

January 5, 2023

To: Mayor and Members of City Council

From: Sherryl M. M. Long, City Manager

202202308

**Subject: Emergency Ordinance – FY 2023 Capital Improvement Program (CIP)
Sunset**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the establishment of capital improvement program project account nos. 980x101x231038, “Martin Luther King, Jr. Monument,” for the purpose of providing resources for a monument to honor the legacy of the Reverend Dr. Martin Luther King, Jr.; 980x164x231636, “Development ROW Improvements,” for the purpose of providing resources to rehabilitate property and infrastructure located within, and adjacent to, the right-of-way on city streets; 980x212x232108, “BuildingBlocks Code Enforcement Interface,” for the purpose of providing resources for a map-based application, equipped to provide advanced data analytics and automated reporting within a single interface, that connects and updates property data held in different systems and formats across departments and agencies; and 980x203x232028, “System Wide Masonry Repairs,” for the purpose of providing resources for removal of safety hazards and restoration of infrastructure including, but not limited to, stone walls, unit pavers, as well as concrete and asphalt hard surfaces throughout the Park System; **AUTHORIZING** the redirection of the sum of \$120,000 in donated resources from the Cincinnati Board of Park Commissioners Private Endowment Funds from capital improvement program project account no. 980x203x182011, “System Wide Masonry Repairs,” to the unappropriated surplus of Parks Private Endowment and Donations Fund 430; **AUTHORIZING** the transfer of and return to source Funds 050, 757, 758, 762, 858, and 871 the sum of \$3,746,443.87 from various General Capital Budget capital improvement program project accounts to close out or decrease certain existing capital improvement program project accounts, according to Section A of the attached Schedule of Transfer; **AUTHORIZING** the transfer of and return to source Funds 102, 103, 302, 318, 430, 481, 482, 483, and 498 the sum of \$2,134,663.71 from various Restricted Funds capital improvement program project accounts to close out or decrease certain existing capital improvement program project accounts, according to Section B of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of the sum of \$4,026,591.23 from the unappropriated surplus of General Capital Funds 050, 757, 758, 762, 858, and 871 to new or existing capital improvement program project accounts to provide resources for certain capital improvement program project accounts, according to Section C

of the attached Schedule of Transfer; AUTHORIZING the transfer and appropriation of the sum of \$1,092,733.40 from the unappropriated surplus of Restricted Capital Funds 302, 430, and 761 to new or existing capital improvement program project accounts to provide resources for certain capital improvement program project accounts, according to Section D of the attached Schedule of Transfer; AUTHORIZING the transfer of and return to source Funds 107 and 846 the sum of \$5,677,384.58 from various Restricted Funds capital improvement program project accounts to close out or decrease certain existing capital improvement program project accounts, according to Section E of the attached Schedule of Transfer; AUTHORIZING the transfer and appropriation of the sum of \$5,677,384.58 from the unappropriated surplus of Restricted Capital Funds 107 and 846 to existing capital improvement program project accounts to provide resources for certain capital improvement program project accounts, according to Section F of the attached Schedule of Transfer; AUTHORIZING the transfer of and return to source of General Fund 050 the sum of \$24,000,000 from various General Capital Budget capital improvement program project accounts to close out or decrease certain existing capital improvement program project accounts, according to Section G of the attached Schedule of Transfer; AUTHORIZING the transfer and appropriation of the sum of \$24,000,000 from the unappropriated surplus of General Fund 050 to new capital improvement program project accounts to provide resources for certain capital improvement program project accounts, according to Section H of the attached Schedule of Transfer; AUTHORIZING the transfer of the sum of \$2,032 from the unappropriated surplus of the Parking System Facilities Fund 102 to reserve account no. 102x3441, "U-Square Garage – Reserve for Capital Projects," for the purpose of dedicating resources for future repairs to the identified garage; AUTHORIZING the transfer and appropriation of \$1,000,000 from the unappropriated surplus of Downtown OTR East Equivalent Fund 483 to the Department of Community and Economic Development non-personnel operating budget account no. 483x164x7200 for the purpose of providing resources to assist with the acquisition and renovation of the Emery Theater located at 1112 Walnut Street and 100 East Central Parkway; AUTHORIZING the acceptance and appropriation of a donation totaling \$67,936.97 from the Cincinnati Recreation Foundation into various existing capital improvement program project accounts as follows: \$3,346 into 980x199x201902, "Aquatics Facilities Renovation"; \$3,025 into 980x199x201903, "Athletics Facilities Renovation"; \$38,540.89 into 980x199x201900, "Outdoor Facilities Renovation"; and \$23,025.08 into 980x199x201913, "Hirsch Walking Trail," for the purpose of providing resources to the Cincinnati Recreation Commission's Capital Improvement Plan; AUTHORIZING the Finance Director to deposit donated sums from the Cincinnati Recreation Foundation into various existing capital improvement program project accounts as follows: \$3,346 into 980x199x201902, "Aquatics Facilities Renovation"; \$3,025 into 980x199x201903, "Athletics Facilities Renovation"; \$38,540.89 into

980x199x201900, "Outdoor Facilities Renovation"; and \$23,025.08 into 980x199x201913, "Hirsch Walking Trail"; and further DECLARING certain projects to be for a public purpose, all for the purpose of carrying out the Capital Improvement Program.

Approval of the annual Capital Sunset Emergency Ordinance would authorize the establishment of new capital improvement program project accounts as well as authorize various adjustments to the City's Capital Improvement Program.

Section A of the attached Schedule of Transfer includes the return of \$3,746,443.87 to various General Capital Budget funding sources. Section B of the attached Schedule of Transfer includes the return of \$2,134,663.71 to various Restricted Funds Capital Budget sources. Resources returned to funding sources can be made available to repay debt service, to address other budgetary needs, and to provide reprogramming resources for the Capital Improvement Program.

Section C of the Schedule of Transfer authorizes the transfer of \$4,026,591.23 from various General Capital Budget funding sources to various new and existing capital improvement program project accounts. Section D authorizes the transfer of \$1,092,773.40 from Restricted Fund Capital Budget funding sources to various new and existing capital improvement program project accounts to provide resources for those accounts.

Section E of the Schedule of Transfer authorizes the return of \$5,677,384.58 to various Stormwater Capital Budget sources. Section F authorizes the transfer and appropriation of \$5,677,384.58 to various new or existing capital improvement program project accounts to better align resources with uses.

Section G of the Schedule of Transfer authorizes the return of \$24,000,000 to various General Capital Budget sources. Section H authorizes the transfer and appropriation of \$24,000,000 to various new or existing capital improvement program project accounts to better align resources with uses.

Schedule of Transfer – Section A

Section A of the attached Schedule of Transfer returns \$3,746,443.87 to various General Capital Budget sources. A significant portion of capital project resources returned to the various funding sources in Section A is no longer needed for their original intended purposes.

1. The sum of \$3,744,600.23 from Funds 050, 757, 758, 762, 858, and 871 will be reprogrammed to fulfill needs in other capital improvement program project accounts, as indicated in Schedule of Transfer - Section C.
2. The balance of \$1,843.64 will remain in the unappropriated surplus of the General Fund.

Schedule of Transfer – Section B

Section B of the Schedule of Transfer returns \$2,134,663.71 to various Restricted Funds Capital Budget sources.

1. From the amount returned to source in Section B, the sum of \$634,144.40 from Funds 302 and 430 will be reprogrammed to fulfill needs in other capital project accounts, as indicated in Schedule of Transfer - Section D.
2. The amount of \$2,032.00 returned to source from Fund 102, will be transferred to the “U-Square Garage – Reserve for Capital Projects” reserve account no. 102x3441, within Parking System Facilities Fund 102, for the purpose of dedicating resources for future repairs to the U-Square Garage, as indicated in Section 11 of the Emergency Ordinance.
3. To better align sources with uses, the sum of \$1,000,000 from Fund 483 will be returned to source from the “Emery Theatre-TIF” capital improvement program project account because the scope of work is not eligible as a capital expense. Therefore, the scope of work is restored in the FY 2023 Downtown/OTR East Equivalent Fund non-personnel operating budget to provide resources to assist with the acquisition and renovation of the Emery Theatre located at 1112 Walnut Street and 100 East Central Parkway, as indicated in Section 12 of the Ordinance.
4. The remaining amounts of \$237,145.76 from Fund 103, \$1,000.00 from Fund 318, \$40,000.00 from Fund 481, \$100,000.00 from Fund 482, \$120,341.35 from Fund 483, and \$0.20 from Fund 498 will be returned to source and remain available in the unappropriated surplus of each fund.

This Emergency Ordinance would also authorize the sum of \$120,000 in donated resources from the Cincinnati Board of Park Commissioners Private Endowment Funds be redirected from capital improvement program project account no. 980x203x182011, “System Wide Masonry Repairs,” to the unappropriated surplus of Parks Private Endowment and Donations Fund 430, as indicated in Section 2 of the Emergency Ordinance.

Schedule of Transfer – Section C

Section C of the Schedule of Transfer will transfer and appropriate \$4,026,591.23 from the unappropriated surplus of General Capital Funds 050, 757, 758, 762, 858, and 871 to new or existing capital improvement program project accounts.

1. A total of \$36,000.00 in General Capital resources will be appropriated to the “Telephone System Upgrades” capital improvement program project account. These resources will be used by Enterprise Technology Solutions (ETS) to provide resources for a Voice over Internet Protocol (VoIP) system to replace legacy telephone systems which are no longer supported by the manufacturer.
2. A total of \$168,382.69 will be appropriated to the “CHRIS Upgrades and Enhancements” capital improvement program project account. These resources will be used by ETS to provide resources to enhance the Cincinnati Human Resources Information System (CHRIS) in order to streamline processes and eliminate paper transactions.
3. \$75,000.00 will be appropriated to the “Lifecycle Asset Acquisition and Replacement” capital improvement program project account. ETS will use these resources to provide resources for the procurement of information systems, personal computers, software, and related equipment.
4. \$992,500.00 will be appropriated to the newly established “Martin Luther King Jr. Monument” capital improvement program project account to provide resources for the installation of a monument honoring Reverend Dr. Martin Luther King, Jr., at the

intersection of Reading Road and Martin Luther King, Jr. Drive. This effectively moves this project scope of work from the Department of Transportation and Engineering (DOTE) to the Office of the City Manager.

5. \$150,000.00 will be appropriated to the “Budget Development and Document and Publication System” capital improvement program project account. The Office of Budget and Evaluation will use these resources for an upgrade to the Cincinnati Budget System and budget document publication software.
6. \$135,000.00 will be appropriated to the “Treasury - Cashier and License System” capital improvement program project account. The Treasury Division of the Department of Finance will use these resources for the upgrade of the current Treasury Division receipting and licensing system.
7. \$6,653.44 will be appropriated to the “DCED Property Improvements” capital improvement program project account. The Department of Community and Economic Development (DCED) will use these resources for permanent improvements to vacant buildings and properties controlled or previously controlled by the Department of Community & Economic Development.
8. \$382,000.00 will be appropriated to the newly established “Development ROW Improvements” capital improvement program project account. The Department of Community and Economic Development (DCED) will use these resources to rehabilitate property adjacent to the right-of-way (ROW) and infrastructure located within the ROW on city streets throughout Cincinnati. \$281,991 of these resources were made available to this project from an incentive recoupment payment that DCED received.
9. \$300,000.00 will be appropriated to the “Oakley Recreation Center” capital improvement program project account. CRC will use these resources for the design and construction of a recreation center in the Oakley neighborhood designed to better meet the current demands and programming needs of the public. The Oakley Recreation Center is anticipated to be larger than the existing center and include a gymnasium and rooms for specific activities, comply with current building codes, and provide Americans with Disabilities Act (ADA) access and life safety requirements.
10. \$1,298,566.94 will be appropriated to the “Smale Riverfront Park” capital improvement program project account. Parks will use these resources for construction of the Smale Riverfront Park extension on Lot 23 of the Banks.
11. \$27,000.00 will be appropriated to the newly established “BuildingBlocks Code Enforcement Interface” capital improvement program project account. The Department of Buildings and Inspections will use these resources to provide a map-based application that connects and updates property data held in different systems and formats across departments and agencies. The program is equipped to provide advanced data analytics and automated reporting within a single interface.
12. \$105,488.16 will be appropriated to the “Wall Stab. & Landslide Correction” capital improvement program project account. DOTE will use these resources for the inspection, repair, rehabilitation, and replacement of retaining walls and appurtenances thereto and to stabilize landslides affecting the right-of-way at various citywide locations.
13. \$300,000.00 will be appropriated to the “City Facility Renovation and Repairs” capital improvement program project account. City Facility Management will use these resources

for the continuation of ongoing repairs, alterations, and upgrades to General Fund City facilities such as those used by Police, Fire, and Public Services.

14. \$50,000.00 will be appropriated to the “Fire Department Fleet and Equipment” capital improvement program project account. The Department of Public Services (DPS) will use these resources for the purchase of replacement automotive and motorized equipment for the Fire Department. This funding will be used to replace vehicles and equipment in any of the following major classes: fire pumpers and ladders, ambulances, as well as large and small specialized equipment.

Schedule of Transfer – Section D

Section D of the Schedule of Transfer will transfer and appropriate \$1,092,773.40 from the unappropriated surplus of the Restricted Capital Funds 302, 430, 761 to new or existing capital improvement program project accounts.

1. \$338,629.00 will be appropriated to the “Strategic Housing Initiative Program” capital improvement program project account. DCED will use these resources for the Strategic Housing Initiatives Program (SHIP), which will offer strategic investment to housing projects throughout the City's neighborhoods. These resources were made available to this project from an incentive recoupment payment that DCED received.
2. \$143,000.00 will be appropriated to the newly established “System Wide Masonry Repairs” capital improvement program project account to provide resources for the removal of safety hazards and restoration of infrastructure, including, but not limited to, stone walls, unit pavers, as well as concrete and asphalt hard surfaces throughout the Park System.
3. \$611,144.40 will be appropriated to the “Wall Stab. & Landslide Correction” capital improvement program project account. DOTE will use these resources for the inspection, repair, rehabilitation, and replacement of retaining walls and appurtenances thereto and provides funding to stabilize landslides affecting the right-of-way at various citywide locations.

Schedule of Transfer – Section E

Section E of the attached Schedule of Transfer returns \$5,677,384.58 to various Capital Budget sources to decrease certain Stormwater Management Utility (SMU) capital improvement program project accounts in order to better align sources with uses, as indicated in Schedule of Transfer - Section F. The transfers between Section E and Section F are budget neutral.

Schedule of Transfer – Section F

Section F of the Schedule of Transfer will transfer and appropriate \$5,677,384.58 from the unappropriated surplus of Restricted Capital Funds 107 and 846 to new or existing capital improvement program project accounts to better align sources with uses for certain Stormwater Management Utility capital improvement program project accounts.

1. \$431,175.73 will be appropriated to the “Stormwater Infrastructure Rehabilitation” capital improvement program project account for the purpose of providing resources for the

rehabilitation and replacement of deteriorated portions of stormwater infrastructure identified in SMU's condition assessment program.

2. \$175,000 will be appropriated to the "Stormwater Infrastructure Rehabilitation" capital improvement program project account for the purpose of providing resources for the rehabilitation and replacement of deteriorated portions of stormwater infrastructure identified in SMU's condition assessment program.
3. \$1,500,000 will be appropriated to the "Stormwater Infrastructure Rehabilitation" capital improvement program project account for the purpose of providing resources for the rehabilitation and replacement of deteriorated portions of stormwater infrastructure identified in SMU's condition assessment program.
4. \$289,854.60 will be appropriated to the "Cincinnati Local Flood Protection Project" capital improvement program project account to provide resources for the utility to assess the condition and rehabilitate flood protection infrastructure that is part of the Cincinnati Local Flood Protection Project (LFPP). Recent inspections by the United States Army Corps of Engineers (USACE) and the draft Phase I Facility Plan identified this work as a high priority.
5. \$307,500.00 will be appropriated to the "Flood Mitigation Program" capital improvement program project account to provide resources to address chronic flooding locations via the purchase of property, building of new infrastructure, and the rehabilitation/replacement of deteriorated portions of existing stormwater infrastructure.
6. \$250,000.00 will be appropriated to the "Barrier Dam Storage Building" capital improvement program project account for the purpose of providing resources to construct a storage building for the Barrier Dam.
7. \$2,000,000.00 will be appropriated to the "Stormwater Infrastructure Rehabilitation" capital improvement program project account for the purpose of providing resources for the construction of new infrastructure and the rehabilitation and replacement of deteriorated portions of stormwater infrastructure identified in SMU's condition assessment program.
8. \$105,000.00 will be appropriated to the "Cincinnati Local Flood Protection Project" capital improvement program project account to provide resources for the utility to assess the condition and rehabilitate flood protection infrastructure that is part of the Cincinnati Local Flood Protection Project (LFPP). Recent inspections by the United States Army Corps of Engineers and the Phase I Facility Plan identified this work as a high priority.
9. \$200,000.00 will be appropriated to the "Stormwater Fleet and Equipment" capital improvement program project account to provide resources to replace Stormwater Management Utility fleet and equipment that is nearing the end of its useful life.
10. \$105,000.00 will be appropriated to the "Linear Asset Condition Assessment" capital improvement program project account to provide resources for SMU to assess the condition of its infrastructure.
11. \$156,240.79 will be appropriated to the "Cincinnati Local Flood Protection Project" capital improvement program project account to provide resources for the utility to assess the condition and rehabilitate flood protection infrastructure that is part of the Cincinnati Local Flood Protection Project (LFPP). Recent inspections by the United States Army Corps of Engineers and the Phase I Facility Plan identified this work as a high priority.
12. \$157,613.46 will be appropriated to the "Stormwater Infrastructure Rehabilitation" capital improvement program project account for the purpose of providing resources for the rehabilitation and replacement of deteriorated portions of stormwater infrastructure identified in SMU's condition assessment program.

Schedule of Transfer – Section G

Section G of the attached Schedule of Transfer returns \$24,000,000 to various Capital Budget sources to close out or decrease certain capital improvement program project accounts in order to better align sources with specific uses, as indicated in Schedule of Transfer - Section G. The transfers between Section G and Section H are budget neutral.

Schedule of Transfer – Section H

Section H of the Schedule of Transfer will transfer and appropriate \$24,000,000 from the unappropriated surplus of the General Fund 050 to new capital improvement program project accounts to better align resources with more specific uses in new capital improvement program project accounts. Each scope of work for these new projects was previously included in a project account with a broader scope. The transfer and appropriation of resources will better confine resources to the intended scopes of work, as specified.

1. The sum of \$5,000,000 will be appropriated to a newly established “Highspeed/Broadband Access - GF” capital improvement program project account for the purpose of providing resources for improvement of broadband or high-speed Internet access to address the digital divide in under-served areas of the City.
2. The amount of \$700,000 will be appropriated to a newly established “Security Camera Upgrades – GF” capital improvement program project account for the purpose of providing resources for camera upgrades at various City facilities.
3. The sum of \$1,000,000 will be appropriated to a new “B&I Permit Software Upgrades - GF” capital improvement program project account for the purpose of providing resources for permit software upgrades in the Department of Buildings and Inspections.
4. The amount of \$2,000,000 will be appropriated to a new “Data Center Infrastructure Replacements-GF” capital improvement program project account for the purpose of replacing infrastructure in the City’s data center.
5. The sum of \$1,200,000 will be appropriated to the newly established “Dyer Sprayground Improvements CBR - GF” capital improvement program project account to provide resources to replace nonfunctional equipment and to repair/replace piping that is leaking and to renovate the existing pool house/restroom building. This request includes funding in response to a community budget request (CBR) to fix the restroom building after it was vandalized and left inoperable.
6. The amount of \$500,000 will be appropriated to the “California Woods - GF” capital improvement program project account for the purpose of providing resources for the renovation and restoration of various features at the California Woods Nature Preserve.
7. The amount of \$500,000 will be appropriated to the “Daniel Drake Park Restoration - GF” capital improvement program project for the renovation and restoration of various features at Daniel Drake Park.
8. The amount of \$500,000 will be appropriated to a new “Urban Tree Canopy - GF” capital improvement program project account for the purpose of providing resources to expand the Urban Tree Canopy Reforestation project.
9. The amount of \$4,000,000 will be appropriated to the “Street Rehabilitation - GF” capital improvement program project for the purpose of providing resources for the systematic repair and resurfacing of streets throughout the City under the Street Rehabilitation Program. This project supports repairs to curbs, pavements, and resurfacing the roadway.

Project funds are also used to match funding from other sources including the Ohio Public Works Commission (OPWC) and the Ohio Department of Transportation (ODOT). These leveraged funds are used to rehabilitate additional lane miles. This project supports the labor, materials, and technologies needed to plan, design, build, and inspect this construction.

10. The sum of \$1,500,000 will be appropriated to a new “Hillside Stairway Rehabilitation - GF” capital improvement program project account for the purpose of providing resources for hillside stairway rehabilitation with a focus on disadvantaged areas of the City.
11. The sum of \$2,000,000 will be appropriated to a new “Regional Target Gun Range - GF” capital improvement program project account for the purpose of providing resources for the City’s contribution to a regional gun range.
12. The sum of \$3,400,000 will be appropriated to a new “Fire Training Facility/Tower - GF” capital improvement program project account to supplement the previous \$10,000,000 appropriation to a Fire Training Facility capital improvement program project account in FY 2019.
13. The amount of \$700,000 will be appropriated to a new “Crest Smile Shoppe Relocation – GF” capital improvement program project account for the purpose of providing resources for the relocation of the Crest Smile Shoppe to the Clement Health Center.
14. The amount of \$1,000,000 will be appropriated to a new “Price Hill Health Center Improvements-GF” capital improvement program project account for the purpose of providing resources for addressing deferred maintenance and implementing various improvements at the Price Hill Health Center.

This Emergency Ordinance will also authorize the acceptance and appropriation of \$67,936.97 from the Cincinnati Recreation Foundation to various existing capital project accounts.

This Emergency Ordinance will declare certain projects to be for a public purpose.

Authorizing Capital Sunset activities is in accordance with the “Sustain” goal to “[m]anage our financial resources,” as well as the strategies to “[b]etter coordinate our capital improvement spending,” and “[s]pend public funds more strategically” as described on pages 199-205 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to provide resources for the Capital Improvement Program.

The Administration recommends passage of this Emergency Ordinance.

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



Attachments