

## EMERGENCY

KKF

- 2025

**ESTABLISHING** new capital improvement program project account no. 980x203x262050, “Eden Park/Playhouse in the Park Steps,” to extend and upgrade existing pedestrian access from Mt. Adams to the Playhouse in the Park located in Eden Park; **AUTHORIZING** the City Manager to accept a donation of up to \$800,000 from the Arn & Neil Bortz Families and the Ed & Pat Sheppard Trust for the Eden Park/Playhouse in the Park Steps project; **AUTHORIZING** the Director of Finance to deposit the donated resources into Park Miscellaneous Revenue and Special Activity Fund revenue account no. 326x8571; **AUTHORIZING** the transfer and appropriation from the unappropriated surplus of Park Miscellaneous Revenue and Special Activity Fund 326 to the newly established capital improvement program project account no. 980x203x262050, “Eden Park/Playhouse in the Park Steps”; **AUTHORIZING** the City Manager to execute a funding agreement with Towne Construction Services to complete the Eden Park/Playhouse in the Park Steps project; **AUTHORIZING** the City Manager to expend resources of up to \$800,000 from capital improvement program project account no. 980x203x262050, “Eden Park/Playhouse in the Park Steps,” for Towne Construction Services to complete the Eden Park/Playhouse in the Park Steps project; and **DECLARING** that expenditures for the Eden Park/Playhouse in the Park Steps project serve a public purpose by extending and upgrading existing pedestrian access from Mt. Adams to the Playhouse in the Park located in Eden Park.

WHEREAS, a generous donation of up to \$800,000 is available from the Arn & Neil Bortz Families and the Ed & Pat Sheppard Trust to extend and upgrade existing pedestrian access from Mt. Adams to the Playhouse in the Park located in Eden Park; and

WHEREAS, as a condition of the donation, the donors require the Cincinnati Park Board to direct the award of the project to Towne Construction Services, which requires Council to authorize the City Manager to execute a funding agreement with Towne Construction Services; and

WHEREAS, this donation does not require matching funds, and there are no new FTEs/full time equivalents associated with this donation; and

WHEREAS, extending and upgrading pedestrian access to the Playhouse in the Park located in Eden Park aligns with the “Sustain” goal to “[p]reserve our natural and built environment” and the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” and the strategy to “[u]nite our communities” as described on pages 193 and 209-211 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. 980x203x262050, “Eden Park/Playhouse in the Park Steps,” is established to extend and upgrade existing pedestrian access from Mt. Adams to the Playhouse in the Park located in Eden Park.

Section 2. That the City Manager is authorized to accept a donation of up to \$800,000 from the Arn & Neil Bortz Families and the Ed & Pat Sheppard Trust for the Eden Park/Playhouse in the Park Steps project.

Section 3. That the Director of Finance is authorized to deposit the donated resources into Park Miscellaneous Revenue and Special Activity Fund revenue account no. 326x8571.

Section 4. That the transfer and appropriation from the unappropriated surplus of Park Miscellaneous Revenue and Special Activity Fund 326 to the newly established capital improvement program project account no. 980x203x262050, "Eden Park/Playhouse in the Park Steps," is authorized to extend and upgrade existing pedestrian access from Mt. Adams to the Playhouse in the Park located in Eden Park.

Section 5. That the City Manager is authorized to execute a funding agreement with Towne Construction Services to complete the Eden Park/Playhouse in the Park Steps project.

Section 6. That the City Manager is authorized to expend resources of up to \$800,000 from capital improvement program project account no. 980x203x262050, "Eden Park/Playhouse in the Park Steps," for Towne Construction Services to complete the Eden Park/Playhouse in the Park Steps project.

Section 7. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Sections 1 through 7.

Section 8. That the extension and upgrading of pedestrian access from Mt. Adams to the Playhouse in the Park located in Eden Park are declared to serve a public purpose.

Section 9. 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 begin work on the project to meet the conditions of the donation.

Passed: \_\_\_\_\_, 2025

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Aftab Pureval, Mayor

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

Clerk

4937-5930-1241, v. 4