



City of Cincinnati

801 Plum Street
Cincinnati, OH 45202

Agenda

Budget and Finance Committee

Chairperson Jeff Cramerding
Vice Chair Scotty Johnson
Vice Mayor Jan-Michele Kearney
Councilmember Anna Albi
Councilmember Mark Jeffreys
Councilmember Evan Nolan
Councilmember Meeka Owens
President Pro Tem Victoria Parks
Councilmember Seth Walsh

Tuesday, February 18, 2025

1:00 PM

Council Chambers, Room 300

AGENDA

REPORTS

1. [202500175](#) **REPORT**, dated 2/5/2025, submitted Sheryl M. M. Long, City Manager, regarding the Finance and Budget Monitoring for the Period Ending November 30, 2024.

Sponsors: City Manager
Attachments: [Report](#)
[Attachment I](#)
[Attachments II](#)
[Attachment III](#)

ASSESSMENTS

2. [202500177](#) **RESOLUTION (LEGISLATIVE)** submitted by Sheryl M. M. Long, City Manager, on 2/5/2025, **DECLARING** the necessity of assessing for the control of blight and disease of shade trees, and for the planting, care, maintenance, trimming, and removal of public trees, in and along the streets and the public right-of-way within the City of Cincinnati's Urban Forestry Maintenance District for calendar year 2026.

Sponsors: City Manager
Attachments: [Transmittal](#)
[Legislative Resolution](#)
[Attachment](#)

TRANSFERS AND APPROPRIATIONS

3. [202500188](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 2/5/2025, **AUTHORIZING** the transfer and appropriation of \$281,640.85 from the unappropriated surplus of General Fund 050 to non-departmental

Judgments Against the City non-personnel operating budget account no. 050x951x7400 to restore resources from a prior year encumbrance related to the White v. City of Cincinnati judgment that was cancelled inadvertently; **AUTHORIZING** the transfer of \$285,000 within Income Tax-Infrastructure Fund 302 from non-departmental Reserve for Contingencies non-personnel operating budget account no. 302x990x7200, with transfers of \$80,000 to Department of Public Services ("DPS") personnel operating budget account no. 302x255x7100 due to an unmet position vacancy allowance, \$200,000 to DPS non-personnel operating budget account no. 302x255x7200 for citywide building maintenance needs, and \$5,000 to non-departmental Tuition Reimbursement non-personnel operating budget account no. 302x928x7400 to reimburse departmental tuition reimbursement expenses; and **AUTHORIZING** the transfer of \$1,155,000 within Recreation Special Activities Fund 323 from and to various Cincinnati Recreation Commission operating budget accounts according to the attached Schedule of Transfer to realign resources with planned expenditures on minibuses, fitness equipment, and utility expenses.

Sponsors:

City Manager

Attachments:[Transmittal](#)[Ordinance](#)[Attachment](#)**REPURPOSING FUNDS**

4. [202500197](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 2/5/2025, **AUTHORIZING** the Department of Community and Economic Development ("DCED") to repurpose up to \$160,000 from the General Fund resources previously awarded to the Kennedy Heights Community Urban Re-Development Corporation through the Neighborhood Business District Improvement Program to pay the remaining mortgage on the property located at 6549 Montgomery Road; and **DECLARING** such expenditure to serve a public purpose.

Sponsors:

City Manager

Attachments:[Transmittal](#)[Ordinance](#)**GRANTS**

5. [202500189](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 2/5/2025, **ESTABLISHING** new capital improvement program project account no. 980x233x252356, "Montana Avenue OPWC Grant," to provide Ohio Public Works Commission ("OPWC") grant resources to rehabilitate Montana Avenue; **AUTHORIZING** the City Manager to accept and appropriate grant resources of up to \$2,350,000 from OPWC to newly established capital improvement program project account no. 980x233x252356, "Montana Avenue OPWC Grant"; **AUTHORIZING** the Director of Finance to deposit OPWC grant resources of up to \$2,350,000 in OPWC grant resources into capital improvement program project account no. 980x233x252356, "Montana Avenue OPWC Grant"; and **AUTHORIZING** the City Manager to enter into any agreements necessary for the receipt and administration of these grant

resources.

Sponsors: City Manager

Attachments: [Transmittal](#)
[Ordinance](#)

6. [202500196](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 2/5/2025, **ESTABLISHING** new capital improvement program project account no. 980x233x252366, "Central Parkway Bikeway Phase 3 Transit Grant," to provide resources for the Central Parkway Bikeway Phase 3 project; **ESTABLISHING** new capital improvement program project account no. 980x233x252368, "Ridge Avenue Transit Grant," to provide resources to rehabilitate Ridge Avenue; **ESTABLISHING** new capital improvement program project account no. 980x233x252369, "Victory Parkway Transit Grant PID 117208," to provide resources for improvements to Victory Parkway; **AUTHORIZING** the City Manager to accept a grant of up to \$10,000,000 from the Southwest Ohio Regional Transit ("SORTA") Metro Transit Infrastructure Fund ("MTIF"); **AUTHORIZING** the City Manager to appropriate SORTA MTIF grant resources as follows: (1) up to \$2,500,000 to newly established capital improvement program project account no. 980x233x252366, "Central Parkway Bikeway Phase 3 Transit Grant"; (2) up to \$1,500,000 to newly established capital improvement program project account no. 980x233x252368, "Ridge Avenue Transit Grant"; and (3) up to \$6,000,000 to newly established capital improvement program project account no. 980x233x252369, "Victory Parkway Transit Grant PID 117208"; **AUTHORIZING** the Director of Finance to deposit SORTA MTIF grant resources as follows: (1) up to \$2,500,000 to newly established capital improvement program project account no. 980x233x252366, "Central Parkway Bikeway Phase 3 Transit Grant"; (2) up to \$1,500,000 to newly established capital improvement program project account no. 980x233x252368, "Ridge Avenue Transit Grant"; and (3) up to \$6,000,000 to newly established capital improvement program project account no. 980x233x252369, "Victory Parkway Transit Grant PID 117208"; and **AUTHORIZING** the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

Sponsors: City Manager

Attachments: [Transmittal](#)
[Ordinance](#)
[Attachment](#)

7. [202500199](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 2/5/2025, **ESTABLISHING** new capital improvement program project account no. 980x233x252355, "Beekman St Pedestrian Safety MRF Grant," to provide resources to implement pedestrian safety improvements on Beekman Street; **AUTHORIZING** the City Manager to accept and appropriate a grant of up to \$200,000 from the Hamilton County Municipal Road Fund to newly established capital improvement program project account no. 980x233x252355, "Beekman St Pedestrian Safety MRF Grant"; **AUTHORIZING** the Director of Finance to deposit the grant resources into capital improvement program project account no. 980x233x252355, "Beekman St Pedestrian Safety MRF Grant"; and **AUTHORIZING** the City Manager to enter into any agreements necessary for

the receipt and administration of these grant resources.

Sponsors:

City Manager

Attachments:

[Transmittal](#)

[Ordinance](#)

8. [202500227](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 2/12/2025, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$6,510 from the National Association of County and City Health Officials Cross-Training Opportunity in Maternal and Child Health and Emergency Preparedness program for employees from the Cincinnati Health Department to attend training on incorporating maternal and child health considerations in emergency planning; and **AUTHORIZING** the Director of Finance to deposit the grant funds into Public Health Research Fund revenue account no. 350x8571.

Sponsors:

City Manager

Attachments:

[Transmittal](#)

[Ordinance](#)

9. [202500226](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 2/12/2025, **AUTHORIZING** the City Manager to apply for a grant from the Center for Justice Innovation, Child Victims and Witnesses Support Materials Program, to provide printed support materials for child victims and witnesses; and **AUTHORIZING** the City Manager to accept printed support materials, valued at up to \$6,919, pursuant to a grant from the Center for Justice Innovation.

Sponsors:

City Manager

Attachments:

[Transmittal](#)

[Ordinance](#)

DEDICATION TO PUBLIC USE

10. [202500190](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 2/5/2025, **ACCEPTING AND CONFIRMING** the dedication to public use of an approximately 0.3318-acre tract of real property as a portion of the Merrimac Street, a public right-of-way for street purposes in the Evanston neighborhood of Cincinnati.

Sponsors:

City Manager

Attachments:

[Transmittal](#)

[Ordinance](#)

[Attachment I](#)

[Attachment II](#)

JOB CREATION TAX CREDIT

11. [202500198](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 2/5/2025, **APPROVING AND AUTHORIZING** the execution of a Job Creation Tax Credit Agreement with DSWDWK, LLC, an Ohio limited liability company doing business as Impact Beverage, pursuant to which the company

agrees to create sixty new jobs at 4831 Spring Grove Avenue and 4330 Winton Road in the Spring Grove Village neighborhood of Cincinnati and, for a period of seven years, the City agrees to provide an income tax credit equal to forty percent of City income tax revenue from such new jobs.

Sponsors: City Manager

Attachments: [Transmittal](#)
[Ordinance](#)
[Attachment](#)

PAYMENTS

12. [202500225](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 2/12/2025, **Authorizing** the payment of \$2,580 to Power Equipment Solutions, Inc. from Cincinnati Parks Department Sawyer Point Fund 318 non-personnel operating budget account no. 318x202x2000x7413 for charges related to golf cart rentals used by the Cincinnati Parks Department from November 1, 2024, through December 31, 2024, pursuant to the attached then and now certificate from the Director of Finance.

Sponsors: City Manager

Attachments: [Transmittal](#)
[Ordinance](#)
[Attachment](#)

MUNICIPAL CODE CHANGES

13. [202500052](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 1/23/2025, **MODIFYING** Chapter 402, "Airport," by **AMENDING** Section 402-24, "Lunken Airport Use Fees," to authorize the City Manager to establish fees for the landing, parking, and mooring of aircraft, for special events, and other uses including the United States Customs and Border Protection facility at Lunken Airport.

Sponsors: City Manager

Attachments: [Transmittal](#)
[Ordinance](#)

14. [202500247](#) **ORDINANCE (B VERSION) (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 2/12/2025, **MODIFYING** Chapter 402, "Airport," by **AMENDING** Section 402-24, "Lunken Airport Use Fees," to authorize the City Manager to establish fees for the landing, parking, and mooring of aircraft, for special events, and other uses at Lunken Airport.

Attachments: [Transmittal](#)
[Ordinance](#)

ADJOURNMENT

February 5, 2025

To: Mayor and Members of City Council

202500175

From: Sheryl M. M. Long, City Manager

Subject: Finance and Budget Monitoring Report for the Period Ending November 30, 2024

The purpose of this report is to provide the City Council with the status of the City's Fiscal Year (FY) 2025 financial and operating budget conditions as of November 30, 2024, to note any significant variances, identify potential budget issues, and provide recommendations. The report is divided into two sections: revenues and expenditures. Various supplemental reports are attached to reflect forecasted revenue, actual revenue, expenditures, and commitments through November 30, 2024.

The following Citywide issues may impact the General Fund 050, Special Revenue Funds, and Enterprise Funds.

1. General Fund revenues are greater than projected by \$16.2 million through the end of November. However, this report highlights increased potential expenditure needs in the amount of \$19.6 million, which includes \$5.8 million for wage increases negotiated with sworn International Association of Fire Fighters (IAFF) employees and sworn Fraternal Order of Police (FOP) employees. Resources for the IAFF and FOP negotiated wage increases were already set aside in the Reserve for Weather Events, Other Emergency and One-Time Needs as part of the Carryover.
2. Overtime in the Cincinnati Fire Department (CFD) and the Cincinnati Police Department (CPD) is currently outpacing the budget. In CFD, the increased overtime is primarily driven by increased leave and the assignment of sworn positions to administrative tasks. Additionally, CFD operates two medical units due to increased demand. The temporary Westwood engine retired in November, which should mitigate overtime usage. The graduation of Recruit Class #122 in September 2024 is expected to reduce overtime usage as well. If trends do not curtail, CFD projects an overtime need of \$9.1 million. In CPD, the increased overtime is primarily due to increased police details, which are offset by additional revenue. Police Visibility Overtime (PVO) related to Downtown Event Deployment to curb violence and for large public events such as BLINK, FC Cincinnati soccer games, and Cincinnati Bengals home football games is also a

contributing factor. If overtime trends do not curtail, CPD projects a need of up to \$4.0 million by fiscal year end.

3. The Approved FY 2024 Budget included a 2.0% wage increase for sworn International Association of Fire Fighters (IAFF) employees and sworn Fraternal Order of Police (FOP) employees. Labor agreements were not approved until September 2024 and included a 5.0% across-the-board increase retroactive to FY 2024 for both labor units. The unused FY 2024 resources for wage adjustments were included as General Fund savings in the Year-End Report [#202402132](#). As a result, FY 2024 Closeout Ordinance No. 0320-2024 appropriated \$6.0 million to the Fire Department for the retroactive payments for IAFF and \$3.6 million to the Police Department for FOP. While the retroactive payments did not occur until November 2024, no budget needs are anticipated given supplemental appropriations were already approved in the Closeout Ordinance.
4. The Approved FY 2025 Budget Update includes a 2.0% wage increase for sworn International Association of Fire Fighters (IAFF) employees and sworn Fraternal Order of Police (FOP) employees. As noted above, labor agreements were not approved until September 2024 and included a 4.0% across-the-board wage increase for both labor units. FY 2024 Closeout Ordinance No. 0320-2024 transferred \$5.8 million to the Reserve for Weather Events, Other Emergency and One-Time Needs General Fund balance sheet reserve account to cover the additional costs related to the newly agreed to bargaining agreements. These resources will be transferred as part of the Final Adjustment Ordinance (FAO) as necessary.
5. The Approved FY 2025 Budget Update assumes a 2.0% wage increase for the Cincinnati Organized and Dedicated Employee (CODE) employees. The collective bargaining agreement with CODE expires in March 2025 and negotiations are expected to begin closer to the contract's expiration. Any agreements that exceed budgeted wage increase amounts, or any agreements that provide additional wage item increases, may result in a budget need. If necessary, supplemental appropriations may be required.
6. The market price for electricity for City operations will increase for non-indexed accounts beginning January 1, 2025. This is projected to be an approximate \$500,000 annual increase across all funds. The total FY 2025 impact within the General Fund is estimated at \$232,000.

REVENUE

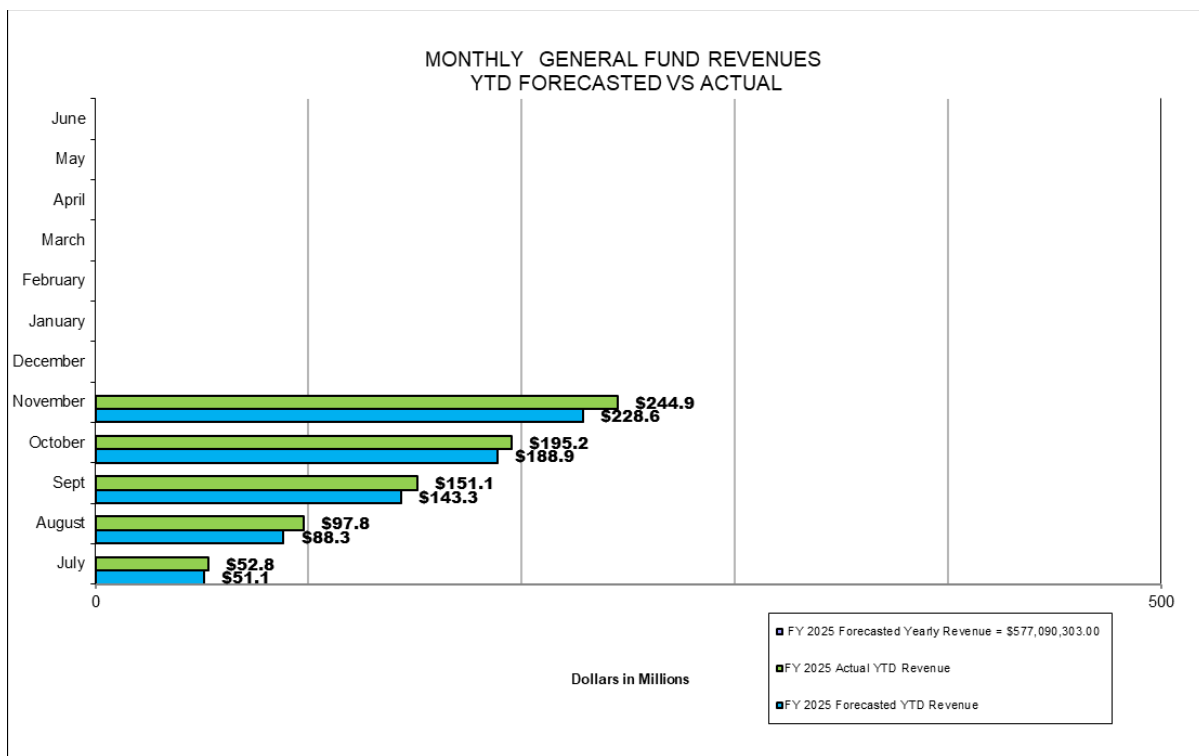
The following report provides an update on the City of Cincinnati's financial condition

as of the month ending November 30, 2024. This represents the fifth month's revenue report for the new fiscal year, ending June 30, 2025. Variances are based on current year estimates and prior year activity in attached schedules.

A more detailed explanation of revenues and expenditures is attached for review, including reports comparing the current year's actual revenue versus forecasted revenue and prior year's actual revenue versus current year actual revenue. Both of those reports are presented on a monthly and year-to-date basis.

I. GENERAL FUND 050

The chart below portrays the performance of actual revenue collected against the forecasted revenue collected through November 30, 2024 and shows that actual revenue of \$244.9 million was above forecasted revenue of \$228.6 million by \$16.3 million.



The major revenue components of the General Fund are listed in the table below. This table highlights the year-to-date variance (favorable and unfavorable) in General Fund revenue collections as compared to forecasted revenue collections. Each major category that differs significantly from forecasted collections will be discussed in further detail.

GENERAL FUND REVENUE SOURCES

	FAVORABLE VARIANCE	(UNFAVORABLE) VARIANCE	PERCENTAGE VARIANCE
General Property Tax		(\$609,970)	-2.63%
City Income Tax	9,922,803		10.58%
Admissions Tax	560,087		0.53%
Short Term Rental Excise Tax	284,657		19.97%
Licenses & Permits	762,524		18.18%
Fines, Forfeitures, & Penalties		(\$432,626)	-24.63%
Investment Income	713,573		18.09%
Local Government	322,346		0.71%
Casino		(\$123,117)	-2.51%
Police	560,565		11.85%
Buildings and Inspections	82,205		9.63%
Fire		(\$773,320)	-75.95%
Parking Meter	8		0.04%
Other	4,976,121		-36.52%
	<hr/> 18,184,889	<hr/> (\$1,939,033)	
Difference	16,245,856		

General Fund (favorable variance) is \$16.2 million above the amount forecasted through November in the FY 2025 Budget. This is the fifth month's report for the new fiscal year. What follows is an explanation of significant variances of individual General Fund revenue components.

Income Tax (favorable variance) is \$9.9 million above the forecasted amount. A change in filing dates from October to November and higher net profits are contributing to the variance. Withholdings are also coming in higher than anticipated.

Short Term Rental Tax (favorable variance) is up \$265k above the forecasted amount. The use of short term rentals is trending higher than expected so far this fiscal year.

License & Permits (favorable variance) is \$763k up from the forecasted amount. General Building permits are exceeding estimates.

Investment Income (favorable variance) is up \$714k above the forecasted amount. Finance is actively managing more cash than originally planned to take

advantage of the current market conditions.

Police (favorable variance) is \$561k above the forecasted amount. Detail revenues are exceeding estimates so far this year.

Fire (unfavorable variance) is \$773k below the forecasted amount. The Cincinnati Fire Department's EMS collector is starting to submit payments as a result of their cyberattack earlier this calendar year. This variance should decrease in the coming months as more receipts are received.

Other (favorable variance) is up \$5 million from the forecasted amount. An unexpected payment from the County is a portion of this variance. Due to the large number of other revenue sources in this category and their fluctuations the Finance Department will monitor this closely.

II. RESTRICTED FUNDS

Parking System Facilities (favorable variance) is up \$843k from the forecasted amount. Special events have created higher demand than estimated. There was also a receipt that was made this year from a prior year billing that increased the variance. Finance is also seeing more activity as businesses are establishing hybrid work schedules.

Convention Center (favorable variance) is \$737k above the forecasted amount. The facility's final receipts for FY 2024 were received this fiscal year. New revenue is not estimated for FY 2025 as no shows will be taking place. In addition, transient occupancy tax (TOT) revenue is exceeding estimates.

Sawyer Point (favorable variance) is \$307k up from the forecasted amount. Parking revenue at the park increased from last year's reports, which is leading to the positive variance.

EXPENDITURES

The following provides an update on the City of Cincinnati's operating budget position as of the month ending November 30, 2024. The attached Fund Summary Report provides the current budget, expenditures, and commitments of each appropriated fund. This report is presented on a year-to-date basis.

I. GENERAL FUND 050

As shown on the attached report, total expenditures are 39.9% of budget, and commitments are 46.0% of budget in the General Fund 050 as compared to the estimated period ending November 30, 2024, or 41.7% of the fiscal year. "Non-personnel expenses" are trending higher at 58.4% committed year to date due to encumbering twelve months of expenditures for certain commodities such as gas and electric costs, contractual services, and materials and supplies. This is not unusual for this reporting period.

The majority of departments have indicated their FY 2025 General Fund 050 appropriation will meet their budgetary needs through the end of the fiscal year. However, budget transfers may be necessary to move funds from divisions and programs with savings to others within the respective departments that have budget needs. These transfers will be included in the Final Adjustment Ordinance (FAO), which will be presented to the City Council in May 2025.

A. Budget Savings Identified

As of November 30, 2024, no General Fund 050 departments are projecting savings at the end of FY 2025. Any savings identified will be available to support budget needs in other departments and programs as necessary. Interdepartmental transfers of funds from one department to another will be included in the FAO as appropriate.

B. Budget Needs Identified

Based on current expenditure projections, the following General Fund 050 departments are forecasting a budget need in FY 2025. The departments have been advised to manage their appropriated resources so that supplemental appropriations will not be required. However, the Administration will continue to closely monitor departments in the coming months and work with them to mitigate the need for supplemental appropriations. As appropriate, any remaining budget needs will be addressed within the FAO.

1. Department of City Planning and Engagement (\$100,000)

The Department of City Planning and Engagement projects a salary and benefits need of up to \$100,000 related to a new administrative staffing plan, which will be monitored closely. A possible non-personnel need related to presenting Connected Communities at the International City/County Management Association (ICMA) conference and onboarding new staff will be monitored.

2. Cincinnati Police Department (\$8.2 million)

The Cincinnati Police Department (CPD) projects a total personnel need of \$8.2 million primarily due to overtime and wage increases related to the newly

executed labor contract. The need associated with the newly executed labor contract is estimated at \$4.2 million, which can be addressed by the resources set aside in the Reserve for Weather Events, Other Emergency and One-Time Needs as part of the carryover process for this purpose. This personnel overage is attributed to increased Police Visibility Overtime (PVO) related to Downtown Event Deployment to curb violence and for large public events such as BLINK, and FC Cincinnati and Cincinnati Bengals home games. Additionally, police detail overtime is greater than anticipated, which is offset by additional detail revenue. Overtime spending and lump sum payments will be closely monitored as the fiscal year progresses.

3. Cincinnati Fire Department (\$11.0 million)

The Cincinnati Fire Department (CFD) projects a total need of up to \$11.0 million primarily due to overtime and the newly executed labor contract. There is \$1.6 million set aside in the Reserve for Weather Events, Other Emergency and One-Time Needs to partially address the staffing costs associated with the new labor contract. The department added a new engine company to Westwood Station 35 in November 2022, as well as two new peak demand medical units at Avondale Station 32 and Winton Place Station 38 in July 2024, resulting in additional staffing requirements and associated overtime. However, the temporary engine in Westwood retired in November, which should help mitigate overtime. The graduation of Recruit Class #122 in September 2024 is expected to reduce overtime usage and the next recruit class is scheduled to start in February 2025. If overtime trends do not curtail, the CFD projects a need of up to \$10.7 million by fiscal year end due to increased overtime and labor costs. Finally, the department projects a non-personnel need of \$300,000 related to increased collections fees from the department's EMS billing provider. Both the department and the Office of Budget and Evaluation will continue to closely monitor staffing trends and overtime needs.

4. Non-Departmental Accounts (\$281,641)

A prior year encumbrance related to the False Alarm Settlement was mistakenly closed in the Judgments Against the City non-departmental account. These resources will need to be restored in a future budget adjustment ordinance.

C. Within Budget, Intradepartmental Budget Transfers May Be Needed

Numerous General Fund 050 departments have indicated the ability to manage their resources within their appropriation. However, budget adjustments within their departments may be required. These transfers are referred to as Intradepartmental Budget Transfers. Unless noted otherwise, these Intradepartmental Budget Transfers will be included in the FAO, which will be presented to the City Council for approval in May 2025.

- 1. Clerk of Council**
The Clerk of Council's Office projects no budget savings or need at this time.
- 2. Enterprise Technology Solutions**
The Department of Enterprise Technology Solutions projects no budget savings or need at this time, pending reimbursement processing.
- 3. City Manager's Office**
The City Manager's Office projects no budget savings or need at this time.
- 4. City Manager's Office: Office of Budget and Evaluation**
The Office of Budget and Evaluation projects no budget savings or need at this time, pending reimbursement processing.
- 5. City Manager's Office: Office of Environment and Sustainability**
The Office of Environment and Sustainability projects no budget savings or need at this time.
- 6. City Manager's Office: Emergency Communications Center**
The Emergency Communications Center projects no budget savings or need at this time.
- 7. City Manager's Office: Office of Procurement**
The Office of Procurement projects no budget savings or need at this time, pending reimbursement processing.
- 8. City Manager's Office: Office of Performance and Data Analytics**
The Office of Performance and Data Analytics (OPDA) projects potential personnel savings, which will be monitored. No savings or need are anticipated in the non-personnel budget.
- 9. City Manager's Office: Internal Audit**
Internal Audit projects a possible personnel savings, which will be monitored.
- 10. Department of Law**
The Department of Law projects no net budget savings or need. Transfers within appropriations may be required as part of the Final Adjustment Ordinance (FAO).
- 11. Department of Human Resources**
The Department of Human Resources projects no budget savings or need, pending reimbursement processing.

12. Department of Finance

The Department of Finance projects no budget savings or need, pending reimbursement processing.

13. Department of Community and Economic Development

The Department of Community and Economic Development (DCED) projects no budget savings or need.

14. Citizen Complaint Authority

The Citizen Complaint Authority (CCA) projects personnel savings due to position vacancies. The department projects a small non-personnel need due to temporary staffing services as well as travel expenses, which can be offset by personnel savings.

15. Cincinnati Recreation Commission

The Cincinnati Recreation Commission projects no budget savings or need, pending reimbursement processing for the summer 2024 aquatics season.

16. Cincinnati Parks Department

The Parks Department projects no budget savings or need at this time, pending reimbursement processing.

17. Department of Buildings and Inspections

The Department of Buildings and Inspections projects no budget savings or need at this time. Budgeted reimbursements into the General Fund will continue to be prioritized and aligned with various department programs.

18. Department of Transportation and Engineering

The Department of Transportation and Engineering projects a potential net personnel need of up to \$65,000 due to lower than expected capital improvement program project reimbursements. This need may be partially offset with position vacancy savings as well as increased reimbursements from other sources. Additionally, DOTE projects a non-personnel need of \$94,000 due to increased utility expenses for street lighting. This need may be offset by reimbursements from other sources.

19. Department of Public Services

The Department of Public Services (DPS) projects a possible non-personnel need due to increased stormwater expenses and City Hall maintenance.

20. Department of Economic Inclusion

The Department of Economic Inclusion projects a potential non-personnel need related to the hiring of a diversity consultant. This potential need will be offset by salary and benefits savings generated through position vacancies.

II. ENTERPRISE FUNDS

Enterprise Funds account for any activity for which a fee is charged to external users for goods or services. If an activity's principal revenue source meets any one of the following criteria, it is required to be reported as an enterprise fund: (1) an activity financed with debt that is secured solely by pledge of the net revenues from fees and charges for the activity; (2) laws or regulations which require that the activity's costs of providing services, including capital costs, be recovered with fees and charges, rather than with taxes or similar revenues; or (3) pricing policies which establish fees and charges designed to recover the activity's costs.

A. Water Works Fund 101

Water Works Fund 101 is 31.3% expended year to date. The Greater Cincinnati Water Works (GCWW) projects personnel savings due to position vacancies and increased reimbursements. The Division of Business Services projects a non-personnel need in contractual services related to the Hydrant Flow Test Project and the Division of Water Distribution projects a non-personnel need in materials and supplies due to increased valve and fire hydrant component replacements. These needs can be offset with personnel savings.

B. Parking System Facilities Fund 102

Parking System Facilities Fund 102 includes the budget for off-street parking enterprises, including garages. Fund 102 is currently 26.8% expended year to date. The Division of Parking Facilities within the Department of Community and Economic Development projects no budget savings or need at this time.

C. Duke Energy Convention Center Fund 103

Duke Energy Convention Center Fund 103 is 31.9% expended year to date. The Convention Center reports no budget savings or need. A supplemental appropriation of \$200,000 was provided by Ordinance No. 0355-2024, which was passed by the City Council on October 30, 2024.

D. General Aviation Fund 104

General Aviation Fund 104 is 29.6% expended year to date. The Department of Transportation and Engineering projects no significant budget savings or need.

E. Municipal Golf Fund 105

Municipal Golf Fund 105 is 55.3% expended year to date. Water utility expenses are greater than expected due to the dry summer season. Additionally, petroleum and contractual services expenses exceed estimates due to an increased number of golf rounds played. The Cincinnati Recreation Commission projects no budget savings or need at this time, but non-personnel expenses will be monitored.

F. Stormwater Management Fund 107

Stormwater Management Fund 107 provides resources to various City departments. The major recipient of resources from this fund is the Stormwater Management Utility (SMU). The Department of Public Services, the Parks Department, the Office of Environment and Sustainability, the Cincinnati Recreation Commission, and the Department of Buildings and Inspections also receive appropriations from this fund. The Stormwater Management Fund is 29.5% expended year to date. SMU projects a possible personnel savings due to position vacancies. The Office of Environment and Sustainability, the Cincinnati Recreation Commission, the Parks Department, and the Department of Public Services all project no budget savings or need at this time. The Department of Buildings and Inspections projects a potential non-personnel need related to the Private Lot Abatement Program (PLAP) that could be offset by salary and benefits savings within Fund 107. A transfer within appropriations may be necessary in the Final Adjustment Ordinance.

III. DEBT SERVICE FUNDS

Debt Service Funds account for the accumulation of resources for, and the payment of, principal and interest on the City's bonds issued in support of governmental activities.

A. Bond Retirement Fund 151

Bond Retirement Fund 151 is 0.3% expended year to date. The Finance Department projects no budget savings or need at this time.

IV. APPROPRIATED SPECIAL REVENUE FUNDS

Special Revenue Funds account for the proceeds of specific revenue sources (other than trusts for individuals, private organizations, or other governments, or for major capital projects) that are legally restricted to expenditures for specific purposes.

The Office of Budget and Evaluation, in cooperation with various City departments, reviewed appropriated special revenue funds to ensure the Approved FY 2025 Budget Update remains in balance. Based on expenditures and revenues through November 2024, most special revenue funds are on target with regards to their budget and require no additional appropriations at this time. Any identified issues are highlighted in the narrative summaries provided below. If warranted, budget adjustments will be addressed in the FAO later in the fiscal year.

A. Street Construction, Maintenance & Repair Fund 301

Street Construction, Maintenance & Repair Fund 301 is 31.9 % expended year to date. The Department of Public Services anticipates a potential personnel savings due to position vacancies, which may be used to offset future winter weather event expenses. Savings and needs will be monitored closely during the winter season. The Department of Transportation and Engineering projects no budget savings or need.

B. Income Tax-Infrastructure Fund 302

Income Tax-Infrastructure Fund 302 provides resources to several City departments. The Department of Transportation and Engineering (DOTE) is the largest recipient of resources from this fund. The Department of Public Services (DPS) also receives Income Tax-Infrastructure Fund resources. Fund 302 is 38.1% expended year to date. DOTE currently projects a net savings of \$120,000 due to position vacancies; however, transfers will be required in the Final Adjustment Ordinance. This net savings will offset needs in other funds. Additionally, DPS projects a non-personnel need of \$200,000 related to unexpected city facility maintenance as well as an \$80,000 need in personnel due to unmet budgeted position vacancy allowance. A supplemental appropriation may be required to address the needs in DPS. The Law Department, the Human Resources Department, the Department of Building and Inspections, and the Department of Economic Inclusion project no budget savings or need.

C. Parking Meter Fund 303

Parking Meter Fund 303 includes the budget for on-street parking enterprises, including parking meters. Fund 303 is currently 43.5% expended year to date. The Division of Parking Facilities within the Department of Community and Economic Development projects neither a savings nor a need in the fund.

D. Municipal Motor Vehicle License Tax Fund 306

Municipal Motor Vehicle License Tax Fund 306 is 27.1% expended year to date. The Department of Public Services anticipates neither a savings nor a need in this fund. The Department of Transportation and Engineering projects a small personnel need of \$20,000 due to overtime and lump sum payments.

E. Sawyer Point Fund 318

Sawyer Point Fund 318 is 23.8% expended year to date. The Parks Department projects a non-personnel need due to increased credit card fees. This need is offset by increased revenue.

F. Recreation Special Activities Fund 323

Recreation Special Activities Fund 323 is currently 35.0% expended year to date. The Cincinnati Recreation Commission (CRC) previously reported a \$1,251,000 need in Fund 323 due to prior year energy expenses, and the acquisition of

minibuses and fitness equipment. Ordinance No. 0355-2024 was subsequently passed by the City Council on October 30, 2024 to address this need. Additional transfers may be required as part of the Final Adjustment Ordinance (FAO).

G. Cincinnati Riverfront Park Fund 329

Cincinnati Riverfront Park Fund 329 is the appropriated fund for Smale Park. Fund 329 is currently 14.7% expended year to date. The Parks Department projects no budget savings or need in Fund 329.

H. Hazard Abatement Fund 347

Hazard Abatement Fund 347 is 0.5% expended year to date. The Department of Buildings and Inspections projects no budgeted savings or need within Fund 347 at this time.

I. 9-1-1 Cell Phone Fees Fund 364

9-1-1 Cell Phone Fees Fund 364 is the appropriated fund that governs the City portion of state collected revenue from mobile device fees. Fund 364 is currently 8.5% expended year to date. The Emergency Communications Center projects no budget savings or need in Fund 364.

J. Safe and Clean Fund 377

Safe and Clean Fund 377 is the appropriated fund that collects revenue associated with billboard leases. These resources are allocated to Keep Cincinnati Beautiful (KCB) expenditures. The fund is currently 0.0% expended year to date. The Department of Public Services anticipates neither a savings nor a need in this fund.

K. Community Health Center Activities Fund 395

Community Health Center Activities Fund 395 is 37.2% expended year to date. The Cincinnati Health Department (CHD) projects potential personnel savings resulting from position vacancies. This will offset a projected need in non-personnel for temporary staffing services, nursing uniform allowances, and the unbudgeted repair and replacement of equipment.

L. Cincinnati Health District Fund 416

General operational support to the Cincinnati Health Department is provided by Cincinnati Health District Fund 416. This fund is 33.8% expended year to date. The Cincinnati Health Department (CHD) projects potential personnel savings resulting from position vacancies. This will offset a projected need in non-personnel for temporary staffing services, nursing uniform allowances, and unbudgeted repair expenses to clinic sites and other Health Department facilities.

M. Cincinnati Area Geographic Information System (CAGIS) Fund 449

Cincinnati Area Geographic Information System Fund 449 is 34.2% expended year to date. The Office of Performance and Data Analytics projects no budget savings or need at this time.

N. Streetcar Operations Fund 455

Streetcar Operations Fund 455 is 18.8% expended year to date. The Department of Transportation and Engineering projects no budget savings or need at this time.

O. County Law Enforcement Applied Regionally (CLEAR) Fund 457

The CLEAR Fund is 21.0% expended year to date. Enterprise Technology Solutions projects no budget savings or need for FY 2025.

Summary

Through November 2024, major budget issues include increased electricity costs, overtime needs for both the Fire Department and Police Department as well as the pending labor contract for CODE. Departments have identified possible savings and shortfalls, which will continue to be monitored and updated monthly.

Submitted herewith are the following Office of Budget & Evaluation reports:

1. Fund Summary Report for the month ended November 30, 2024.

Submitted herewith are the following Department of Finance reports:

2. Comparative Statement of Revenue (Actual, Forecast and Prior Year) as of November 30, 2024.
3. Audit of the City Treasurer's Report for the month ended October 31, 2024.
4. Statement of Balances in the various funds as of November 30, 2024.

By approval of this report, City Council appropriates the revenues received in the various restricted funds on the attached Statement of Balances and as stated in greater detail on the records maintained by the Department of Finance, Division of Accounts & Audits. Such revenues are to be expended in accordance with the purposes for which the funds were established.

cc: William "Billy" Weber, Assistant City Manager
Karen Alder, Finance Director
Andrew M. Dudas, Budget Director

**CITY OF CINCINNATI
FUND SUMMARY
FOR FISCAL YEAR 2025
AS OF 11/30/2024**

FUND	FUND NAME	EXPENDITURE CATEGORY	CURRENT BUDGET	EXPENDED	PERCENT EXPENDED	ENCUMBERED	TOTAL COMMITTED	PERCENT COMMITTED	REMAINING BALANCE
050	General	PERSONNEL SERVICES	314,065,350.00	125,664,757.38	40.0%	.00	125,664,757.38	40.0%	188,400,592.62
		EMPLOYEE BENEFITS	121,179,220.00	59,000,642.96	48.7%	79,093.48	59,079,736.44	48.8%	62,099,483.56
		NON-PERSONNEL EXPENSES	122,795,951.00	38,247,306.92	31.1%	33,456,448.51	71,703,755.43	58.4%	51,092,195.57
		PROPERTIES	20,200.00	.00	0.0%	.00	.00	0.0%	20,200.00
		*TOTAL FUND_CD 050	558,060,721.00	222,912,707.26	39.9%	33,535,541.99	256,448,249.25	46.0%	301,612,471.75
101	Water Works	PERSONNEL SERVICES	50,170,110.00	14,602,401.65	29.1%	.00	14,602,401.65	29.1%	35,567,708.35
		EMPLOYEE BENEFITS	20,452,890.00	7,084,376.45	34.6%	.00	7,084,376.45	34.6%	13,368,513.55
		NON-PERSONNEL EXPENSES	56,700,170.00	16,478,441.42	29.1%	18,257,419.93	34,735,861.35	61.3%	21,964,308.65
		DEBT SERVICE	48,846,880.00	16,901,895.15	34.6%	28,750.00	16,930,645.15	34.7%	31,916,234.85
		*TOTAL FUND_CD 101	176,170,050.00	55,067,114.67	31.3%	18,286,169.93	73,353,284.60	41.6%	102,816,765.40
102	Parking System Facilities	PERSONNEL SERVICES	378,700.00	159,436.47	42.1%	.00	159,436.47	42.1%	219,263.53
		EMPLOYEE BENEFITS	165,260.00	51,067.04	30.9%	.00	51,067.04	30.9%	114,192.96
		NON-PERSONNEL EXPENSES	5,462,870.00	1,075,627.13	19.7%	2,286,101.53	3,361,728.66	61.5%	2,101,141.34
		DEBT SERVICE	1,866,760.00	827,051.50	44.3%	.00	827,051.50	44.3%	1,039,708.50
		*TOTAL FUND_CD 102	7,873,590.00	2,113,182.14	26.8%	2,286,101.53	4,399,283.67	55.9%	3,474,306.33
103	Convention-Exposition Center	PERSONNEL SERVICES	90,000.00	.00	0.0%	.00	.00	0.0%	90,000.00
		EMPLOYEE BENEFITS	40,000.00	.00	0.0%	.00	.00	0.0%	40,000.00
		NON-PERSONNEL EXPENSES	4,577,130.00	1,597,307.50	34.9%	2,261,497.50	3,858,805.00	84.3%	718,325.00
		DEBT SERVICE	292,870.00	.00	0.0%	.00	.00	0.0%	292,870.00
		*TOTAL FUND_CD 103	5,000,000.00	1,597,307.50	31.9%	2,261,497.50	3,858,805.00	77.2%	1,141,195.00
104	General Aviation	PERSONNEL SERVICES	947,430.00	326,891.43	34.5%	.00	326,891.43	34.5%	620,538.57
		EMPLOYEE BENEFITS	404,660.00	146,107.28	36.1%	.00	146,107.28	36.1%	258,552.72
		NON-PERSONNEL EXPENSES	1,189,290.00	261,376.62	22.0%	137,133.85	398,510.47	33.5%	790,779.53
		PROPERTIES	.00	.00		.00	.00		.00
		DEBT SERVICE	45,170.00	32,125.00	71.1%	.00	32,125.00	71.1%	13,045.00
		*TOTAL FUND_CD 104	2,586,550.00	766,500.33	29.6%	137,133.85	903,634.18	34.9%	1,682,915.82

**CITY OF CINCINNATI
FUND SUMMARY
FOR FISCAL YEAR 2025
AS OF 11/30/2024**

FUND	FUND NAME	EXPENDITURE CATEGORY	CURRENT BUDGET	EXPENDED	PERCENT EXPENDED	ENCUMBERED	TOTAL COMMITTED	PERCENT COMMITTED	REMAINING BALANCE
105	Municipal Golf	PERSONNEL SERVICES	219,400.00	74,027.88	33.7%	.00	74,027.88	33.7%	145,372.12
		EMPLOYEE BENEFITS	79,280.00	31,791.42	40.1%	.00	31,791.42	40.1%	47,488.58
		NON-PERSONNEL EXPENSES	6,212,280.00	3,510,958.96	56.5%	170,204.19	3,681,163.15	59.3%	2,531,116.85
		DEBT SERVICE	615,510.00	323,125.00	52.5%	.00	323,125.00	52.5%	292,385.00
*TOTAL FUND_CD 105			7,126,470.00	3,939,903.26	55.3%	170,204.19	4,110,107.45	57.7%	3,016,362.55
107	Stormwater Management	PERSONNEL SERVICES	10,180,160.00	2,117,259.83	20.8%	.00	2,117,259.83	20.8%	8,062,900.17
		EMPLOYEE BENEFITS	4,319,570.00	1,000,392.56	23.2%	.00	1,000,392.56	23.2%	3,319,177.44
		NON-PERSONNEL EXPENSES	14,915,810.00	4,379,012.67	29.4%	1,847,427.37	6,226,440.04	41.7%	8,689,369.96
		PROPERTIES	5,000.00	.00	0.0%	.00	.00	0.0%	5,000.00
		DEBT SERVICE	2,248,650.00	1,845,361.85	82.1%	.00	1,845,361.85	82.1%	403,288.15
*TOTAL FUND_CD 107			31,669,190.00	9,342,026.91	29.5%	1,847,427.37	11,189,454.28	35.3%	20,479,735.72
151	Bond Retirement - City	PERSONNEL SERVICES	330,770.00	77,355.47	23.4%	.00	77,355.47	23.4%	253,414.53
		EMPLOYEE BENEFITS	130,300.00	27,710.49	21.3%	.00	27,710.49	21.3%	102,589.51
		NON-PERSONNEL EXPENSES	3,599,260.00	344,352.72	9.6%	293,140.44	637,493.16	17.7%	2,961,766.84
		DEBT SERVICE	135,095,240.00	.00	0.0%	.00	.00	0.0%	135,095,240.00
*TOTAL FUND_CD 151			139,155,570.00	449,418.68	0.3%	293,140.44	742,559.12	0.5%	138,413,010.88
301	Street Construction Maintenance & Repair	PERSONNEL SERVICES	7,110,430.00	2,165,305.34	30.5%	.00	2,165,305.34	30.5%	4,945,124.66
		EMPLOYEE BENEFITS	2,726,310.00	1,161,115.66	42.6%	.00	1,161,115.66	42.6%	1,565,194.34
		NON-PERSONNEL EXPENSES	8,011,840.00	2,375,034.69	29.6%	1,684,907.04	4,059,941.73	50.7%	3,951,898.27
*TOTAL FUND_CD 301			17,848,580.00	5,701,455.69	31.9%	1,684,907.04	7,386,362.73	41.4%	10,462,217.27
302	Income Tax-Infrastructure	PERSONNEL SERVICES	13,353,310.00	4,319,080.86	32.3%	.00	4,319,080.86	32.3%	9,034,229.14
		EMPLOYEE BENEFITS	5,003,800.00	2,022,417.04	40.4%	.00	2,022,417.04	40.4%	2,981,382.96
		NON-PERSONNEL EXPENSES	6,257,730.00	3,026,330.03	48.4%	924,424.33	3,950,754.36	63.1%	2,306,975.64
*TOTAL FUND_CD 302			24,614,840.00	9,367,827.93	38.1%	924,424.33	10,292,252.26	41.8%	14,322,587.74

**CITY OF CINCINNATI
FUND SUMMARY
FOR FISCAL YEAR 2025
AS OF 11/30/2024**

FUND	FUND NAME	EXPENDITURE CATEGORY	CURRENT BUDGET	EXPENDED	PERCENT EXPENDED	ENCUMBERED	TOTAL COMMITTED	PERCENT COMMITTED	REMAINING BALANCE
303	Parking Meter	PERSONNEL SERVICES	1,990,040.00	747,933.56	37.6%	.00	747,933.56	37.6%	1,242,106.44
		EMPLOYEE BENEFITS	1,043,970.00	384,017.57	36.8%	.00	384,017.57	36.8%	659,952.43
		NON-PERSONNEL EXPENSES	2,391,090.00	1,225,652.97	51.3%	656,517.07	1,882,170.04	78.7%	508,919.96
		*TOTAL FUND_CD 303	5,425,100.00	2,357,604.10	43.5%	656,517.07	3,014,121.17	55.6%	2,410,978.83
306	Municipal Motor Vehicle License Tax	PERSONNEL SERVICES	1,929,960.00	623,341.43	32.3%	.00	623,341.43	32.3%	1,306,618.57
		EMPLOYEE BENEFITS	833,870.00	319,182.00	38.3%	.00	319,182.00	38.3%	514,688.00
		NON-PERSONNEL EXPENSES	1,747,240.00	282,209.29	16.2%	194,074.93	476,284.22	27.3%	1,270,955.78
		*TOTAL FUND_CD 306	4,511,070.00	1,224,732.72	27.1%	194,074.93	1,418,807.65	31.5%	3,092,262.35
318	Sawyer Point	PERSONNEL SERVICES	534,920.00	63,037.24	11.8%	.00	63,037.24	11.8%	471,882.76
		EMPLOYEE BENEFITS	132,370.00	23,891.01	18.0%	.00	23,891.01	18.0%	108,478.99
		NON-PERSONNEL EXPENSES	584,490.00	211,486.31	36.2%	263,437.79	474,924.10	81.3%	109,565.90
		*TOTAL FUND_CD 318	1,251,780.00	298,414.56	23.8%	263,437.79	561,852.35	44.9%	689,927.65
323	Recreation Special Activities	PERSONNEL SERVICES	3,414,320.00	1,371,897.71	40.2%	.00	1,371,897.71	40.2%	2,042,422.29
		EMPLOYEE BENEFITS	242,430.00	126,144.67	52.0%	.00	126,144.67	52.0%	116,285.33
		NON-PERSONNEL EXPENSES	4,095,700.00	1,217,708.36	29.7%	386,433.64	1,604,142.00	39.2%	2,491,558.00
		PROPERTIES	14,000.00	.00	0.0%	.00	.00	0.0%	14,000.00
		*TOTAL FUND_CD 323	7,766,450.00	2,715,750.74	35.0%	386,433.64	3,102,184.38	39.9%	4,664,265.62
329	Cincinnati Riverfront Park	PERSONNEL SERVICES	780,380.00	.00	0.0%	.00	.00	0.0%	780,380.00
		EMPLOYEE BENEFITS	369,280.00	11,190.00	3.0%	.00	11,190.00	3.0%	358,090.00
		NON-PERSONNEL EXPENSES	495,580.00	229,953.93	46.4%	160,508.16	390,462.09	78.8%	105,117.91
		*TOTAL FUND_CD 329	1,645,240.00	241,143.93	14.7%	160,508.16	401,652.09	24.4%	1,243,587.91
347	Hazard Abatement Fund	PERSONNEL SERVICES	465,210.00	.00	0.0%	.00	.00	0.0%	465,210.00
		EMPLOYEE BENEFITS	221,680.00	.00	0.0%	.00	.00	0.0%	221,680.00
		NON-PERSONNEL EXPENSES	10,320.00	3,596.85	34.9%	.00	3,596.85	34.9%	6,723.15
		*TOTAL FUND_CD 347	697,210.00	3,596.85	0.5%	.00	3,596.85	0.5%	693,613.15

**CITY OF CINCINNATI
FUND SUMMARY
FOR FISCAL YEAR 2025
AS OF 11/30/2024**

FUND	FUND NAME	EXPENDITURE CATEGORY	CURRENT BUDGET	EXPENDED	PERCENT EXPENDED	ENCUMBERED	TOTAL COMMITTED	PERCENT COMMITTED	REMAINING BALANCE
364	9-1-1 Cell Phone Fees	PERSONNEL SERVICES	662,780.00	.00	0.0%	.00	.00	0.0%	662,780.00
		EMPLOYEE BENEFITS	283,480.00	.00	0.0%	.00	.00	0.0%	283,480.00
		NON-PERSONNEL EXPENSES	659,160.00	136,674.09	20.7%	27,520.00	164,194.09	24.9%	494,965.91
*TOTAL FUND_CD 364			1,605,420.00	136,674.09	8.5%	27,520.00	164,194.09	10.2%	1,441,225.91
377	Safe & Clean	NON-PERSONNEL EXPENSES	51,010.00	.00	0.0%	51,010.00	51,010.00	100.0%	.00
*TOTAL FUND_CD 377			51,010.00	.00	0.0%	51,010.00	51,010.00	100.0%	.00
395	Community Health Center Activities	PERSONNEL SERVICES	14,535,530.00	4,731,122.39	32.5%	.00	4,731,122.39	32.5%	9,804,407.61
		EMPLOYEE BENEFITS	6,041,950.00	2,472,674.64	40.9%	.00	2,472,674.64	40.9%	3,569,275.36
		NON-PERSONNEL EXPENSES	9,164,910.00	3,858,262.88	42.1%	4,797,472.16	8,655,735.04	94.4%	509,174.96
*TOTAL FUND_CD 395			29,742,390.00	11,062,059.91	37.2%	4,797,472.16	15,859,532.07	53.3%	13,882,857.93
416	Cincinnati Health District	PERSONNEL SERVICES	14,767,730.00	4,812,859.30	32.6%	.00	4,812,859.30	32.6%	9,954,870.70
		EMPLOYEE BENEFITS	5,816,790.00	2,239,712.19	38.5%	.00	2,239,712.19	38.5%	3,577,077.81
		NON-PERSONNEL EXPENSES	1,553,190.00	438,777.24	28.3%	517,862.67	956,639.91	61.6%	596,550.09
		PROPERTIES	3,040.00	569.99	18.7%	.00	569.99	18.7%	2,470.01
*TOTAL FUND_CD 416			22,140,750.00	7,491,918.72	33.8%	517,862.67	8,009,781.39	36.2%	14,130,968.61
449	Cincinnati Area Geographic Information System (CAGIS)	PERSONNEL SERVICES	2,120,220.00	664,732.83	31.4%	.00	664,732.83	31.4%	1,455,487.17
		EMPLOYEE BENEFITS	768,370.00	318,191.60	41.4%	.00	318,191.60	41.4%	450,178.40
		NON-PERSONNEL EXPENSES	2,272,760.00	782,774.13	34.4%	202,847.09	985,621.22	43.4%	1,287,138.78
*TOTAL FUND_CD 449			5,161,350.00	1,765,698.56	34.2%	202,847.09	1,968,545.65	38.1%	3,192,804.35
455	Streetcar Operations	PERSONNEL SERVICES	568,640.00	184,353.06	32.4%	.00	184,353.06	32.4%	384,286.94
		EMPLOYEE BENEFITS	212,810.00	66,314.05	31.2%	.00	66,314.05	31.2%	146,495.95
		NON-PERSONNEL EXPENSES	5,430,047.00	920,070.01	16.9%	4,341,886.15	5,261,956.16	96.9%	168,090.84
*TOTAL FUND_CD 455			6,211,497.00	1,170,737.12	18.8%	4,341,886.15	5,512,623.27	88.7%	698,873.73

**CITY OF CINCINNATI
FUND SUMMARY
FOR FISCAL YEAR 2025
AS OF 11/30/2024**

FUND	FUND NAME	EXPENDITURE CATEGORY	CURRENT BUDGET	EXPENDED	PERCENT EXPENDED	ENCUMBERED	TOTAL COMMITTED	PERCENT COMMITTED	REMAINING BALANCE
457	County Law Enforcement Applied Regionally (CLEAR)	PERSONNEL SERVICES	1,673,310.00	387,324.59	23.1%	.00	387,324.59	23.1%	1,285,985.41
		EMPLOYEE BENEFITS	520,000.00	166,455.55	32.0%	.00	166,455.55	32.0%	353,544.45
		NON-PERSONNEL EXPENSES	4,301,500.00	809,353.82	18.8%	421,343.73	1,230,697.55	28.6%	3,070,802.45
		PROPERTIES	.00	.00		.00	.00		.00
*TOTAL FUND_CD 457			6,494,810.00	1,363,133.96	21.0%	421,343.73	1,784,477.69	27.5%	4,710,332.31
TOTAL			1,062,809,638.00	341,088,909.63	32.1%	73,447,461.56	414,536,371.19	39.0%	648,273,266.81

February 5, 2025

To: Mayor and Members of City Council

202500177

From: Sheryl M.M. Long, City Manager

Subject: LEGISLATIVE RESOLUTION – 2026 Urban Forestry Assessment Procedure

Attached is a Legislative Resolution captioned as follows:

DECLARING the necessity of assessing for the control of blight and disease of shade trees, and for the planting, care, maintenance, trimming, and removal of public trees, in and along the streets and the public right-of-way within the City of Cincinnati's Urban Forestry Maintenance District for calendar year 2026.

The Board of Park Commissioners at their **December 19, 2024**, meeting recommended an assessment rate of \$0.31 per front foot to continue funding of street tree maintenance and planting services in 2026 (FY27).

It was determined that this rate of funding is sufficient to continue current service levels and various program activities.

The Administration recommends the adoption of this resolution.

Attachment 1 – Assessment Resolution

Attachment 2 – Work Plan Narrative and Budget

cc: Jason Barron, Director, Cincinnati Park Board
Crystal Courtney, Division Manager of Natural Resources
Emily Smart Woerner, City Solicitor

Legislative Resolution

KKF

RESOLUTION NO. _____ - 2025

DECLARING the necessity of assessing for the control of blight and disease of shade trees within the public rights-of-way, and for planting, care, maintenance, trimming, and removing shade trees in and along the streets of the City of Cincinnati Urban Forestry Maintenance District for calendar year 2026.

WHEREAS, the City of Cincinnati created an Urban Forestry Maintenance District for the purpose of controlling the blight and disease of shade trees within the public right-of-way, and for the planting, care, and maintenance of shade trees as authorized by Ohio Revised Code Section 727.011, including without limitation the estimated cost of capital improvements, equipment, personnel, and maintenance to support the Urban Forestry Maintenance District; and

WHEREAS, the Board of Park Commissioners operates the Urban Forestry Program by maintaining and creating a healthy and equitably distributed urban tree canopy to foster the mental and physical health benefits that trees provide for all Cincinnati residents through the reduction of neighborhood heat islands, combined sewer overflow events, and poor air quality attributed to the concentration of fine particulate matter which poses the greatest health risks to the residents of Cincinnati; and

WHEREAS, the Board of Park Commissioners, by motion on December 19, 2024, urged the continuation of the Urban Forestry Program in accordance with the plans, estimates, and schedules currently filed with the Clerk of Council; and

WHEREAS, the Board of Park Commissioners recommends levying an assessment of \$0.31 per front foot to fund the Urban Forestry Program, which is the same rate as the prior year, for total revenue of about \$3,400,000 per year to be assessed on the property tax rolls in calendar year 2026 and collected for use in the Urban Forestry Program's Fiscal Year 2027 budget; now, therefore,

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

Section 1. That it is declared necessary and conducive to the public health, convenience, safety, and welfare to continue the Urban Forestry Program for the control of blight and disease of shade trees within public rights-of-way, and for the planting, care, maintenance, trimming, and removing of shade trees in and along the streets of the City of Cincinnati, including without

limitation the estimated cost of capital improvements, equipment, personnel, and maintenance to support the Urban Forestry Maintenance District, which includes all territory within, and coextensive with, the City's boundaries, for calendar year 2026.

Section 2. That the plans and estimates of costs to fund the Urban Forestry Program, now on file with the Clerk of Council, are approved.

Section 3. That the City of Cincinnati shall pay at least two percent of the total cost and expense of the Urban Forestry Program and assume the costs for intersections and uncollectible assessments against state and federally owned property. The assessment shall be by the front foot method, at the rate of \$0.31 per front foot, upon all lots and lands bounding and abutting public rights-of-way in the Urban Forestry Maintenance District.

Section 4. That the assessment shall be paid in cash to the City Treasurer within thirty days after the passage of the assessing ordinance. Assessments not paid in cash within the period shall be certified by the proper City of Cincinnati official to the Hamilton County Auditor for collection and shall be paid in one annual installment, at the same time and in the same manner as real property taxes due and payable in December 2025.

Section 5. That the City of Cincinnati does not intend to issue securities in anticipation of the levy or collection of the assessment.

Section 6. That the City Administration shall prepare, in accordance with the method of assessment set forth in Section 3 hereof, an estimate of the amount of the assessment against each lot or parcel to be assessed and shall file it in the Office of the Clerk of Council.

Section 7. That notice of the passage of this resolution shall be given pursuant to Sections 727.13 and 727.14 of the Ohio Revised Code.

Section 8. That this legislative resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

2026 (FY27) Street Tree Program Recommended Budget Report

Expense Descriptions:

Personnel – \$1,445,591.81

Salary and fringes for 25% Division Manager of Natural Resources, 25% Senior GIS Analyst, Urban Forestry Supervisor, four Urban Forestry Specialists, one Administrative Technician, one seasonal Recreational Specialist for GIS and Street Tree Inventory, one seasonal Recreational Specialist dedicated to young tree maintenance and the Urban Forestry tree crew (Crew Leader, one Lead Arborist, two Arborist 2's, and two Arborist 1's)

Capital Equipment – \$68,340.00

Capital equipment – Replacement Pickup

Maintenance – \$901,600.00

Emergency – Emergency response and routine street tree maintenance between pruning cycles. Removals and prunes less than 20" diameter will be completed by in-house tree crew.

Preventive – Conduct routine pruning cycle for neighborhoods of Clifton, East Westwood, English Woods, Millvale, South Cumminsville, North Fairmount, South Fairmount, Villages at Roll Hill, Avondale, North Avondale, East Price Hill, and Lower Price Hill. Prunes less than 20" diameter will be completed by in-house tree crew.

Stump Grinding – Continue contractual stump grinding greater than 20" circumference. The remainder will be completed by the in-house tree crew.

Planting & Young Tree Maintenance – \$800,000

Comprehensive Planting – replace trees removed in all communities and conduct targeted plantings in communities of need as determined by the 2020 Urban Tree Canopy Analysis (1,500 plantings est.).

Materials and Supplies – \$81,370.00

Municipal Garage costs, fuel/fleet repairs, utilities, training, office, and field supplies.

Recommended 2026 ASSESSMENT BUDGET (FY27)

Urban Forestry Street Tree Program

Cincinnati Park Board Division of Natural Resources

Assessment rate: \$0.31/ft

EXPENSES	Proposed FY 2026 Budget
Personnel	\$1,445,591.81
Capital Equipment	\$68,340.00
Contractual Maintenance	
Emergency	\$420,000.00
Preventive	\$400,000.00
Stump Grinding	\$81,600.00
Planting	\$800,000.00
 Materials & Supplies	 \$81,370.00
Training + Travel	\$9,270.00
*Fleet (Repair + Fuel)	\$38,110.00
*Utilities	\$6,180.00
Advertisement	\$2,060.00
Office Supplies	\$3,090.00
Hort. + Small Power Equip	\$5,150.00
CAGIS Annual Licenses	\$17,510.00
	<u><u>\$81,370.00</u></u>
TOTAL	\$3,296,901.81
REVENUE @\$0.31/FF	\$3,502,139.75
Anticipated Delinquencies	(\$100,000.00)
Fund 792 assessment revenue	\$3,402,139.75
Reserve	\$105,237.94

February 5, 2025

To: Mayor and Members of City Council

202500188

From: Sheryl M. M. Long, City Manager

Subject: Emergency Ordinance – FY 2025 Mid-Year Budget Adjustments

Attached is an Emergency Ordinance captioned:

AUTHORIZING the transfer and appropriation of \$281,640.85 from the unappropriated surplus of General Fund 050 to non-departmental Judgments Against the City non-personnel operating budget account no. 050x951x7400 to restore resources from a prior year encumbrance related to the *White v. City of Cincinnati* judgment that was cancelled inadvertently; **AUTHORIZING** the transfer of \$285,000 within Income Tax-Infrastructure Fund 302 from non-departmental Reserve for Contingencies non-personnel operating budget account no. 302x990x7200, with transfers of \$80,000 to Department of Public Services (“DPS”) personnel operating budget account no. 302x255x7100 due to an unmet position vacancy allowance, \$200,000 to DPS non-personnel operating budget account no. 302x255x7200 for citywide building maintenance needs, and \$5,000 to non-departmental Tuition Reimbursement non-personnel operating budget account no. 302x928x7400 to reimburse departmental tuition reimbursement expenses; and **AUTHORIZING** the transfer of \$1,155,000 within Recreation Special Activities Fund 323 from and to various Cincinnati Recreation Commission operating budget accounts according to the attached Schedule of Transfer to realign resources with planned expenditures on minibuses, fitness equipment, and utility expenses.

This Emergency Ordinance authorizes various transfers and appropriations for FY 2025 as outlined below.

Judgments Against the City Non-Departmental Account

This Emergency Ordinance authorizes the transfer and appropriation of \$281,640.85 from the unappropriated surplus of General Fund 050 to non-departmental Judgments Against the City non-personnel operating budget account no. 050x951x7400 to restore resources from a prior year encumbrance related to the *White v. City of Cincinnati* judgment that was cancelled inadvertently. These resources were returned to the General Fund unappropriated surplus and must now be transferred and appropriated back to the non-department Judgments Against the City account to fulfill the terms of the judgment.

Department of Public Services

This Emergency Ordinance authorizes the transfer of \$280,000 within Income Tax-Infrastructure Fund 302 from non-departmental Reserve for Contingencies non-personnel operating budget account no. 302x990x7200, with transfers of \$80,000 to Department of Public Services (DPS) personnel operating budget account no. 302x255x7100 due to an unmet position vacancy allowance and \$200,000 to DPS non-personnel operating budget account no. 302x255x7200 for citywide building maintenance needs.

Tuition Reimbursement Non-Departmental Account

This Emergency Ordinance authorizes the transfer of \$5,000 within Income Tax-Infrastructure Fund 302 from non-departmental Reserve for Contingencies non-personnel operating budget account no. 302x990x7200 to non-departmental Tuition Reimbursement non-personnel operating budget account no. 302x928x7400 to reimburse departmental tuition reimbursement expenses.

Cincinnati Recreation Commission

This Emergency Ordinance also authorizes the transfer of \$1,155,000 within Recreation Special Activities Fund 323 from and to various Cincinnati Recreation Commission operating budget accounts according to the attached Schedule of Transfer to realign resources with planned expenditures on minibuses, fitness equipment, and utility expenses.

The reason for the emergency is the immediate need to ensure the uninterrupted continuation of services.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment

EMERGENCY

MSS

- 2025

AUTHORIZING the transfer and appropriation of \$281,640.85 from the unappropriated surplus of General Fund 050 to non-departmental Judgments Against the City non-personnel operating budget account no. 050x951x7400 to restore resources from a prior year encumbrance related to the White v. City of Cincinnati judgment that was cancelled inadvertently; **AUTHORIZING** the transfer of \$285,000 within Income Tax-Infrastructure Fund 302 from non-departmental Reserve for Contingencies non-personnel operating budget account no. 302x990x7200, with transfers of \$80,000 to Department of Public Services (“DPS”) personnel operating budget account no. 302x255x7100 due to an unmet position vacancy allowance, \$200,000 to DPS non-personnel operating budget account no. 302x255x7200 for citywide building maintenance needs, and \$5,000 to non-departmental Tuition Reimbursement non-personnel operating budget account no. 302x928x7400 to reimburse departmental tuition reimbursement expenses; and **AUTHORIZING** the transfer of \$1,155,000 within Recreation Special Activities Fund 323 from and to various Cincinnati Recreation Commission operating budget accounts according to the attached Schedule of Transfer to realign resources with planned expenditures on minibuses, fitness equipment, and utility expenses.

WHEREAS, \$281,640.85 was returned to the General Fund unappropriated surplus when a prior year encumbrance for the White v. City of Cincinnati judgment inadvertently was cancelled; and

WHEREAS, \$281,640.85 therefore must be transferred and appropriated back to the non-departmental Judgments Against the City account to fulfill the terms of the judgment; and

WHEREAS, due to the Department of Public Services (“DPS”) not meeting its budgeted position vacancy allowance, \$80,000 in personnel resources must be transferred within the Income Tax-Infrastructure Fund to ensure continued services; and

WHEREAS, DPS requires an additional \$200,000 in non-personnel resources to be transferred within the Income Tax-Infrastructure Fund to address citywide building maintenance needs; and

WHEREAS, \$5,000 must be transferred within the Income Tax-Infrastructure Fund to the non-departmental Tuition Reimbursement account to reimburse departments for employee tuition reimbursement expenses; and

WHEREAS, sufficient resources exist within appropriations in the Income Tax-Infrastructure Fund to make the required transfers; and

WHEREAS, the Cincinnati Recreation Commission has resources available for minibuses, fitness equipment, and utility expenses, which resources must be transferred according to the attached

Schedule of Transfers to ensure that the resources are in the appropriate operating budget accounts; now, therefore,

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

Section 1. That \$281,640.85 is transferred and appropriated from the unappropriated surplus of General Fund 050 to non-departmental Judgments Against the City non-personnel operating budget account no. 050x951x7400 to restore resources from a prior year encumbrance for the White v. City of Cincinnati judgment that was cancelled inadvertently.

Section 2. That \$285,000 is transferred within Income Tax-Infrastructure Fund 302 from non-departmental Reserve for Contingencies non-personnel operating budget account no. 302x990x7200, with the following transfers: (a) \$80,000 to Department of Public Services (“DPS”) personnel operating budget account no. 302x255x7100 due to an unmet position vacancy allowance; (b) \$200,000 to DPS non-personnel operating budget account no. 302x255x7200 for citywide building maintenance needs; and (c) \$5,000 to non-departmental Tuition Reimbursement non-personnel operating budget account no. 302x928x7400 to reimburse departmental tuition reimbursement expenses.

Section 3. That \$1,155,000 is transferred within Recreation Special Activities Fund 323 from and to various Cincinnati Recreation Commission operating budget accounts according to the attached Schedule of Transfer to realign resources with planned expenditures on minibuses, fitness equipment, and utility expenses.

Section 4. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Sections 1 through 3.

Section 5. 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 ensure the uninterrupted continuation of services.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

SCHEDULE OF TRANSFER

FY 2025 MID-YEAR ADJUSTMENTS SCHEDULE OF TRANSFER

Recreation Special Activities Fund

REDUCTIONS					INCREASES				
	Fund	Agency	Appropriation Unit	\$ Amount		Fund	Agency	Appropriation Unit	\$ Amount
TRANSFERS WITHIN APPROPRIATIONS					TRANSFERS WITHIN APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
CINCINNATI RECREATION COMMISSION					CINCINNATI RECREATION COMMISSION				
WEST REGION	323	191	7300	1,155,000	WEST REGION	323	191	7600	130,000
					EAST REGION	323	192	7200	40,000
					EAST REGION	323	192	7600	134,000
					CENTRAL REGION	323	193	7200	100,000
					CENTRAL REGION	323	193	7600	181,000
					ATHLETICS	323	197	7200	70,000
					ADMINISTRATION	323	199	7600	500,000
Transfers within Appropriations Subtotal				1,155,000	Transfers within Appropriations Subtotal				1,155,000
TOTAL FUND REDUCTIONS				1,155,000	TOTAL FUND INCREASES				1,155,000

February 5, 2025

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

202500197

Subject: Emergency Ordinance – DCED: Kennedy Heights NBDIP

Attached is an Emergency Ordinance captioned:

AUTHORIZING the Department of Community and Economic Development (“DCED”) to repurpose up to \$160,000 from the General Fund resources previously awarded to the Kennedy Heights Community Urban Re-Development Corporation through the Neighborhood Business District Improvement Program to pay the remaining mortgage on the property located at 6549 Montgomery Road; and **DECLARING** such expenditure to serve a public purpose.

Approval of this Emergency Ordinance authorizes the Department of Community and Economic Development to repurpose up to \$160,000 from the General Fund resources previously awarded to the Kennedy Heights Community Urban Re-Development Corporation (KHDC) through the Neighborhood Business District Improvement Program (NBDIP) to pay the remaining mortgage on the property located at 6549 Montgomery Road. The Emergency Ordinance also declares that the expenditure serves a public purpose.

KHDC acquired the 6549 Montgomery Road property through a mortgage loan from the Cincinnati Development Fund (CDF). The City separately supplied KHDC with NBDIP funding to acquire and/or demolish the adjacent properties located at 6543, 6545, and 6547 Montgomery Road, which together with the property at 6549 Montgomery Road, are intended to create a single site for an affordable housing development for seniors. The Hamilton County Land Reutilization Corporation recently received an additional grant from the Ohio Department of Development (ODOD) Building Demolition and Site Revitalization Program for the demolition of properties. Since the NBDIP funding is no longer needed for demolition of the properties, the City wishes to repurpose the NBDIP funding for the remaining mortgage payment, which must be satisfied before the Hamilton County Land Reutilization Corporation can begin demolition. Repurposing the NBDIP funding to pay off KHDC’s remaining mortgage on the Property serves a public purpose by enabling KHDC to use alternative funding sources for demolition, thereby supporting the creation of a unified site for affordable senior housing.

Supporting this affordable housing development for seniors in the neighborhood of Kennedy Heights is in accordance with the “Live” goal to “[p]rovide a full spectrum of housing options, and improve housing quality and affordability” as described on pages 164-177 of Plan Cincinnati.

The reason for the emergency is the immediate need to move forward with demolition of the Property and adjacent lots.

The Administration recommends passage of this Emergency Ordinance.

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



Attachment

EMERGENCY

IMD

- 2025

AUTHORIZING the Department of Community and Economic Development (“DCED”) to repurpose up to \$160,000 from the General Fund resources previously awarded to the Kennedy Heights Community Urban Re-Development Corporation through the Neighborhood Business District Improvement Program to pay the remaining mortgage on the property located at 6549 Montgomery Road; and **DECLARING** such expenditure to serve a public purpose.

WHEREAS, Council adopted a Budget for Fiscal Year 2024 through Ordinance No. 202-2023, which appropriated \$900,000 to the Neighborhood Business District Improvement Program (“NBDIP”); and

WHEREAS, Ordinance No. 205-2024 carried over \$210,000 in NBDIP funding to Fiscal Year 2025; and

WHEREAS, in 2019, the Kennedy Heights Community Urban Re-Development Corporation (“KHDC”) acquired the real property located at 6549 Montgomery Road (Parcel No. 128-0002-0096-00) (the “Property”) through a mortgage loan from the Cincinnati Development Fund; and

WHEREAS, the City separately supplied KHDC with NBDIP funding to acquire and/or demolish the properties located at 6543, 6545, and 6547 Montgomery Road (the “Adjacent Properties”), which, together with the Property, are intended to create a single site for an affordable housing development for seniors in Kennedy Heights; and

WHEREAS, the Hamilton County Land Reutilization Corporation recently received an additional grant from the Ohio Department of Development Building Demolition and Site Revitalization Program for the demolition of the Property and the Adjacent Properties; and

WHEREAS, because the NBDIP funding is no longer needed for demolition of the Adjacent Properties, the City wishes to repurpose that funding out of the NBDIP to instead pay the remaining mortgage on the Property, which must be satisfied before the Hamilton County Land Reutilization Corporation can begin demolition; and

WHEREAS, repurposing the NBDIP funding to pay off KHDC’s remaining mortgage on the Property serves a public purpose by enabling KHDC to use alternative funding sources for demolition, thereby supporting the creation of a unified site for affordable senior housing; and

WHEREAS, supporting this affordable housing development for seniors in the neighborhood of Kennedy Heights is in accordance with the “Live” goal to “[p]rovide a full spectrum of housing options, and improve housing quality and affordability” as described on pages 164-177 of Plan Cincinnati; now, therefore,

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

Section 1. That the Department of Community and Economic Development is authorized to repurpose up to \$160,000 from the General Fund resources previously awarded to the Kennedy Heights Community Urban Re-Development Corporation (“KHDC”) through the Neighborhood Business District Improvement Program to pay the remaining mortgage on the property located at 6549 Montgomery Road (the “Property”).

Section 2. That paying KHDC’s remaining mortgage on the Property is declared to serve a public purpose because it enables KHDC to use alternative funding sources for demolition and supports the creation of a unified site for affordable senior housing.

Section 3. That the proper City officials are authorized to do all things necessary and proper to carry out the provisions of Sections 1 and 2.

Section 4. 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 move forward with demolition of the Property and adjacent lots.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

February 5, 2025

To: Mayor and Members of City Council 202500189

From: Sheryl M. M. Long, City Manager

Subject: **Ordinance – DOTE: Ohio Public Works Commission (OPWC) Grants**

Attached is an Ordinance captioned:

ESTABLISHING new capital improvement program project account no. 980x233x252356, “Montana Avenue OPWC Grant,” to provide Ohio Public Works Commission (“OPWC”) grant resources to rehabilitate Montana Avenue; **AUTHORIZING** the City Manager to accept and appropriate grant resources of up to \$2,350,000 from OPWC to newly established capital improvement program project account no. 980x233x252356, “Montana Avenue OPWC Grant”; **AUTHORIZING** the Director of Finance to deposit OPWC grant resources of up to \$2,350,000 in OPWC grant resources into capital improvement program project account no. 980x233x252356, “Montana Avenue OPWC Grant”; and **AUTHORIZING** the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

Approval of this Ordinance authorizes the following:

1. the establishment of capital improvement program project account no. 980x233x252356, “Montana Avenue OPWC Grant,” to provide Ohio Public Works Commission (“OPWC”) grant resources to rehabilitate Montana Avenue;
2. the City Manager to accept and appropriate grant resources of up to \$2,350,000 from the OPWC to newly established capital improvement program project account no. 980x233x252356, “Montana Avenue OPWC Grant”;
3. the Director of Finance to deposit OPWC grant resources of up to \$2,350,000 in OPWC grant resources into capital improvement program project account no. 980x233x252356, “Montana Avenue OPWC Grant”;
4. the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

On May 8, 2024, the City Council passed Ordinance No. 0147-2024, which authorized the City Manager to apply for funding from the federal Surface Transportation Block Grant (“STBG”) and Congestion Mitigation and Air Quality (“CMAQ”) grant programs, the Transportation Alternatives (“TA”) Grant, Metro Transit Infrastructure Grants awarded by Cincinnati Metro, OPWC grants (“Funding Round 39”), and Municipal Road Fund (“MRF”) grants awarded by Hamilton County. The

City was awarded up to \$2,350,000 from OPWC Funding Round 39 to rehabilitate Montana Avenue, and City Council approval is required to accept and appropriate OPWC grant resources.

The OPWC grant requires \$2,350,000 in local matching resources, which will be provided from existing capital improvement program project account no. 980x233x252308, "Street Rehabilitation." No new FTEs/full time equivalents are associated with this grant.

The OPWC grant project in accordance with the "Connect" goal to "[d]evelop an efficient multi-modal transportation system that supports neighborhood livability" and strategy to "[p]lan, design, and implement a safe and sustainable transportation system" as described on pages 129-138 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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

Attachment



ESTABLISHING new capital improvement program project account no. 980x233x252356, “Montana Avenue OPWC Grant,” to provide Ohio Public Works Commission (“OPWC”) grant resources to rehabilitate Montana Avenue; **AUTHORIZING** the City Manager to accept and appropriate grant resources of up to \$2,350,000 from OPWC to newly established capital improvement program project account no. 980x233x252356, “Montana Avenue OPWC Grant”; **AUTHORIZING** the Director of Finance to deposit OPWC grant resources of up to \$2,350,000 in OPWC grant resources into capital improvement program project account no. 980x233x252356, “Montana Avenue OPWC Grant”; and **AUTHORIZING** the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

WHEREAS, on May 8, 2024, Council passed Ordinance No. 147-2024, which authorized the City Manager to apply for, OPWC grants (“OPWC Funding Round 39”), as well as other federal, state, and local grant resources for transportation projects, to ensure the timely completion of various road and bridge construction projects throughout the City; and

WHEREAS, the City was awarded up to \$2,350,000 from OPWC Funding Round 39 to rehabilitate Montana Avenue, however Council approval is required to accept and appropriate the OPWC grant resources; and

WHEREAS, the OPWC grant requires \$2,350,000 in local matching resources, which will be provided from existing capital improvement program project account no. 980x233x252308, “Street Rehabilitation”; and

WHEREAS, there are no new FTE/full time equivalents associated with this grant; and

WHEREAS, securing grant funding to rehabilitate Montana Avenue is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability” and strategy to “[p]lan, design, and implement a safe and sustainable transportation system” 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 Council authorizes the establishment of new capital improvement program project account no. 980x233x252356, “Montana Avenue OPWC Grant,” to provide Ohio Public Works Commission (“OPWC”) grant resources to rehabilitate Montana Avenue.

Section 2. That the City Manager is authorized to accept and appropriate grant resources of up to \$2,350,000 from OPWC to newly established capital improvement program project account no. 980x233x252356, “Montana Avenue OPWC Grant.”

Section 3. That the Director of Finance is authorized to deposit OPWC grant resources of up to \$2,350,000 into capital improvement program project account no. 980x233x252356, “Montana Avenue OPWC Grant.”

Section 4. That the City Manager is authorized to enter into any agreements necessary for the receipt and administration of these grant resources.

Section 5. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of the grant and Sections 1 through 4.

Section 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

February 5, 2025

To: Mayor and Members of City Council
From: Sheryl M. M. Long, City Manager
Subject: Ordinance – DOTE: SORTA Metro Transit Infrastructure Fund Grant

202500196

Attached is an Ordinance captioned:

ESTABLISHING new capital improvement program project account no. 980x233x252366, “Central Parkway Bikeway Phase 3 Transit Grant,” to provide resources for the Central Parkway Bikeway Phase 3 project; **ESTABLISHING** new capital improvement program project account no. 980x233x252368, “Ridge Avenue Transit Grant,” to provide resources to rehabilitate Ridge Avenue; **ESTABLISHING** new capital improvement program project account no. 980x233x252369, “Victory Parkway Transit Grant PID 117208,” to provide resources for improvements to Victory Parkway; **AUTHORIZING** the City Manager to accept a grant of up to \$10,000,000 from the Southwest Ohio Regional Transit (“SORTA”) Metro Transit Infrastructure Fund (“MTIF”); **AUTHORIZING** the City Manager to appropriate SORTA MTIF grant resources as follows: (1) up to \$2,500,000 to newly established capital improvement program project account no. 980x233x252366, “Central Parkway Bikeway Phase 3 Transit Grant”; (2) up to \$1,500,000 to newly established capital improvement program project account no. 980x233x252368, “Ridge Avenue Transit Grant”; and (3) up to \$6,000,000 to newly established capital improvement program project account no. 980x233x252369, “Victory Parkway Transit Grant PID 117208”; **AUTHORIZING** the Director of Finance to deposit SORTA MTIF grant resources as follows: (1) up to \$2,500,000 to newly established capital improvement program project account no. 980x233x252366, “Central Parkway Bikeway Phase 3 Transit Grant”; (2) up to \$1,500,000 to newly established capital improvement program project account no. 980x233x252368, “Ridge Avenue Transit Grant”; and (3) up to \$6,000,000 to newly established capital improvement program project account no. 980x233x252369, “Victory Parkway Transit Grant PID 117208”; and **AUTHORIZING** the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

Approval of this Ordinance authorizes the following:

1. the establishment of new capital improvement program project account no. 980x233x252366, “Central Parkway Bikeway Phase 3 Transit Grant,” to provide resources for the Central Parkway Bikeway Phase 3 project;
2. the establishment of new capital improvement program project account no. 980x233x252368, “Ridge Avenue Transit Grant,” to provide resources to rehabilitate Ridge Avenue;

3. the establishment of new capital improvement program project account no. 980x233x252369, "Victory Parkway Transit Grant PID 117208," to provide resources for improvements to Victory Parkway;
4. the City Manager to accept a grant of up to \$10,000,000 from the Southwest Ohio Regional Transit Authority ("SORTA") Metro Transit Infrastructure Fund ("MTIF");
5. the City Manager to appropriate SORTA MTIF grant resources as follows: (1) up to \$2,500,000 to newly established capital improvement program project account no. 980x233x252366, "Central Parkway Bikeway Phase 3 Transit Grant"; (2) up to \$1,500,000 to newly established capital improvement program project account no. 980x233x252368, "Ridge Avenue Transit Grant"; and (3) up to \$6,000,000 to newly established capital improvement program project account no. 980x233x252369, "Victory Parkway Transit Grant PID 117208";
6. the Director of Finance to deposit SORTA MTIF grant resources as follows: (1) up to \$2,500,000 to newly established capital improvement program project account no. 980x233x252366, "Central Parkway Bikeway Phase 3 Transit Grant"; (2) up to \$1,500,000 to newly established capital improvement program project account no. 980x233x252368, "Ridge Avenue Transit Grant"; and (3) up to \$6,000,000 to newly established capital improvement program project account no. 980x233x252369, "Victory Parkway Transit Grant PID 117208"; and
7. the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

On May 8, 2024, the City Council passed Ordinance No. 0147-2024, which authorized the City Manager to apply for Southwest Ohio Regional Transit Authority ("SORTA") Metro Transit Infrastructure Fund ("MTIF") grant resources as well as other federal, state, and local grant resources for various transportation projects. The City has been awarded \$10,000,000 from the SORTA MTIF, and City Council's authorization is now required to accept and appropriate the grant resources awarded to the City.

This grant requires matching funds for each project, and the amount of the matching funds and source of those funds is identified in Attachment A. There are no new FTE/full time equivalents associated with the acceptance of these grant resources

These grant projects are in accordance with the "Connect" goal to "[d]evelop an efficient multi-modal transportation system that supports neighborhood livability" and strategy to "[p]lan, design, and implement a safe and sustainable transportation system" as described on pages 129-138 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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



Attachments

ESTABLISHING new capital improvement program project account no. 980x233x252366, “Central Parkway Bikeway Phase 3 Transit Grant,” to provide resources for the Central Parkway Bikeway Phase 3 project; **ESTABLISHING** new capital improvement program project account no. 980x233x252368, “Ridge Avenue Transit Grant,” to provide resources to rehabilitate Ridge Avenue; **ESTABLISHING** new capital improvement program project account no. 980x233x252369, “Victory Parkway Transit Grant PID 117208,” to provide resources for improvements to Victory Parkway; **AUTHORIZING** the City Manager to accept a grant of up to \$10,000,000 from the Southwest Ohio Regional Transit Authority (“SORTA”) Metro Transit Infrastructure Fund (“MTIF”); **AUTHORIZING** the City Manager to appropriate SORTA MTIF grant resources as follows: (1) up to \$2,500,000 to newly established capital improvement program project account no. 980x233x252366, “Central Parkway Bikeway Phase 3 Transit Grant”; (2) up to \$1,500,000 to newly established capital improvement program project account no. 980x233x252368, “Ridge Avenue Transit Grant”; and (3) up to \$6,000,000 to newly established capital improvement program project account no. 980x233x252369, “Victory Parkway Transit Grant PID 117208”; **AUTHORIZING** the Director of Finance to deposit SORTA MTIF grant resources as follows: (1) up to \$2,500,000 to newly established capital improvement program project account no. 980x233x252366, “Central Parkway Bikeway Phase 3 Transit Grant”; (2) up to \$1,500,000 to newly established capital improvement program project account no. 980x233x252368, “Ridge Avenue Transit Grant”; and (3) up to \$6,000,000 to newly established capital improvement program project account no. 980x233x252369, “Victory Parkway Transit Grant PID 117208”; and **AUTHORIZING** the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

WHEREAS, on May 8, 2024, Council passed Ordinance No. 147-2024, which authorized the City Manager to apply for Southwest Ohio Regional Transit Authority (“SORTA”) Metro Transit Infrastructure Fund (“MTIF”) grant resources as well as other federal, state, and local grant resources for various transportation projects; and

WHEREAS, the City has been awarded \$10,000,000 from the SORTA MTIF, and Council’s authorization is now required to accept and appropriate the grant resources awarded to the City; and

WHEREAS, this grant requires matching funds for each project, and the amount of the matching funds and source of those funds is identified on Attachment A; and

WHEREAS, and there are no new FTE/full time equivalents associated with the acceptance of these grant resources; and

WHEREAS, these grant projects are in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability” and strategy to “[p]lan, design, and implement a safe and sustainable transportation system” 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 new capital improvement program project account no. 980x233x252366, “Central Parkway Bikeway Phase 3 Transit Grant,” is established to provide resources for the Central Parkway Bikeway Phase 3 project.

Section 2. That new capital improvement program project account no. 980x233x252368, “Ridge Avenue Transit Grant,” is established to provide resources to rehabilitate Ridge Avenue.

Section 3. That new capital improvement program project account no. 980x233x252369, Victory Parkway Transit Grant PID 117208,” is established to provide resources for improvements to Victory Parkway.

Section 4. That the City Manager is authorized to accept a grant of up to \$10,000,000 from the Southwest Ohio Regional Transit Authority (“SORTA”) Metro Transit Infrastructure Fund (“MTIF”) to provide resources for the Central Parkway Bikeway Phase 3 project, to rehabilitate Ridge Avenue, and for improvements to Victory Parkway.

Section 5. That the City Manager is authorized to appropriate SORTA MTIF grant resources as follows: (1) up to \$2,500,000 to newly established capital improvement program project account no. 980x233x252366, “Central Parkway Bikeway Phase 3 Transit Grant”; (2) up to \$1,500,000 to newly established capital improvement program project account no. 980x233x252368, “Ridge Avenue Transit Grant”; and (3) up to \$6,000,000 to newly established capital improvement program project account no. 980x233x252369, “Victory Parkway Transit Grant PID 117208.”

Section 6. That the Director of Finance is authorized to deposit the grant resources as follows: (1) up to \$2,500,000 to newly established capital improvement program project account no. 980x233x252366, “Central Parkway Bikeway Phase 3 Transit Grant”; (2) up to \$1,500,000 to newly established capital improvement program project account no. 980x233x252368,

“Ridge Avenue Transit Grant”; and (3) up to \$6,000,000 to newly established capital improvement program project account no. 980x233x252369, “Victory Parkway Transit Grant PID 117208.”

Section 7. That the City Manager is authorized to enter into any agreements necessary for the receipt and administration of these grant resources.

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

Section 9. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

Attachment A

Round 4 Metro Transit Infrastructure Fund By Project

Project	Transit Infrastructure Fund Grant Amount	Deposit into Capital Improvement Program Project Account	Required Matching Funds	Matching Funds Source
Central Parkway Bikeway Phase 3	\$2,500,000	Central Parkway Bikeway Phase 3 Transit Grant (New Account)	\$1,700,000	The remainder of the project cost will be from Bicycle Transportation Program capital project account nos. 980x233x222357, 980x233x232357, 980x233x242357, and 980x233x252357.
Ridge Avenue Rehabilitation	\$1,500,000	Ridge Avenue Transit Grant (New Account)	\$3,000,000	The remainder of the project cost will be from Ridge Ave OPWC Grant capital project account no. 980x233x232362 (\$1,400,000) as well as existing and anticipated Street Rehabilitation capital project account nos. 980x233x252308 and 980x233x262308.
Victory Parkway Improvement	\$6,000,000	Victory Parkway Transit Grant PID 117208 (New Account)	\$6,000,000	The remainder of the project cost will be from ODOT Project PID 117208 and the Victory Pkwy - Eden Park Safety Improvements capital project account no. 980x232x222359 (\$6,000,000).
Totals	\$10,000,000		\$10,700,000	

February 5, 2025

To: Mayor and Members of City Council

202500199

From: Sheryl M. M. Long, City Manager

**Subject: Ordinance – DOTE: Municipal Road Fund (MRF) Grant for
Beekman Street Pedestrian Safety**

Attached is an Ordinance captioned:

ESTABLISHING new capital improvement program project account no. 980x233x252355, “Beekman St Pedestrian Safety MRF Grant,” to provide resources to implement pedestrian safety improvements on Beekman Street; **AUTHORIZING** the City Manager to accept and appropriate a grant of up to \$200,000 from the Hamilton County Municipal Road Fund to newly established capital improvement program project account no. 980x233x252355, “Beekman St Pedestrian Safety MRF Grant”; **AUTHORIZING** the Director of Finance to deposit the grant resources into capital improvement program project account no. 980x233x252355, “Beekman St Pedestrian Safety MRF Grant”; and **AUTHORIZING** the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

Approval of this Ordinance authorizes the following:

1. the establishment of capital improvement program project account no. 980x233x252355, “Beekman St Pedestrian Safety MRF Grant,” to provide resources to implement pedestrian safety improvements on Beekman Street;
2. the City Manager to accept and appropriate a grant of up to \$200,000 from the Hamilton County Municipal Road Fund to newly established capital improvement program project account no. 980x233x252355, “Beekman St Pedestrian Safety MRF Grant”;
3. the Director of Finance to deposit the grant resources into capital improvement program project account no. 980x233x252355, “Beekman St Pedestrian Safety MRF Grant”; and
4. the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

On May 8, 2024, the City Council passed Ordinance No. 0147-2024, which authorized the City Manager to apply for Hamilton County Municipal Road Fund grant resources as well as other federal, state, and local grant resources for transportation projects, and City Council’s authorization is now required to accept and appropriate the grant resources awarded to the City.

This grant does not require matching funds, and there are no new FTE/full time equivalents associated with the acceptance of these grant resources.

Implementing pedestrian safety improvements on Beekman Street is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability” and strategy to “[p]lan, design, and implement a safe and sustainable transportation system” as described on pages 129-138 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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



Attachment

ESTABLISHING new capital improvement program project account no. 980x233x252355, “Beekman St Pedestrian Safety MRF Grant,” to provide resources to implement pedestrian safety improvements on Beekman Street; **AUTHORIZING** the City Manager to accept and appropriate a grant of up to \$200,000 from the Hamilton County Municipal Road Fund to newly established capital improvement program project account no. 980x233x252355, “Beekman St Pedestrian Safety MRF Grant”; **AUTHORIZING** the Director of Finance to deposit the grant resources into capital improvement program project account no. 980x233x252355, “Beekman St Pedestrian Safety MRF Grant”; and **AUTHORIZING** the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

WHEREAS, on May 8, 2024, Council passed Ordinance No. 147-2024, which authorized the City Manager to apply for Hamilton County Municipal Road Fund grant resources as well as other federal, state, and local grant resources for transportation projects, and Council’s authorization is now required to accept and appropriate the grant resources awarded to the City; and

WHEREAS, this grant does not require matching funds, and there are no new FTE/full time equivalents associated with the acceptance of these grant resources; and

WHEREAS, implementing pedestrian safety improvements on Beekman Street is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability” and strategy to “[p]lan, design, and implement a safe and sustainable transportation system” 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 new capital improvement program project account no. 980x233x252355, “Beekman St Pedestrian Safety MRF Grant,” is established to provide resources to implement pedestrian safety improvements on Beekman Street.

Section 2. That the City Manager is authorized to accept and appropriate a grant of up to \$200,000 from the Hamilton County Municipal Road Fund to newly established capital improvement program project account no. 980x233x252355, “Beekman St Pedestrian Safety MRF Grant.”

Section 3. That the Director of Finance is authorized to deposit the grant resources into capital improvement program project account no. 980x233x252355, “Beekman St Pedestrian Safety MRF Grant.”

Section 4. That the City Manager is authorized to enter into any agreements necessary for the receipt and administration of these grant resources.

Section 5. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of the grant and Sections 1 through 4.

Section 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

February 12, 2025

To: Mayor and Members of City Council 202500227

From: Sheryl M. M. Long, City Manager

Subject: **Ordinance – Health: National Association of County and City Health Officials (NACCHO) Cross-Training Opportunity in Maternal and Child Health and Emergency Preparedness Grant**

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to apply for, accept, and appropriate a grant of up to \$6,510 from the National Association of County and City Health Officials Cross-Training Opportunity in Maternal and Child Health and Emergency Preparedness program for employees from the Cincinnati Health Department to attend training on incorporating maternal and child health considerations in emergency planning; and **AUTHORIZING** the Director of Finance to deposit the grant funds into Public Health Research Fund revenue account no. 350x8571.

This Ordinance authorizes the City Manager to apply for, accept, and appropriate a grant of up to \$6,510 from the National Association of County and City Health Officials (NACCHO) Cross-Training Opportunity in Maternal and Child Health and Emergency Preparedness program for employees from the Cincinnati Health Department to attend training on incorporating maternal and child health considerations in emergency planning. This Ordinance further authorizes the Finance Director to deposit the grant funds into Public Health Research Fund revenue account no. 350x8571.

The grant resources would allow Cincinnati Health Department employees to travel to and attend a conference on incorporating maternal and child health considerations in emergency planning.

There are no new FTEs/full time equivalents associated with this grant and no local match is required.

The Cincinnati Health Department applied for the grant on December 16, 2024, to meet the application deadlines, but no grant funds will be accepted without approval from the City Council.

Acceptance of this grant is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” as described on pages 181-192 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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

Attachment



AUTHORIZING the City Manager to apply for, accept, and appropriate a grant of up to \$6,510 from the National Association of County and City Health Officials Cross-Training Opportunity in Maternal and Child Health and Emergency Preparedness program for employees from the Cincinnati Health Department to attend training on incorporating maternal and child health considerations in emergency planning; and **AUTHORIZING** the Director of Finance to deposit the grant funds into Public Health Research Fund revenue account no. 350x8571.

WHEREAS, a grant is available from the National Association of County and City Health Officials Cross-Training Opportunity in Maternal and Child Health and Emergency Preparedness program for employees from the Cincinnati Health Department to attend training on incorporating maternal and child health considerations in emergency planning; and

WHEREAS, these resources would allow the Cincinnati Health Department employees to travel to and attend a conference on incorporating maternal and child health considerations in emergency planning; and

WHEREAS, this grant requires no matching funds, and no additional FTEs/full time equivalents are associated with this grant; and

WHEREAS, the City applied for the grant on December 16, 2024, to meet the application deadlines, but no grant funds will be accepted without approval by Council; and

WHEREAS, acceptance of this grant is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” as described on pages 181-192 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is authorized to apply for, accept, and appropriate a grant of up to \$6,510 from the National Association of County and City Health Officials Cross-Training Opportunity in Maternal and Child Health and Emergency Preparedness program for employees from the Cincinnati Health Department to attend training on incorporating maternal and child health considerations in emergency planning.

Section 2. That the Director of Finance is authorized to deposit the grant funds into Public Health Research Fund revenue account no. 350x8571.

Section 3. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of the grant and Sections 1 and 2.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

February 12, 2025

To: Mayor and Members of City Council 202500226

From: Sheryl M. M. Long, City Manager

Subject: **Ordinance – Police: FY 2025 Child Victims and Witnesses Support Materials Program Grant**

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to apply for a grant from the Center for Justice Innovation, Child Victims and Witnesses Support Materials Program, to provide printed support materials for child victims and witnesses; and **AUTHORIZING** the City Manager to accept printed support materials, valued at up to \$6,919, pursuant to a grant from the Center for Justice Innovation.

This Emergency Ordinance authorizes the City Manager to apply for a grant from the Center for Justice Innovation, Child Victims and Witnesses Support Materials Program, to provide printed support materials for child victims and witnesses. This Ordinance also authorizes the City Manager to accept printed support materials, valued at up to \$6,919, pursuant to a grant from the Center for Justice Innovation.

The grant is available from the Center for Justice Innovation for printed support materials for child victims and witnesses. The grant will support the Cincinnati Police Department's Victims Assistance Liaison Unit (VALU) and the Cincinnati Citizens Respect Our Witnesses (CCROW) Unit to assist child victims and witnesses of crimes.

The grant application deadline was January 31, 2025, and to meet this deadline the Cincinnati Police Department has already submitted an application; however, the grant will not be accepted without approval by the City Council.

This grant does not require matching funds, and there are no new FTEs/full time equivalents associated with this grant.

Acceptance of this grant is in accordance with the "Live" goal to "[c]reate a more livable community" as described on pages 156-163 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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

Attachment



AUTHORIZING the City Manager to apply for a grant from the Center for Justice Innovation, Child Victims and Witnesses Support Materials Program, to provide printed support materials for child victims and witnesses; and **AUTHORIZING** the City Manager to accept printed support materials, valued at up to \$6,919, pursuant to a grant from the Center for Justice Innovation.

WHEREAS, a grant is available from the Center for Justice Innovation for printed support materials for child victims and witnesses; and

WHEREAS, the grant will support the Cincinnati Police Department's Victims Assistance Liaison Unit and Cincinnati Citizens Respect Our Witnesses Unit to assist child victims and witnesses of crimes; and

WHEREAS, the City applied for this grant prior to the deadline of January 31, 2025, but no grant funds will be accepted without approval by Council; and

WHEREAS, acceptance of this grant does not require matching funds, and there are no new FTEs/full time equivalents associated with acceptance of this grant; and

WHEREAS, acceptance of this grant is in accordance with the "Live" goal to "[c]reate a more livable community" as described on pages 156-163 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is authorized to apply for a grant from the Center for Justice Innovation, Child Victims and Witnesses Support Materials Program, to provide printed support materials for child victims and witnesses for the Cincinnati Police Department's Victims Assistance Liaison Unit and Cincinnati Citizens Respect Our Witnesses Unit.

Section 2. That the City Manager is authorized to accept printed support materials, valued at up to \$6,919, pursuant to a grant from the Center for Justice Innovation, Child Victims and Witnesses Support Materials Program.

Section 3. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of the grant and Sections 1 and 2.

Section 4. That this ordinance shall take effect and be in force from and after the earliest time allowed by law.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

Date: February 5, 2025

To: Mayor and Members of City Council
From: Sheryl M. M. Long, City Manager
Subject: ORDINANCE – ACCEPTING AND CONFIRMING DEDICATION OF THE A PORTION
OF MERRIMAC STREET

202500190

Attached is an ordinance captioned as follows:

ACCEPTING AND CONFIRMING the dedication to public use of an approximately 0.3318-acre tract of real property as a portion of the Merrimac Street, a public right-of-way for street purposes in the Evanston neighborhood of Cincinnati.

D-Has Development, LLC (“Dedicator”) has dedicated to public use approximately 0.3318-acre tract of real property in Evanston as a portion of the Merrimac Street public right-of-way.

Jason M. Link, a reputable attorney, has provided an Attorney’s Certificate of Title dated April 23, 2024, certifying that the Dedicator holds title to the land to be dedicated.

The Office of the City Engineer has examined the Dedication Plat as to its technical features and found it to be correct.

The City Planning Commission approved the Dedication Plat at its meeting on January 17, 2025.

The Administration recommends passage of the attached emergency ordinance.

Attachment I – Dedication Plat

cc: Greg Long, Interim Director, Transportation and Engineering

ACCEPTING AND CONFIRMING the dedication to public use of an approximately 0.3318-acre tract of real property as a portion of the Merrimac Street, a public right-of-way for street purposes in the Evanston neighborhood of Cincinnati.

WHEREAS, D-Has Development, LLC, an Ohio limited liability company (“Developer”), by and through its duly authorized representative, has dedicated to public use an approximately 0.3318-acre tract of real property (“Dedication Property”) as a portion of the Merrimac Street as public right-of-way for street purposes by a plat attached to this ordinance as Attachment A and incorporated herein by reference (“Dedication Plat”); and

WHEREAS, Jason M. Link, a reputable attorney practicing in Hamilton County, Ohio, has provided an Attorney’s Certificate of Title dated April 23, 2024, certifying that Developer holds title to the Dedication Property depicted on the Dedication Plat in fee simple, with full power to convey, subject to certain encumbrances, including real estate taxes not yet due and payable, and that the Law Department’s Real Estate Services Division has reviewed the encumbrances and Dedication Plat and found that Developer has made satisfactory provision for the subordination of the encumbrances and payment of all real estate taxes and assessments; and

WHEREAS, the office of the City Engineer has examined and checked the Dedication Plat as to its technical features and found it to be correct; and

WHEREAS, the City Planning Commission approved the Dedication Plat and the dedication of the additional portions of Merrimac Street to public use as public right-of-way for street purposes at its meeting on January 17, 2025; and

WHEREAS, based on the foregoing, the City Manager, upon consultation with the City’s Department of Transportation and Engineering, recommends that Council accept and confirm the dedication of the Dedication Property as portions of the Merrimac Street public right-of-way for street purposes; now, therefore,

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

Section 1. That the dedication to public use of an approximately 0.3318-acre tract of real property (“Dedication Property”) in Evanston as a portion of the Merrimac Street public right-of-way for street purposes, as depicted on the plat attached to this ordinance as Attachment A and incorporated herein by reference (“Dedication Plat”) and described below and on the legal description attached to this ordinance as Attachment B and incorporated herein by reference is

hereby accepted and confirmed. The Dedication Property is more particularly described as follows:

SEE ATTACHMENT B

Section 2. That the proper City officials are hereby authorized to take all necessary and proper actions to carry out the terms of this ordinance, including without limitation the execution of all any and all ancillary agreements, deeds, plats, or other real estate documents, as deemed necessary or appropriate by the City Manager.

Section 3. That the City Solicitor shall cause an authenticated copy of this ordinance to be filed with the Hamilton County, Ohio Auditor's Office and recorded in the Hamilton County, Ohio Recorder's Office.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2025

Aftab Pureval, Mayor

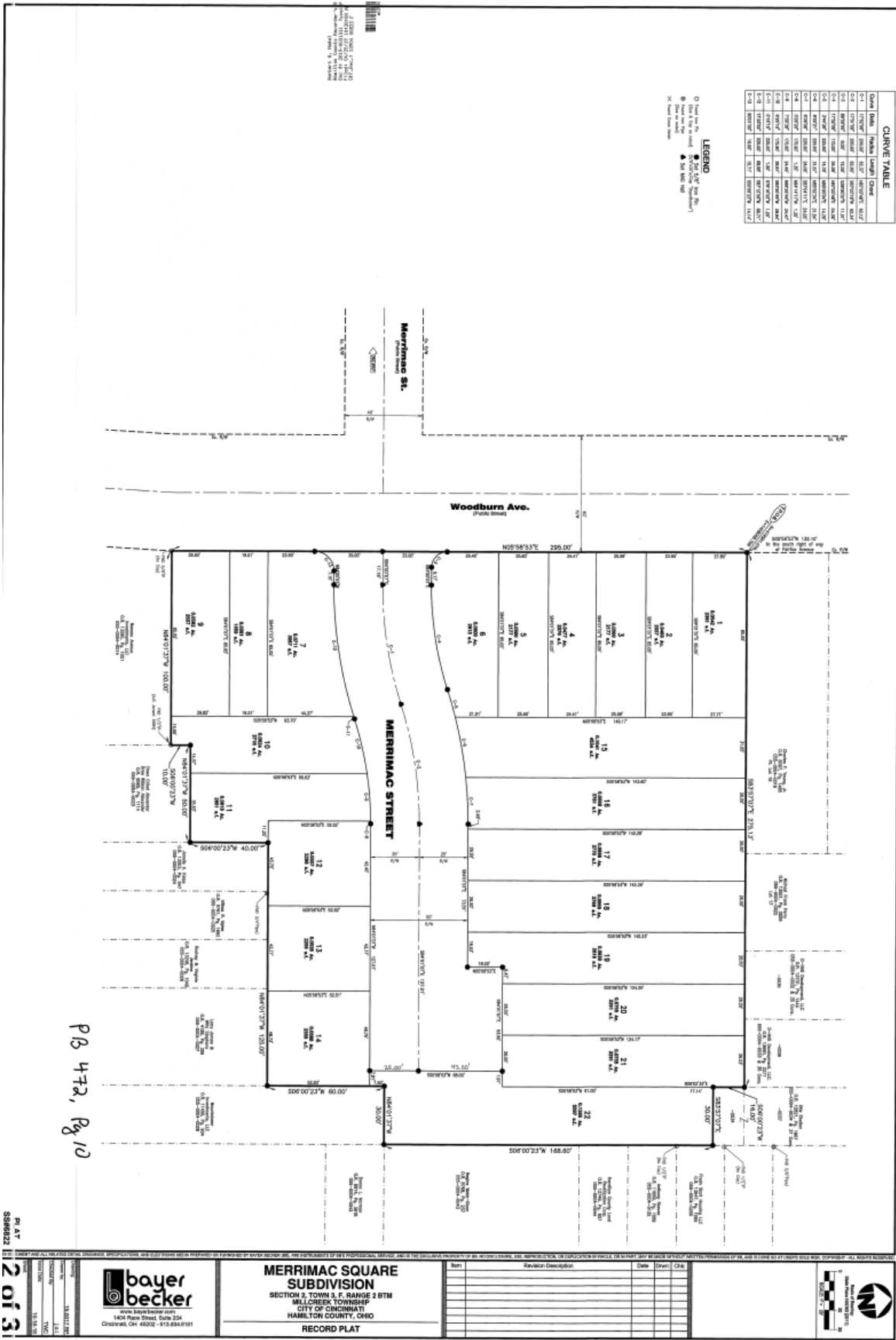
Attest: _____
Clerk

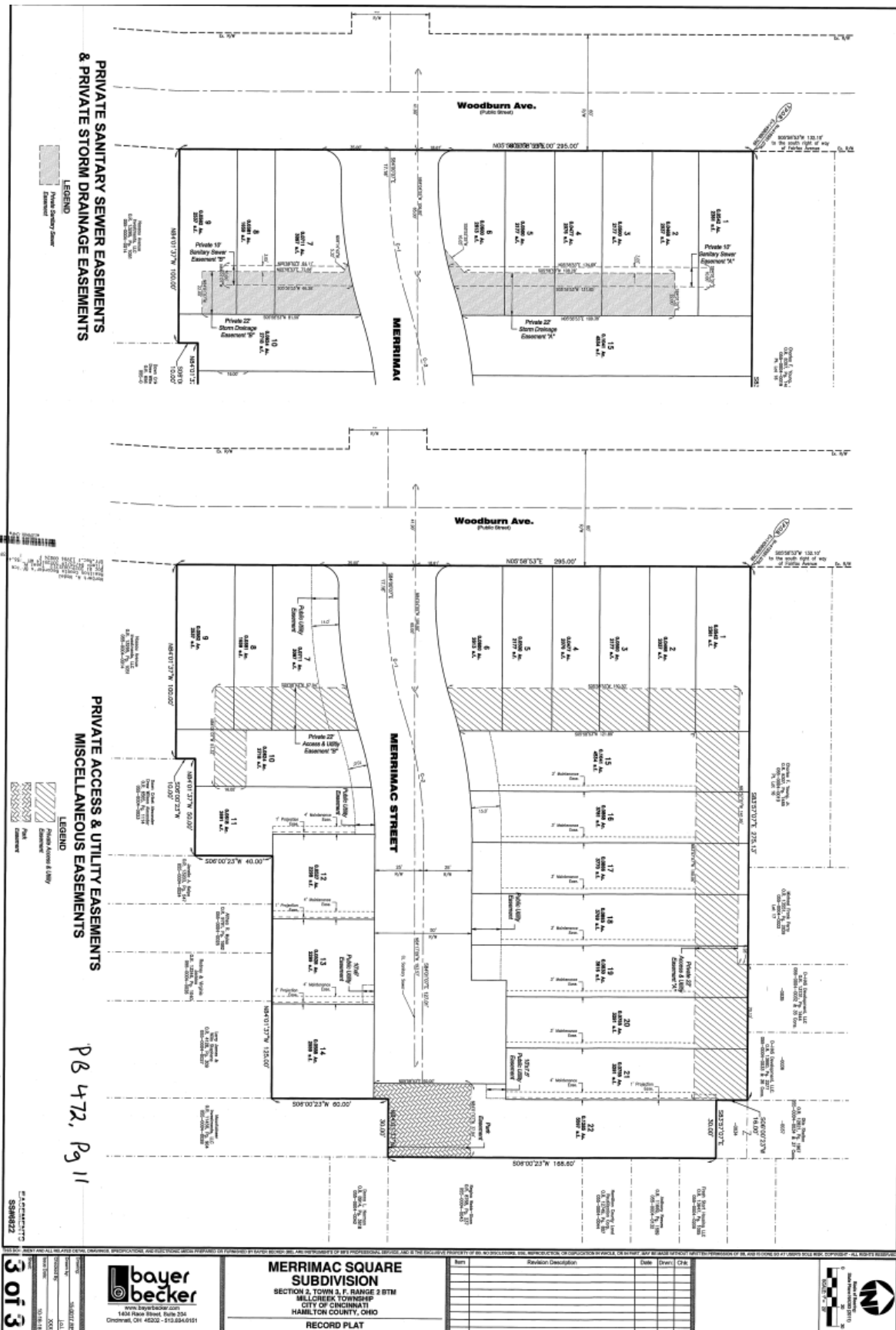
Ordinance _____ : Dedication of Merrimac Street

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Curve Data	Radius	Length	Chord
C-1	120.00'	200.00'	199.98'
C-2	120.00'	200.00'	199.98'
C-3	120.00'	200.00'	199.98'
C-4	120.00'	200.00'	199.98'
C-5	120.00'	200.00'	199.98'
C-6	120.00'	200.00'	199.98'
C-7	120.00'	200.00'	199.98'
C-8	120.00'	200.00'	199.98'
C-9	120.00'	200.00'	199.98'
C-10	120.00'	200.00'	199.98'
C-11	120.00'	200.00'	199.98'
C-12	120.00'	200.00'	199.98'
C-13	120.00'	200.00'	199.98'
C-14	120.00'	200.00'	199.98'
C-15	120.00'	200.00'	199.98'
C-16	120.00'	200.00'	199.98'
C-17	120.00'	200.00'	199.98'
C-18	120.00'	200.00'	199.98'
C-19	120.00'	200.00'	199.98'
C-20	120.00'	200.00'	199.98'
C-21	120.00'	200.00'	199.98'
C-22	120.00'	200.00'	199.98'
C-23	120.00'	200.00'	199.98'
C-24	120.00'	200.00'	199.98'
C-25	120.00'	200.00'	199.98'
C-26	120.00'	200.00'	199.98'
C-27	120.00'	200.00'	199.98'
C-28	120.00'	200.00'	199.98'
C-29	120.00'	200.00'	199.98'
C-30	120.00'	200.00'	199.98'
C-31	120.00'	200.00'	199.98'
C-32	120.00'	200.00'	199.98'
C-33	120.00'	200.00'	199.98'
C-34	120.00'	200.00'	199.98'
C-35	120.00'	200.00'	199.98'
C-36	120.00'	200.00'	199.98'
C-37	120.00'	200.00'	199.98'
C-38	120.00'	200.00'	199.98'
C-39	120.00'	200.00'	199.98'
C-40	120.00'	200.00'	199.98'
C-41	120.00'	200.00'	199.98'
C-42	120.00'	200.00'	199.98'
C-43	120.00'	200.00'	199.98'
C-44	120.00'	200.00'	199.98'
C-45	120.00'	200.00'	199.98'
C-46	120.00'	200.00'	199.98'
C-47	120.00'	200.00'	199.98'
C-48	120.00'	200.00'	199.98'
C-49	120.00'	200.00'	199.98'
C-50	120.00'	200.00'	199.98'
C-51	120.00'	200.00'	199.98'
C-52	120.00'	200.00'	199.98'
C-53	120.00'	200.00'	199.98'
C-54	120.00'	200.00'	199.98'
C-55	120.00'	200.00'	199.98'
C-56	120.00'	200.00'	199.98'
C-57	120.00'	200.00'	199.98'
C-58	120.00'	200.00'	199.98'
C-59	120.00'	200.00'	199.98'
C-60	120.00'	200.00'	199.98'
C-61	120.00'	200.00'	199.98'
C-62	120.00'	200.00'	199.98'
C-63	120.00'	200.00'	199.98'
C-64	120.00'	200.00'	199.98'
C-65	120.00'	200.00'	199.98'
C-66	120.00'	200.00'	199.98'
C-67	120.00'	200.00'	199.98'
C-68	120.00'	200.00'	199.98'
C-69	120.00'	200.00'	199.98'
C-70	120.00'	200.00'	199.98'
C-71	120.00'	200.00'	199.98'
C-72	120.00'	200.00'	199.98'
C-73	120.00'	200.00'	199.98'
C-74	120.00'	200.00'	199.98'
C-75	120.00'	200.00'	199.98'
C-76	120.00'	200.00'	199.98'
C-77	120.00'	200.00'	199.98'
C-78	120.00'	200.00'	199.98'
C-79	120.00'	200.00'	199.98'
C-80	120.00'	200.00'	199.98'
C-81	120.00'	200.00'	199.98'
C-82	120.00'	200.00'	199.98'
C-83	120.00'	200.00'	199.98'
C-84	120.00'	200.00'	199.98'
C-85	120.00'	200.00'	199.98'
C-86	120.00'	200.00'	199.98'
C-87	120.00'	200.00'	199.98'
C-88	120.00'	200.00'	199.98'
C-89	120.00'	200.00'	199.98'
C-90	120.00'	200.00'	199.98'
C-91	120.00'	200.00'	199.98'
C-92	120.00'	200.00'	199.98'
C-93	120.00'	200.00'	199.98'
C-94	120.00'	200.00'	199.98'
C-95	120.00'	200.00'	199.98'
C-96	120.00'	200.00'	199.98'
C-97	120.00'	200.00'	199.98'
C-98	120.00'	200.00'	199.98'
C-99	120.00'	200.00'	199.98'
C-100	120.00'	200.00'	199.98'

LEGEND
 O Point of Beginning
 P Point of Intersection
 M Point of Curvature
 T Point of Tangency
 L Point of Longitudinal Intersection
 S Point of Stationing
 C Point of Curvature
 T Point of Tangency
 L Point of Longitudinal Intersection
 S Point of Stationing





{00412460-1}

ATTACHMENT B

Ordinance _____: Dedication of Merrimac Street

Situated in Section 2, Town 3, Fractional Range 2 Between the Miamis, Millcreek Township, the City of Cincinnati, Hamilton County, Ohio and being all of Merrimac Street (D.B.N.A.), being part of Merrimac Square Subdivision as recorded in Plat Book 472, Page 9 of the Hamilton County, Ohio Recorder's Office, containing 0.3318 acres being further described as follows:

Begin at a set iron pin at the intersection of the east right of way of Woodburn Avenue and the north right of way of said Merrimac Street, said pin being the True Point of Beginning:

thence, from the True Point of Beginning, departing east right of way of said Woodburn Avenue and with the north right of way of said Merrimac Street, the following seven courses:

thence, with a curve to the left, having a central angle of $89^{\circ} 59' 00''$, a radius of 8.00 feet, an arc length of 12.56 feet, and a chord bearing South $39^{\circ} 00' 37''$ East, 11.31 feet to a set iron pin;

thence, South $84^{\circ} 00' 07''$ East, 9.17 feet to a set iron pin;

thence, with a compound curve to the left, having a central angle of $17^{\circ} 52' 08''$, a radius of 175.00 feet, an arc length of 54.58 feet, and a chord bearing North $87^{\circ} 03' 48''$ East, 54.36 feet to a set iron pin;

thence, with a curve to the right, having a central angle of $17^{\circ} 51' 08''$, a radius of 225.90 feet, an arc length of 70.39 feet, and a chord bearing North $87^{\circ} 03' 18''$ East, 70.10 feet to a set iron pin;

thence, South $84^{\circ} 01' 07''$ East, 73.51 feet to a set iron pin;

thence, North $05^{\circ} 58' 53''$ East, 18.00 feet to a set iron pin;

thence, South $84^{\circ} 01' 07''$ East, 53.50 feet to a set iron pin on the terminus of said Merrimac Street;

thence, with the terminus of said Merrimac Street, South $05^{\circ} 58' 53''$ West, 68.00 feet to the south right of way of said Merrimac Street;

thence, departing the terminus of said Merrimac Street, with the south right of way of said Merrimac Street the following five courses:

thence, North $84^{\circ} 01' 07''$ West, 127.01 feet to a set iron pin;

thence, with a compound curve to the left, having a central angle of $17^{\circ} 51' 08''$, a radius of 175.90 feet, an arc length of 54.81 feet, and a chord bearing South $87^{\circ} 03' 18''$ West, 54.59 feet to a set iron pin;

thence, with a curve to the right, having a central angle of $17^{\circ} 52' 08''$, a radius of 225.00 feet, an arc length of 70.17 feet, and a chord bearing South $87^{\circ} 03' 48''$ West, 69.89 feet to a set iron pin;

thence, North $84^{\circ} 00' 07''$ West, 7.15 feet to a set iron pin;

thence, with a curve to the left, having a central angle of $90^{\circ} 01' 00''$, a radius of 10.00 feet, an arc length of 15.71 feet, and a chord bearing South $50^{\circ} 59' 23''$ West, 14.14 feet to a set iron pin being the

intersection of the east right of way of Woodburn Avenue and the south right of way of Merrimac Street;

thence, departing the south right of way of said Merrimac Street and with the east right of way of Woodburn Avenue, North 05° 58' 53" East, 68.00 feet to a set iron pin being the True Point of Beginning containing 0.3318 acres of land, more or less, subject to all legal highways, easements, restrictions and agreements of record.

Basis of Bearings: NAD83(2011) Ohio State Plane Coordinates, South Zone (3402).

All set iron pins are 5/8" x 30" iron pins in size with cap "BAYER BECKER".

The above description was prepared from a record plat made on October 18, 2018 under the direction of Jeffrey O. Lambert, Professional Surveyor #7568 in the State of Ohio.

1-28-25



February 5, 2025

To: Mayor and Members of City Council

202500198

From: Sheryl M.M. Long, City Manager

Subject: Emergency Ordinance – Refundable Job Creation Tax Credit Agreement with DSWDWK, LLC

Attached is an Emergency Ordinance captioned:

APPROVING AND AUTHORIZING the execution of a Job Creation Tax Credit Agreement with DSWDWK, LLC, an Ohio limited liability company doing business as Impact Beverage, pursuant to which the company agrees to create sixty new jobs at 4831 Spring Grove Avenue and 4330 Winton Road in the Spring Grove Village neighborhood of Cincinnati and, for a period of seven years, the City agrees to provide an income tax credit equal to forty percent of City income tax revenue from such new jobs.

STATEMENT

MANUFACTURING: The additional jobs created by this expansion project strongly align with the City's goal to spur economic growth and expand available job opportunities for residents in the manufacturing sector.

COMPANY BACKGROUND/CURRENT CONDITIONS

Impact Beverage, an affiliate of DSWDWK, LLC, is a contract beverage manufacturer located at 4831 Spring Grove Avenue in the Spring Grove Village neighborhood. They specialize in ready-to-drink canned cocktails, non-alcoholic flavored canned beverages, and varieties of craft beer. They also have specialized packaging capabilities and offer supply chain consulting services to their clients. Impact Beverage can offer smaller beverage makers the ability to rapidly scale their products and reach new markets.

They have been in operation at the Spring Grove Village facility since 2020 and currently have 60 full-time equivalent employees at approximately \$3.4 million in annual payroll. Due to recent growth in the contract beverage manufacturing sector, Impact Beverage is in a position to more than double its existing workforce. To facilitate this expansion, they are adding 10,000 square feet of additional space to their Spring Grove Avenue location and will aim to create 60 new full-time equivalent jobs at \$4.25 million in annual payroll over the next three years.

The company had been considering Covington, KY, for this expansion but ultimately decided to proceed with this investment at its current facility in Cincinnati.

RECOMMENDATION

The Administration recommends approval of this Emergency Ordinance to allow the expansion to proceed at the earliest possible time.

Attachment: Project Outline and Proposed Incentive

Copy: Markiea L. Carter, Director, Department of Community & Economic Development

Project Outline

Project Name	Impact Beverage Expansion
Street Address	4831 Spring Grove Avenue
Neighborhood	Spring Grove Village
Property Condition	Existing Manufacturing Facility
Project Type	New Construction – Expansion
Project Cost	Hard Construction Cost: \$3,700,000 Machinery & Equipment (Spent to Date): \$4,306,549 Machinery & Equipment (Planned): \$5,693,451 Total Expenditures: \$13,700,000
Jobs and Payroll	Created FTE Positions: 60 Total Payroll for Created FTE Positions: \$4,250,000 Average Salary for Created FTE Positions: \$70,833 Retained FTE Positions: 60 Total Payroll for Retained FTE Positions: \$3,460,513

Project Image and Site Map



Proposed Incentive

Incentive Type	Job Creation Tax Credit – Reimbursable
Incentive Terms	<u>Credit Period Term:</u> 7 years <u>Hiring “Ramp Up” Period:</u> first 4 years of the Credit Period <u>Credit Amount:</u> the lesser of 40% of gross new income tax revenue generated by the project or \$41,000 annually <u>Maximum Term Incentive Value:</u> \$287,000 <u>Employee Retention Period:</u> 5 years after the expiration of the Credit Period

Public Benefit**Tax Credits Provided to Company**

Jobs Retained - Tax Credit	
# of Jobs Retained (FTE)	60
Total Annual Payroll for Retained Jobs	\$3,400,000
Annual City Earnings Tax Credit from Retained Jobs	\$0
Jobs Created - Tax Credit	
# of Jobs Created (FTE)	60
Total Annual Payroll for New Jobs	\$4,250,000
Annual City Earnings Tax Credit From New Jobs	\$30,600
Tax Credit Calculations	
Retained City Earnings Tax Credit over Term	\$0
New City Earnings Tax Credit over Term	\$214,200
Total City Earnings Tax Credit over Term	\$214,200
Tax Calculation Factors	
Tax Credit for Retained Jobs	0.0%
Tax Credit for New Jobs	40.0%
Length of the Incentive Credit (Years)	7
Retention Period after Incentive Credit (Years)	5
Total Term of the Incentive (Credit Term + Retention Term)	12
City Earnings Tax Rate	1.8%

JCTC-R/JCTC/PIR Offer

Total City Earnings Tax Generated over Term	\$1,652,400
Estimated Annual Net Profit Tax Due to City over Term	\$0
Less PIR/JCTC-R Payments/Credits to Company	(\$214,200)
Total Net Earnings Taxes Over Term	\$1,438,200

Incentive Leverage (Taxes Received/Incentives Given)	\$6.71
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EMERGENCY

TJL

- 2025

APPROVING AND AUTHORIZING the execution of a Job Creation Tax Credit Agreement with DSWDWK, LLC, an Ohio limited liability company doing business as Impact Beverage, pursuant to which the company agrees to create sixty new jobs at 4831 Spring Grove Avenue and 4330 Winton Road in the Spring Grove neighborhood of Cincinnati and, for a period of seven years, the City agrees to provide an income tax credit equal to forty percent of City income tax revenue from such new jobs.

WHEREAS, the City seeks to increase employment opportunities and encourage the establishment of new jobs in the City of Cincinnati in order to improve the economic welfare of the City and its citizens, in furtherance of the public purposes enunciated in Article VIII, Section 13 of the Ohio Constitution; and

WHEREAS, DSWDWK, LLC (“Employer”) intends to construct approximately 10,000 square feet of commercial space and invest in additional machinery and equipment at its existing facility at 4831 Spring Grove Avenue and 4330 Winton Road (the “Project” and the “Project Site”, respectively), which will result in the creation of at least sixty new jobs in the City within four years if certain income tax credit assistance is provided by the City; and

WHEREAS, the City Manager has recommended that Council authorize the execution of a Job Creation Tax Credit Agreement (the “Agreement”) with Employer, in substantially the form attached hereto as Attachment A, which provides for an income tax credit equal to forty percent of income tax revenue from new jobs created by Employer at the Project Site for a term of seven years; and

WHEREAS, the Agreement provides that Employer will spend a minimum of \$9,393,451 to implement the Project at the Project Site; and

WHEREAS, Employer represents and has documented to the City that the income tax credit authorized by the Agreement is a major factor in Employer’s decision to go forward with the Project at the Project Site; and

WHEREAS, the City’s Department of Community and Economic Development estimates that the income tax credit authorized by the Agreement will provide an annual net benefit to Employer in an amount up to \$41,000; and

WHEREAS, the City income tax credit approved by this ordinance is authorized by Sections 718.15 and 718.151 of the Ohio Revised Code; now, therefore,

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

Section 1. That Council approves and authorizes the execution of a Job Creation Tax Credit Agreement (the “Agreement”) with DSWDWK, LLC (“Employer”), in substantially the form attached hereto as Attachment A, in order to assist Employer in constructing approximately 10,000 square feet of commercial space and investing in additional machinery and equipment at its existing facility at 4831 Spring Grove Avenue and 4330 Winton Road, which provides for a City income tax credit equal to forty percent of City income tax revenue from new jobs created by Employer at the project site for a period of seven years, and the creation of sixty new jobs in the City within four years.

Section 2. That Council authorizes the proper City officials to take all necessary and proper actions to fulfill the City’s obligations under the Agreement and to enforce the Agreement.

Section 3. 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 to allow the Project and the corresponding revitalization of the City of Cincinnati and improvement of the City’s economic welfare to begin at the earliest possible time.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk



Contract Number _____

JOB CREATION TAX CREDIT AGREEMENT

This Job Creation Tax Credit Agreement (this "Agreement") is made and entered into as of the Effective Date (as defined on the signature page hereof) by and between the CITY OF CINCINNATI, an Ohio municipal corporation (the "City"), and DSWDWK, LLC, an Ohio limited liability company d/b/a IMPACT BEVERAGE ("Grantee").

RECITALS

- A. The City seeks to increase employment opportunities and to encourage establishment of new jobs within the corporate boundaries of the City of Cincinnati (the "City Boundaries"), in order to improve the economic welfare of the City and its citizens, in furtherance of the public purposes enunciated in Article VIII, Section 13 of the Ohio Constitution.
- B. The City has determined that Grantee will create new jobs within the City Boundaries in connection with a project to be implemented by Grantee at 4831 Spring Grove Avenue and 4330 Winton Road in Cincinnati, Ohio (the "Project Site"), consisting of the construction of approximately 10,000 square feet of commercial space on the Project Site as an expansion of its existing facility, and the investment of additional machinery and equipment (the "Project").
- C. Cincinnati Municipal Code ("CMC") Chapter 311 imposes income taxes, including a tax on business net profits. Grantee represents and has documented to the City that the credit authorized by this Agreement against the tax imposed on Grantee's net profits under CMC Chapter 311 (the "City Income Tax Credit") is a major factor in Grantee's decision to go forward with the Project, to offset costs of capital expenditures and/or moving.
- D. The City Income Tax Credit as provided in this Agreement is authorized by Ohio Revised Code ("ORC") Sections 718.15 and 718.151.
- E. The City and Grantee intend that Grantee will implement the Project partly as a result of Grantee cost savings resulting from a forty percent (40%) City income tax credit applicable to new jobs created by Grantee at the Project Site for a period of seven (7) years, and thereby create 60 new jobs in the City within four (4) years of the Determination Date (as defined below).

NOW THEREFORE, in consideration of the foregoing and the mutual promises and covenants hereinafter set forth, the parties agree as follows:

- 1. PRECONDITIONS TO EFFECTIVENESS OF AGREEMENT. Notwithstanding anything to the contrary herein, this Agreement shall be of no force and effect unless and until (1) this Agreement is fully executed by both parties, and (2) the Council of the City of Cincinnati passes an ordinance approving this Agreement, and the ordinance takes effect.
- 2. CERTAIN DEFINITIONS. As used in this Agreement:
 - (A) "Aggregate Employees" means, for any stated period, the Number of Full-Time Employee Equivalents employed either by Grantee or by a Related Member (as defined in Section 2(N)), calculated with reference to all employees of Grantee and all Related Members of Grantee for which (1) the primary work location is within the City of Cincinnati and (2) Grantee or a Related Member withholds City income taxes.
 - (B) "City Tax Credit Term" means the 7-year term of 2025 through 2031.

- (C) "Determination Date" means the Effective Date.
- (D) "Employment Retention Period" means a 12-year period commencing as of the start of the City Tax Credit Term.
- (E) "Grantee's City-Wide Employees" means, for any stated period, the Number of Full-Time Employee Equivalents employed by Grantee, calculated with reference to all employees of Grantee for which (1) the primary work location is within the City (not limited to the Project Site) and (2) Grantee withholds City income taxes. An employee is considered to have a primary work location within the City if at least fifty-one percent (51%) of the compensation paid by Grantee to that employee is taxed by the City with respect to work performed in the City.
- (F) "Income Tax Revenue" means, for any Tax Year:
- (1) Payments from Grantee to the City in an amount equal to the aggregate amount of earnings taxes withheld on the qualifying wages (as defined in CMC Section 311-9-Q) paid by Grantee to all Aggregate Employees whose primary work location is the Project Site; less
 - (2) Any amounts refunded by the City to Aggregate Employees whose primary work location is the Project Site (pursuant to CMC Chapter 311) relating to qualifying wages (as defined in CMC Section 311-9-Q) paid by Grantee, as such refunds are reported by the City to Grantee from time to time.
- (G) "Initial Tax Year" means the first Tax Year during which Grantee is entitled to a City Income Tax Credit.
- (H) "Minimum Qualifying Wage" means an hourly wage of at least (1) \$12.50 per hour on and after July 1, 2018, (2) \$13.50 per hour on and after January 1, 2019, and (3) \$15.00 per hour on and after July 1, 2019; *provided however*, that if (i) Grantee contributes to any health, vision and/or dental insurance plan; provides retirement benefits; or provides childcare, tuition, or training reimbursement benefits to a New Employee and (ii) the City approves in writing, in its sole and absolute discretion any such contribution, retirement, or reimbursement benefit, then the hourly cash value of any such City-approved benefit shall be added to the New Employee's base monetary hourly wage for the purposes of calculating that New Employee's hourly wage under this definition.
- (I) "Net Number of New Employees" means, for any Tax Year, the lesser of:
- (1) The average Number of New Employees over the twelve (12) months of that Tax Year; or
 - (2) The remainder computed by subtracting (a) the Baseline City-Wide Employment Level from (b) the average number of Grantee's City-Wide Employees over the twelve (12) months of that Tax Year; or
 - (3) The remainder computed by subtracting (a) the Baseline Aggregate Employment Level from (b) the average number of Aggregate Employees over the twelve (12) months of that Tax Year.
- Computations of an "average number" of employees, as required by this Agreement, shall be made and documented by Grantee in a manner subject to approval by the City, such approval not to be unreasonably withheld.
- (J) "New Employee" means an employee of Grantee that meets all of the following criteria during the applicable Tax Year: (i) has a primary work location that is the Project Site, (ii) is first employed by Grantee within the City Boundaries after the Determination Date, and (iii) is paid at least the Minimum Qualifying Wage by Grantee at all times during the applicable Tax Year. An employee is considered to have a primary work location at the Project Site if at least fifty-one percent (51%) of the compensation paid by Grantee to that employee is taxed by the City with respect to work performed at the Project Site. "New Employees" may include employees of Grantee employed in

employment positions that were relocated to the Project Site from other operations of Grantee (or of a Related Member) outside of the City Boundaries.

- (K) "New Income Tax Revenue" means, for any Tax Year, the lesser of:
- (1) Income Tax Revenue in such Tax Year relating only to New Employees; or
 - (2) The amount computed by multiplying (a) the Net Number of New Employees for such Tax Year by (b) the average amount of Income Tax Revenue received by the City in such Tax Year per New Employee (which average amount is computed by dividing (x) the total Income Tax Revenue for such Tax Year relating only to New Employees by (y) the monthly average of Number of New Employees (determined on a twelve (12) month basis) employed during such Tax Year.
- (L) "Number of Full-Time Employee Equivalents" means one fortieth (1/40) of the total number of compensated hours worked in a work week by permanent employees that are paid at least the Minimum Qualifying Wage for the duration of the applicable Tax Year (whether full-time or part-time), provided that the hours included in the calculation may not exceed forty (40) per week for any individual employee.
- (M) "Number of New Employees" means, for any stated period, the Number of Full-Time Employee Equivalents employed in that period, calculated only with reference to hours worked by New Employees.
- (N) "Related Member" means any of Grantee's "related members" (as defined in ORC Section 122.171(A)(7)) that has at least one employee whose primary work location is within the City Boundaries (not limited to the Project Site), including those "related members" that begin operations within the City Boundaries on or after the Effective Date.
- (O) "Tax Year" means the fiscal year used by Grantee to compute net profits under CMC Chapter 311.

3. PROJECT; JOB CREATION AND RETENTION.

- (A) Grantee Representations. Grantee represents that:
- (1) The monthly average of the Number of Full-Time Employee Equivalents employed by Grantee, for whom the Project Site was the primary work location, for the three (3) full calendar month period immediately prior to the Determination Date was 60.
 - (2) The monthly average of Grantee's City-Wide Employees for the three (3) full calendar month period immediately prior to the Determination Date was 60 (the "Baseline City-Wide Employment Level").
 - (3) The monthly average of Aggregate Employees for the three (3) full calendar month period immediately prior to the Determination Date was 60 (the "Baseline Aggregate Employment Level").
 - (4) Related Members of Grantee with any employees whose primary work location is within the City Boundaries as of the Effective Date (and the Related Members' Cincinnati addresses and Federal Tax Identification Numbers) consist of the following: NONE.
 - (5) Grantee shall give written notice to the City of any Related Member that begins operations within the City Boundaries on or after the Effective Date.
 - (6) Grantee has employment procedures in place to monitor when its employees are performing work from home or remotely from a location other than the Project Site, and the amount of time spent working remotely that sufficiently enables Grantee to track Grantee's employees to determine their eligibility for consideration as City-Wide Employees, Aggregate Employees or New Employees for purposes of this Agreement, which information is collected and will be reported to the City in a manner acceptable to the City ("Remote Work Tracking"), as required in Section 7.

- (B) Minimum Expenditures. On or before the date that is four (4) years from the Effective Date, Grantee agrees to expend a minimum of (i) \$3,700,000 on hard construction costs related to the 10,000 square feet of commercial space being added to Grantee's existing facility on the Project Site, and (ii) \$5,693,451 on machinery and equipment to be located and used at the Project Site, in order to accomplish the Project.
- (C) Minimum Number of New Employees. Within four (4) years from the Determination Date, Grantee agrees to employ a Number of New Employees at the Project Site equal to at least 60. Grantee agrees that the aggregate annual wages of the New Employees will be equal to at least \$4,250,000.
- (D) Relocation of Employment Positions from Elsewhere in Ohio. Grantee may not relocate a substantial number of employment positions from elsewhere in Ohio (i.e., outside the City) unless the Director of the Department of Community and Economic Development determines that the legislative authority of the county, township, or municipal corporation from which the employment positions would be relocated has been notified by Grantee of the relocation.
- (E) Employment Retention by Grantee.
 - (1) During each year of the Employment Retention Period, Grantee agrees to maintain a monthly average of Aggregate Employees equal to or greater than the Baseline Aggregate Employee Level and that the aggregate annual wages of the Aggregate Employees will be no less than \$3,460,500.
 - (2) During each of the first three (3) years of the City Tax Credit Term, Grantee agrees to maintain a monthly average of Grantee's City-Wide Employees equal to or greater than the Baseline City-Wide Employee Level.
 - (3) Beginning with the fourth (4th) year of the City Tax Credit Term and continuing during each subsequent year of the Employment Retention Period, Grantee agrees to maintain an average Net Number of New Employees of at least ninety percent (90%) of the highest Net Number of New Employees reported by Grantee in calculating the City Income Tax Credit in any prior Tax Year during the City Tax Credit Term.

Grantee acknowledges and agrees that the obligations of Grantee under this Agreement may be affected by decisions of the Related Members, as the City's agreement to provide the City Income Tax Credit authorized herein is conditioned on maintenance of the existing employment within the City Boundaries by both Grantee and the Related Members.

- (F) City Residents; Referral Procedure for New Hires. Grantee agrees to use its best efforts to fill at least seventy-five percent (75%) of the new jobs created in connection with the Project with employees residing within the City Boundaries (the "City Resident Hiring Goal"). In furtherance of such goal, Grantee shall implement the following procedures:
 - (1) City Representative. In its efforts to meet the City Resident Hiring Goal, Grantee agrees to request referrals from the OhioMeansJobs Center (or such other agency as the City Manager may designate) when positions need to be filled. A representative of the personnel office of Grantee will meet periodically with a representative of the OhioMeansJobs Center (the "City Representative") to assess Grantee's future employment needs and to assure that qualified applicants can be recruited and trained in a timely manner.
 - (2) Initial Positions. As soon as practicable after execution of this Agreement, and no later than ninety (90) days prior to the earlier of (a) the scheduled initial occupancy of the Project or completion of renovation or expansion or (b) the date when the following employment positions will be filled, Grantee agrees to notify the City Representative of the following: (i) the number of new employees that will be required, and the date when the positions must be filled; (ii) the training, qualifications and experience required for the individuals who will fill the positions; and (iii) the name, address and telephone number of the person responsible for hiring. For positions requiring customized training, Grantee agrees to provide such notice as far in advance of such ninety-day period as is practicable.

- (3) City Referrals. The City Representative shall, within thirty (30) days after receiving such notification from Grantee, submit in writing the following: (a) the positions for which the City intends to make referrals; (b) the names and qualifications of referred applicants for each position available; and (c) the date when these applicants will be available for interview. For positions requiring customized training, however, such information may be submitted to Grantee up to thirty (30) days prior to the date that such positions are to be filled.
- (4) Interviews. Grantee agrees to interview those applicants who are referred by the City Representative and shall consider for employment those applicants Grantee finds to be qualified for an available position. If (a) the City Representative informs Grantee that it does not intend to make referrals for a position, (b) the City Representative fails to refer applicants who are available for interview for a position in accordance with this subsection or (c) the applicants referred for a position are deemed not qualified by Grantee, then Grantee may hire individuals from other sources for such position, without any further obligations or restrictions hereunder as to such position.
- (5) Subsequent Positions. During the three (3) year period following the date upon which this Agreement becomes effective, if Grantee needs to fill a vacant employment position (either from attrition or an increase in employment), Grantee agrees to notify the City Representative for an additional referral of applicants. Grantee, however, is under no obligation to postpone the hiring of a new employee pending receipt of referrals from the City Representative. If the position is still vacant at the time referrals are received from the City Representative, Grantee shall interview those applicants who are referred by the City Representative and shall consider for employment those applicants Grantee finds to be qualified for an available position.
- (6) Continuation of Referral Procedure. If Grantee and the City agree that this referral process has been mutually beneficial, the parties shall continue the process after the three (3) year period.

4. CITY INCOME TAX CREDIT.

- (A) Credit Requirements. Subject to the terms and conditions of this Agreement, for each Tax Year during the City Tax Credit Term in which Grantee has claimed the City Income Tax Credit on an income tax return filed directly with the City with respect to its net profits and is otherwise in full compliance with all requirements under both CMC Chapter 311 and this Agreement, Grantee shall be allowed to apply the City Income Tax Credit stated in this Section against the tax imposed on Grantee's net profits under CMC Chapter 311. The City Income Tax Credit shall be applied in accordance with any applicable rules and regulations (consistent with this Agreement) that may be adopted by the Board of Review (as defined in CMC Section 311-9-B1).
- (B) Amount of Credit. The amount of the City Income Tax Credit shall be the lesser of \$41,000 or forty percent (40%) of any New Income Tax Revenue in a given Tax Year. The City Income Tax Credit shall be applied against net profits tax due to the City (pursuant to CMC Chapter 311) from Grantee for such Tax Year. The City Income Tax Credit shall be allowed only after the allowance of all other credits and deductions under CMC Chapter 311. If the City Income Tax Credit exceeds Grantee's tax liability for such Tax Year, the City Income Tax Credit shall be fully refundable.
- (C) Related Members. Grantee acknowledges and agrees that the City Income Tax Credit calculated under this Agreement will be reduced to the extent that reductions in the number of Aggregate Employees of both Grantee and the Related Members affect the calculation of Net Number of New Employees.

5. COVENANT AS TO OUTSTANDING LIABILITIES; INSPECTION OF RECORDS; FALSE STATEMENTS. In accordance with ORC Section 9.66, (A) Grantee affirmatively covenants that it does not owe: (1) any delinquent taxes to the State of Ohio (the "State") or to a political subdivision of the State; (2) any moneys to the State or a State agency for the administration or enforcement of any environmental laws of the State; or (3) any other moneys to the State, a State agency or a political subdivision of the State that are past

due, regardless of whether the amounts owed are being contested in a court of law or not; (B) Grantee authorizes the City and/or the State to inspect the personal financial statements of Grantee, including tax records and other similar information not ordinarily open to public inspection; and (C) Grantee authorizes the Ohio Environmental Protection Agency and the Ohio Department of Taxation to release information to the City and or other State departments in connection with the above statements. As provided by statute, a knowingly false statement under this Section may be prosecuted as a first-degree misdemeanor under ORC Section 2921.13, may render Grantee ineligible for any future economic development assistance from the State or any political subdivision of the State and will result in the City requiring Grantee's repayment of any assistance provided by the City in connection with the Project.

6. TERMINATION; REIMBURSEMENT FOR DEFAULT.

- (A) Suspension or Termination of the City Income Tax Credit. Subject to the provisions of subsections (B) and (C) below, if the City provides Grantee with written notice of an event of default under this Agreement, and such default is not cured to the City's satisfaction within thirty (30) days of such notice, the City shall suspend or terminate the City Income Tax Credit hereunder and may, in the City's sole discretion, take such other measures as may be lawful (including suing for specific performance). Except as provided in subsections (B) or (C) below, such suspension or termination shall only affect City Income Tax Credits otherwise allowable after the date of suspension or termination.
- (B) Grantee's Failure to Comply with Job Creation and Retention Obligations. If the City provides Grantee with written notice of an event of default under Section 3(C) or 3(E), and such default is not cured to the City's satisfaction within thirty (30) days of such notice, the City may, in its sole discretion, require Grantee to pay to the City all or a portion of the City Income Tax Credits previously claimed under this Agreement. For the avoidance of doubt, the City shall have the ability to exercise its rights under this Section with respect to each event of default under Section 3(C) or 3(D) (i.e. in the event that Grantee defaults under Section 3(C) or 3(D) in multiple Tax Years, the City may require Grantee to pay to the City all or a portion of the City Income Tax Credits previously claimed and not repaid under this Agreement after each event of default).
- (C) Grantee's Failure to Comply with Outstanding Liability Obligations. If the City provides Grantee with written notice of an event of default under Section 5, the City may, after giving Grantee an opportunity to explain such default, require Grantee to pay to the City all or any portion of the City Income Tax Credits previously claimed under this Agreement. For the avoidance of doubt, the City shall have the ability to exercise its rights under this Section with respect to each event of default under Section 5 (i.e. in the event that Grantee defaults under Section 5 in multiple Tax Years, the City may require Grantee to pay to the City all or a portion of the City Income Tax Credits previously claimed and not repaid under this Agreement after each event of default).
- (D) Reimbursement. Grantee hereby agrees (i) to make any payments required by the City under this Section within thirty (30) days of written demand by the City and (ii) in the event that the City refunds any Income Tax Revenue in a subsequent Tax Year for which a City Income Tax Credit was previously granted pursuant to this Agreement (the "Refund Amount"), then no later than thirty (30) days following Grantee's receipt of written notice from the City (the "City's Notice"), Grantee will either (a) pay an amount equal to the Refund Amount to the City, as detailed in the City's Notice or (b) deliver written notice to the City that Grantee will reduce its future City Income Tax Credits by the Refund Amount, such reduction to begin with the first City Income Tax Credit Grantee is eligible to receive pursuant to this Agreement following Grantee's receipt of the City's Notice. In the event that Grantee fails to make a timely election pursuant to the foregoing sentence, then the City may, in its sole and absolute discretion, reduce the amount of any future City Income Tax Credits by the Refund Amount, charge interest on the Refund Amount, terminate this Agreement, and/or take any and all other actions available to the City pursuant to this Agreement and applicable law. Amounts due and not paid when due shall bear interest at the rate specified in ORC Section 1343.03(A) (as such rate is in effect on the date of the applicable payment demand

by the City). Grantee hereby expressly waives the statute of limitations period contained in CMC Chapter 311 with respect to any such demand and payment.

- (E) No City Income Tax Credit if Grantee not in Full Compliance. Notwithstanding anything to the contrary in this Agreement, Grantee shall not be allowed a City Income Tax Credit hereunder (including any credit carried forward from prior tax years) in any Tax Year in which Grantee is not in full compliance with all requirements of this Agreement.

7. SUBMISSION OF ANNUAL REPORTS. During the Employment Retention Period, Grantee shall submit to the City an annual progress report documenting the Number of Full-Time Employee Equivalents at the Project Site, the number of Grantee's City-Wide Employees, the number of Aggregate Employees, the Net Number of New Employees, the New Income Tax Revenue, the hourly wages and any related Grantee-paid benefits claimed as part of a Minimum Qualifying Wage for each New Employee for the duration of the applicable Tax Year, the time spent working remotely through Grantee's Remote Work Tracking, and any other information that the City deems relevant to this Agreement. The report shall include computations of necessary employment information for Grantee and the Related Members for the report period, and the City may, in its discretion, require that the report be submitted in a certain format and manner (e.g., submission of a particular electronic file format, mailing a hard copy, etc.). Grantee agrees to furnish the annual progress report to the City no later than the first business day of May following each year during the Employment Retention Period. The annual report, as submitted, must be certified as accurate and signed by (A) an independent certified public accountant licensed to do business in the state of Ohio (an "ICPA"), (B) the Chief Executive Officer of Grantee and (C) the Chief Financial Officer of Grantee; provided, however, that (1) reports for any or all of the initial two Tax Years may be submitted without certification and signature of an ICPA, so long as Grantee's report for the third Tax Year includes an ICPA certification and signature for all Tax Years in which a City Income Tax Credit has been claimed without previous certification by an ICPA and (2) after the report for the third Tax Year, the ICPA certification and signature need not be provided more frequently than once every two years, so long as each ICPA certification and signature applies both to the current reported Tax Year and any previous Tax Year in which a City Income Tax Credit has been claimed without previous certification by an ICPA. If the report is approved by the City as demonstrating compliance with this Agreement, a certificate of verification from the City will be sent to Grantee and the Tax Commissioner (as defined in CMC Section 311-9-T2) within thirty (30) days after receipt of the annual report. Failure to submit an annual report within the time periods specified herein will be considered a default and may result in termination of this Agreement.

8. SMALL BUSINESS ENTERPRISE PROGRAM AND EQUAL EMPLOYMENT OPPORTUNITY PROGRAM.

- (A) Small Business Enterprise Program Policy. The policy of the City is that a fair share of contracts be awarded to Small Business Enterprises (as such term is defined in CMC Section 323-1, "SBEs"). Pursuant to CMC Section 323-7, the City's annual goal for SBE participation shall be thirty percent (30%) of the City's total dollars spent for construction (as such term is defined in CMC Section 323-1), supplies (as such term is defined in CMC Section 323-1), services (as such term is defined in CMC Section 323-1) and professional services (as such term is defined in CMC Section 323-1). Accordingly, Grantee shall use its best efforts and take affirmative steps to achieve the City's goal of voluntarily meeting thirty percent (30%) SBE participation. A list of SBEs may be obtained from the City's Department of Economic Inclusion. Grantee may refer interested firms to the City's Department of Economic Inclusion for review and possible certification as an SBE. Grantee shall comply with the provisions of CMC Chapter 323, including without limitation taking at least the following affirmative steps:
- (1) Including qualified SBEs on solicitation lists.
 - (2) Assuring that SBEs are solicited whenever they are potential sources. Grantee must advertise, on at least two separate occasions, both in local minority publications and in other local newspapers of general circulation, invitations to SBEs to provide services, to supply materials, or to bid on construction contracts, as applicable.
 - (3) When economically feasible, dividing total requirements into small tasks or quantities so as to permit maximum SBE participation.

- (4) If any subcontracts are to be let, Grantee shall require the prime contractor (if different from Grantee) to take the above affirmative steps.
 - (5) Prior to the commencement of work under any subcontracts, Grantee shall provide to the City a list of such subcontractors, including information as to the dollar amount of the subcontracts and such other information as may be requested by the City. Grantee shall update the report monthly.
 - (6) Grantee shall periodically document its best efforts and affirmative steps to meet the above SBE participation goals by submitting such information as may be requested from time to time by the City.
- (B) Small Business Enterprise Program Remedies. Failure of Grantee or its contractors and subcontractors to take the affirmative steps specified above, to provide fair and equal opportunity to SBEs, or to provide technical assistance to SBEs as may be necessary to reach SBE participation as set out in CMC Chapter 323 may be construed by the City as failure of Grantee to use its best efforts, and, in addition to other remedies under this Agreement, may be a cause for the City to file suit in Common Pleas Court to enforce specific performance of the terms of this Section. The provisions of CMC Section 323-99 are hereby incorporated by reference into this Agreement.
- (C) Equal Employment Opportunity Program. This Agreement is subject to and hereby incorporates the provisions of the Equal Employment Opportunity Program set forth in CMC Chapter 325 (including, without limitation, CMC Section 325-9).
- (D) Further Information. Details concerning both the SBE Program and the Equal Employment Opportunity Program can be obtained from the City's Department of Economic Inclusion, Two Centennial Plaza, 805 Central Avenue, Suite 222, Cincinnati, Ohio 45202, (513)352-3144.
9. RECORDS, ACCESS AND MAINTENANCE. Throughout the period required by CMC Section 311-81, Grantee agrees to establish and maintain such records as are necessary to document compliance with this Agreement (including but not limited to, financial reports, payroll records, documentation with respect to any Grantee-paid benefits claimed as part of a Minimum Qualifying Wage, intake and participant information and all other relevant information). For the three (3) year period following the end of the Employment Retention Period, Grantee agrees to maintain records of the amounts of City Income Tax Credits claimed and allowed. The parties further agree that records with respect to any audit disallowances, litigation or dispute between the City and Grantee shall be maintained for the time needed for the resolution of said disallowance, litigation or dispute, and that in the event of early termination of this Agreement (or if for any other reason the City shall require a review of the records related to the Project), Grantee shall, at its own cost and expense, segregate all such records related to the Project and this Agreement (or copies thereof) from its other records of operation.
10. AUDITS AND INSPECTIONS. At any time during normal business hours upon written notice and as often as the City may deem necessary, Grantee shall make available to the City and to appropriate State agencies or officials all records of Grantee and the Related Members with respect to matters covered by this Agreement including, but not limited to, records of personnel and conditions of employment, and shall permit the City to audit, examine and make excerpts or transcripts from such records.
11. FORBEARANCE NOT A WAIVER. No act of forbearance or failure to insist on the prompt performance by Grantee of its obligations under this Agreement, either express or implied, shall be construed as a waiver by the City of any of its rights hereunder.
12. COMPLIANCE WITH IMMIGRATION AND NATIONALITY ACT. In the performance of its obligations under this Agreement, Grantee agrees to comply with the provisions of the Immigration and Nationality Act codified at 8 U.S.C. §§ 1324a(a)(1)(A) and (a)(2). Any noncompliance with such provisions shall be solely determined by either the federal agencies authorized to enforce the Immigration and Nationality Act or the U.S. Attorney General, in accordance with Executive Order 12989 of the U.S. President dated February 13, 1996, and as amended by Executive Order 13465 of the U.S. President dated June 6, 2008.

13. **INDEMNIFICATION.** Grantee shall indemnify, defend and save the City, its agents and employees harmless from and against any and all losses, claims, damages, liabilities, costs or expenses (including reasonable fees, disbursements, settlement costs and other charges of counsel) imposed on, incurred by or asserted against any of them in connection with any litigation, investigation, claim or proceeding commenced or threatened related to the negotiation, preparation, execution, delivery, enforcement, performance or administration of this Agreement, any other documents related to this Agreement or any undertaking or proceeding related to any of the transactions contemplated hereby or thereby or any act, omission, event or transaction related or attendant thereto, including amounts paid in settlement, court costs and the fees and expenses of counsel, except that Grantee shall not have any obligation under this Section to the extent that such losses, claims, damages, liabilities, costs or expenses do not result from an act or omission by Grantee. To the extent that the undertaking to indemnify, pay, and hold harmless set forth in this Section may be unenforceable because it violates any law or public policy, Grantee shall pay the maximum portion which it is permitted to pay under applicable law to the City in satisfaction of indemnified matters under this Section. To the extent permitted by applicable law, neither Grantee nor the City shall assert, and each of Grantee and the City hereby waives, any claim against either Grantee or the City, as applicable, on any theory of liability for special, indirect, consequential or punitive damages (as opposed to direct or actual damages) arising out of, in connection with, or as a result of, this Agreement, any other documents related to this Agreement or any undertaking or transaction contemplated hereby. All amounts due under this Section shall be payable upon demand. The foregoing indemnity shall survive the termination of this Agreement.
14. **CITY IDENTIFICATION IN MARKETING MATERIALS.** Grantee shall acknowledge the financial support of the City with respect to this Agreement in all printed materials (including but not limited to informational releases, pamphlets and brochures, construction signs, project and identification signage and stationary) and any publicity (such as but not limited to materials appearing on the Internet, television, cable television, radio or in the press or any other printed media). In identifying the City as a funding source, Grantee shall use either the phrase "Funded by the City of Cincinnati" or a City of Cincinnati logotype or other form of acknowledgement that has been approved in advance in writing by the City. Grantee's obligations under this Section shall be in effect throughout the term of this Agreement.
15. **CONFLICT OF INTEREST.** Grantee agrees that no officer, employee or agent of the City who exercises any functions or responsibilities in connection with the planning and carrying out of this Agreement, nor any immediate family member, close business associate or organization which is about to employ any such person, shall have any personal financial interest, direct or indirect, in Grantee or in this Agreement and Grantee shall take appropriate steps to assure compliance.
16. **MISCELLANEOUS.**
- (A) **Relocation of Project Site Within the City.** During the term of the Tax Credit, Grantee may change the location of the Project Site to another location, but only within the City of Cincinnati's corporate boundaries.
- (B) **Governing Law.** This Agreement shall be governed by the laws of the State as to all matters, including but not limited to matters of validity, construction, effect and performance.
- (C) **Forum and Venue.** All actions regarding this Agreement shall be brought in a court of competent subject matter jurisdiction in Hamilton County, Ohio.
- (D) **Entire Document.** This Agreement and its exhibits and any documents referred to herein constitute the complete understanding of the parties and merge and supersede any and all other discussions, agreements and understandings, either oral or written, between the parties with respect to the subject matter hereof.
- (E) **Severability.** If any provisions of this Agreement are declared by final non-appealable court order to be unlawful or invalid under applicable law, then such order shall not invalidate the remainder

of this Agreement not found to be unlawful or invalid and shall not create any liability to the City resulting from the unlawfulness or invalidity of such provisions. Any provision so declared to be unlawful or invalid shall, if possible, be construed in a manner which will give effect to the terms of such provision to the fullest extent possible while remaining lawful and valid.

- (F) Assignment. Neither this Agreement nor any rights, duties, or obligations described herein shall be assigned or subcontracted by Grantee without the prior express written consent of the City.
- (G) Successor in Interest. Each and all of Grantee's obligations under this Agreement shall extend to and bind not only Grantee, but its successors and assigns. Only in the case of assignment consented to by the City (as provided in subsection (F) above), Grantee's benefits hereunder shall inure to the benefit of any approved assignee.
- (H) Certification as to Non-Debarment. Grantee represents that neither it nor any of its principals is presently debarred by any federal, state, or local government agency. In completing the Project, Grantee shall not solicit bids from any contractors or subcontractors who are identified as being debarred by any federal, state, or local government agency. If Grantee or any of its principals becomes debarred by any federal, state, or local government agency during the term of this Agreement, Grantee shall be considered in default under this Agreement.
- (I) Notices. All notices, consents, demands, requests and other communications given hereunder shall be in writing and shall be deemed duly given if personally delivered or sent by mail, registered or certified, to the addresses set forth hereunder, or to such other address as the other party hereto may designate in written notice transmitted in accordance with this provision.

To the City:

City of Cincinnati
801 Plum Street, Room 152
Cincinnati, Ohio 45202
Attention: City Manager

with a copy to:

City of Cincinnati
Centennial Plaza Two, Suite 700
805 Central Avenue
Cincinnati, Ohio 45202
Attention: Director, Department of Community and Economic Development

To Grantee:

DSWDWK, LLC
4831 Spring Grove Ave,
Cincinnati, OH 45232
Attention: David Williams, Co-Founder, Managing Partner

With a copy to:

Keating, Muething & Klekamp, PLL
1 East 4th Street, Suite 1400
Cincinnati, OH 45202
Attention: Ian M. Smith, Director

If Grantee sends a notice to the City alleging that the City is in breach of this Agreement, Grantee shall simultaneously send a copy of such notice by U.S. certified mail to: City of Cincinnati, 801 Plum Street, Room 214, Cincinnati, OH 45202, Attention: City Solicitor.

- (J) Wage Enforcement. This Agreement is or may be subject to the Wage Enforcement provisions of the Cincinnati Municipal Code. These provisions require that any person who has an agreement with the City, or a contractor or subcontractor of that person, shall report all complaints or adverse determinations of Wage Theft and Payroll Fraud (as defined in Chapter 326 of the Cincinnati Municipal Code) against the person, contractor or subcontractors to the Department of Economic Inclusion within 30 days of notification of the complaint or adverse determination. Under the Wage Enforcement provisions, the City shall have the authority, under certain circumstances, to terminate this Agreement or reduce the incentives or subsidies to be provided under this Agreement and to seek other remedies.
 - (K) Legal Requirements. In completing and operating the Project, and in undertaking the matters contemplated by this Agreement, Grantee shall comply with all applicable statutes, ordinances, regulations, and rules of the government of the United States, State of Ohio, County of Hamilton, and City of Cincinnati.
 - (L) Counterparts and Electronic Signatures. This Agreement may be executed by the parties hereto in two or more counterparts and each executed counterpart shall be considered an original but all of which together shall constitute one and the same instrument. This Agreement may be executed and delivered by electronic signature.
17. FEES. Grantee shall pay to the City (i) within 10 days following the Effective Date, an initial administrative fee in connection with the City's application, underwriting, processing and documentation costs equal to \$3,000.00, and (ii) concurrently with the submission of each required annual progress report under Section 7, an annual monitoring, review and administration fee of \$2,000.00.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates indicated below, the latest date of which shall be the "Effective Date."

DSWDWK, LLC,
an Ohio limited liability company d/b/a IMPACT BEVERAGE

By: _____

Printed Name: _____

Title: _____

Date: _____, 2025

As authorized by corporate resolution dated _____, 20__

CITY OF CINCINNATI,
an Ohio municipal corporation

By: _____

Sheryl M.M. Long, City Manager

Date: _____, 2025

Approved as to Form:

Assistant City Solicitor

Certification of Funds:

Certified Date: _____

Fund/Code: _____

Amount: _____

By: _____

Karen Alder, City Finance Director

February 12, 2025

To: Mayor and Members of City Council
From: Sheryl M. M. Long, City Manager
Subject: **Emergency Ordinance – Parks: Then and Now Payment to Power Equipment Solutions, Inc.**

202500225

Attached is an Emergency Ordinance captioned:

AUTHORIZING the payment of \$2,580 to Power Equipment Solutions, Inc. from Cincinnati Parks Department Sawyer Point Fund 318 non-personnel operating budget account no. 318x202x2000x7413 for charges related to golf cart rentals used by the Cincinnati Parks Department from November 1, 2024, through December 31, 2024, pursuant to the attached then and now certificate from the Director of Finance.

Approval of this Emergency Ordinance authorizes the payment of \$2,580 to Power Equipment Solutions, Inc. from Cincinnati Parks Department Sawyer Point Fund 318 non-personnel operating budget account no. 318x202x2000x7413 for charges related to golf cart rentals used by the Cincinnati Parks Department from November 1, 2024, through December 31, 2024, pursuant to the attached then and now certificate from the Director of Finance.

On March 20, 2024, the City entered into a contract with Power Equipment Solutions, Inc. (“Contractor”) for golf cart rental services for the Cincinnati Parks Department. Later in November 2024, the Parks Department submitted an encumbrance request for the rental of two golf carts, which was mistakenly rejected under the incorrect assumption that the services were already being provided. This was during a period when the Parks Department experienced turnover in key staff positions. As a result, the encumbrance request was erroneously amended to exclude rental services for November and December 2024 and was subsequently resubmitted with a revised start date of January 1, 2025. However, between November 1, 2024 and December 31, 2024, the Contractor, in accordance with the terms of the contract, provided the Parks Department with golf cart rental services totaling \$2,580.

Pursuant to Ohio Revised Code (ORC) Section 5705.41(D)(1), the Director of Finance has issued a certificate, attached to this ordinance, verifying that a sufficient sum was appropriated and in the City Treasury for the purpose of paying such charges under the contract both at the time the contract began and at the time the attached certificate was issued.

The reason for the emergency is the immediate need to pay Power Equipment Solutions, Inc. for the outstanding charges in a timely manner.

The Administration recommends passage of this Emergency Ordinance.

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

Attachments

EMERGENCY

IMD

- 2025

AUTHORIZING the payment of \$2,580 to Power Equipment Solutions, Inc. from Cincinnati Parks Department Sawyer Point Fund 318 non-personnel operating budget account no. 318x202x2000x7413 for charges related to golf cart rentals used by the Cincinnati Parks Department from November 1, 2024 through December 31, 2024, pursuant to the attached then and now certificate from the Director of Finance.

WHEREAS, on March 20, 2024, the City entered into a contract with Power Equipment Solutions, Inc. (“Contractor”) for golf cart rental services for the Cincinnati Parks Department; and

WHEREAS, in November 2024, the Parks Department submitted an encumbrance request for the rental of two golf carts, which was mistakenly rejected due to a staff member’s incorrect assumption that the services were already being provided; and

WHEREAS, the encumbrance request was amended and resubmitted with a revised start date of January 1, 2025, erroneously excluding rental services for November 2024 and December 2024; and

WHEREAS, between November 1, 2024 and December 31, 2024, in accordance with the terms of the contract, Contractor provided the Parks Department with golf cart rental services totaling \$2,580; and

WHEREAS, pursuant to Ohio Revised Code Section 5705.41(D)(1), the Director of Finance has issued a certificate, attached to this ordinance, verifying that a sufficient sum was appropriated and in the City Treasury for the purpose of paying such charges under the contract both at the time the contract began and at the time the attached certificate was issued; and

WHEREAS, Council desires to provide payment to Contractor for the City’s outstanding obligation of \$2,580 for charges related to golf cart rentals used by the Parks Department from November 1, 2024 through December 31, 2024; now, therefore,

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

Section 1. That the Director of Finance is authorized to make a payment of \$2,580 to Power Equipment Solutions, Inc. from Cincinnati Parks Department Sawyer Point Fund 318 non-personnel operating budget account no. 318x202x2000x7413 for charges related to golf cart rentals used by the Cincinnati Parks Department from November 1, 2024 through December 31, 2024.

Section 2. That the proper City officials are authorized to do all things necessary and proper to carry out the provisions of Section 1.

Section 3. 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 pay Power Equipment Solutions, Inc. for the outstanding charges in a timely manner.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

CITY OF CINCINNATI
DIRECTOR OF FINANCE
THEN AND NOW CERTIFICATE

I, Karen Alder, Director of Finance for the City of Cincinnati, state the following:

WHEREAS, the City entered into a contract beginning on March 20, 2024 with Power Equipment Solutions, Inc. ("Contractor") for golf cart rental services for the Cincinnati Parks Department; and

WHEREAS, the Parks Department began renting two golf carts on November 1, 2024, but mistakenly did not encumber funds for those services until January 1, 2025; and

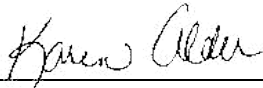
WHEREAS, during the period preceding the encumbrance, and pursuant to the terms of the contract, Contractor provided the Parks Department with golf cart rental services amounting to \$2,580; and

WHEREAS, Contractor therefore has not been compensated for the services it provided pursuant to the contract, in an amount of \$2,580;

NOW, THEREFORE,

1. As of November 1, 2024, and as of the date this certificate was executed, I hereby verify that the City Treasury held a sufficient sum that was appropriated and available for the purpose of paying for goods and services rendered under the City's contract with Power Equipment Solutions, Inc. This verification is conditioned upon and subject to Council's approval of an ordinance authorizing the drawing of a warrant in payment of amount due to Power Equipment Solutions, Inc during this time period.

Signed,



Karen Alder, Director of Finance
City of Cincinnati

Date: 1/31/25

Date: January 23, 2025

To: Mayor and Members of City Council 202500052

From: Sheryl M. M. Long, City Manager

Subject: EMERGENCY ORDINANCE – LUNKEN AIRPORT USE FEES

Attached is an emergency ordinance captioned as follows:

MODIFYING Chapter 402, “Airport,” by AMENDING Section 402-24, “Lunken Airport Use Fees,” to authorize the City Manager to establish fees for the landing, parking, and mooring of aircraft, for special events, and other uses including the United States Customs and Border Protection facility at Lunken Airport.

Lunken Airport, as an enterprise agency, charges land use fees as a means to generate revenue to recover costs associated with operating and maintaining the airfield. These fees, which include landing, parking, and mooring of aircraft, were last revised in 1999 and need to be updated. This Ordinance authorizes the City Manager to increase these fees and establish a new United States Customs and Border Protection Inspection fee. It also provides flexibility to make adjustments to these fees as necessary.

Because Lunken Airport’s fee structure does not achieve the highest possible cost recovery, it is important to allow the City Manager to establish new fees and charges without delay.

The reason for the emergency ordinance is the immediate need to allow the City Manager to establish and promulgate fees and charges for Lunken Airport so that the City may begin to recover the full cost and expense of the use of Lunken Airport at the earliest possible date.

The Administration recommends passage of the attached ordinance.

cc: John S. Brazina, Director, Transportation and Engineering

EMERGENCY

JRS

- 2025

MODIFYING Chapter 402, “Airport,” by **AMENDING** Section 402-24, “Lunken Airport Use Fees,” to authorize the City Manager to establish fees for the landing, parking, and mooring of aircraft, for special events, and other uses including the United States Customs and Border Protection facility at Lunken Airport.

WHEREAS, fees are an existing means Lunken Airport uses to recover costs and expenses it directly and indirectly incurs in connection with the landing, parking, and mooring of aircraft, for special events, and other uses including for the United States Customs and Border Protection facility (“Customs facility”) at Lunken Airport; and

WHEREAS, the Cincinnati Municipal Code currently establishes specific fees for Lunken Airport, but the fees have not been updated since 1999, do not reflect the current structure and best practices for airports, and the existing fee framework has not proved flexible enough to enable Lunken Airport to recover the full cost and expense for the landing, parking, and mooring of aircraft, for special events, and other uses including the Customs facility; and

WHEREAS, Council wishes to establish a clear, dynamic, and effective framework for Lunken Airport’s fees by authorizing the City Manager to establish fees that recover the costs and expenses associated with the landing, parking, and mooring of aircraft, for special events, and other uses including the Customs facility at Lunken Airport; now, therefore,

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

Section 1. That existing Section 402-24, “Lunken Airport Use Fees,” of the Cincinnati Municipal Code is hereby amended to read as follows:

Sec. 402-24. - Lunken Airport Use Fees.

~~Any person operating a scheduled or non-scheduled commercial flight using Lunken Airport shall pay to the city of Cincinnati a fee based on the licensed standard gross weight of the aircraft, as follows:~~

LANDING FEES

Gross Takeoff Weight	Piston	Turbo Prop	Jet
Multi Engine to 5,999	\$ 4.55	N/A	N/A
6,000 to 7,999	5.20	\$ 5.85	N/A

8,000 to 9,999	5.85	6.50	N/A
10,000 to 11,999	6.50	7.15	N/A
12,000 to 14,999	7.80	8.45	\$ 10.40
15,000 to 17,999	8.45	9.10	11.70
18,000 to 25,999	9.10	9.75	13.00
26,000 to 33,999	9.75	10.40	14.30
34,000 to 41,999	10.40	11.05	15.60
42,000 to 49,999	14.30	17.55	20.80
50,000 to 65,999	20.80	24.05	26.00
66,000 to 74,999	27.30	30.55	33.80
75,000 and over	33.80	37.05	39.00

(a) ~~*Use for Landing:* Fees shall be paid for using Lunken Airport for the first landing of each aircraft in any one calendar day. Such fees shall be collected by either the city or by persons authorized by the director. When collections are made by authorized persons, such persons shall keep accurate records of such collections subject to audit by the city and such persons shall make monthly reports of collections and shall pay 70 percent of total collections to the city; reports and payments shall be made on or before the 10th day of the next subsequent month. When collections are made by the city, fees may be billed on the first of each month for the operations of the previous month and shall be due and payable within 10 days. Fees shall not be applicable to scheduled air carriers operating under certificates of convenience and necessity, issued under the Federal Aviation Act of 1958, as amended, and under a contract with the City of Cincinnati for the use of the field. Likewise, fees shall not be applicable to aircraft based at Lunken Airport nor to governmental aircraft.~~

~~An operation will be considered commercial when either revenue passengers or cargo, or both are loaded or discharged at Lunken Airport.~~

(b) ~~*Parking Aircraft:* Fees shall be paid for each use of non-leased areas for parking of aircraft. Such fees shall be collected by the city or by persons authorized by the director. When collections are made by authorized persons, such persons shall keep accurate records of such collections subject to audit by the city and such persons shall make monthly reports of collections and shall pay 70 percent of total collections to the city; reports and payments must be made on or before the 10th day of the next subsequent month. When collections are made by the city, fees may be billed on the first of each month for the operations of the previous month and shall be due and payable within 10 days. Fees shall not be applicable to based aircraft for which provision has been made with the director for a monthly rate; fee shall not be applicable to governmental aircraft.~~

(c) ~~*Aircraft Parking Areas and Fees* are as follows:~~

~~Parking Area "A" is adjacent to the administration building consisting of the area shown as Parking Area "A" on the plat approved by and on file with the director.~~

The following fees shall apply to aircraft parked over night during the 10-hour period from 10 p.m. till 8 a.m. and shall apply for each subsequent 10-hour overnight period.

PARKING FEES

Gross Takeoff Weight	Piston	Turbo Prop	Jet
Multi-Engine to 5,999	\$ 6.50	N/A	N/A
6,000 to 7,999	6.50	N/A	N/A
8,000 to 9,999	6.50	\$ 6.80	N/A
10,000 to 11,999	6.50	6.80	N/A
12,000 to 14,999	7.15	7.45	\$ 7.80
15,000 to 17,999	7.80	8.10	8.45
18,000 to 25,999	7.80	8.45	9.10
26,000 to 33,999	8.10	9.75	10.40
34,000 to 41,999	8.10	9.75	10.40
42,000 to 49,999	10.40	11.15	11.70
50,000 to 65,999	11.70	12.35	13.00
66,000 to 74,999	13.00	13.65	14.30
75,000 and over	15.60	16.25	16.90
All Single Engine Aircraft	6.50	6.50	6.50

Parking Area "B" consists of all other non-leased land areas at Lunken Airport. The following fees shall apply to aircraft parked overnight during the 10-hour period from 10 p.m. to 8 a.m. and shall apply for each subsequent 10-hour overnight period:

Weight of Aircraft	Fees
Up to 12,499 lbs	\$ 4.00
12,500 to 34,999 lbs.	6.00
35,000 to 55,000 lbs.	8.00
Over 55,000 lbs.	10.00

(d) ~~Mooring Fees for Lighter than Air Airship Operations:~~ Any person mooring a lighter than air airship at Lunken Airport shall pay to the City of Cincinnati a mooring fee of \$50.00 per 24-hour period or any part thereof per airship moored.

(e) ~~Tie-down Fees:~~ Any person conducting a service of tying down aircraft may be permitted by the city to use a defined area of non-leased land for conducting said tie-down service.

Any person conducting a service of tying down aircraft on non-leased land shall pay to the city \$5 per aircraft per night up to a maximum of \$55 per aircraft per month. Each person operating such tie-down service on non-leased land shall keep accurate records subject to audit by the city

~~and such persons shall make monthly reports of collections and make payments on or before the 10th day of every month for the operations of the preceding month.~~

- (a) **Airport Usage Fees and Charges.** To ensure compliance with federal grant assurances, and to make Lunken Airport as financially self-sustaining as possible, the city manager or the city manager's designee is authorized to establish fees and charges in a fair and reasonable amount necessary to recover the costs and expenses incurred by Lunken Airport, or estimated to be incurred by Lunken Airport, in connection with the use of the airport's facilities by third parties, including but not limited to, landing fees, aircraft and vehicle parking fees, tie-down fees, mooring fees, and a United States Customs and Border Protection Federal Inspection fee. The city manager shall promulgate rules and regulations concerning the fees and charges to be collected. The city manager shall make the fees and charges along with the rules and regulations available on the city's website and the website for Lunken Airport.
- (b) **Exempt from Fees.** The city manager may exempt aircraft based at Lunken Airport from the payment of fees and charges, if such aircraft are based at Lunken Airport under a lease or rental agreement and are registered at Lunken Airport with the Federal Aviation Administration. The city manager shall exempt any federal, state, or local government aircraft from the fees and charges.

Section 2. 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 allow the City Manager to establish and promulgate fees and charges for Lunken Airport so that the City may begin to recover the full cost and expense of the use of Lunken Airport at the earliest possible date.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

Additions indicated by underline; Deletions indicated by strikethrough.

Date: February 12, 2025

To: Mayor and Members of City Council 202500247

From: Sheryl M. M. Long, City Manager

Subject: EMERGENCY ORDINANCE – LUNKEN AIRPORT USE FEES (B Version)

Attached is an emergency ordinance captioned as follows:

MODIFYING Chapter 402, “Airport,” by **AMENDING** Section 402-24, “Lunken Airport Use Fees,” to authorize the City Manager to establish fees for the landing, parking, and mooring of aircraft, for special events, and other uses at Lunken Airport.

Lunken Airport, as an enterprise agency, charges land use fees as a means to generate revenue to recover costs associated with operating and maintaining the airfield. These fees, which include landing, parking, and mooring of aircraft, were last revised in 1999 and need to be updated. This Ordinance authorizes the City Manager to increase these fees and establish a new special events fee. It also provides flexibility to make adjustments to these fees as necessary.

The emergency ordinance conserves the status quo that aircraft based at Lunken Airport shall be exempt from the payment of landing fees. Likewise, the emergency ordinance preserves the condition that any federal, state, or local government aircraft shall be exempt from the fees and charges.

The reason for the emergency ordinance is the immediate need to allow the City Manager to establish and promulgate fees and charges for Lunken Airport so that the City may begin to recover the full cost and expense of the use of Lunken Airport at the earliest possible date.

Attachment I - Existing and Proposed Fee Structure.

The Administration recommends passage of the attached ordinance.

cc: John S. Brazina, Interim Assistant City Manager
Greg Long, Interim Director, Transportation and Engineering

ATTACHMENT

EMERGENCY ORDINANCE – LUNKEN AIRPORT USE FEES

Landing Fees Current			
GROSS MAXIMUM TAKEOFF WEIGHT POUNDS	Piston	Turbo-Prop	Jet
6,000 to 7,999	\$5.20	\$5.85	N/A
8,000 to 9,999	\$5.85	\$6.50	N/A
10,000 to 11,999	\$6.50	\$7.15	N/A
12,000 to 14,999	\$7.80	\$8.45	\$10.40
15,000 to 17,999	\$8.45	\$9.10	\$11.70
18,000 to 25,999	\$9.10	\$9.75	\$13.00
26,000 to 33,999	\$9.75	\$10.40	\$14.30
34,000 to 41,999	\$10.40	\$11.05	\$15.60
42,000 to 49,999	\$14.30	\$17.55	\$20.80
50,000 to 65,999	\$20.80	\$24.05	\$26.00
66,000 to 74,999	\$27.30	\$30.55	\$33.80
75,000 and over	\$33.80	\$37.05	\$39.00
Landing Fees Proposed	Minimum		
\$1.80 per 1,000 pounds for aircraft with greater than 9,000-pound Maximum Takeoff Weight	\$15		
\$1.80 per 1,000 pounds Maximum Takeoff Weight for all Part 135 Commercial Operators	\$15		

Parking Fees Current			
GROSS MAXIMUM TAKEOFF WEIGHT	Piston	Turbo-Prop	Jet
Multi-Engine to 5,999	\$6.50	N/A	N/A
6,000 to 7,999	\$6.50	N/A	N/A
8,000 to 9,999	\$6.50	\$6.80	N/A
10,000 to 11,999	\$6.50	\$6.80	N/A
12,000 to 14,999	\$7.15	\$7.45	\$7.80
15,000 to 17,999	\$7.80	\$8.10	\$8.45
18,000 to 25,999	\$7.80	\$8.45	\$9.10
26,000 to 33,999	\$8.10	\$9.75	\$10.40
34,000 to 41,999	\$8.10	\$9.75	\$10.40
42,000 to 49,999	\$10.40	\$11.15	\$11.70
50,000 to 65,999	\$11.70	\$12.35	\$13.00
66,000 to 74,999	\$13.00	\$13.65	\$14.30
75,000 and over	\$15.60	\$16.25	\$16.90
All Single-Engine Aircraft	\$6.50	\$6.50	\$6.50
Parking Fees Proposed			
Maximum Takeoff Weight	Fee		
0 to 5,000 pounds	\$10.00		

5,001 to 12,500 pounds	\$20.00		
12,501 to 30,000 pounds	\$100.00		
Above 30,000 pounds	\$200.00		
Mooring Fees Current			
Per 24-hour period or any part thereof per airship moored	\$50		
Mooring Fees Proposed			
Per 24-hour period or any part thereof per airship moored	\$100		

Special Event Permit Fee - Proposed	\$100
Airport Property Special Event Fee - Proposed	\$100 per day

EMERGENCY

JRS/B

- 2025

MODIFYING Chapter 402, “Airport,” by **AMENDING** Section 402-24, “Lunken Airport Use Fees,” to authorize the City Manager to establish fees for the landing, parking, and mooring of aircraft, for special events, and other uses at Lunken Airport.

WHEREAS, fees are an existing means Lunken Airport uses to recover costs and expenses it directly and indirectly incurs in connection with the landing, parking, and mooring of aircraft, for special events, and other uses at Lunken Airport; and

WHEREAS, the Cincinnati Municipal Code currently establishes specific fees for Lunken Airport, but the fees have not been updated since 1999, do not reflect the current structure and best practices for airports, and the existing fee framework has not proved flexible enough to enable Lunken Airport to recover the full cost and expense for the landing, parking, and mooring of aircraft, for special events, and other uses; and

WHEREAS, Council wishes to establish a clear, dynamic, and effective framework for Lunken Airport’s fees by authorizing the City Manager to establish fees that recover the costs and expenses associated with the landing, parking, and mooring of aircraft, for special events, and other uses at Lunken Airport; now, therefore,

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

Section 1. That existing Section 402-24, “Lunken Airport Use Fees,” of the Cincinnati Municipal Code is hereby amended to read as follows:

Sec. 402-24. - Lunken Airport Use Fees.

~~Any person operating a scheduled or non-scheduled commercial flight using Lunken Airport shall pay to the city of Cincinnati a fee based on the licensed standard gross weight of the aircraft, as follows:~~

LANDING FEES

Gross Takeoff Weight	Piston	Turbo Prop	Jet
Multi-Engine to 5,999	\$ 4.55	N/A	N/A
6,000 to 7,999	5.20	\$ 5.85	N/A
8,000 to 9,999	5.85	6.50	N/A
10,000 to 11,999	6.50	7.15	N/A

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12,000 to 14,999	7.80	8.45	\$ 10.40
15,000 to 17,999	8.45	9.10	11.70
18,000 to 25,999	9.10	9.75	13.00
26,000 to 33,999	9.75	10.40	14.30
34,000 to 41,999	10.40	11.05	15.60
42,000 to 49,999	14.30	17.55	20.80
50,000 to 65,999	20.80	24.05	26.00
66,000 to 74,999	27.30	30.55	33.80
75,000 and over	33.80	37.05	39.00

- (a) — ~~*Use for Landing:* Fees shall be paid for using Lunken Airport for the first landing of each aircraft in any one calendar day. Such fees shall be collected by either the city or by persons authorized by the director. When collections are made by authorized persons, such persons shall keep accurate records of such collections subject to audit by the city and such persons shall make monthly reports of collections and shall pay 70 percent of total collections to the city; reports and payments shall be made on or before the 10th day of the next subsequent month. When collections are made by the city, fees may be billed on the first of each month for the operations of the previous month and shall be due and payable within 10 days. Fees shall not be applicable to scheduled air carriers operating under certificates of convenience and necessity, issued under the Federal Aviation Act of 1958, as amended, and under a contract with the City of Cincinnati for the use of the field. Likewise, fees shall not be applicable to aircraft based at Lunken Airport nor to governmental aircraft.~~

~~An operation will be considered commercial when either revenue passengers or cargo, or both are loaded or discharged at Lunken Airport.~~

- (b) — ~~*Parking Aircraft:* Fees shall be paid for each use of non-leased areas for parking of aircraft. Such fees shall be collected by the city or by persons authorized by the director. When collections are made by authorized persons, such persons shall keep accurate records of such collections subject to audit by the city and such persons shall make monthly reports of collections and shall pay 70 percent of total collections to the city; reports and payments must be made on or before the 10th day of the next subsequent month. When collections are made by the city, fees may be billed on the first of each month for the operations of the previous month and shall be due and payable within 10 days. Fees shall not be applicable to based aircraft for which provision has been made with the director for a monthly rate; fee shall not be applicable to governmental aircraft.~~

- (c) — ~~*Aircraft Parking Areas and Fees* are as follows:~~

~~Parking Area "A" is adjacent to the administration building consisting of the area shown as Parking Area "A" on the plat approved by and on file with the director.~~

~~The following fees shall apply to aircraft parked over night during the 10 hour period from 10 p.m. till 8 a.m. and shall apply for each subsequent 10 hour overnight period.~~

PARKING FEES

Gross Takeoff Weight	Piston	Turbo Prop	Jet
Multi Engine to 5,999	\$ 6.50	N/A	N/A
6,000 to 7,999	6.50	N/A	N/A
8,000 to 9,999	6.50	\$ 6.80	N/A
10,000 to 11,999	6.50	6.80	N/A
12,000 to 14,999	7.15	7.45	\$ 7.80
15,000 to 17,999	7.80	8.10	8.45
18,000 to 25,999	7.80	8.45	9.10
26,000 to 33,999	8.10	9.75	10.40
34,000 to 41,999	8.10	9.75	10.40
42,000 to 49,999	10.40	11.15	11.70
50,000 to 65,999	11.70	12.35	13.00
66,000 to 74,999	13.00	13.65	14.30
75,000 and over	15.60	16.25	16.90
All Single Engine Aircraft	6.50	6.50	6.50

Parking Area "B" consists of all other non-leased land areas at Lunken Airport. The following fees shall apply to aircraft parked overnight during the 10-hour period from 10 p.m. to 8 a.m. and shall apply for each subsequent 10-hour overnight period:

Weight of Aircraft	Fees
Up to 12,499 lbs	\$ 4.00
12,500 to 34,999 lbs.	6.00
35,000 to 55,000 lbs.	8.00
Over 55,000 lbs.	10.00

(d) ~~Mooring Fees for Lighter-than-Air Airship Operations:~~ Any person mooring a lighter-than-air airship at Lunken Airport shall pay to the City of Cincinnati a mooring fee of \$50.00 per 24-hour period or any part thereof per airship moored.

(e) ~~Tie-down Fees:~~ Any person conducting a service of tying down aircraft may be permitted by the city to use a defined area of non-leased land for conducting said tie-down service.

Any person conducting a service of tying down aircraft on non-leased land shall pay to the city \$5 per aircraft per night up to a maximum of \$55 per aircraft per month. Each person operating such tie-down service on non-leased land shall keep accurate records subject to audit by the city and such persons shall make monthly reports of collections and make payments on or before the 10th day of every month for the operations of the preceding month.

- (a) **Airport Usage Fees and Charges.** To ensure compliance with federal grant assurances, and to make Lunken Airport as financially self-sustaining as possible, the city manager or the city manager's designee is authorized to establish fees and charges in a fair and reasonable amount necessary to recover the costs and expenses incurred by Lunken Airport, or estimated to be incurred by Lunken Airport, in connection with the use of the airport's facilities by third parties, including but not limited to, landing fees, aircraft and vehicle parking fees, tie-down fees, and mooring fees. The city manager shall promulgate rules and regulations concerning the fees and charges to be collected. The city manager shall make the fees and charges along with the rules and regulations available on the city's website and the website for Lunken Airport.
- (b) **Exempt from Fees.** The city manager shall exempt aircraft based at Lunken Airport from the payment of landing fees. The city manager shall exempt any federal, state, or local government aircraft from the fees and charges.

Section 2. 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 allow the City Manager to establish and promulgate fees and charges for Lunken Airport so that the City may begin to recover the full cost and expense of the use of Lunken Airport at the earliest possible date.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

Additions indicated by underline; Deletions indicated by strikethrough.