible, which will result in the stimulation of economic growth in the Over-the-Rhine neighborhood at the earliest possible date.

Passed: \_\_\_\_\_, 2026

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

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