

December 1, 2021

To: Mayor and Members of City Council

From: Paula Boggs Muething, City Manager *PM* 202103158

Subject: Emergency Ordinance – FY 2022 Capital Improvement Program Sunset

Attached is an Emergency Ordinance captioned:

AUTHORIZING the establishment of capital improvement program project account nos. 980x091x220915, "Workflow Management System"; 980x101x221023, "Wheelchair Accessible Taxicabs"; 980x133x221301, "County Residual TOT Commitment"; 980x133x221302, "FCC TOT Bond Repayment Commitment"; 980x164x221617, "Roselawn Strategic Property Development"; 980x164x221618, "Development ROW Improvements"; 980x233x222351, "Streetcar System"; 980x234x222352, "FAA/ODOT Local Match"; and 980x311x224101, "Stormwater Fleet and Equipment"; **AUTHORIZING** the transfer and return to source Funds 757, 758, 816, 858, 864, and 870 the sum of \$2,081,362.80 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 1 of the attached Schedule of Transfer; **AUTHORIZING** the transfer and return to source Funds 102, 104, 107, 430, 455, 482, 486, 883, 846, and 862 the sum of \$6,128,982.36 from various Restricted Funds capital improvement program project accounts to close out or decrease certain existing capital improvement program project accounts, according to Section 2 of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of the sum of \$1,837,188.77 from the unappropriated surplus of General Capital Funds 757, 758, 858, 861, 864, and 870 to new or existing capital improvement program project accounts to provide resources for certain capital improvement program project accounts, according to Section 3 of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of the sum of \$5,906,519.80 from the unappropriated surplus of Restricted Capital Funds 104, 107, 455, and 846 to new or existing capital improvement program project accounts to provide resources for certain capital improvement program project accounts, according to Section 4 of the attached Schedule of Transfer; **AUTHORIZING** the transfer and return to source Funds 050, 757, 758, 761, 826, 861, and 873 the sum of \$14,398,786.60 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 5 of the attached Schedule of Transfer; AUTHORIZING the transfer and appropriation of the sum of \$14,398,786.60 from the unappropriated surplus of General Capital Funds 050, 757, 758, 761, 826, 861, and 873 to new or existing capital improvement program project accounts to better align resources with uses for certain capital improvement program project accounts, according to Section 6 of the attached Schedule of Transfer; AUTHORIZING the redirection of the sum of \$3,635.31 in donated resources from the Cincinnati Board of Park Commissioners Private Endowment Funds from capital improvement program project account no. 980x203x182016, "Mt. Storm Improvements," to the unappropriated surplus of Parks Private Endowment and Donations Fund 430; AUTHORIZING the transfer and appropriation of \$65,000 from the unappropriated surplus of the General Fund to the Office of Environment and Sustainability's General Fund non-personnel operating budget account no. 050x104x7200 for the purpose of providing resources for continuing operations and maintenance of methane gas and leachate collection systems at the former Center Hill Landfill to comply with state and federal solid waste regulations; AUTHORIZING the transfer and appropriation of \$54,000 from the unappropriated surplus of Parking System Facilities Fund 102 to the Parking Facilities non-personnel operating budget account no. 102x248x7200 for the purpose of providing resources to conduct a feasibility study on the Town Center Garage; and further DECLARING certain projects to be for a public purpose, all for the purpose of carrying out the Capital Improvement Program.

Section 1 of the attached Schedule of Transfer includes the return of \$2,081,362.80 to various General Capital Budget funding sources. Section 2 of the attached Schedule of Transfer includes the return of \$6,128,982.36 to various Restricted Funds Capital Budget sources. Returning resources to capital improvement program funding sources can be made available to repay debt service, to address other capital needs, and to provide reprogramming resources for the Fiscal Year (FY) 2023 Capital Improvement Program.

Section 3 of the Schedule of Transfer authorizes the transfer of \$1,837,188.77 from various General Capital Budget funding sources to various new and existing capital improvement program project accounts. Section 4 authorizes the transfer of \$5,906,519.80 from Restricted Fund Capital Budget funding sources to various new and existing capital improvement program project accounts to provide resources for those accounts.

Section 5 of the Schedule of Transfer authorizes the return of \$14,398,786.60 to various General Capital Budget sources. Section 6 authorizes the transfer and appropriation of \$14,398,786.60 to various new or existing capital improvement program project accounts to better align resources with uses.

Schedule of Transfer – Section 1

Section 1 of the attached Schedule of Transfer returns \$2,081,362.80 to various General Capital Budget sources. A significant portion of capital project resources returned to the various funding sources in Section 1 is no longer needed for their original intended purposes.

1. The sum of \$1,837,188.77 from Funds 757, 758, 858, 861, 864, and 870 will be reprogrammed to fulfill needs in other capital improvement program project accounts, as indicated in Schedule of Transfer - Section 3.
2. To better align sources with uses, the sum of \$65,000.00 will be returned to source from the "Center Hill Gas & Leachate" capital improvement program project account and restored in the FY 2022 operating budget for the Office of Environment and Sustainability to provide resources for the continuing operations and maintenance of methane gas and leachate collection systems at the former Center Hill Landfill.
3. The amount of \$154,174.03 from Fund 816 will be returned to source and used to repay debt service. These resources were issued for a project-specific scope of work. Because that project-specific scope of work is complete, these resources are not available for reprogramming.

Schedule of Transfer – Section 2

Section 2 of the Schedule of Transfer returns \$6,128,982.36 to various Restricted Funds Capital Budget sources.

1. From the amount returned to source in Section 2, the sum of \$5,906,519.80 from Funds 104, 107, 455, and 846 will be reprogrammed to fulfill needs in other capital project accounts, as indicated in Schedule of Transfer - Section 4.
2. To better align sources with uses, the sum of \$54,000.00 from Fund 102 will be returned to source from the "Structural Maintenance & Repair" capital project account and restored in the FY 2022 Parking System Facilities operating budget to provide resources to conduct a feasibility study on the Town Center Garage.
3. The amount of \$40,077.39 from Fund 862 will be returned to source and used to repay debt service. These resources were issued for a project-specific scope of work. Because that project-specific scope of work is complete, these resources are not available for reprogramming.
4. The remaining amounts of \$800.52 from Fund 430, \$2,874.09 from Fund 482, \$124,639.74 from Fund 486, and \$70.82 from Fund 883 will be returned to source and remain available in the unappropriated surplus.

Schedule of Transfer – Section 3

Section 3 of the Schedule of Transfer will transfer and appropriate \$1,837,188.77 from the unappropriated surplus of General Capital Funds 757, 758, 858, 861, 864, and 870 to new or existing capital improvement program project accounts.

1. A total of \$6,031.62 in General Capital resources will be appropriated to the "Enterprise Networks Enhancements" capital project account. These resources will be used by Enterprise Technology Solutions (ETS) to implement a multi-year strategy for upgrading the City's communications network.
2. A total of \$30,000.85 will be appropriated to the "Digital Services Enhancements" capital project account. These resources will be used by ETS to use information technology to support government operations, engage citizens, and provide government services online.
3. \$100,707.17 will be appropriated to the newly established "Workflow Management System" capital project account in ETS to provide an Enterprise information platform that enables the management of process workflows, content, and documents to facilitate more efficient and effective business operations across City departments.
4. \$101,267.60 will be appropriated to the "Lifecycle Asset Replacement" capital project account. ETS will use these resources to provide for information systems, personal computer replacements, and software.
5. \$44,905.70 will be appropriated to the "800 MHz Microwave Radio Network Replacement" capital project account. These resources will be used by ETS to replace microwave dishes and related equipment within the City's Radio Communications System.
6. \$400,000.00 will be appropriated to the newly established "County Residual TOT Commitment" capital project account. These resources will be used by Accounts and Audits to supplement the County Residual Account Balance when Transient Occupancy Tax (TOT) revenues are insufficient, as required by the Cooperative Agreement with the Convention Facilities Authority for Hamilton County.
7. \$250,000.00 will be appropriated to the newly established "FCC TOT Bond Repayment Commitment" capital project account. Accounts and Audits will use these resources to support debt service on the Fussball Club Cincinnati Public Improvement Transient Occupancy Tax (TOT) Bonds, as committed by the City when TOT residual revenues are insufficient to cover the City's contribution to the debt service.
8. \$276,622.30 will be appropriated to the newly established "Development ROW Improvements" capital project. 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.
9. \$40,314.22 will be appropriated to the "Street Rehabilitation" capital project account. The Department of Transportation and Engineering (DOTE) needs these resources to repair and resurface streets throughout the City under the Street Rehabilitation Program. This sum is anticipated to cover the cost of a friction treatment installation on a portion of Harrison Avenue.
10. \$121,000 will be appropriated to the "Pedestrian Safety Improvements" capital project. DOTE will use these resources to make improvements to the pedestrian experience during or after the street rehabilitation process.
11. \$137,000.00 will be appropriated to the "Wall Stab. & Landslide Correction" capital project. DOTE will use these resources to inspect, repair, rehabilitate, and replace retaining walls and appurtenances thereto and stabilize landslides affecting the right-of-way at various citywide locations. This amount will restore the sum previously lost due to fraudulent activity against the City.

12. \$29,339.31 will be appropriated to the "Hillside Stairway Rehabilitation Program" capital project. DOTE will use these resources to inspect, repair, rehabilitate, replace, and/or remove the City's hillside stairways.
13. \$300,000.00 will be appropriated to the "City Facility Renovation and Repairs" capital project. City Facility Management will use these resources to continue ongoing repairs, alterations, and upgrades to General Fund facilities such as those used by Police, Fire, and Public Services. This sum is specifically intended to offset renovation costs at the former Permit Center related to locating the Crime Gun Intelligence Center (CGIC) within this facility during FY 2021.

Schedule of Transfer – Section 4

Section 4 of the Schedule of Transfer will transfer and appropriate \$5,906,519.80 from the unappropriated surplus of the Restricted Capital Funds 104, 107, 455, and 846 to new or existing capital improvement program project accounts.

1. \$2,496,573.80 will be appropriated to the newly established "Streetcar System" capital project. DOTE will use these resources for the Cincinnati Streetcar system, including infrastructure improvements, major repairs, system enhancements, and replacement components.
2. \$41,208.25 will be appropriated to the "General Aviation Motorized Equipment" project. DOTE will use these resources to acquire motorized vehicles and maintenance equipment for utilization at Lunken Airport.
3. \$667,449.10 will be appropriated to the "Airport Infrastructure Improvements" capital project. DOTE will use these resources to make improvements to Lunken Airport that are not typically funded by the Federal Aviation Administration (FAA) or Ohio Department of Transportation (ODOT). This allocation is anticipated to cover the cost of runway improvements necessary to support future hangar development at Lunken Airport.
4. \$237,599.30 will be appropriated to the newly established "FAA/ODOT Local Match" capital project. These resources will be used as matching funds for capital projects, which involve Federal Aviation Administration (FAA) and Ohio Department of Transportation (ODOT) grant funding that covers expenditures such as equipment, engineering, and construction items.
5. \$573,493.45 will be appropriated to the "Flood Mitigation Program" capital project. The Stormwater Management Utility (SMU) will use these resources to address chronic flooding locations via the purchase of property, building new infrastructure, and rehabilitation/replacement of deteriorated portions of existing stormwater infrastructure.
6. \$134,568.49 will be appropriated to the "Cincinnati Local Flood Protection Project" to assess conditions and rehabilitate flood protection infrastructure.
7. \$742,148.27 will be appropriated to the "Stormwater Infrastructure Rehabilitation" capital project. SMU will use these resources to conduct asset condition assessments, construct new infrastructure, and rehabilitate/replace deteriorated portions of existing infrastructure.
8. \$300,000.00 will be appropriated to the newly established "Stormwater Fleet and Equipment" capital project. SMU will use these resources for vehicles and equipment necessary to support Stormwater Management operations.

9. \$213,479.14 will be appropriated to the “Cincinnati Local Flood Protection” capital project. These resources will be used to conduct asset condition assessments and rehabilitate portions of existing flood protection infrastructure.
10. \$500,000.00 will be appropriated to the “Stormwater Infrastructure Rehabilitation” capital project. SMU will use these resources to conduct asset condition assessments, construct new infrastructure, and rehabilitate/replace deteriorated portions of existing infrastructure.

Schedule of Transfer – Section 5

Section 5 of the attached Schedule of Transfer returns \$14,398,786.60 to various Capital Budget sources to close out or decrease certain capital improvement program project accounts in order to better align sources with uses, as indicated in Schedule of Transfer - Section 6. The transfers between Section 5 and Section 6 are budget neutral for each project.

Schedule of Transfer – Section 6

Section 6 of the Schedule of Transfer will transfer and appropriate \$14,398,786.60 from the unappropriated surplus of the General Capital Funds 050, 757, 758, 761, 826, 861, and 873 to new or existing capital improvement program project accounts to better align resources with uses for certain capital improvement program project accounts.

1. \$55,000.00 will be appropriated to the newly established “Wheelchair Accessible Taxicabs” capital project for the purpose of providing resources for the acquisition or modification of taxicab vehicles to offer ADA compliant, wheelchair-accessible taxicab services to the public. This project was previously funded as a FY 2017 capital account in the Department of Public Services. Funding is being reprogrammed to a new capital project in the City Manager’s Office.
2. The sum of \$643,643.62 will be appropriated to the “Strategic Housing Initiatives Program” capital project account for the purpose of providing resources for strategic investment to housing projects. Funding for this project was made available by returning various “Neighborhood Market Rate Housing” and “New Housing Development” capital project accounts to source, as shown in Section 5 of the Schedule of Transfer.
3. \$121,135.45 will be appropriated to the “Neighborhood Business District Improvements” capital project to replace Street Improvement Bond resources with Income Tax Permanent Improvement resources that were previously allocated to the FY 2022 “Street Rehabilitation” capital project. The exchange of these resources will allow for greater flexibility when used by DCED to design and construct streetscape improvements, parking improvements, property acquisition and demolitions, and other infrastructure/capital investments intended to stabilize, sustain, and revitalize the City’s designated Neighborhood Business Districts.
4. \$1,075,143.45 will be appropriated to the newly established “Roselawn Strategic Property Development” capital project. Resources for this project are being reprogrammed from the FY 2017 “Bond Hill – Roselawn Community Partnership” project. The new “Roselawn Strategic Property Development” project will provide resources for the acquisition and redevelopment of strategically important commercial real estate in the Reading Road corridor of Roselawn.
5. \$68,054.50 will be appropriated to the “King Records Building Restoration” capital project. Resources for this project are being reprogrammed from the “King Records Building Restoration” and “King Records Public Memorial” projects, as listed in Section 5 of the

Schedule of Transfer. This “King Records Building Restoration” capital project will provide resources to preserve, restore, and renovate the former King Records building in the Evanston neighborhood.

6. \$80,673.83 will be appropriated to the “Police Equipment” project. Resources for this project are being reprogrammed from the FY 2015 “Police Information Technology and Equipment” project. The “Police Equipment” project will provide resources for police equipment, including the replacement of the department’s ballistic helmets, body armor on a five-year cycle, specialized body armor used by Special Weapons and Tactics (SWAT) officers, and other related equipment.
7. \$121,135.60 will be appropriated to the “Street Rehabilitation” project account to restore resources reallocated to provide more flexible financing for the “Neighborhood Business District Improvements” capital project.
8. The sum of \$6,167,000.00 from Funds 758 and 873 will be appropriated to the “Fire Training Facility” project. Since the Fund 861 bond resources allocated to this project need to be expeditiously expensed, reallocating the resources to finance “City Facility Renovation and Repairs” projects will allow for a more timely expenditure of the bond resources while the scope of the Fire Training Facility is more clearly defined.
9. The sum of \$5,867,000.00 will be appropriated to the FY 2020 “City Facility Renovation and Repairs” capital project to restore funding reallocated to the “Fire Training Facility” project.
10. The sum of \$200,000.00 will be appropriated to the FY 2021 “City Facility Renovation and Repairs” capital project to restore funding to this annual allocation program that were used to cover cost overruns related to immediate needs to address hillside slippage at the Cincinnati Art Museum.

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