

EMERGENCY

City of Cincinnati

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An Ordinance No. 8

- 2022

ESTABLISHING new special revenue fund, Fund No. 401, "Transit Infrastructure Fund Grants," for the purpose of receiving and depositing grant resources from the Southwest Ohio Regional Transit Authority ("SORTA") Transit Infrastructure Fund program to be used for transit-related roadway infrastructure improvements in the City of Cincinnati and the repayment of debt service for transit-related roadway infrastructure improvements, including the Western Hills Viaduct; **ESTABLISHING** new capital improvement program project account no. 980x233x222388, "Beekman Street Transit Grant," for the purpose of providing resources for improvements including, but not limited to, street rehabilitation, retaining wall rehabilitation, and pedestrian safety on Beekman Avenue from Hopple Street to Elmore Street; **ESTABLISHING** new capital improvement program project account no. 980x233x222389, "Paxton Avenue Transit Grant," for the purpose of providing resources for improvements including, but not limited to, street rehabilitation and intersection improvements on Paxton Avenue from Wasson Road to Marburg Avenue; **ESTABLISHING** new capital improvement program project account no. 980x233x222393, "Warsaw Avenue Transit Grant," for the purpose of providing resources for improvements including, but not limited to, street rehabilitation, restriping, and pedestrian safety on Warsaw Avenue from Glenway Avenue to Grand Avenue; **ESTABLISHING** new capital improvement program project account no. 980x233x222391, "River Road Transit Grant," for the purpose of providing resources for improvements including, but not limited to, street rehabilitation and restriping on River Road from Fairbanks Avenue to Anderson Ferry Road; **ESTABLISHING** new capital improvement program project account no. 980x233x222392, "Western Hills Viaduct Transit Grant," for the purpose of providing resources for improvements including, but not limited to, the demolition and construction of the Western Hills Viaduct project; **AUTHORIZING** the City Manager to accept and deposit into Fund No. 401, "Transit Infrastructure Fund Grants," grant resources totaling up to \$205 million from the SORTA Transit Infrastructure Fund program, which will be received over 25 years at a rate of \$8.2 million per year for the Western Hills Viaduct project; **AUTHORIZING** the City Manager to accept and deposit into Fund No. 401, "Transit Infrastructure Fund Grants," grant resources totaling up to \$7.21 million from the SORTA Transit Infrastructure Fund for various other capital improvement projects; **AUTHORIZING** the City Manager to transfer and appropriate up to \$15.41 million from the unappropriated surplus of Fund No. 401, "Transit Infrastructure Fund Grants," to newly established capital improvement program project accounts according to the attached schedule of transfer; **AUTHORIZING** the City Manager to enter into any necessary agreements to accept grant resources.

WHEREAS, a new fund is necessary to provide for the receipt and deposit of grant resources from the Southwest Ohio Regional Transit Authority ("SORTA") Transit Infrastructure Fund program to be used for transit-related roadway infrastructure improvements in the City of Cincinnati and the repayment of debt service for transit related roadway infrastructure improvements, including the Western Hills Viaduct; and

WHEREAS, on June 9, 2021, Council approved Ordinance No. 0221-2021, which authorized the City Manager to apply for grants awarded by the SORTA Transit Infrastructure Fund for the purpose of ensuring the timely completion of various road and bridge construction projects throughout the City; and

WHEREAS, the Department of Transportation and Engineering (“DOTE”) was awarded the grant; and

WHEREAS, excluding the award for the Western Hills Viaduct, local matching resources totaling \$5.86 million will come from existing and future Street Rehabilitation capital improvement program project accounts, in addition to grant resources provided by the Ohio Department of Transportation Urban Paving Program in an amount of up to \$1.35 million as authorized for River Road, per Ordinance No. 0316-2021; and

WHEREAS, DOTE will be required to provide capital resources for all cost overruns associated with the Western Hills Viaduct project as well as ineligible costs, including expenditures for improvements beyond basic requirements for infrastructure repair and post-construction restoration, with examples including but not limited to: (a) ornamental plants (other than trees) or structures; (b) decorative signs and other decorative items; (c) construction engineering and management; and (d) limited access highways, classified as Class 1 (such as I-275, I-75, I-74 and I-71); and

WHEREAS, there are no new FTE requirements associated with this grant; and

WHEREAS, utilizing Transit Infrastructure Fund program grant resources to support transit-related projects is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability,” as described on pages 129-138 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That Fund No. 401, “Transit Infrastructure Fund Grants,” is hereby established for the purpose of receiving and depositing grant resources from the Southwest Ohio Regional Transit Authority (“SORTA”) Transit Infrastructure Fund program to be used for transit-related roadway infrastructure improvements in the City of Cincinnati and the repayment of debt service for transit-related roadway infrastructure improvements, including the Western Hills Viaduct.

Section 2. That Council hereby authorizes the establishment of capital improvement program project account no. 980x233x222388, “Beekman Street Transit Grant,” for the purpose of providing resources for improvements including, but not limited to, street rehabilitation,

retaining wall rehabilitation, and pedestrian safety on Beekman Avenue from Hopple Street to Elmore Street.

Section 3. That Council hereby authorizes the establishment of capital improvement program project account no. 980x233x222389, "Paxton Avenue Transit Grant," for the purpose of providing resources for improvements including, but not limited to, street rehabilitation and intersection improvements on Paxton Avenue from Wasson Road to Marburg Avenue.

Section 4. That Council hereby authorizes the establishment of capital improvement program project account no. 980x233x222393, "Warsaw Avenue Transit Grant," for the purpose of providing resources for improvements including, but not limited to, street rehabilitation, restriping, and pedestrian safety on Warsaw Avenue from Glenway Avenue to Grand Avenue.

Section 5. That Council hereby authorizes the establishment of capital improvement program project account no. 980x233x222391, "River Road Transit Grant," for the purpose of providing resources for improvements including, but not limited to, street rehabilitation and restriping from Fairbanks Avenue to Anderson Ferry Road.

Section 6. That Council hereby authorizes the establishment of capital improvement program project account no. 980x233x222392, "Western Hills Viaduct Transit Grant," for the purpose of providing resources for improvements including, but not limited to, the demolition and construction of the Western Hills Viaduct project.

Section 7. That the City Manager is authorized to accept and deposit into Fund No. 401, "Transit Infrastructure Fund Grants," grant resources of up to \$205 million from the SORTA Transit Infrastructure Fund, which will be received over 25 years at a rate of \$8.2 million per year for the Western Hills Viaduct project.

Section 8. That the City Manager is authorized to accept and deposit into Fund No. 401, "Transit Infrastructure Fund Grants," grant resources of up to \$7.21 million from the SORTA Transit Infrastructure Fund for various other capital improvement projects.

Section 9. That the City Manager is authorized to transfer and appropriate up to \$15.41 million from the unappropriated surplus of Fund No. 401, "Transit Infrastructure Fund Grants," to newly established capital improvement program project accounts, according to the attached schedule of transfer.

Section 10. That the City Manager is authorized to enter into any agreements necessary for the receipt and administration of these grant resources.

Section 11. That the proper City officials are hereby authorized to do all things necessary and proper to carry out the terms of Sections 1 through 10 hereof.

Section 12. 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 accept and appropriate grant resources.

Passed: January 20, 2022

Jan. Michele Lemor Kearney
VICE - Mayor

Attest: Nicole Maynard
Acting Clerk

I HEREBY CERTIFY THAT ORDINANCE NO 8-2022
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 3-1-2022
Melissa Antley
CLERK OF COUNCIL