

EMERGENCY

City of Cincinnati

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An Ordinance No. _____

- 2020

ESTABLISHING new capital improvement program project account no. 980x101x211033, "Findlay Park Recreation Improvements," for the purpose of partnering with Cincinnati Center City Development Corporation ("3CDC") to provide resources for the design and construction of new state-of-the-art recreation improvements in and around Findlay Park in the Over-The-Rhine neighborhood; **AUTHORIZING** the transfer and appropriation of the sum of \$50,000 from the unappropriated surplus of Downtown/OTR West Equivalent Fund 482 ("Downtown/OTR West TIF District") to newly created capital improvement program project account no. 980x101x211033, "Findlay Park Recreation Improvements," for the purpose of providing resources for the design and construction of such recreation improvements; **AUTHORIZING** the City Manager to accept in-kind donations from 3CDC by providing design, community engagement, and development services to complete the "Findlay Park Recreation Improvements" valued at \$50,000; and **DECLARING** expenditures from capital improvement program project account no. 980x101x211033, "Findlay Park Recreation Improvements," to be for a public purpose.

WHEREAS, the Cincinnati Recreation Commission Findlay and Grant Parks Community Engagement Summary Report, dated August 2019, identified the need for additional recreational improvements in and around Findlay Park (the "Recreation Improvements") to serve Over-The-Rhine and the community; and

WHEREAS, due to the extensive nature of the Recreation Improvements envisioned and the likely complex financing required to complete such improvements, the City will need to engage an experienced development manager to provide design, community engagement, and development services to complete the Recreation Improvements; and

WHEREAS, Cincinnati Center City Development Corporation ("3CDC") is uniquely qualified to act as the development manager for the Recreation Improvements due to its successful experiences designing, planning, and completing redevelopment of public spaces throughout the Central Business District and Over-The-Rhine, including the successful redevelopment of Fountain Square, Washington Park, and Zeigler Park; and

WHEREAS, an estimated \$100,000 is needed to complete the design phase for the Recreation Improvements; and

WHEREAS, 3CDC has agreed to match a City contribution of \$50,000 with an in-kind contribution in order to fully fund the necessary design work; and

WHEREAS, the Recreation Improvements constitute a "Public Infrastructure Improvement" as defined in Section 5709.40(A)(8) of the Ohio Revised Code; and

WHEREAS, Council, by Ordinance No. 413-2002 passed on December 18, 2002, created the District 3-Downtown/OTR West TIF District Incentive District (the "District") to, in part, fund the construction of public infrastructure improvements that benefit or serve the District, and resources totaling \$50,000 are currently available from the District to fund the City's portion of the design phase; now, therefore,

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

Section 1. That Cincinnati Center City Development Corporation ("3CDC") is hereby designated as development manager to oversee design and development of recreation improvements in and around Findlay Park due to its unique and demonstrated experience successfully designing, planning, and completing large-scale redevelopment of public spaces in the Over-The-Rhine neighborhood and the Central Business District.

Section 2. That the Director of Finance is authorized to establish new capital improvement program project account no. 980x101x211033, "Findlay Park Recreation Improvements," for the purpose of providing resources for the cost of completing design work for redevelopment of recreation improvements in and around Findlay Park or for other related hard or soft costs associated with such redevelopment (the "Recreation Improvements").

Section 3. That the transfer and appropriation of \$50,000 from Downtown/OTR West Equivalent Fund 482 to capital improvement program project account no. 980x101x211033, "Findlay Park Recreation Improvements," is hereby authorized for the purpose of providing resources for the costs of completing design work for redevelopment of the Recreation Improvements, as allowable by Ohio law.

Section 4. That Council hereby declares that the Recreation Improvements constitute a "Public Infrastructure Improvement" (as defined by Section 5709.40(A)(8) of the Ohio Revised Code ("ORC")), that will benefit and/or serve the District 3-Downtown/OTR West TIF District

Incentive District, subject to compliance with ORC Sections 5709.40 through 5709.43, because the Recreation Improvements will create recreational amenities for the surrounding area.

Section 5. That the City Manager is hereby authorized to accept in-kind donations from 3CDC by providing design, community engagement, and development services valued at \$50,000 that are necessary to complete the Recreation Improvements.

Section 6. That Council hereby declares that the expenditure of the herein-appropriated funds to provide resources for the Recreation Improvements (i) serves a public purpose because the project will increase neighborhood vitality, and (ii) that the Recreation Improvements are anticipated to have an estimated life or estimated period of usefulness of five years or more.

Section 7. That the proper City officials are hereby authorized to do all things necessary and proper to carry out the provisions of this ordinance including, without limitation, entering into a development manager agreement with 3CDC consistent with this ordinance.

Section 8. 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 commence the design of the Recreation Improvements so that community outreach, design, and construction may occur as quickly as possible.

Passed: _____, 2020

John Cranley, Mayor

Attest: _____
Clerk