

EMERGENCY

AEP

- 2021

APPROVING AND ADOPTING a Capital Improvement Program and Budget for Fiscal Year 2022, transferring and appropriating taxes and other revenue and existing funds for the purpose of carrying out certain parts of the Capital Improvement Program, and providing for the transfer and appropriation of notes to be issued and to be repaid from the lease proceeds of the Cincinnati Southern Railway to other parts of said Capital Improvement Program; **AUTHORIZING** the transfer and return to source Funds 757, 758, and 762 the sum of \$4,000,000 from various existing General Capital Budget capital improvement program project accounts in accordance with the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of the sum of \$1,500,000 to various existing General Capital Budget capital improvement program project accounts in accordance with the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of the sum of \$2,500,000, to be raised by the issuance of bonds by the City of Cincinnati, to various existing General Capital Budget capital improvement program project accounts in accordance with the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of resources from various existing funds to various project accounts; and further **DECLARING** certain projects to be for a public purpose, all for the purpose of carrying out the Capital Improvement Program.

WHEREAS, it is necessary that Council approve the expenditure of funds in existence or in collection from certain capital improvements; and

WHEREAS, in order to present a comprehensive program, it is advisable to authorize the transfer and appropriation to certain capital improvement accounts of funds to be raised by the issuance of bonds of the City of Cincinnati and from the proceeds of the Cincinnati Southern Railway; now, therefore,

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

Section 1. That there is adopted and approved as the Capital Improvement Program and Budget for the fiscal year 2022 (FY 2022), the projects included in Sections 2 through 9 to be established and financed in the amounts and from the sources set forth therein.

Section 2. That the sum of \$4,000,000 is hereby transferred and returned to source Funds 757, 758, and 762 from various existing General Capital Budget capital improvement program project accounts for the purpose of decreasing existing capital improvement program project

accounts and providing resources for the FY 2022 Capital Improvement Program, according to Schedule A, Schedule of Transfer, attached hereto and by this reference made part hereof.

Section 3. That the sum of \$1,500,000 is transferred and appropriated to existing project accounts according to Schedule B, attached hereto and by this reference made a part hereof, for the improvements listed in Schedule B.

Section 4. That the sum of \$2,500,000 to be raised by the issuance of bonds by the City of Cincinnati is transferred and appropriated to existing project accounts according to Schedule C, attached hereto and by this reference made a part hereof, for the improvements listed in Schedule C.

Section 5. That the sum of \$2,500,000 available in various funds is transferred and appropriated via reprogramming to new capital improvement program project accounts according to Schedule D, attached hereto and by this reference made a part hereof, for the improvements listed in Schedule D.

Section 6. That the sum of \$8,950,000 from the 0.15% income tax is hereby transferred and appropriated to the individual project accounts listed in Schedule E, attached hereto and by this reference made a part hereof, for the improvements listed in Schedule E.

Section 7. That the sum of \$49,050,000 to be raised by the issuance of bonds by the City of Cincinnati is hereby transferred and appropriated according to Schedule F, attached hereto and by this reference made a part hereof, for the improvements listed in Schedule F.

Section 8. That the sum of \$22,890,000 to be raised by the issuance of notes and to be repaid from lease proceeds of the Cincinnati Southern Railway is hereby transferred and appropriated according to Schedule G, attached hereto and by this reference made a part hereof, for the improvements listed in Schedule G.

Section 9. That the sum of \$250,000 from the Blue Ash Property sale proceeds is hereby transferred and appropriated to the capital project account listed in Schedule H, attached hereto and by this reference made a part hereof, for the improvements listed in Schedule H.

Section 10. That the Affordable Housing Trust Funding – General Capital; Strategic Housing Initiatives Program (SHIP); Commercial & Industrial Public Improvements; Neighborhood Business District Improvements; Neighborhood Business Property Holding; Tax Incentive/Enterprise Zone; Hazard Abatement/Demolition Program; Retail/Commercial Opportunities; Community Development Focus District; Smale Riverfront Park; Convention Center Improvements; Findlay Market Improvements; and Community Facility Improvements – Art Museum capital improvement program projects are hereby declared to serve a public purpose because the projects will foster local improvements and investment and increase neighborhood vitality, and because each project has an estimated life or period of usefulness of five years or more.

Section 11. That no expenditure of money from project accounts shall be made, nor shall expenditures thereof be contracted for, unless the money therefore has been received by the City or is in the process of collection.

Section 12. That the Finance Director of the City is authorized to draw her warrant upon the Treasury of the City for the amounts appropriated and for the purposes stated in this ordinance, upon receiving the proper certificates and vouchers therefore approved by the City Manager or her designee, the appropriate board, or other officers authorized by law to approve the same, or upon receiving the proper certificates and vouchers therefore authorized by an ordinance or resolution of Council to make the expenditures, provided that vouchers for payment out of any of the foregoing appropriations by order of a court decree shall be approved by the City Solicitor in addition to any other authority required by law.

Section 13. That Council hereby authorizes the proper boards or officials to enter into any contract or contracts for any of the projects or parts thereof set forth in the Sections herein. Said board or official shall execute said contracts in accordance with all applicable law, including the charter and ordinances of the City of Cincinnati.

Section 14. That appropriations and allocations to the various projects remaining unexpended at the end of FY 2022 shall remain in the individual project accounts and may be expended at a later time, provided however, that money not required in a particular project account, as determined by City Council, shall be returned by the Finance Director to the fund from which it was originally transferred.

Section 15. That nothing in this ordinance shall be construed as intending to supersede or dispense with the procedures or acts required by state or federal laws or regulations relating to matters involving assessments or state or federal assistance projects.

Section 16. That Sections 1 through 15 hereof shall become effective as of July 1, 2021.

Section 17. 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 need to have funding in place to carry out the City's Fiscal Year 2022 Capital Improvement Program, which begins July 1, 2021.

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk