

May 22, 2024

To: Mayor and Members of City Council

202401435

From: Sheryl M. M. Long, City Manager

Subject: Emergency Ordinance – Use of Excess Payments From Project TIFs

Attached is an Emergency Ordinance captioned:

DETERMINING that satisfactory provision has been made for the public improvement needs of parcels within certain project tax increment financing exemptions previously established by the City pursuant to Ohio Revised Code Section 5709.40(B); **APPROVING** the use of excess service payments collected pursuant to such exemptions on additional public infrastructure improvements made, to be made, or in the process of being made, all in support of urban redevelopment within the City; and **AMENDING** Ordinance Nos. 18-2016, 232-2003, 540-2019, 13-2008, 32-2014, 9-2016, 222-2016, 336-2001, 361-2014, 363-2020, and 229-2012 to reflect such determination and use of such excess service payments.

Approval of this Emergency Ordinance determines that satisfactory provision has been made for public improvement needs within certain project tax increment financing exemptions previously established by the City pursuant to Ohio Revised Code (ORC) Section 5709.40(B) and that any excess service payments collected pursuant to these exemptions can be used in support of urban redevelopment within the City. Finally, Ordinance Nos. 18-2016, 232-2003, 540-2019, 13-2008, 32-2014, 9-2016, 222-2016, 336-2001, 361-2014, 363-2020, and 229-2012 are amended to reflect this determination and to allow for the use of excess service payments for urban redevelopment.

In June of 2023, the Ohio General Assembly passed House Bill No. 33 which allowed municipalities defined as an “Impacted City” under ORC Section 1728.01 to pass an ordinance that would authorize additional types of public infrastructure expenditures from public project Tax Increment Financing (TIF) resources collected pursuant to ORC Section 5709.40 if satisfactory provision has been made for the public improvement needs of the parcels identified in the original public project TIF ordinances. The City of Cincinnati has received the “Impacted City” designation under ORC 1728.01 and has identified several public project TIFs where satisfactory provision has been made for their public improvement needs. The public project TIFs impacted by this Emergency Ordinance are included in the table attached to this item. To take advantage of the flexibility of House Bill No. 33, the City must pass an ordinance on or before June 30, 2024.

Approval of this Emergency Ordinance will allow the City to utilize revenues collected from these project TIFs in excess of expenditures for more expansive public infrastructure expenditures in the future.

The reason for the emergency is to enable the Excess TIF Revenues to be used on public infrastructure improvements in support of urban redevelopment at the earliest possible time.

The Administration recommends passage of this Emergency Ordinance.

cc: Andrew M. Dudas, Budget Director
Karen Alder, Finance Director

Attachment