

AUTHORIZING the establishment of new capital improvement program project account no. 980x164x231620, “Emery Theatre-TIF,” for the purpose of providing resources to assist with the acquisition and renovation of the Emery Theatre located at 1112 Walnut Street and 100 East Central Parkway; **AUTHORIZING** the transfer and appropriation of the sum of \$1,000,000 from the unappropriated surplus of Downtown OTR East Equivalent Fund 483 to newly established capital improvement program project account no. 980x164x231620, “Emery Theatre-TIF”; and **DECLARING** that expenditures from newly created capital improvement program project account no. 980x164x231620, “Emery Theatre-TIF,” to be a public purpose and constitute a “Public Infrastructure Improvement” (as defined in Section 5709.40(A)(8) of the Ohio Revised Code), that will benefit and/or serve the District 4-Downtown/OTR East District Incentive District, subject to compliance with Ohio Revised Code Sections 5709.40 through 5709.43.

WHEREAS, the Emery Theatre is an important asset to the City and the community in the heart of Over-the-Rhine (“OTR”); and

WHEREAS, restoration of the Emery Theatre will provide a permanent performance space for The Children’s Theatre of Cincinnati, enhance the revitalization of OTR by connecting the Central Business District and OTR, and is estimated to create approximately 65 full-time temporary construction jobs over the fifteen-month construction period in addition to retaining 32 permanent FTEs; and

WHEREAS, the Department of Community and Economic Development presented the proposed Emery Theatre project to the OTR Community Council on July 25, 2022, and to the Pendleton Community Council on August 1, 2022, garnering support for the project; and

WHEREAS, the OTR Community Council and the Pendleton Community Council have each provided a letter of support for the project; and

WHEREAS, this ordinance is subject to the City's business list, as the development incentive value of \$1,000,000 exceeds \$100,000 in a given year; and

WHEREAS, investing in a permanent performance space for The Children’s Theatre of Cincinnati and the renovation of Emery Theatre is in accordance with the “Compete” goal to “[f]oster a climate conducive to growth, investment, stability, and opportunity,” as described on pages 103-113 of *Plan Cincinnati* (2012); now, therefore,

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

Section 1. That new capital improvement program project account no. 980x164x231620, “Emery Theatre-TIF,” is hereby established for the purpose of providing resources to assist with the acquisition and renovation of the Emery Theatre located at 1112 Walnut Street and 100 East Central Parkway.

Section 2. That the transfer and appropriation of the sum of \$1,000,000 from the unappropriated surplus of Downtown OTR East Equivalent Fund 483 to newly established capital improvement program project account no. 980x164x231620, “Emery Theatre-TIF,” is hereby authorized for the purpose of providing resources for the acquisition and renovation or other public improvement of the Emery Theatre.

Section 3. That Council hereby declares that the “Emery-Theatre-TIF” capital improvement program project (a) constitutes a Public Infrastructure Improvement (as defined in Section 5709.40(A)(8) of the Ohio Revised Code) that will benefit and/or serve the District 4-Downtown/OTR East District Incentive District, subject to compliance with Ohio Revised Code Sections 5709.40 through 5709.43; and (b) serves a public purpose because the project will create jobs, enhance the revitalization of Over-the-Rhine, and provide a permanent space for The Children’s Theatre of Cincinnati.

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 hereof.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk