

EMERGENCY

JWF

- 2025

AMENDING Ordinance 8-2022, as amended by Ordinance No. 118-2024, to reconcile a difference between Ordinance 8-2022, as amended, and the project grant agreement for the scheduled payment of funds awarded to the Western Hills Viaduct project; and **AUTHORIZING** the transfer and appropriation of up to \$29,000,000 from the unappropriated surplus of Fund No. 401, “Transit Infrastructure Fund Grants” to existing capital improvement program project account no. 980x233x222392, “Western Hills Viaduct Transit Grant,” to provide resources for transit-related roadway infrastructure improvements for the Western Hills Viaduct.

WHEREAS, on January 20, 2022, Council passed Ordinance No. 8-2022, which established special revenue fund, Fund No. 401, “Transit Infrastructure Fund Grants,” and authorized the City Manager to accept and deposit a Southwest Ohio Regional Transit Authority (“SORTA”) grant of up to \$205,000,000 to provide resources for transit-related roadway infrastructure improvements for the Western Hills Viaduct; and

WHEREAS, on April 10, 2024, Council passed Ordinance No. 118-2024, which amended Ordinance No. 8-2022, to authorize grant resources of up to \$205,000,000 from the SORTA Transit Infrastructure Fund to be disbursed in the following manner: \$16,400,000 to be deposited into Fund No. 401, “Transit Infrastructure Fund Grants,” followed by twelve annual installments of \$14,500,000 and one final payment of \$14,600,000, totaling up to \$188,600,000, to be assigned to the Transportation Improvement District or its Trustee to pay debt service and related costs on bonds issued for the Western Hills Viaduct project; and

WHEREAS, two of the anticipated twelve annual installments of \$14,500,000, totaling \$29,000,000, will be deposited into Fund No. 401, “Transit Infrastructure Fund Grants,” to provide resources for transit-related roadway infrastructure improvements for the Western Hills Viaduct, instead of being assigned to the Transportation Improvement District or its Trustee to pay debt service and related costs on bonds issued; and

WHEREAS, Council wishes to appropriate up to \$29,000,000 from the unappropriated surplus of Fund No. 401 to existing capital improvement program project account no. 980x233x222392, “Western Hills Viaduct Transit Grant,” to provide resources for transit-related roadway infrastructure improvements for the Western Hills Viaduct; and

WHEREAS, providing resources for transit-related roadway infrastructure improvements for the Western Hills Viaduct is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability” as well as the strategy to “[p]lan, design and implement a safe and sustainable transportation system” as described on pages 129-137 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That Section 7 of Ordinance No. 8-2022, passed by Council on January 20, 2022, and subsequently amended by Ordinance No. 118-2024, passed by Council on April 10, 2024, is amended as follows:

Section 7. That the City Manager is authorized to accept grant resources of up to \$205 million from the SORTA Transit Infrastructure Fund, which will be received in the following manner: ~~\$16,400,000~~ \$45,400,000 to be deposited into Fund No. 401 “Transit Infrastructure Fund Grants,” and ~~twelve~~ ten annual installments of \$14,500,000 and one final payment of \$14,600,000, totaling up to ~~\$188,600,000~~, \$159,600,000, to be assigned to the Transportation Improvement District or its Trustee to be used by the Transportation Improvement District or Trustee to pay debt service and related costs on bonds issued for the Western Hills Viaduct project.

Section 2. That all terms of Ordinance No. 8-2022 not amended by Ordinance No. 118-2024 or this ordinance remain in full force and effect.

Section 3. That the City Manager is authorized to transfer and appropriate up to \$29,000,000 from the unappropriated surplus of Fund No. 401, “Transit Infrastructure Fund Grants,” to existing capital improvement program project account no. 980x233x222392, “Western Hills Viaduct Transit Grant,” to provide resources for transit-related roadway infrastructure improvements for the Western Hills Viaduct.

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.

Section 5. That this ordinance shall be an emergency measure necessary for the preservation of 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 meet federal grant obligation deadlines.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

Deletions are indicated by strikethrough; additions are indicated by underline.