**EMERGENCY**

# City of Cincinnati

AWG/EESW

**KKF**

# An Ordinance No. ____________

**-2021**

**AUTHORIZING** the establishment of capital improvement program project account no. 980x164x221619, "Findlay Market Improvements – TIF," for the purpose of providing tax increment financing resources for necessary permanent improvements at City-owned Findlay Market; AUTHORIZING the transfer and appropriation of the sum of $500,000 from the unappropriated surplus of the Downtown/OTR West Equivalent Fund 482 to newly established capital improvement program project account no. 980x164x221619, "Findlay Market Improvements – TIF," for the purpose of providing resources for permanent improvements for the renovation and equipping of Findlay Market; AUTHORIZING the establishment of capital improvement program project account no. 980x164x221620, "Findlay Market Renovations," for the purpose of providing resources for permanent improvements to Findlay Market; AUTHORIZING the transfer and return to source of $500,000 from existing capital improvement program project no. 980x255x212508, "Obsolete Air Conditioning Systems Replacement," to the unappropriated surplus of Public Building Improvement Bond Fund 861; AUTHORIZING the transfer and appropriation of $500,000 from the unappropriated surplus of Public Building Improvement Bond Fund 861 to newly established capital improvement program project account no. 980x164x221620, "Findlay Market Renovations" for the purpose of providing resources for necessary permanent improvements for the renovation and equipping of Findlay Market; and DECLARING expenditures from capital improvement program project account nos. 980x164x221619, "Findlay Market Improvements – TIF," and 980x164x221620, "Findlay Market Renovations," to be for a public purpose because they will provide improvements to City-owned historic Findlay Market and enable it to stay open to the public.

WHEREAS, Findlay Market is a City-owned vibrant, historic asset in the community; and

WHEREAS, The Corporation for Findlay Market, the private non-profit organization responsible for the day-to-day operations of Findlay Market pursuant to a Lease and Management Agreement with the City, has made a request for capital funding for improvements to Findlay Market necessary to keep it operational and open to the public; and

WHEREAS, anticipated improvements to Findlay Market include refrigeration replacements, HVAC replacement, walk-in refrigeration condenser units, automatic doors, and market signage replacements; and

WHEREAS, the project will serve a public purpose because it will provide improvements to the City-owned historic Findlay Market which will enable it to stay open to the public; and

WHEREAS, the capital improvement projects and necessary renovations enabled by this ordinance are in accordance with the "Compete" goal to "[c]ultivate our position as the most vibrant and economically healthiest part of our region" as described on pages 114-117 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the Finance Director is hereby authorized to establish capital improvement program project account no. 980x164x221619, "Findlay Market Improvements – TIF," for the purpose of providing tax increment financing resources for necessary permanent improvements at City-owned Findlay Market.

Section 2. That the transfer and appropriation of the sum of $500,000 from the unappropriated surplus of the Downtown/OTR West Equivalent Fund 482 to newly established capital improvement program project account no. 980x164x221619, "Findlay Market Improvements – TIF," is hereby authorized for the purpose of providing resources for permanent improvements for the renovation and equipping of Findlay Market.

Section 3. That Council hereby declares that the permanent improvements for the renovation and equipping Findlay Market collectively 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.

Section 4. That the Finance Director is hereby authorized to establish capital improvement program project account no. 980x164x221620, "Findlay Market Renovations," for the purpose of providing resources for permanent improvements to Findlay Market.

Section 5. That the transfer and return to source of $500,000 from capital improvement program project no. 980x255x212508, "Obsolete Air Conditioning Systems Replacement," to the unappropriated surplus of Public Building Improvement Bond Fund 861 is hereby authorized.

Section 6. That the transfer and appropriation of $500,000 from the unappropriated surplus of Public Building Improvement Bond Fund 861 to newly established capital improvement program project account no. 980x164x221620, "Findlay Market Renovations," is hereby authorized for the purpose of providing resources for necessary permanent improvements for the renovation and equipping of Findlay Market.

Section 7. That the expenditures from capital improvement program project account nos. 980x164x221619, "Findlay Market Improvements – TIF," and 980x164x221620, "Findlay Market Renovations," are hereby declared to serve a public purpose in that it will provide improvements to City-owned historic Findlay Market and enable it to stay open to the public.

Section 8. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Sections 1 through 7 hereof.

Sections 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 start Findlay Market improvements as soon as possible and enable it to stay open to the public.

Passed: ______________________________, 2021

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John Cranley, Mayor

Attest: ______________________________
Clerk