



City of Cincinnati

801 Plum Street
Cincinnati, Ohio 45202

CALENDAR

Cincinnati City Council

Wednesday, May 3, 2023

2:00 PM

Council Chambers, Room 300

ROLL CALL

PRAYER AND PLEDGE OF ALLEGIANCE

FILING OF THE JOURNAL

MAYOR AFTAB

MS. KEATING

MR. CRAMERDING

1. [202301312](#) **RESOLUTION**, submitted by Mayor Aftab Pureval, Councilmembers Keating and Cramerding, from Emily Smart Woerner, City Solicitor, **RECOGNIZING** the Flying Pig Marathon and **EXPRESSING** the appreciation of the Mayor and Council for the 25th Anniversary of the Flying Pig Marathon's annual 26.2-mile race.

Recommendation PASS

Sponsors: Mayor, Keating and Cramerding

MAYOR AFTAB

MS. OWENS

MS. KEARNEY

MR. CRAMERDING

MR. HARRIS

MR. WALSH

2. [202301316](#) **RESOLUTION**, submitted by Mayor Aftab Pureval, Councilmember Owens, Vice Mayor Kearney and Councilmembers Cramerding, Harris and Walsh, from Emily Smart Woerner, City Solicitor, **EXPRESSING** the desire of the Mayor and Council that the City of Cincinnati continue advocating for improvements throughout the progressive design-build process that encourage the shared priorities of minimizing the urban footprint of the Brent Spence Bridge Corridor Project through further design enhancements.

Recommendation CLIMATE, ENVIRONMENT & INFRASTRUCTURE COMMITTEE

Sponsors: Mayor, Owens, Kearney, Cramerding, Harris and Walsh

MS. OWENS

3. [202301304](#) **ORDINANCE**, submitted by Councilmember Owens, from Emily Smart Woerner, City Solicitor, **AUTHORIZING** the City Manager and the employees of the Office of Councilmember Owens to solicit and accept donations of money, in-kind contributions, and other things of value from the Cincinnati business community, individual benefactors, and other available sources to host Social Service Day; and **AUTHORIZING** the Director of Finance to deposit funds donated to the City of Cincinnati for Social Service Day into Fund No. 314, "Special Events."

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: Owens

MR. CRAMERDING

MR. JOHNSON

MS. KEATING

4. [202301335](#) **MOTION**, submitted by Councilmembers Cramerding, Johnson and Keating, **WE MOVE** that the council rules be amended so that each councilmember has the privilege of honoring a city employee or employees as the employee(s) of the month during each calendar year. There should be no more than one of these resolutions per month. This award shall be the Council's recognition of city employees whose service and work are truly extraordinary and an example of the highest dedication to the city and citizens of Cincinnati.

Recommendation PUBLIC SAFETY & GOVERNANCE COMMITTEE

Sponsors: Cramerding, Johnson and Keating

CITY MANAGER

5. [202301284](#) **REPORT**, dated 5/3/2023, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for Northside Summer Sideshow at Hoffner Park.

Recommendation FILE

Sponsors: City Manager

6. [202301285](#) **REPORT**, dated 5/3/2023, submitted Sheryl M. M. Long, City Manager, regarding the Department of Finance Reports for the Month Ended March 31, 2023.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

7. [202301286](#) **REPORT**, dated 5/3/2023 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Your Moms Pizzeria LLC, 1045 Saint Gregory Street. (#9861888, C1 C2, New) [Objections: None]

Recommendation FILE

- Sponsors:** City Manager
8. [202301287](#) **REPORT**, dated 5/3/2023 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for EWH Solstice, 1544 Madison Road and patio. (#2584450, D5 D6, Transfer) [Objections: None]
- Recommendation** FILE
- Sponsors:** City Manager
9. [202301288](#) **REPORT**, dated 5/3/2023, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for Pride Party.
- Recommendation** FILE
- Sponsors:** City Manager
10. [202301289](#) **REPORT**, dated 5/3/2023, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for Noah Kahan - ICON Festival Stage at Smale Park.
- Recommendation** FILE
- Sponsors:** City Manager
11. [202301290](#) **REPORT**, dated 5/3/2023 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Ish Festival LLC, DBA Ish, 4089 Langland Street. (#4159020, D4, New) [Objection: None]
- Recommendation** FILE
- Sponsors:** City Manager
12. [202301291](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 5/3/2023, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant from the U.S. Department of Homeland Security, Federal Emergency Management Agency, FY 2023 Port Security Grant Program (ALN 97.056), in an amount of up to \$134,983 to support the Cincinnati Police Department's Marine Unit Emergency Response and the Port of Cincinnati Ohio River Surveillance Camera Network and up to \$262,500 to support the Cincinnati Fire Department's Fire Boat Refurbishment Project; and **AUTHORIZING** the Director of Finance to deposit the grant funds in an amount up to \$134,983 for the Police Department into Law Enforcement Grant Fund 368x8553, Project Account No. 23PORT, and to deposit the grant funds in an amount up to \$262,500 for the Fire Department into Fire Grant Fund 472x8542.
- Recommendation** BUDGET AND FINANCE COMMITTEE
- Sponsors:** City Manager
13. [202301292](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 5/3/2023, **Authorizing** the payment of \$5,200 from the Cincinnati Police Department Law Enforcement Grant Fund non-personnel operating budget account no. 368x227x4200x7289x22WELL as a moral obligation to E-S Press, Inc. for outstanding charges for a guest speaker at the Emotional Survival for Law Enforcement as a part of the Mental Health America training course in January 2023.
- Recommendation** BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

14. [202301293](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 5/3/2023, **LEVYING** assessments for unpaid costs incurred by the City in making emergency repairs to sidewalks, sidewalk areas, curbs, and gutters at various locations in the City through the City of Cincinnati's Sidewalk Safety Program, in accordance with Cincinnati Municipal Code Sections 721-149 through 721-169.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

15. [202301297](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 5/3/2023, **ESTABLISHING** new capital improvement program project account no. 980x232x232311, "Transportation Safety Action Plan Grant," to provide grant resources to conduct a transportation safety action plan ("TSAP") to prevent deaths and serious injuries on City of Cincinnati roadways; **AUTHORIZING** the City Manager to accept and appropriate a grant in an amount of up to \$250,000 from the U.S. Department of Transportation's Safe Streets and Roads for All (SS4A) Grant Program (ALN 20.939) to newly established capital improvement program project account no. 980x232x232311, "Transportation Safety Action Plan Grant," to conduct a TSAP to prevent deaths and serious injuries on City of Cincinnati roadways; and **AUTHORIZING** the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

16. [202301298](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 5/3/2023, **AUTHORIZING** the City Manager to vacate Southside Place from the north line of Southside Avenue to its northern terminus and to vacate Mississippi Street from the west line of Southside Place to its western terminus in the Riverside neighborhood of Cincinnati.

Recommendation HEALTHY NEIGHBORHOODS COMMITTEE

Sponsors: City Manager

17. [202301299](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 5/3/2023, **APPROVING, AND AUTHORIZING** the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement with Allez Bar & Bakery, LLC, thereby authorizing a fifteen-year tax exemption for one hundred percent of the value of improvements made to real property located at 6012 Madison Road in the Madisonville neighborhood of Cincinnati, in connection with the remodeling of an existing building into approximately 5,056 square feet of commercial space, at a total construction cost of approximately \$1,600,000.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

18. [202301302](#) **REPORT**, dated 5/3/2023 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a

permit application for Kdolla Holdings LLC, DBA Uncle Woodys, 339 Calhoun Street. (#4529627, D5D6, Transfer) [Objections: None]

Recommendation FILE

Sponsors: City Manager

19. [202301303](#) **REPORT**, dated 5/3/2023, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for OTR Community Day.

Recommendation FILE

Sponsors: City Manager

20. [202301313](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 5/3/2023, **AUTHORIZING** the City Manager to take all necessary and proper actions to cooperate with the Director of the Ohio Department of Transportation to facilitate the performance of construction activities for Interstate 75 from Findlay Street to south of Marshall Avenue including interchanges to the new Western Hills Viaduct in connection with the Ohio Department of Transportation's Brent Spence Bridge Corridor project in the City of Cincinnati.

Recommendation CLIMATE, ENVIRONMENT & INFRASTRUCTURE COMMITTEE

Sponsors: City Manager

21. [202301314](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 5/3/2023, **AUTHORIZING** the City Manager to take all necessary and proper actions to cooperate with the Director of the Ohio Department of Transportation to facilitate the performance of construction activities for Interstate 75 from Linn Street to Findlay Street in connection with the Ohio Department of Transportation's Brent Spence Bridge Corridor project in the City of Cincinnati.

Recommendation CLIMATE, ENVIRONMENT & INFRASTRUCTURE COMMITTEE

Sponsors: City Manager

22. [202301315](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 5/3/2023, **AUTHORIZING** the City Manager to take all necessary and proper actions to cooperate with the Director of the Ohio Department of Transportation to facilitate the performance of construction activities for Interstate 75 and the Brent Spence Bridge and companion bridge over the Ohio River to Linn Street in connection with the Ohio Department of Transportation's Brent Spence Bridge Corridor project in the City of Cincinnati.

Recommendation CLIMATE, ENVIRONMENT & INFRASTRUCTURE COMMITTEE

Sponsors: City Manager

CLERK OF COUNCIL

23. [202301317](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Charles H. Gerhardt, III, Government Strategies Group, President & CEO, 700 Walnut Street, Suite 450, Cincinnati, Ohio 45202. (NB AFFORDABLE)

Recommendation FILE

Sponsors: Clerk of Council

24. [202301318](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent J. Douglas Moormann, Government Strategies Group, Vice President, 700

Walnut Street, Suite 450, Cincinnati, Ohio 45202. (NB AFFORDABLE)

Recommendation FILE

Sponsors: Clerk of Council

25. [202301319](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Charles H. Gerhardt, III, Government Strategies Group, President & CEO, 700 Walnut Street, Suite 450, Cincinnati, Ohio 45202. (ASCEND OHIO)

Recommendation FILE

Sponsors: Clerk of Council

26. [202301320](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent J. Douglas Moormann, Government Strategies Group, Vice President, 700 Walnut Street, Suite 450, Cincinnati, Ohio 45202. (ASCEND OHIO)

Recommendation FILE

Sponsors: Clerk of Council

27. [202301321](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Anne C. Sesler, Government Strategies Group, Director of Public Affairs and Strategy, 700 Walnut Street, Suite 450, Cincinnati, Ohio 45202. (LIGHTHOUSE YOUTH & FAMILY SERVICES)

Recommendation FILE

Sponsors: Clerk of Council

28. [202301328](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Wendell Young/Former Councilmember. (ETHICS)

Recommendation FILE

Sponsors: Clerk of Council

BUDGET AND FINANCE COMMITTEE

29. [202301237](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 4/26/2023, **AUTHORIZING** the City Manager to apply for, accept, and appropriate grant resources in an amount up to \$200,000 from the U.S. Department of Justice, Office of Community Oriented Policing Services, FY23 Law Enforcement Mental Health and Wellness Act Grant Program (ALN 16.710) for the purpose of providing assistance with expansion of the Cincinnati Police Department's current law enforcement mental health and wellness efforts; and **AUTHORIZING** the Director of Finance to deposit the grant funds into Law Enforcement Grant Fund 368, Project Account no. 23LEMH.

Recommendation PASS

Sponsors: City Manager

30. [202301238](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 4/26/2023, **AUTHORIZING** the City Manager to accept an in-kind donation of sixty new lift assistance belts from the Cincinnati Fire Foundation valued at \$17,940 to be used by the Cincinnati Fire Department in fire apparatus.

Recommendation PASS EMERGENCY

Sponsors: City Manager

31. [202301239](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 4/26/2023, **AUTHORIZING** the City Manager to accept and appropriate a donation in the amount of \$2,000 from the Cincinnati Recreation Foundation for the purpose of providing resources for the newly established Senior Trip Program; and **AUTHORIZING** the Director of Finance to deposit the donated resources into Contributions for Recreation Purposes Fund 319x8571.

Recommendation PASS

Sponsors: City Manager

32. [202301244](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 4/26/2023, **ESTABLISHING** new capital improvement program project account no. 980x104x231042, "Recreation LED Lighting Improvements," for the purpose of providing resources for LED lighting installations in City of Cincinnati recreation centers; **AUTHORIZING** the transfer and appropriation of \$27,649.73 from the unappropriated surplus of Revolving Energy Loan Fund 883 to newly established capital improvement program project account no. 980x104x231042, "Recreation LED Lighting Improvements," and **AUTHORIZING** a payment of \$27,649.73 from capital improvement program project account no. 980x104x0000x7685x231042, "Recreation LED Lighting Improvements," to Diversified Supply, Inc. as a moral obligation of the City of Cincinnati for professional services completed for the Recreation LED Lighting Improvements project.

Recommendation

PASS EMERGENCY

Sponsors: City Manager

33. [202301247](#) **RESOLUTION (LEGISLATIVE) (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 4/26/2023, **AUTHORIZING** tax levies for the calendar year beginning January 1, 2024, certifying them to the Hamilton County Auditor pursuant to O.R.C. § 5705.34, and requesting the County Auditor and County Treasurer to pay monies that may be in the County Treasury and are lawfully applicable to the purpose of this calendar year to the City Treasurer pursuant to O.R.C. § 321.34.

Recommendation PASS EMERGENCY

Sponsors: City Manager

34. [202301296](#) **ORDINANCE (B VERSION) (EMERGENCY)**, submitted by Sheryl M. M. Long, City Manager, on 5/1/2023, **AUTHORIZING** the City Manager to accept an in-kind donation of new trees, boulders, plants, and related landscaping from the Cincinnati Zoo and Botanical Garden valued at up to \$25,000, in addition to the services reasonably necessary to install and maintain this donation, for the purpose of beautification of green space at the Forest and Irving Recreation Area.

Recommendation PASS EMERGENCY

Sponsors: City Manager

SUPPLEMENTAL ITEMS

HEALTHY NEIGHBORHOODS COMMITTEE

35. [202301276](#) **MOTION**, submitted by Councilmember Owens, **WE MOVE** that the Administration, in coordination with Motion #2022-00108, provide a strategic report within forty-five days on how City services, facilities, and resources can incorporate nonpartisan voter engagement, registration and identification assistance, and voting law education. The report should, at a minimum, identify which City departments are appropriate for providing such services and outline how each department can use its specific footprint and ongoing interaction with the public to do such voter-engagement work. (BALANCE ON FILE IN THE CLERK'S OFFICE) (STATEMENT ATTACHED).

Recommendation ADOPT

Sponsors: Owens

36. [202301242](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 4/26/2023, **AMENDING** Ordinance No. 234-2010 to accept and confirm the dedication to public use for street purposes of a portion of John Street in the Lincoln Court North Subdivision in the West End neighborhood in accordance with the plat entitled "Lincoln Court North Plat of Subdivision," as recorded in Plat Book 392, Pages 58 through 65, Hamilton County, Ohio Records.

Recommendation PASS EMERGENCY

Sponsors: City Manager

ANNOUNCEMENTS

Adjournment

202301312

Date: May 2, 2023

To: Mayor Aftab Pureval, Councilmembers Liz Keating and Jeff Cramerding
From: Emily Smart Woerner, City Solicitor *EESW*
Subject: **Resolution – Flying Pig Marathon**

Transmitted herewith is resolution captioned as follows:

RECOGNIZING the Flying Pig Marathon and **EXPRESSING** the appreciation of the Mayor and Council for the 25th Anniversary of the Flying Pig Marathon's annual 26.2-mile race.

EESW/CNS(dmm)
Attachment
382836

EESW

RESOLUTION NO. _____ - 2023

RECOGNIZING the Flying Pig Marathon and **EXPRESSING** the appreciation of the Mayor and Council for the 25th Anniversary of the Flying Pig Marathon’s annual 26.2-mile race.

WHEREAS, the Flying Pig Marathon is a world-class event, raising money for charity while celebrating community; and

WHEREAS, the Flying Pig Marathon is an economic driver with forty percent of participants coming from out of town, attracting participants from all fifty states and over thirty countries, leading to a \$15 million economic impact to our local economy; and

WHEREAS, the Flying Pig Marathon was first run in 1999 and drew more than 6,000 runners; and

WHEREAS, the event was conceived by Paycor CEO Bob Coughlin and other runners by drawing the proposed course on a cocktail napkin at O’Byron’s after a training run; and

WHEREAS, in the 1800s Cincinnati was referred to as “Porkopolis” due to its meat packing industry; and

WHEREAS, the name “Flying Pig Marathon” was jokingly proposed as the title in contrast to the seriousness of marathon training; and

WHEREAS, this gamble taken by the founding race organizers had paid off as runners from all over flocked to Cincinnati; and

WHEREAS, in the 25th Flying Pig Marathon, more than 40,000 walkers and runners will participate in a sold-out weekend that benefits charity; and

WHEREAS, along the way, more than 300 charities will use Flying Pig weekend as a major fundraiser; and,

WHEREAS, the Flying Pig Marathon raises an average of more than \$1 million dollars annually for charity; now, therefore,

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

Section 1. That the Mayor and Council recognize the Flying Pig Marathon for the 25th Anniversary of its annual 26.2-mile race.

Section 2. That this resolution be spread upon the minutes of Council and that a copy be provided to Pig Works through the offices of Councilmember Liz Keating and Councilmember Jeff Cramerding.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

Submitted by Mayor Aftab Pureval, Councilmember Liz Keating, and Councilmember Jeff Cramerding.

202301316

Date: May 3, 2023

To: Mayor Aftab Pureval, Councilmember Meeka D. Owens, Vice Mayor Jan-Michele Lemon Kearney, and Councilmembers Jeff Cramerding, Reggie Harris, and Seth Walsh

From: Emily Smart Woerner, City Solicitor *EESW*

Subject: **Resolution – Brent Spence Bridge Vertical Design**

Transmitted herewith is a resolution captioned as follows:

EXPRESSING the desire of the Mayor and Council that the City of Cincinnati continue advocating for improvements throughout the progressive design-build process that encourage the shared priorities of minimizing the urban footprint of the Brent Spence Bridge Corridor Project through further design enhancements.

ESW/CNS(dmm)
Attachment
382517

EESW

RESOLUTION NO. _____ - 2023

EXPRESSING the desire of the Mayor and Council that the City of Cincinnati continue advocating for improvements throughout the progressive design-build process that encourage the shared priorities of minimizing the urban footprint of the Brent Spence Bridge Corridor Project through further design enhancements.

WHEREAS, the historic, bipartisan Infrastructure Investment and Jobs Act (“IIJA”) has supported initiatives that have reconnected communities that were severed by highways in the 1950s and 1960s; and

WHEREAS, the Brent Spence Bridge Corridor (“BSBC”) Project will address issues of both the past and present around road safety, environmental impact, and climate justice while emphasizing core themes of equity, sustainability, and job creation; and

WHEREAS, the Central Business District, the West End, and what is now Queensgate were significantly affected by the initial construction of the Brent Spence Bridge and the Mill Creek Expressway, which is a part of I-75; and

WHEREAS, the construction of the Mill Creek Expressway was, at the time of its inception, the second largest so-called “slum clearance” project in the nation and included the total demolition of the Kenyon-Barr neighborhood and the displacement of over 27,000 people in 9,800 families, 97 percent of whom were Black Cincinnatians; and

WHEREAS, since its construction in 1963, the BSBC has been a pivotal part of the national network for the transportation of goods such that nearly three percent of the national Gross Domestic Product (GDP) passes across the Brent Spence Bridge each year; and

WHEREAS, the BSBC Project is a once-in-a-century project that will have a substantial, long-term impact on the region, and thus should be constructed in an intentional way as to minimize displacement, correct issues and failures of the past, and ensure the maximum benefit to the City and the region; and

WHEREAS, intraregional transportation is changing rapidly, leading to an increase in people commuting to work, school, amenities, and other locations by bike, foot, or bus, which demonstrates the environmental imperative to build on the need to expand facilities to support multimodality; and

WHEREAS, improvements made to the BSBC design in 2022 will increase the connectivity between communities of Cincinnati; and

WHEREAS, encouraging and accommodating increased connectivity between communities is in line with both the climate action goals set by the 2023 Green Cincinnati Plan and the federal government's environmental justice goals set as part of the IIJA and Inflation Reduction Act; and

WHEREAS, the BSBC Project has been awarded \$1.635 billion in funding from the IIJA, with additional contributions from the Ohio Department of Transportation ("ODOT") and Kentucky Transportation Cabinet ("KYTC"); and

WHEREAS, the progressive design-build process adopted by ODOT is an approach that allows participants and stakeholders, including the Federal Highway Administration ("FHWA"), ODOT, KYTC, the design-build team, impacted municipalities, and the local community, to consider and address major project topics in an open format and create the basis of design, overall project requirements, and final design intent before substantial work begins; and

WHEREAS, continuing to explore the feasibility of incorporating additional innovative design concepts into the BSBC Project will place our region on a path towards success and further economic growth in the coming decades; and

WHEREAS, the City, ODOT, and FHWA have stated their shared commitment to ensuring that the BSBC Project is a world-class, innovative infrastructure improvement project; now, therefore,

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

Section 1. That the Mayor and Council express their support for the Administration's continued advocacy that the Brent Spence Bridge Corridor Project design explore all options to reclaim additional land throughout the corridor; and that the Mayor and Council further encourage the Administration to advocate for the Ohio Department of Transportation ("ODOT") to consider additional improvements throughout the existing progressive design-build process that could further reduce the width of the total right-of-way, streamline and reduce the footprint of downtown entry/exit points, improve existing pedestrian and bicycle access and safety, and potentially return additional developable land or greenspaces to public use, including reviewing and considering various innovative concepts submitted to ODOT, while either maintaining or reducing the current timelines, budget, and construction schedules.

Section 2. That the Administration continue its cooperative relationship with ODOT, while supporting and encouraging efforts to explore the feasibility of additional proposals with the understanding that this once-in-a-century infrastructure project will impact the future of Cincinnati's growth and development for decades to come.

Section 3. That the Mayor and Council request that the Administration and ODOT report back to Council on the outcome of ODOT's evaluation of external proposals, including that shown on Attachment A and any other public comments submitted for the Brent Spence Bridge Corridor Project that provide recommendations for achieving the City's goals.

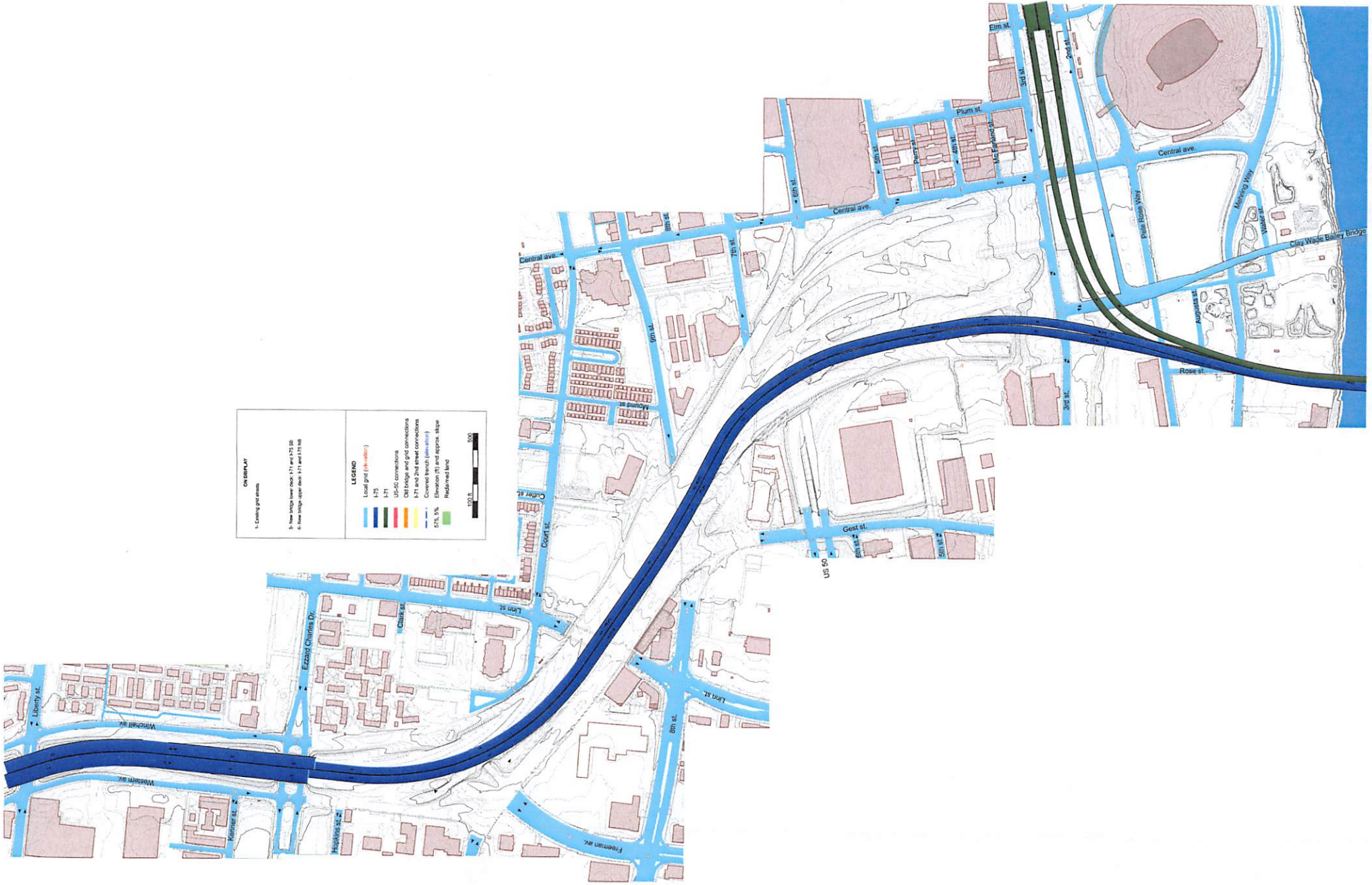
Section 4. That copies of this resolution be spread upon the minutes of Council and provided to the Ohio Department of Transportation, Tammy Campbell – ODOT District 8, 505 S. State Route 741, Lebanon, OH 45036, tammy.campbell@dot.ohio.gov; the Kentucky Transportation Cabinet, Stacey Hans – KYTC District 6, 421 Buttermilk Pike, Fort Mitchell, KY 41017, stacey.hans@ky.gov; and the Federal Highway Administration, Laurie Leffler – FHWA Ohio Division, 200 North High Street – Room 328, Columbus, OH 43215, laurie.leffler@dot.gov.

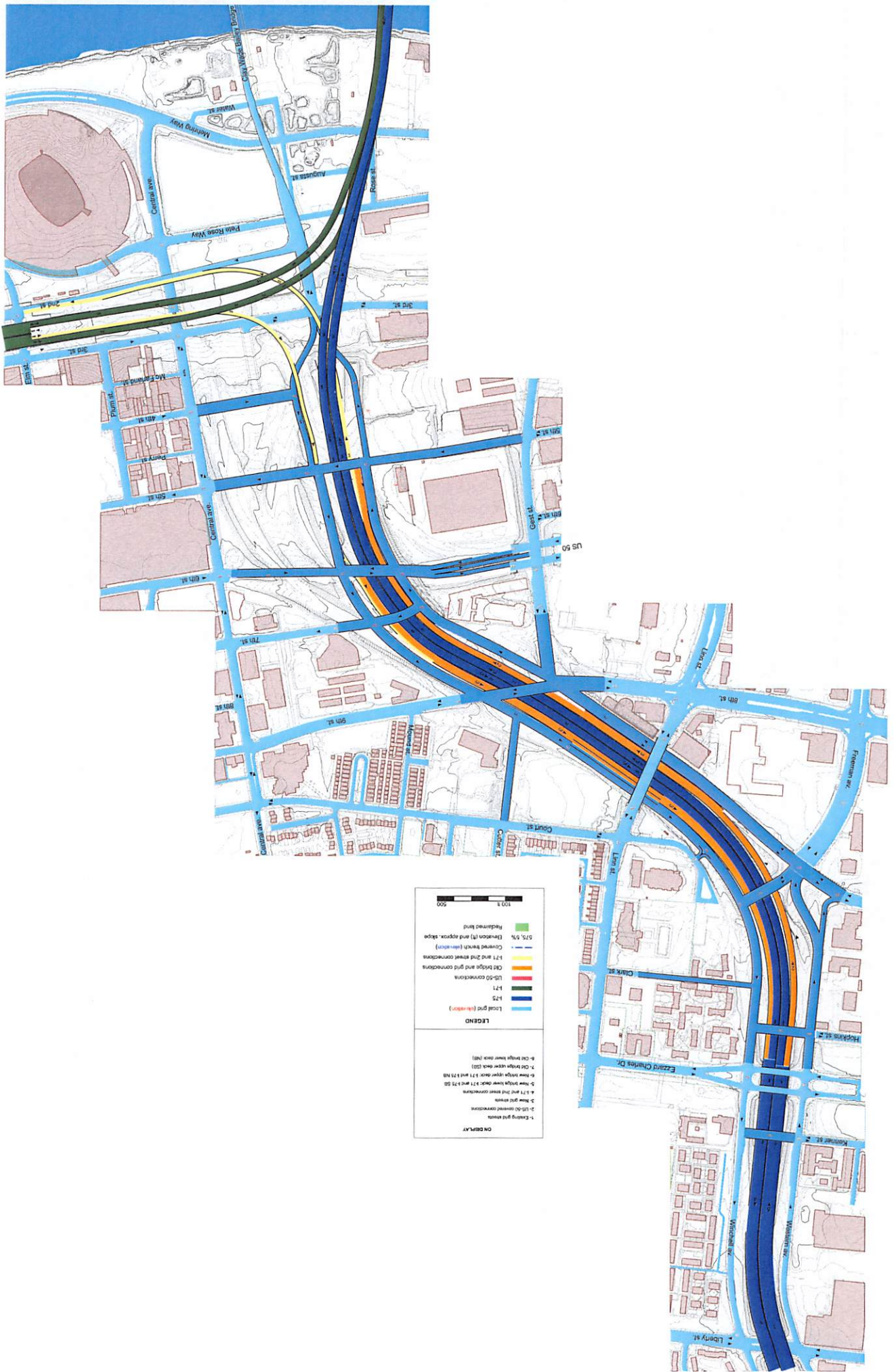
Passed: _____, 2023

Aftab Pureval, Mayor

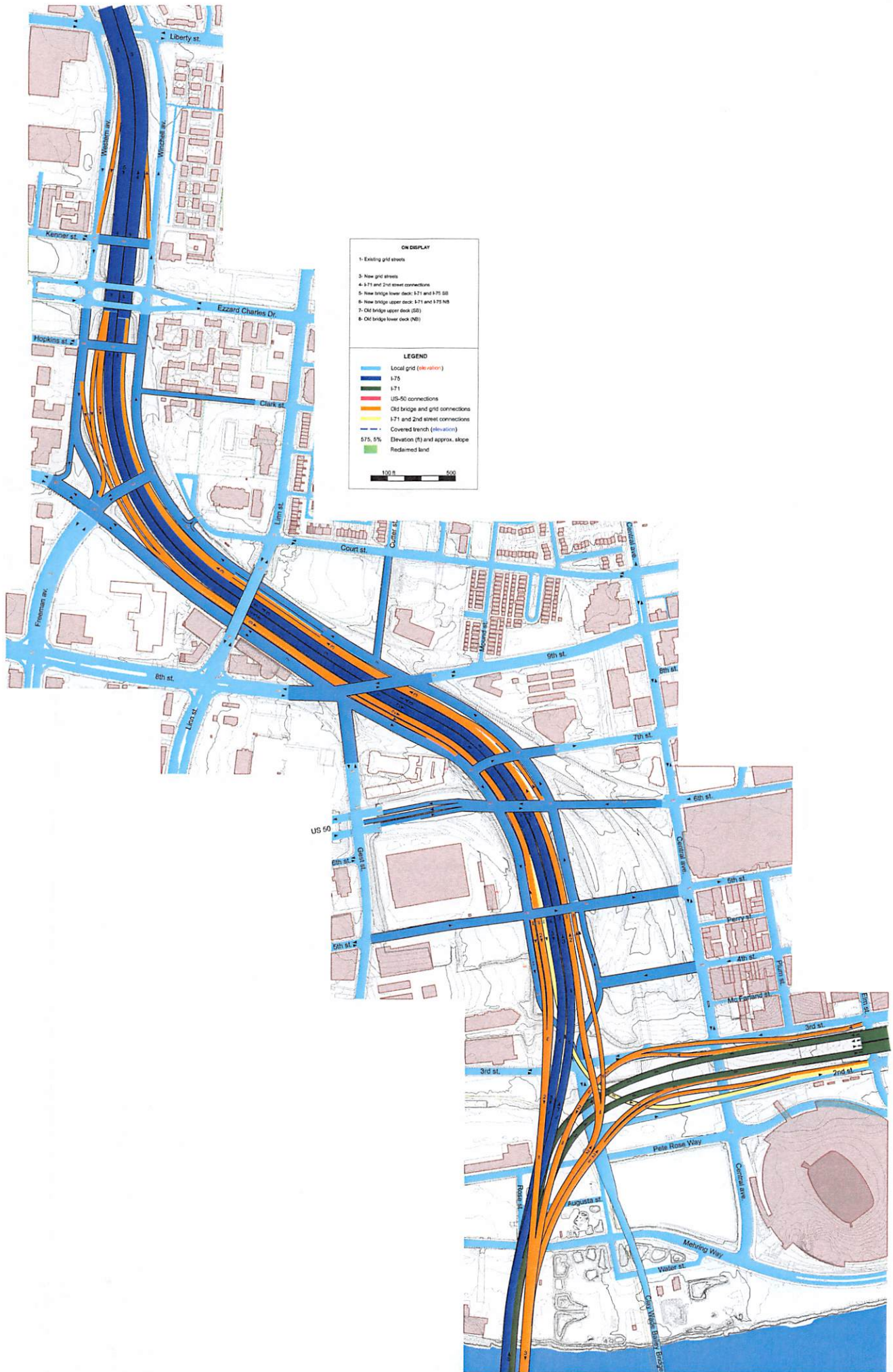
Attest: _____
Clerk

Submitted by Mayor Aftab Pureval, Councilmember Meeka D. Owens, Vice Mayor Jan-Michele Lemon Kearney, and Councilmembers Jeff Cramerding, Reggie Harris, and Seth Walsh.

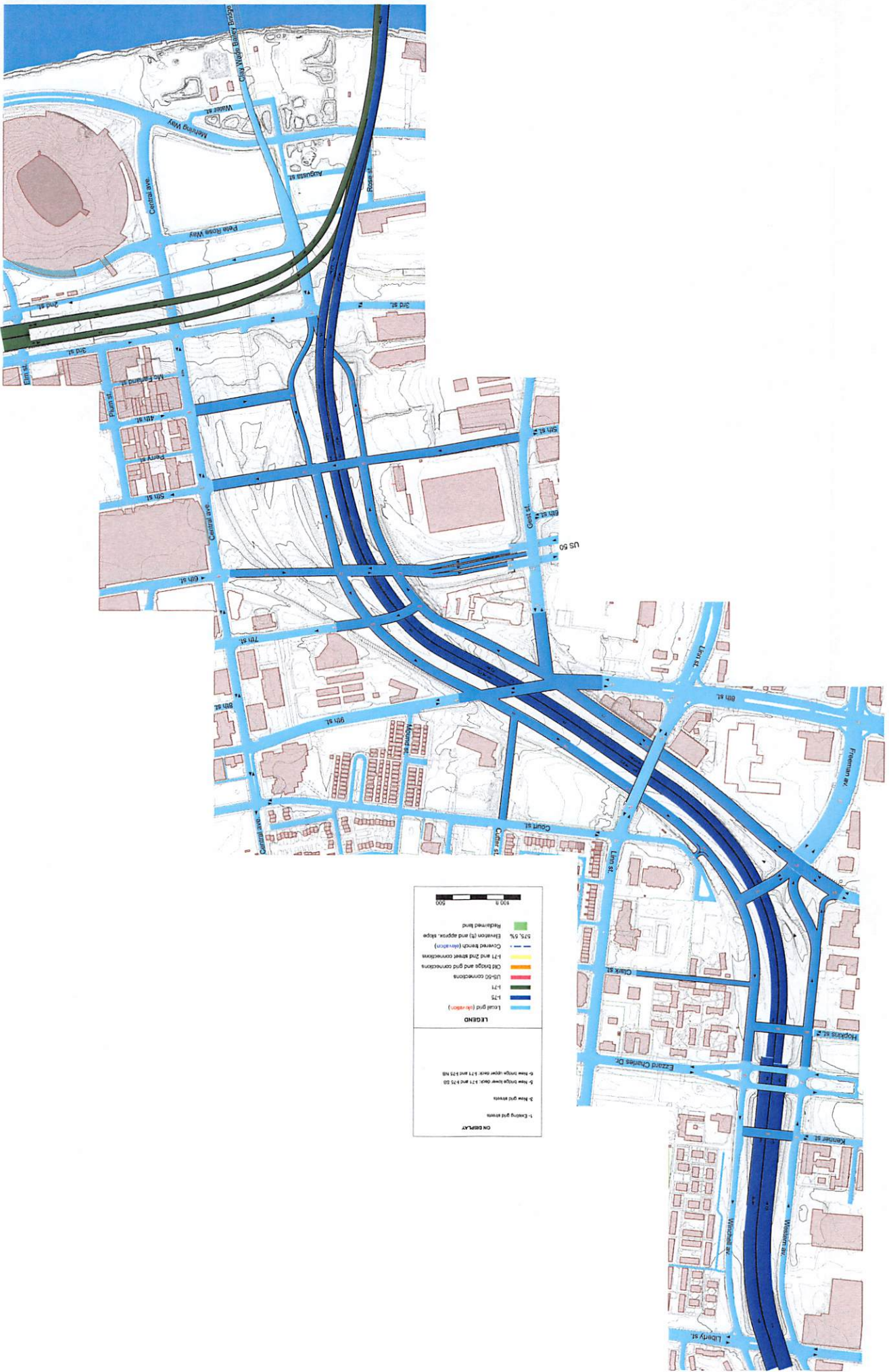












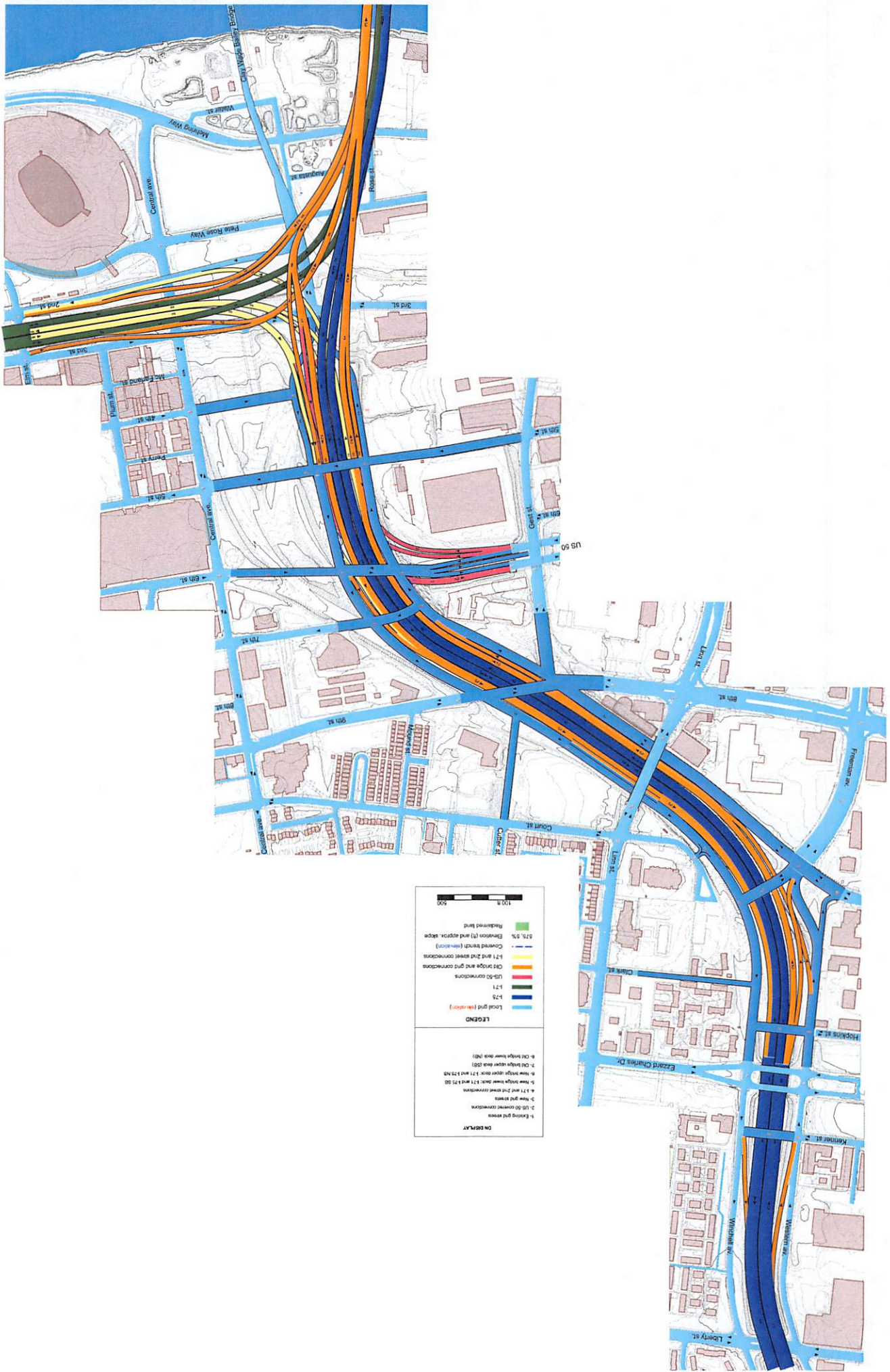
ON DISPLAY

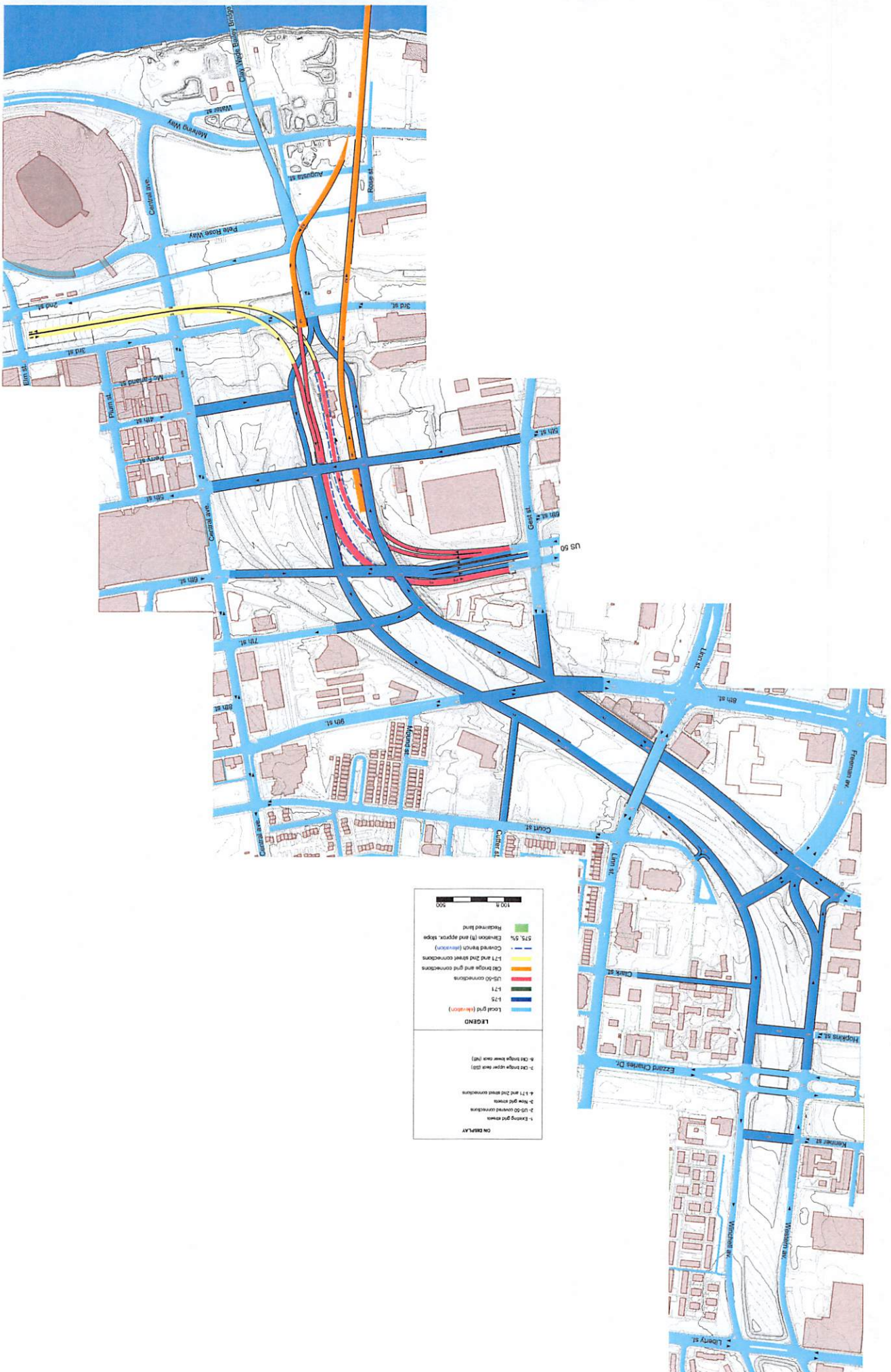
1- Existing grid system
 2- New grid system
 3- New bridge lower than 171 and 175 SB
 4- New bridge upper than 171 and 175 NB

LEGEND

- Local grid (blue)
- US-50 connections
- Old bridge and grid connections
- Covered bench (approx. slope)
- Elevation (ft) and approx. slope
- Redefined land

Scale: 0 to 500 feet





ON DISPLAY

- 1 - Existing grid network
- 2 - US-50 covered connections
- 3 - New grid network
- 4 - 1-71 and 2nd street connections
- 5 - Old bridge repair (and old)
- 6 - Old bridge lower case (old)

LEGEND

- Local grid (blue)
- 1-75
- 1-71
- US-50 connections
- 1-71 and 2nd street connections
- Old bridge and grid connections
- Covered bicycle (bicycle)
- 57.5, 5%
- Elevation (ft) and approx. slope
- Reserved land

Scale: 0 to 100 ft

202301304

Date: May 2, 2023

To: Councilmember Meeka Owens
From: Emily Smart Woerner, City Solicitor *EESW*
Subject: **Ordinance – Donations for Social Service Day**

Transmitted herewith is an ordinance captioned as follows:

AUTHORIZING the City Manager and the employees of the Office of Councilmember Owens to solicit and accept donations of money, in-kind contributions, and other things of value from the Cincinnati business community, individual benefactors, and other available sources to host Social Service Day; and **AUTHORIZING** the Director of Finance to deposit funds donated to the City of Cincinnati for Social Service Day into Fund No. 314, “Special Events.”

EESW/KKF(dmm)
Attachment
382329



EMERGENCY

City of Cincinnati

KKF

JESW

An Ordinance No. _____

- 2023

AUTHORIZING the City Manager and the employees of the Office of Councilmember Owens to solicit and accept donations of money, in-kind contributions, and other things of value from the Cincinnati business community, individual benefactors, and other available sources to host Social Service Day; and AUTHORIZING the Director of Finance to deposit funds donated to the City of Cincinnati for Social Service Day into Fund No. 314, "Special Events."

WHEREAS, Social Service Day will be held on June 3, 2023, and is sponsored by Councilmember Owens for the purpose of connecting the community with City departments, social service agencies, community organizations, and other groups to provide information, resources, and services that promote resiliency and sustainability in neighborhoods; and

WHEREAS, Social Service Day is in accordance with the "Live" goal to "[c]reate a more livable community," and strategy to "[s]upport and stabilize our neighborhoods," 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 and the employees of the Office of Councilmember Owens are hereby authorized to solicit and accept donations of money, in-kind contributions, and other things of value to host Social Service Day.

Section 2. That the Director of Finance is hereby authorized to deposit any funds donated to the City of Cincinnati for Social Service Day into Fund No. 314, "Special Events."

Section 3. That the proper City officials are authorized to do all things necessary and proper to carry out the terms 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 provide resources to prepare for Social Service Day.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk



Jeff Cramerding
Councilmember

MOTION

WE MOVE that the council rules be amended so that each councilmember has the privilege of honoring a city employee or employees as the employee(s) of the month during each calendar year. There should be no more than one of these resolutions per month. This award shall be the Council's recognition of city employees whose service and work are truly extraordinary and an example of the highest dedication to the city and citizens of Cincinnati.

JEFF CRAMERDING

Councilmember Jeff Cramerding

Scotty Johnson

Councilmember Scotty Johnson

Liz Keating

Councilmember Liz Keating

ML

for General

J

James H. ...

Date: 5/3/2023

202301284

To: Mayor and Members of City Council
From: Sheryl M. M. Long, City Manager
Subject: **SPECIAL EVENT PERMIT APPLICATION: (Northside Summer Sideshow at Hoffner Park)**

In accordance with Cincinnati Municipal Code, Chapter 765; (Aaron Madriga, Northside Business Association) has submitted a Special Event Permit Application Form to the Chief of Police. The Special Event Permit Application has been reviewed by the following department(s): (Cincinnati Police Department, Fire Department, Health Department, Parks Department, Department of Building and Inspections, Department of Community and Economic Development, Department of Finance, Department of Public Services, and Department of Transportation and Engineering). There are no objections to issuing the Special Events Permit.

The particulars of the requested event are as indicated:

EVENT NAME/TITLE: Northside Summer Sideshow at Hoffner Park
EVENT SPONSOR/PRODUCER: Northside Business Association
CONTACT PERSON: Aaron Madrigal
LOCATION: Hoffner Park
DATE(S) AND TIME(S): 05/27/2023 6:00pm-11:00pm
06/17/2023 6:00pm—11:00pm
07/22/2023 6:00pm—11:00pm
08/12/2023 6:00pm—11:00pm
09/09/2023 6:00pm—11:00pm
10/13/2023 6:00pm—11:00pm
EVENT DESCRIPTION: Community programming including music, food, and beverages
ANTICIPATED ATTENDANCE: 200
ALCOHOL SALES: YES. NO.
TEMPORARY LIQUOR PERMIT HOLDER IS: Northside Business Association

cc: Colonel Teresa A. Theetge, Police Chief

May 3, 2023

TO: Mayor and Members of City Council

202301285

FROM: Sheryl M.M. Long, City Manager

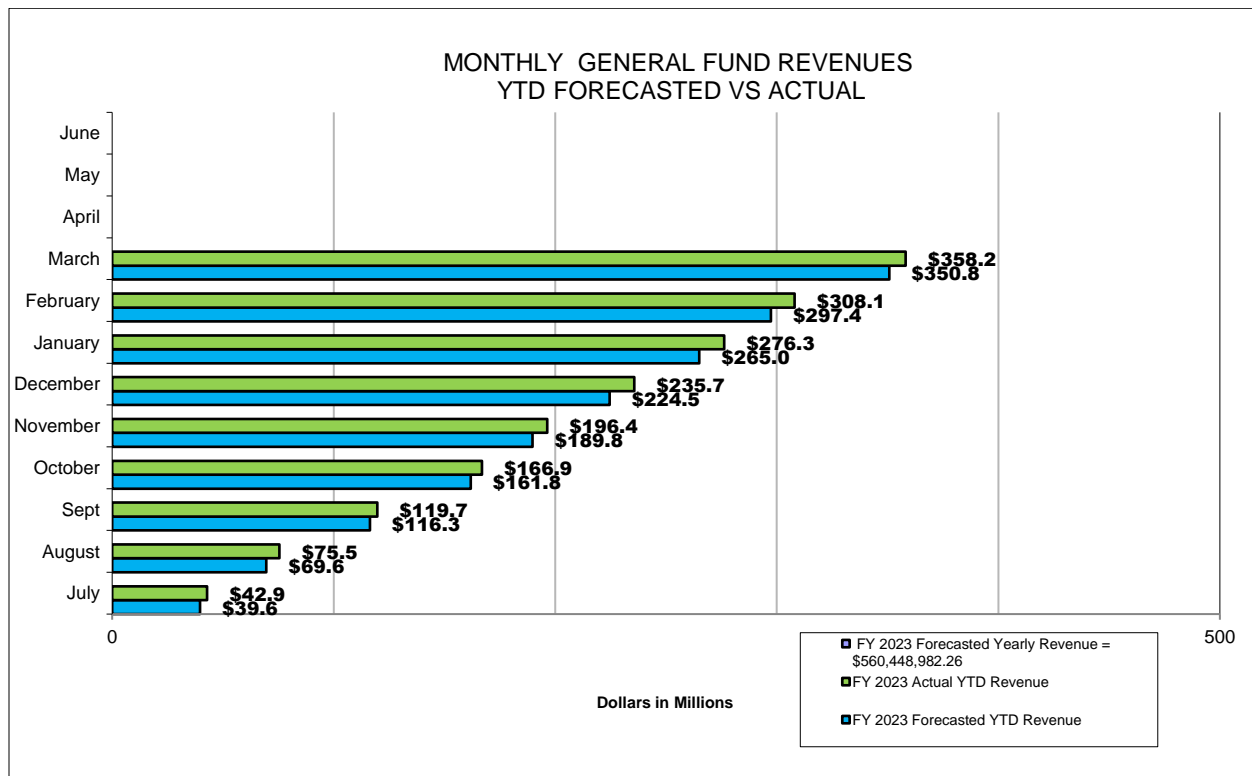
SUBJECT: Department of Finance Reports for the Month Ended March 31, 2023

**MARCH 2023
MONTHLY FINANCIAL REPORTS**

The following report provides an update on the City of Cincinnati’s financial condition as of the month ending March 31, 2023. Variances are based on current year estimates and prior year activity in attached schedules.

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

The chart below portrays the performance of actual revenue collected against the forecasted revenue collected through March 31, 2023 and shows that actual revenue of \$358.2 million was above forecasted revenue of \$350.8 million by \$7.4 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
General Property Tax		(\$995,708)
City Income Tax	5,482,712	
Admissions Tax	1,623,369	
Short Term Rental Excise Tax	407,650	
Licenses & Permits		(\$596,890)
Fines, Forfeitures, & Penalties		(\$297,569)
Investment Income	2,748,273	
Local Government		(\$290,668)
Casino	428,345	
Police	321,322	
Buildings and Inspections		(\$203,172)
Fire	532,654	
Parking Meter	450	
Other		(\$1,705,309)
	11,544,775	(\$4,089,317)
Difference	7,455,459	

General Fund (favorable variance) is \$7.5 million above the amount forecasted thru March in the FY 2023 Budget. This is the ninth month's report for the fiscal year. What follows is an explanation of significant variances of individual General Fund revenue components.

Property Tax (unfavorable variance) is \$1 million below estimate due to the decrease in the millage for this half. The millage for the second half is set at a higher rate which will offset this unfavorable variance. The Administration anticipates Property Tax revenue will be on target at year end. This is a semi-annual payment. The second payment will be received in late Spring.

Income Tax (favorable variance) is \$5.5 million above the forecasted amount. This amount can fluctuate throughout the year as quarterly net profits are due. The Finance Department will continue to watch the trends, including those related to remote work, very closely.

Admission Tax (favorable variance) is \$1.6 million above estimate. Many estimates were set at pre-pandemic levels; however, businesses have rebounded stronger than expected.

Investment Income (favorable variance) is \$2.7 million above estimate. This is a result of better interest rates and a new contract with an investment manager yielding results above our projections. The market is volatile right now with the banking crisis so Finance will keep an eye on the rates going forward this Fiscal Year.

Fire (favorable variance) is \$533k above the forecasted amount. There has been an increase in Basic Life Support runs contributing to the increased revenue.

Other (unfavorable variance) is \$1.7 million below forecast. This category is made up of many small sources of revenue that fluctuate from time to time. The Finance Department will continue to monitor these various revenue sources.

Restricted Funds:

Parking Garages (favorable variance) is up \$961k. The estimate was very conservative this year as the decline from the pandemic is still lingering in this category. We are monitoring how many companies are bringing their employees back to the office and utilizing the lots and garages.

Parking Meter (unfavorable variance) is \$953k below estimate. Even with a reduction in the current year estimate from last year, there is still less demand leading to a negative variance.

Sawyer Point (unfavorable variance) is down \$275k. This variance is partly due to a large concert cancellation at the beginning of the fiscal year and less demand for parking at the riverfront.

Submitted herewith are the following Department of Finance reports:

1. Comparative Statement of Revenue (Actual, Forecast and Prior Year) as of March 31, 2023.
2. Audit of the City Treasurer's Report for the month ended February 28, 2023.
3. Statement of Balances in the various funds as of March 31, 2023.

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.

c: William "Billy" Weber, Assistant City Manager
Karen Alder, Finance Director

Date: May 3, 2023

To: Mayor and Members of City Council
From: Sheryl M. M. Long, City Manager
Subject: **Liquor License – New**

202301286

FINAL RECOMMENDATION REPORT

OBJECTIONS: None

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

APPLICATION: 9861888
PERMIT TYPE: NEW
CLASS: C1 C2
NAME: YOUR MOMS PIZZERIA LLC
DBA: NONE LISTED
1045 SAINT GREGORY ST
CINCINNATI, OH 45202

As of today's date, the Department of Buildings & Inspections has declined comment with their investigation.

On March 16, 2023, Mt. Adams Civic Association was notified of this application and does not object.

Police Department Approval

David M. Laing, Assistant City Prosecutor
Law Department - Recommendation
 Objection No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: May 9, 2023

Date: May 3, 2023

To: Mayor and Members of City Council

202301287

From: Sheryl M. M. Long, City Manager

Subject: **Liquor License – Transfer of Ownership**

FINAL RECOMMENDATION REPORT

OBJECTIONS: None

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

APPLICATION: 2584450
PERMIT TYPE: TRFO
CLASS: D5 D6
NAME: EWH SOLSTICE & PATIO
DBA: NONE LISTED
1544 MADISON RD.
CINCINNATI, OH 45206

As of today's date, the Department of Buildings & Inspections has declined comment with their investigation.

On March 14, 2023, East Walnut Hills Assembly was notified of this application and does not object.

Police Department Approval

David M. Laing, Assistant City Prosecutor
Law Department - Recommendation
 Objection No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: May 5, 2023

Date: 5/3/2023

To: Mayor and Members of City Council 202301288
From: Sheryl M. M. Long, City Manager
Subject: **SPECIAL EVENT PERMIT APPLICATION: (Pride Party)**

In accordance with Cincinnati Municipal Code, Chapter 765; (Annette Troescher Cincinnati Magazine/Cincinnati) has submitted a Special Event Permit Application Form to the Chief of Police. The Special Event Permit Application has been reviewed by the following department(s): (Cincinnati Police Department, Fire Department, Health Department, Parks Department, Department of Building and Inspections, Department of Community and Economic Development, Department of Finance, Department of Public Services, and Department of Transportation and Engineering). There are no objections to issuing the Special Events Permit.

The particulars of the requested event are as indicated:

EVENT NAME/TITLE: Pride Party
EVENT SPONSOR/PRODUCER: Cincinnati Magazine/Cincinnati Media LLC
CONTACT PERSON: Annette Troescher
LOCATION: Court Street (Between Vine St and Race ST)
DATE(S) AND TIME(S): 06/23/2023 5:00pm—06/23/2023 8:00pm
EVENT DESCRIPTION: This will be a happy hour Pride Party with multiple vendors participating.
ANTICIPATED ATTENDANCE: 700
ALCOHOL SALES: YES. NO.
TEMPORARY LIQUOR PERMIT HOLDER IS: Cincinnati Magazine/Cincinnati Media LLC

cc: Colonel Teresa A. Theetge, Police Chief

Date: 5/3/2023

To: Mayor and Members of City Council 202301289
 From: Sheryl M. M. Long, City Manager
 Subject: **SPECIAL EVENT PERMIT APPLICATION: Noah Kahan - ICON Festival Stage at Smale Park()**

In accordance with Cincinnati Municipal Code, Chapter 765; (MEMI) has submitted a Special Event Permit Application Form to the Chief of Police. The Special Event Permit Application has been reviewed by the following department(s): (Cincinnati Police Department, Fire Department, Health Department, Parks Department, Department of Building and Inspections, Department of Community and Economic Development, Department of Finance, Department of Public Services, and Department of Transportation and Engineering). There are no objections to issuing the Special Events Permit.

The particulars of the requested event are as indicated:

EVENT NAME/TITLE: Noah Kahan - ICON Festival Stage at Smale Park
 EVENT SPONSOR/PRODUCER: MEMI
 CONTACT PERSON: David Armstrong
 LOCATION: 25 Race St.
 DATE(S) AND TIME(S): 06/23/2023 6:30pm—06/23/2023 11:00pm
 EVENT DESCRIPTION: Outdoor Concert on the Evnt Lawn.
 ANTICIPATED ATTENDANCE: 6500
 ALCOHOL SALES: YES. NO.
 TEMPORARY LIQUOR PERMIT HOLDER IS: (MEMI)

cc: Colonel Teresa A. Theetge, Police Chief

Date: May 3, 2023

To: Mayor and Members of City Council

202301290

From: Sheryl M. M. Long, City Manager

Subject: **Liquor License – New**

FINAL RECOMMENDATION REPORT

OBJECTIONS: None

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

APPLICATION: 4159020
PERMIT TYPE: NEW
CLASS: D4
NAME: ISH FESTIVAL LLC
DBA: ISH
4089 LANGLAND ST.
CINCINNATI, OH 45223

As of today's date, the Department of Buildings & Inspections has declined comment with their investigation.

On March 14, 2023, Northside Community Council was notified of this application and does not object.

Police Department Approval

David M. Laing, Assistant City Prosecutor
Law Department - Recommendation

Objection No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: May 5, 2023

May 3, 2023

To: Mayor and Members of City Council

202301291

From: Sheryl M. M. Long, City Manager

Subject: Ordinance – Police & Fire: FY 2023 Port Security Grant Program

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to apply for, accept, and appropriate a grant from the U.S. Department of Homeland Security, Federal Emergency Management Agency, FY 2023 Port Security Grant Program (ALN 97.056), in an amount of up to \$134,983 to support the Cincinnati Police Department’s Marine Unit Emergency Response and the Port of Cincinnati Ohio River Surveillance Camera Network and up to \$262,500 to support the Cincinnati Fire Department’s Fire Boat Refurbishment Project; and **AUTHORIZING** the Director of Finance to deposit the grant funds in an amount up to \$134,983 for the Police Department into Law Enforcement Grant Fund 368x8553, Project Account No. 23PORT, and to deposit the grant funds in an amount up to \$262,500 for the Fire Department into Fire Grant Fund 472x8542.

This Ordinance authorizes the City Manager to apply for, accept, and appropriate a grant from the U.S Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), FY 2023 Port Security Grant Program (ALN 97.056), in an amount of up to \$134,983 for the purpose of supporting the Cincinnati Police Department’s Marine Unit Emergency Response and the Port of Cincinnati River Surveillance Camera Network and up to \$262,500 for the purpose of supporting the Cincinnati Fire Department’s Fire Boat Refurbishment Project. This Ordinance also authorizes the Finance Director to deposit the grant funds in an amount up to \$134,983 for the Police Department into Law Enforcement Grant Fund 368x8533, Project Account No. 23PORT, and to deposit the grant funds in an amount up to \$262,500 for the Fire Department into Fire Grant Fund 472x8542.

The FY 2023 Port Security Grant Program is available through the U.S. Department of Justice (DOJ), Federal Emergency Management Agency, to provide support for the Cincinnati Police Department’s (CPD) Marine Unit Emergency Response and the Port of Cincinnati Ohio River Surveillance Network as well as the Cincinnati Fire Department’s (CFD) Fire Boat Refurbishment Project.

The grant application deadline is May 18, 2023. CPD and CFD intend to apply for the grant by that date, but no grant funds will be accepted without City Council approval.

There are no new FTEs associated with this grant. The grant requires a local match of 25% of the total project cost, or up to \$132,494. CPD will provide \$26,483 of the

matching funds for the Marine Unit Emergency Response from IRS Forfeiture Fund 373 and an in-kind match of donated staff time in the amount of \$18,511 for the Port of Cincinnati Ohio River Surveillance Camera Network. CFD will provide \$87,500 of matching funds for CFD's Fire Boat Refurbishment Project from the Cincinnati Fire Department General Fund non-personnel operating budget account no. 050x271x7200.

Acceptance of this grant is in accordance with the "Live" goal to "[c]reate a more livable community" as described on page 156 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, accept, and appropriate a grant from the U.S. Department of Homeland Security, Federal Emergency Management Agency, FY 2023 Port Security Grant Program (ALN 97.056), in an amount of up to \$134,983 to support the Cincinnati Police Department’s Marine Unit Emergency Response and the Port of Cincinnati Ohio River Surveillance Camera Network and up to \$262,500 to support the Cincinnati Fire Department’s Fire Boat Refurbishment Project; and **AUTHORIZING** the Director of Finance to deposit the grant funds in an amount up to \$134,983 for the Police Department into Law Enforcement Grant Fund 368x8553, Project Account No. 23PORT, and to deposit the grant funds in an amount up to \$262,500 for the Fire Department into Fire Grant Fund 472x8542.

WHEREAS, a grant of up to \$134,983 to fund the Cincinnati Police Department’s (“CPD”) Marine Unit Emergency Response and the Port of Cincinnati Ohio River Surveillance Camera Network and an additional amount of up to \$262,500 to support the Cincinnati Fire Department’s (“CFD”) Fire Boat Refurbishment Project are available from the U.S. Department of Homeland Security, Federal Emergency Management Agency, FY 2023 Port Security Grant Program (ALN 97.056); and

WHEREAS, the grant requires matching funds of twenty-five percent, or up to \$132,494; and

WHEREAS, CPD will provide \$26,483 of the matching funds for the Marine Unit Emergency Response from IRS Forfeiture Fund 373; and

WHEREAS, CPD will provide an in-kind match of donated staff time in the amount of \$18,511 for the Port of Cincinnati Ohio River Surveillance Camera Network; and

WHEREAS, CFD will provide \$87,500 of matching funds for CFD’s Fire Boat Refurbishment Project from General Fund non-personnel operating budget account no. 050x271x7200; and

WHEREAS, there are no additional FTEs/full time equivalents associated with the grant; and

WHEREAS, the grant application deadline is May 18, 2023, and CPD and CFD intend to apply for the grant by that date, but no grant funds will be accepted without Council approval; and

WHEREAS, this ordinance is in accordance with the “Live” goal to “[c]reate a more livable community” as described on page 156 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 hereby authorized to apply for, accept, and appropriate a grant from the United States Department of Homeland Security, Federal Emergency Management Agency, for a grant from the FY 2023 Port Security Grant Program (ALN 97.056) in an amount of up to \$134,983 to support the Cincinnati Police Department's Marine Unit Emergency Response and the Port of Cincinnati Ohio River Surveillance Camera Network, and up to \$262,500 to support the Cincinnati Fire Department's Fire Boat Refurbishment Project.

Section 2. That the Director of Finance is authorized to deposit the grant funds in an amount up to \$134,983 for the Police Department into Law Enforcement Grant Fund 368x8553, Program Account No. 23PORT.

Section 3. That the Director of Finance is further authorized to deposit the grant funds in an amount up to \$262,500 for the Fire Department into Fire Grant Fund 472x8542.

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

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

May 3, 2023

202301292

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

Subject: **Emergency Ordinance – Police: Moral Obligation Payment to E-S Press, Inc.**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the payment of \$5,200 from the Cincinnati Police Department Law Enforcement Grant Fund non-personnel operating budget account no. 368x227x4200x7289x22WELL as a moral obligation to E-S Press, Inc. for outstanding charges for a guest speaker at the Emotional Survival for Law Enforcement as a part of the Mental Health America training course in January 2023.

This Emergency Ordinance authorizes the payment of \$5,200 from the Cincinnati Police Department Law Enforcement Grant Fund non-personnel operating budget account no. 368x227x4200x7289x22WELL as a moral obligation to E-S Press, Inc. for outstanding charges in the form of services rendered for a guest speaker at the Emotional Survival for Law Enforcement as part of the Mental Health America training course in January 2023.

In January 2023, a guest speaker was invited to speak at a training session for the Cincinnati Police Department (CPD). The CPD Finance Management Section was not notified of the need to pay the vendor before the training took place and missed critical steps in certifying the funds for the service.

The Cincinnati Police Department is committed to training new staff to ensure the proper steps are followed in the future.

The reason for the emergency is the immediate need to pay E-S Press, Inc. for the outstanding charges for the guest speaker provided for Cincinnati Police Department training in a timely manner.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment

EMERGENCY

AKS

- 2023

AUTHORIZING the payment of \$5,200 from the Cincinnati Police Department Law Enforcement Grant Fund non-personnel operating budget account no. 368x227x4200x7289x22WELL as a moral obligation to E-S Press, Inc. for outstanding charges for a guest speaker at the Emotional Survival for Law Enforcement as a part of the Mental Health America training course in January 2023.

WHEREAS, in January 2023 a guest speaker was invited to speak at a training session for the Cincinnati Police Department (“CPD”); and

WHEREAS, the CPD Finance Management Section was not notified of the need to pay the vendor before the training took place and missed critical steps in certifying the funds for the service; and

WHEREAS, CPD is committed to training new staff to ensure the proper steps are followed in the future; and

WHEREAS, Council desires to provide payment for such services in an amount totaling \$5,200; now, therefore,

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

Section 1. That the Finance Director is authorized to make a payment of \$5,200 from the Cincinnati Police Department Law Enforcement Grant Fund non-personnel operating budget account no. 368x227x4200x7289x22WELL as a moral obligation to E-S Press, Inc. for outstanding charges for a guest speaker at the Emotional Survival for Law Enforcement as a part of the Mental Health America training course in January 2023.

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

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 E-S Press, Inc. for the outstanding charges for the guest speaker provided for Cincinnati Police Department training in a timely manner.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

Date: May 3, 2023

202301293

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

Subject: LEVYING SIDEWALK ASSESSMENTS - 2022 SIDEWALK SAFETY PPROGRAM -
MISC. EMERGENCY REPAIRS

Attached is an ordinance captioned as follows:

LEVYING assessments for unpaid costs incurred by the City in making emergency repairs to sidewalks, sidewalk areas, curbs, and gutters at various locations in the City through the City of Cincinnati's Sidewalk Safety Program, in accordance with Cincinnati Municipal Code Sections 721-149 through 721-169.

As required by state and local laws, this ordinance declares the necessity of levying assessments to reimburse the City for the cost and expense of repairing, reconstructing, and constructing concrete sidewalk and driveways on certain properties (Attachment A) abutting the following streets within the City of Cincinnati: Bodmann Avenue, Ehrman Avenue, Fischer Place, Glengyle Avenue, Hardisty Avenue, Hegry Circle, Linda Drive, Linwood Avenue, Montana Avenue, Observatory Avenue, Park Avenue, Parkway Avenue, Robinwood Avenue, Rogers Place, Stewart Avenue, Tahiti Drive, Turrill Street, Utopia Place, Wildwood Street, and Woodbine Avenue for a total amount of \$39,531.23.

We have notified the abutting property owners of the need for these repairs. After providing time for property owners to arrange for repairs, the City directed its contractor to complete the remainder. Abutting property owners were then billed the cost of the repairs performed by the City's contractor.

With passage of this ordinance, bills not paid within thirty days will be assessed as provided by the Ohio Revised Code and the Cincinnati Municipal Code. These amounts are scheduled to be paid over a three-year, five-year, or ten-year, as indicated on Attachment A .

The Administration recommends passage of the attached ordinance.

Attachment A – Special Assessment Sidewalk Safety Emergency Locations

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

LEVYING assessments for unpaid costs incurred by the City in making emergency repairs to sidewalks, sidewalk areas, curbs, and gutters at various locations in the City through the City of Cincinnati’s Sidewalk Safety Program, in accordance with Cincinnati Municipal Code Sections 721-149 through 721-169.

WHEREAS, Cincinnati Municipal Code Chapter 721 requires property owners to keep the sidewalks, sidewalk areas, curbs, and gutters abutting their properties safe and in good repair; and

WHEREAS, Cincinnati Municipal Code Section 721-165 authorizes the City to make emergency repairs to sidewalks, sidewalk areas, curbs, and gutters without prior notice to the abutting property owner when necessary to provide for public safety and also to bill the owner for the cost of the work; and

WHEREAS, City inspectors documented the need for emergency sidewalk repairs adjacent to each of the properties listed in the attached Attachment A (the “Properties”); and

WHEREAS, the City performed the repairs after the owners of the Properties received written notice to make the repairs and failed to do so; and

WHEREAS, the City Council thereafter passed Resolution 15-2023 declaring the need for the emergency sidewalk repairs and the need to assess the Properties for repair and administrative costs incurred by the City in making the repairs; and

WHEREAS, the owners of the Properties have each agreed to have their respective properties assessed to reimburse the City for its costs, and the Clerk of Council has not received any objections to the assessments; and

WHEREAS, in accordance with Cincinnati Municipal Code Sections 721-149 through 721-169, the Council hereby levies assessments on those Properties for which repair and administrative costs remain outstanding following the property owners’ failure to pay such amounts within thirty days of being billed, which assessments shall be certified to the County Auditor and shall be collected in the same manner as real estate taxes; now, therefore,

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

Section 1. That the City Council hereby assesses those properties identified on the attached Attachment A (the “Assessed Properties”), incorporated herein by reference, for

outstanding repair and administrative costs incurred by the City in making emergency repairs to the sidewalks, sidewalk areas, curbs, and gutters abutting the Assessed Properties.

Section 2. That each of the Assessed Properties is listed in Attachment A together with the amount of the assessment, the length of the assessment period, and reference to the resolution previously passed by Council giving notice of the City's intent to assess each property.

Section 3. That the assessments shall be payable in cash to the City Treasurer within thirty days after the passage of this ordinance or, at the option of each property owner, in semi-annual installments for the assessment period.

Section 4. That the assessments not paid in cash within thirty days are to be certified to the County Auditor by the City Treasurer with interest at the rate of 7.18% for 3-year assessments, 6.94% for 5-year assessments, and 6.79% for 10-year assessments.

Section 5. That notes and bonds of the City of Cincinnati may be issued in anticipation of the collection of the assessments.

Section 6. That any amount received as a result of the assessments levied herein shall be deposited into the Sidewalk Special Assessment Fund No. 791.

Section 7. That a property owner's right under Section 721-159 of the Cincinnati Municipal Code to file a protest against an assessment shall expire 180 days following the date of the first tax bill containing a sidewalk assessment for the protested work.

Section 8. That the Clerk of Council is hereby directed to cause notice to be published once in a newspaper of general circulation within the City of Cincinnati, which notice shall state that the assessments have been made, that they are on file with the Clerk of Council, and that they are available for public inspection and examination by persons interested therein.

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

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

Resolution No. 15-2023

Total Assessment Amount \$39,531.05

Term Years: 3

Term Assessment Amount: \$24,406.23

Location #	Neighborhood	Billing Parcel	Location	Collection Amount
1	Avondale	021600450026	216 EHRMAN Av	\$764.61
2	Hartwell	024400020077	133 PARKWAY Av	\$2,002.30
3	Hartwell	024300040082	208 PARKWAY Av	\$269.54
4	Hartwell	024300040013	214 PARKWAY Av	\$400.73
5	Hartwell	024400030047	8230 WOODBINE Av	\$1,543.86
6	Hartwell	024400020020	153 WILDWOOD St	\$2,236.92
7	Hyde Park	003900010061	3225 OBSERVATORY Av	\$2,497.38
8	Madisonville	003600010088	4838 STEWART Av	\$550.08
9	Mount Lookout	004600030077	2840 LINWOOD Av	\$269.54
10	Mount Lookout	00430A010080	2982 LINWOOD Av	\$434.56
11	Mount Lookout	004400030074	3220 GLENGYLE Av	\$325.65
12	Mount Lookout	004400020083	3252 LINWOOD Av	\$451.23
13	Mount Lookout	00430A010062	2917 UTOPIA PI	\$319.71
14	Mt. Lookout - Columbia Tusculum	004400030057	3231 HARDISTY Av	\$628.97
15	Northside	019400110206	3911 TURRILL St	\$4,271.89
16	Roselawn	01170A070364	1519 ROBINWOOD Av	\$682.10
17	Walnut Hills	006300030063	2347 PARK Av	\$1,942.89
18	West Price Hill	018000800498	4664 LINDA Dr	\$1,233.12
19	Westwood	020900020032	2680 MONTANA Av	\$784.88
20	Westwood	020800550201	2917 FISCHER PI	\$1,859.06
21	Westwood	024800010252	3028 S Hegry Cir	\$937.23

Term Years: 5

Term Assessment Amount: \$4,038.40

Location #	Neighborhood	Billing Parcel	Location	Collection Amount
22	Walnut Hills	006300030064	2343 PARK Av	\$1,628.16
23	Walnut Hills	006700010151	933 ROGERS PI	\$2,410.24

Term Years: 10

Term Assessment Amount: \$11,086.42

Location #	Neighborhood	Billing Parcel	Location	Collection Amount
24	College Hill	023700010106	6119 TAHITI Dr	\$3,622.51
25	Mt. Auburn	008700050119	299 BODMANN Av	\$7,463.91

May 3, 2023

To: Mayor and Members of City Council

202301297

From: Sheryl M. M. Long, City Manager

Subject: Emergency Ordinance – DOTE: Safe Streets and Roads for All (SS4A) Grant Program

Attached is an Emergency Ordinance captioned:

ESTABLISHING new capital improvement program project account no. 980x232x232311, “Transportation Safety Action Plan Grant,” to provide grant resources to conduct a transportation safety action plan (“TSAP”) to prevent deaths and serious injuries on City of Cincinnati roadways; **AUTHORIZING** the City Manager to accept and appropriate a grant in an amount of up to \$250,000 from the U.S. Department of Transportation’s Safe Streets and Roads for All (SS4A) Grant Program (ALN 20.939) to newly established capital improvement program project account no. 980x232x232311, “Transportation Safety Action Plan Grant,” to conduct a TSAP to prevent deaths and serious injuries on City of Cincinnati roadways; and **AUTHORIZING** the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

Approval of this Emergency Ordinance will establish capital improvement program project account no. 980x232x232311, “Transportation Safety Action Plan Grant,” for the purpose of providing grant resources to conduct a Transportation Safety Action Plan (“TSAP”) to prevent deaths and serious injuries on City of Cincinnati roadways. Approval of this Emergency Ordinance will also authorize the City Manager to accept and appropriate a grant in an amount of up to \$250,000 from the U.S. Department of Transportation’s Safe Streets and Roads for All (SS4A) Grant Program (ALN 20.939) to newly established capital improvement program project account no. 980x232x232311, “Transportation Safety Action Plan Grant.” Finally, this Emergency Ordinance authorizes the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

On September 8, 2022, the City Council approved Ordinance No. 0267-2022, which authorized the City Manager to apply for a grant in the amount of up to \$250,000 from the U.S. Department of Transportation’s SS4A Grant Program to conduct a Transportation Safety Action Plan (TSAP) to prevent deaths and serious injuries on City of Cincinnati roadways. The City received the grant award, which requires City Council authorization to accept and appropriate.

Acceptance of the grant requires local matching resources of up to 20% of the total project amount, totaling up to \$62,500, which may be provided from existing and

future capital improvement program projects, including existing account nos. 980x232x232383, “Pedestrian Safety Improvements,” and 980x232x232336, “Neighborhood Transportation Strategies.” Acceptance of grant resources does not require additional FTEs.

The TSAP 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 127-138 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to accept the SS4A grant resources to begin the transportation safety action plan in a timely manner.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment



EMERGENCY

AKS

- 2023

ESTABLISHING new capital improvement program project account no. 980x232x232311, “Transportation Safety Action Plan Grant,” to provide grant resources to conduct a transportation safety action plan (“TSAP”) to prevent deaths and serious injuries on City of Cincinnati roadways; **AUTHORIZING** the City Manager to accept and appropriate a grant in an amount of up to \$250,000 from the U.S. Department of Transportation’s Safe Streets and Roads for All (SS4A) Grant Program (ALN 20.939) to newly established capital improvement program project account no. 980x232x232311, “Transportation Safety Action Plan Grant,” to conduct a TSAP to prevent deaths and serious injuries on City of Cincinnati roadways; and **AUTHORIZING** the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

WHEREAS, on September 8, 2022, Council approved Ordinance No. 267-2022, which authorized the City Manager to apply for a grant in the amount of up to \$250,000 from the U.S. Department of Transportation’s SS4A Grant Program for the purpose of conducting a transportation safety action plan (“TSAP”) to prevent deaths and serious injuries on City of Cincinnati roadways; and

WHEREAS, resources in the amount of up to \$250,000 are available from the U.S. Department of Transportation’s SS4A Grant Program for the purpose of conducting a TSAP; and

WHEREAS, acceptance of the grant requires local matching resources of up to twenty percent of the total project amount, totaling up to \$62,500, which may be provided from existing and future capital improvement program projects, including existing account nos. 980x232x232383, “Pedestrian Safety Improvements,” and 980x232x232336, “Neighborhood Transportation Strategies”; and

WHEREAS, acceptance of grant resources does not require additional FTEs/full time equivalents; and

WHEREAS, the TSAP 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 127-138 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the Director of Finance is hereby authorized to establish capital improvement program project account no. 980x232x232311, “Transportation Safety Action Plan Grant,” for the purpose of providing grant resources to conduct a transportation safety action plan (“TSAP”) to prevent deaths and serious injuries on City of Cincinnati roadways.

Section 2. That the City Manager is hereby authorized to accept and appropriate a grant in an amount of up to \$250,000 from the U.S. Department of Transportation’s Safe Streets and Roads for All (SS4A) Grant Program (“SS4A”) (ALN 20.939) to newly established capital improvement program project account no. 980x232x232311, “Transportation Safety Action Plan Grant,” for the purpose of conducting a TSAP to prevent deaths and serious injuries on City of Cincinnati roadways.

Section 3. That the City Manager is authorized to enter into any agreements necessary for the receipt and administration of these grant resources.

Section 4. That the Director of Finance is authorized to deposit such grant resources in an amount up to \$250,000 into newly established capital improvement program project account no. 980x232x232311, “Transportation Safety Action Plan Grant.”

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 hereof.

Section 6. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to accept the SS4A grant resources to begin the transportation safety action plan in a timely manner.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

Date: May 3, 2023

To: Mayor and Members of City Council 202301298
From: Sheryl M. M. Long, City Manager
Subject: ORDINANCE – VACATION OF A PORTION OF MISSISSIPPI STREET AND
SOUTHSIDE PLACE

Attached is an ordinance captioned as follows:

AUTHORIZING the City Manager to vacate Southside Place from the north line of Southside Avenue to its northern terminus and to vacate Mississippi Street from the west line of Southside Place to its western terminus in the Riverside neighborhood of Cincinnati.

This ordinance authorizes the City Manager to vacate portions of unimproved public rights-of-way designated as Mississippi Street and Southside Place in the Riverside neighborhood of Cincinnati. The vacation of Mississippi Street and Southside Place will facilitate the relocation of the business operations of Hilltop Basic Resources, Inc. from the Central Business District to Riverside because the unimproved paper streets bisect and run through the proposed relocation site.

The City Manager, in consultation with the Department of Transportation and Engineering, has determined Mississippi Street and Southside Place are not needed for transportation or any other municipal purpose, there is good cause for vacating these public rights-of-way, and that such vacation will not be detrimental to the general interest.

The approximate fair market value of the property is \$57,099, which sum Hilltop Basic Resources, Inc. has agreed to pay the City as consideration for the benefit accruing to all abutting property owners by virtue of the vacation of the unimproved streets.

The Administration published notice that Council would consider the vacation of Mississippi Street and Southside Place in a newspaper of general circulation in accordance with Ohio Revised Code Section 723.07 for six consecutive weeks beginning February 9, 2023. The City Planning Commission approved the vacation of Mississippi Street and Southside Place at its meeting on April 21, 2023.

The Administration recommends passage of the attached ordinance.

Attachment I – Southside Place Vacation Plat
Attachment II – Mississippi Street Vacation Plat
Attachment III – Legal Description

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

AUTHORIZING the City Manager to vacate Southside Place from the north line of Southside Avenue to its northern terminus and to vacate Mississippi Street from the west line of Southside Place to its western terminus in the Riverside neighborhood of Cincinnati.

WHEREAS, the City owns certain unimproved public right-of-way designated as Southside Place and Mississippi Street in the Riverside neighborhood of Cincinnati, as depicted on the *Vacation Plats* attached to this ordinance as Attachment A and Attachment B, and incorporated herein by reference (“Property”), which Property is under the management and control of the City’s Department of Transportation and Engineering (“DOTTE”); and

WHEREAS, pursuant to Ohio Revised Code Section 723.05, the City may, by ordinance and without petition, vacate streets or alleys if it has determined that there is good cause for the vacation and that the vacation will not be detrimental to the general interest; and

WHEREAS, the City’s vacation of the Property was published in a local newspaper of general circulation for six consecutive weeks pursuant to Ohio Revised Code Section 723.07; and

WHEREAS, the City Manager, in consultation with DOTTE, has determined that: (i) the Property is not needed for transportation purposes or any other municipal purpose; (ii) there is good cause to vacate the Property; and (iii) the vacation of the Property will not be detrimental to the general interest; and

WHEREAS, the City’s Real Estate Services Division has determined by a professional appraisal that the approximate fair market value of the Property is \$57,099, which sum Hilltop Basic Resources, Inc., an Ohio corporation, has agreed to deposit with the City Treasurer as consideration for the benefit accruing to abutting property owners because of said vacation; and

WHEREAS, the City Planning Commission, having the authority to approve the change in the use of City-owned property, approved the vacation of the Property at its regularly scheduled meeting on April 21, 2023; now, therefore,

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

Section 1. That the City Manager is hereby authorized to do all things necessary to vacate Southside Place from the north line of Southside Avenue to its northern terminus, as more particularly depicted on the *Vacation Plat* attached to this ordinance as Attachment A and incorporated herein by reference, which portion of Southside Place is more particularly described

below and on the legal description attached to this ordinance as Attachment C and incorporated herein by reference:

Tract I:

Situated in Section 34, Town 4, Fractional Range 1, Miami Purchase, Storrs Township, City of Cincinnati, Hamilton County, Ohio, being a portion of Southside Place, being more particularly described as follows:

Beginning at a 5/8" iron pin found at the intersection of the north right of way line of Southside Avenue with the east right of way line of Southside Place;

Thence along said north right of way line, S 80°20'10" W a distance of 20.21 feet to a 5/8" iron pin set;

Thence through said Southside Place, N 18°01'32" W a distance of 179.10 feet to a 5/8" iron pin set;

Thence continuing, along a curve to the left an arc distance of 20.05 feet to a point in the east right of way line of Southside Place, witness a 5/8" iron pin found lying 0.6 feet south and 0.5 feet west, said curve having a radius of 4052.49 feet, a central angle of 00°17'01" and a chord bearing N 76°10'52" E a distance of 20.05 feet;

Thence along said east right of way line, S 18°01'32" E a distance of 180.55 feet to the point of beginning.

Containing 0.082 acres of land, more or less.

Bearings are based on the Ohio State Plane Coordinate System South Zone as derived from the Ohio Department of Transportation's Virtual Reference Stationing System. (VRS)(NAD 83).

All iron pins set are 5/8" diameter x 30" iron rebar with ID cap stamped "Kleingers."

The above description is based on a field survey performed by The Kleingers Group in May of 2022 under the direct supervision of Matthew D. Habedank, Ohio Professional Surveyor No. 8611.

Tract II:

Situated in Section 34, Town 4, Fractional Range 1, Miami Purchase, Storrs Township, City of Cincinnati, Hamilton County, Ohio, being a portion of Southside Place, being more particularly described as follows:

Beginning at a 5/8" iron pin found at the intersection of the north right of way line of Southside Avenue with the west right of way line of Southside Place;

Thence along said west right of way line, N 18°01'32" W a distance of 188.69 feet to a 5/8" iron pin set;

Thence through said Southside Place, N 76°36'24" E a distance of 20.07 feet to a 5/8" iron pin set;

Thence continuing, S 18°01'32" E a distance of 190.00 feet to a 5/8" iron pin set in the aforementioned north right of way line of Southside Avenue;

Thence along said north right of way line, S 80°20'10" W a distance of 20.21 feet to the point of beginning.

Containing 0.087 acres of land, more or less.

Bearings are based on the Ohio State Plane Coordinate System South Zone as derived from the Ohio Department of Transportation's Virtual Reference Stationing System. (VRS)(NAD 83).

All iron pins set are 5/8" diameter x 30" iron rebar with ID cap stamped "Kleingers."

The above description is based on a field survey performed by The Kleingers Group in May of 2022 under the direct supervision of Matthew D. Habedank, Ohio Professional Surveyor No. 8611.

Tract III

Situated in Section 34, Town 4, Fractional Range 1, Miami Purchase, Storrs Township, City of Cincinnati, Hamilton County, Ohio, being a portion of Southside Place, being more particularly described as follows:

Beginning at a 5/8" iron pin set in the west right of way line of Southside Place, said point being N 18°01'32" W a distance of 188.69 feet from the intersection of said west right of way line with the north right of way line of Southside Avenue;

Thence along said west right of way line, N 18°01'32" W a distance of 7.52 feet to a 5/8" iron pin set in the north right of way line of Southside Place;

Thence along said north right of way line, N 76°36'24" E a distance of 40.13 feet to a 5/8" iron pin set in the east right of way line of Southside Place;

Thence along said east right of way line, S 18°01'32" E a distance of 18.30 feet, witness a 5/8" iron pin found lying 0.6 feet south and 0.5 feet west;

Thence through the aforesaid Southside Place the following three (3) courses:

1. Along a curve to the right an arc distance of 20.05 feet to a 5/8" iron pin set, said curve having a radius of 4052.49 feet, a central angle of 00°17'01" and a chord bearings N 76°10'52" E a distance of 20.05 feet;
2. N 18°01'32" W a distance of 10.92 feet to a 5/8" iron pin set;
3. S 76°36'24" W a distance of 20.07 feet to the point of beginning.

Containing 0.012 acres of land, more or less.

Bearings are based on the Ohio State Plane Coordinate System South Zone as derived from the Ohio Department of Transportation's Virtual Reference Stationing System. (VRS)(NAD 83).

All iron pins set are 5/8" diameter x 30" iron rebar with ID cap stamped "Kleingers."

The above description is based on a field survey performed by The Kleingers Group in May of 2022 under the direct supervision of Matthew D. Habedank, Ohio Professional Surveyor No. 8611.

Section 2. That the City Manager is hereby authorized to do all things necessary to vacate Mississippi Street from the west line of Southside Place to its western terminus, as more particularly depicted on the *Vacation Plat* attached to this ordinance as Attachment B and incorporated herein by reference, which portion of Mississippi Street is more particularly described below and on the legal description attached to this ordinance as Attachment C and incorporated herein by reference:

Tract I:

Situated in Section 34, Town 4, Fractional Range 1, Miami Purchase, Storrs Township, City of Cincinnati, Hamilton County, Ohio, being a portion of Mississippi Street, being more particularly described as follows:

Beginning at a 5/8" iron pin found in the south right of way line of Mississippi Street, said point being S 76°36'24" W a distance of 617.85

feet from the intersection of the west right of way line of Southside Place with said south right of way line;

Thence along said south right of way line, S 76°36'24" W a distance of 125.00 feet to a 5/8" iron pin set at the southwest terminus of said Mississippi Street;

Thence along the westerly terminus of said Mississippi Street, N 13°23'36" W a distance of 7.50 feet to a 5/8" iron pin set in the centerline of said Mississippi Street;

Thence along said centerline, N 76°36'24" E a distance of 125.00 feet to a 5/8" iron pin set;

Thence through said Mississippi Street, S 13°23'36" E a distance of 7.50 feet to the point of beginning.

Containing 0.022 acres of land, more or less.

Bearings are based on the Ohio State Plane Coordinate System South Zone as derived from the Ohio Department of Transportation's Virtual Reference Stationing System. (VRS)(NAD 83).

All iron pins set are 5/8" diameter x 30" iron rebar with ID cap stamped "Kleingers."

The above description is based on a field survey performed by The Kleingers Group in May of 2022 under the direct supervision of Matthew D. Habedank, Ohio Professional Surveyor No. 8611.

Tract II:

Situated in Section 34, Town 4, Fractional Range 1, Miami Purchase, Storrs Township, City of Cincinnati, Hamilton County, Ohio, being a portion of Mississippi Street, being more particularly described as follows:

Beginning at a 5/8" iron pin found in the south right of way line of Mississippi Street, said point being S 76°36'24" W a distance of 342.85 feet from the intersection of the west right of way line of Southside Place with said south right of way line;

Thence along said south right of way line, S 76°36'24" W a distance of 275.00 feet to a 5/8" iron pin found;

Thence through said Mississippi Street, N 13°23'36" W a distance of 7.50 feet to a 5/8" iron pin set in the centerline of said Mississippi Street;

Thence along said centerline, N 76°36'24" E a distance of 275.00 feet to a 5/8" iron pin set; Thence through said Mississippi Street, S 13°23'36" E a distance of 7.50 feet to the point of beginning.

Containing 0.047 acres of land, more or less. Bearings are based on the Ohio State Plane Coordinate System South Zone as derived from the Ohio Department of Transportation's Virtual Reference Stationing System. (VRS)(NAD 83).

All iron pins set are 5/8" diameter x 30" iron rebar with ID cap stamped "Kleingers."

The above description is based on a field survey performed by The Kleingers Group in May of 2022 under the direct supervision of Matthew D. Habedank, Ohio Professional Surveyor No. 8611.

Tract III:

Situated in Section 34, Town 4, Fractional Range 1, Miami Purchase, Storrs Township, City of Cincinnati, Hamilton County, Ohio, being a portion of Mississippi Street, being more particularly described as follows:

Beginning at the intersection of the west right of way line of Southside Place with the south right of way line of Mississippi Street, witness a 5/8" iron pin found lying 0.3 feet north;

Thence along said south right of way line, S 76°36'24" W a distance of 342.85 feet to a 5/8" iron pin found;

Thence through said Mississippi Street, N 13°23'36" W a distance of 7.50 feet to a 5/8" iron pin set in the centerline of said Mississippi Street;

Thence along said centerline, N 76°36'24" E a distance of 342.24 feet to a 5/8" iron pin set in the aforementioned west right of way line of Southside Place; Thence along said west right of way line, S 18°01'32" E a distance of 7.52 feet to the point of beginning.

Containing 0.059 acres of land, more or less. Bearings are based on the Ohio State Plane Coordinate System South Zone as derived from the Ohio Department of Transportation's Virtual Reference Stationing System. (VRS)(NAD 83)

All iron pins set are 5/8" diameter x 30" iron rebar with ID cap stamped "Kleingers."

The above description is based on a field survey performed by The Kleingers Group in May of 2022 under the direct supervision of Matthew D. Habedank, Ohio Professional Surveyor No. 8611.

Tract IV:

Situated in Section 34, Town 4, Fractional Range 1, Miami Purchase, Storrs Township, City of Cincinnati, Hamilton County, Ohio, being a portion of Mississippi Street, being more particularly described as follows:

Beginning at a 5/8" iron pin found in the west right of way line of Southside Place, said point being, said point being N 18°01'32" W a distance of 7.52 feet from the intersection of said west right of way line with the south right of way line of Mississippi Street;

Thence along the centerline of said Mississippi Street, S 76°36'24" W a distance of 742.24 feet to a 5/8" iron pin set in the westerly terminus of said Mississippi Street;

Thence along said westerly terminus, N 13°23'36" W a distance of 7.50 feet to a 5/8" iron pin set to the northwesterly terminus of said Mississippi Street;

Thence along the north right of way line of said Mississippi Street, N 76°36'24" E a distance of 741.63 feet to a 5/8" iron pin set in the aforementioned west right of way line of Southside Place;

Thence along said west right of way line, S 18°01'32" E a distance of 7.52 feet to the point of beginning.

Containing 0.128 acres of land, more or less.

Bearings are based on the Ohio State Plane Coordinate System South Zone as derived from the Ohio Department of Transportation's Virtual Reference Stationing System. (VRS)(NAD 83)

All iron pins set are 5/8" diameter x 30" iron rebar with ID cap stamped "Kleingers."

The above description is based on a field survey performed by The Kleingers Group in May of 2022 under the direct supervision of Matthew D. Habedank, Ohio Professional Surveyor No. 8611.

Section 3. That the portions of Southside Place and Mississippi Street depicted in Attachment A and Attachment B and more particularly described in Attachment C and Sections 1 and 2 above are not needed for transportation or other municipal purposes, that there is good cause to vacate such portions of Southside Place and Mississippi Street, and that such vacation will not be detrimental to the general interest.

Section 4. That the City's Real Estate Services Division has determined by a professional appraisal that the approximate fair market value of the portions of Southside Place and Mississippi Street authorized to be vacated is \$57,099, which sum Hilltop Basic Resources, Inc., an Ohio corporation, has agreed to deposit with the City Treasurer as consideration for the benefit accruing to abutting property owners because of said vacation.

Section 5. That the proceeds from the vacation, if any, shall be deposited into Property Management Fund 209 to pay the fees for services provided by the City's Real Estate Services Division in connection with the vacation, and that the City's Finance Director is hereby authorized to deposit amounts in excess amounts thereof into Miscellaneous Permanent Improvement Fund 757.

Section 6. That the City's Finance Director is hereby authorized to transfer and appropriate such excess funds from Miscellaneous Permanent Improvement Fund 757 into Capital Improvement Program Project Account No. 980x233xYY2306, "Street Improvements," in which "YY" represents the last two digits of the fiscal year in which the closing occurs and the proceeds are received, referencing the latter fiscal year if the events occur in different fiscal years.

Section 7. That, pursuant to Ohio Revised Code Sec. 723.041, any affected public utility shall be deemed to have a permanent easement in such vacated portions of Southside Place and Mississippi Street to maintain, operate, renew, reconstruct, and remove its utility facilities and for purposes of access to said facilities.

Section 8. That the City Manager and other City officials are hereby authorized to take all necessary and proper actions to carry out the provisions of this ordinance, including, without limitation, executing any and all ancillary agreements, deeds, plats, or other documents necessary to facilitate the vacation.

Section 9. That the City Solicitor shall cause an authenticated copy of this ordinance to be duly recorded in the Hamilton County, Ohio Recorder's Office.




Section 10. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

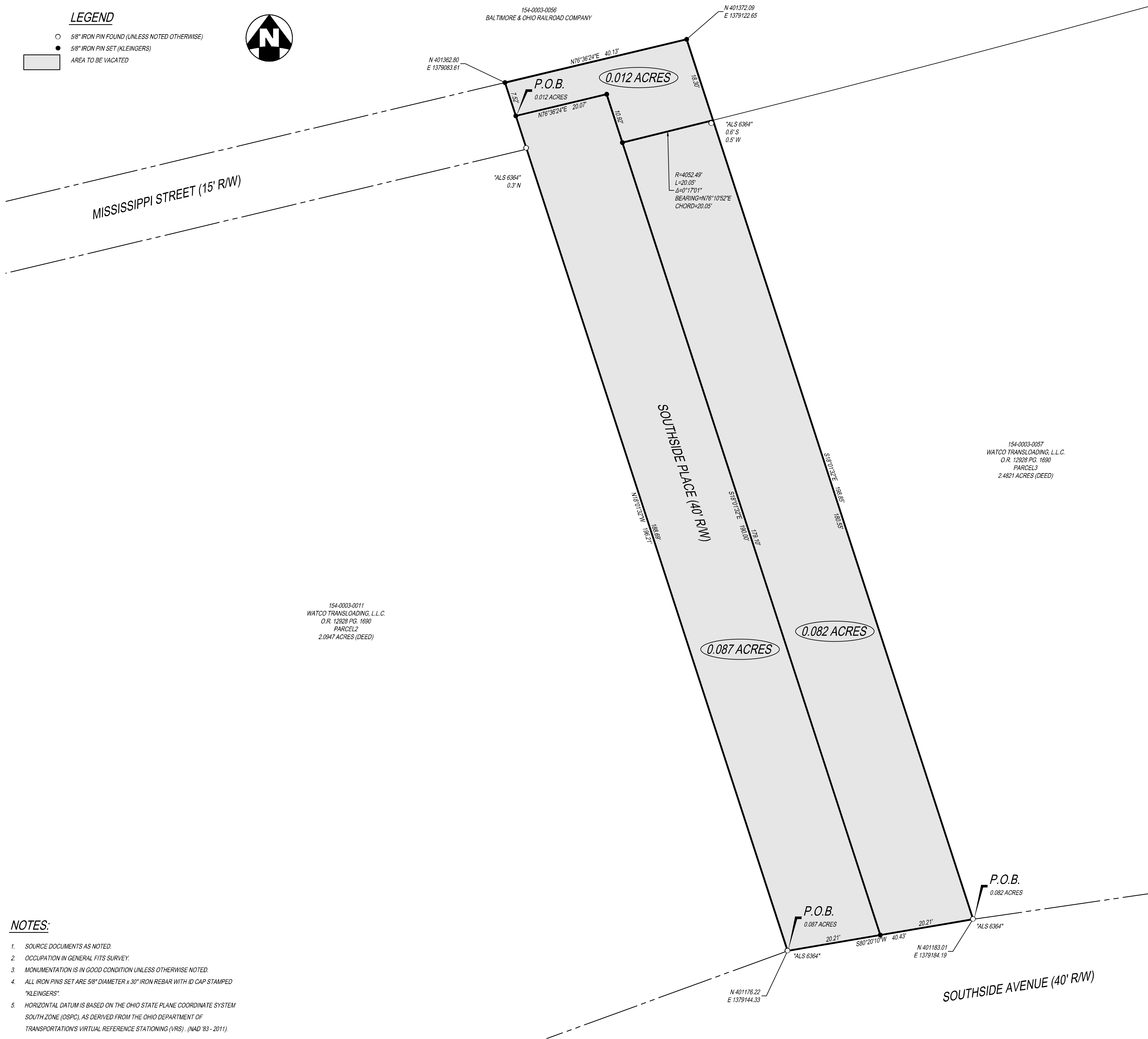
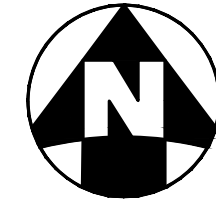
Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

LEGEND

-  5/8" IRON PIN FOUND (UNLESS NOTED OTHERWISE)
-  5/8" IRON PIN SET (KLEINGERS)
-  AREA TO BE VACATED



0.082 ACRES

North: 400816.6134' East: 1379328.3110'
 Segment #1 : Line
 Course: S80°20'10"W Length: 20.21'
 North: 400813.2208' East: 1379308.3878'
 Segment #2 : Line
 Course: N18°01'32"W Length: 179.09'
 North: 400983.5208' East: 1379252.9700'
 Segment #3 : Curve
 Length: 20.05' Radius: 4052.49'
 Delta: 000°17'01" Tangent: 10.03'
 Chord: 20.05' Course: N76°10'52"E
 Course In: N13°40'38"W Course Out: S13°57'38"E
 RP North: 404921.0952' East: 1378294.7510'
 End North: 400988.3074' East: 1379272.4298'
 Segment #4 : Line
 Course: S18°01'32"E Length: 180.55'
 North: 400816.6191' East: 1379328.2985'
 Perimeter: 398.91' Area: 0.082 acres
 Error Closure: 0.0128 Course: N63°50'59"W
 Error North: 0.00566 East: -0.01152
 Precision 1: 31242.19

0.012 ACRES

North: 400983.5122' East: 1379228.1724'
 Segment #1 : Line
 Course: N18°01'32"W Length: 7.52'
 North: 401000.6631' East: 1379225.6454'
 Segment #2 : Line
 Course: N76°36'24"E Length: 40.13'
 North: 401009.9586' East: 1379264.6840'
 Segment #3 : Line
 Course: S18°01'32"E Length: 18.30'
 North: 400992.5863' East: 1379270.5437'
 Segment #4 : Curve
 Length: 20.05' Radius: 4052.49'
 Delta: 000°17'01" Tangent: 10.03'
 Chord: 20.05' Course: S76°10'52"W
 Course In: N13°57'38"W Course Out: S13°40'38"E
 RP North: 404925.3540' East: 1378282.8848'
 End North: 400987.7797' East: 1379251.0838'
 Segment #5 : Line
 Course: N18°01'32"W Length: 10.92'
 North: 400998.1637' East: 1379247.7047'
 Segment #6 : Line
 Course: S76°36'24"W Length: 20.07'
 North: 400993.5148' East: 1379246.7501'
 Perimeter: 116.99' Area: 0.012 acres
 Error Closure: 0.0085 Course: N72°06'38"E
 Error North: 0.00262 East: 0.00811
 Precision 1: 13762.35

0.087 ACRES

North: 400797.9874' East: 1379285.6113'
 Segment #1 : Line
 Course: N18°01'32"W Length: 188.69'
 North: 400977.4067' East: 1379227.2259'
 Segment #2 : Line
 Course: N76°36'24"E Length: 20.07'
 North: 400992.0556' East: 1379246.7501'
 Segment #3 : Line
 Course: S18°01'32"E Length: 190.00'
 North: 400801.3811' East: 1379305.5439'
 Segment #4 : Line
 Course: S80°20'10"W Length: 20.21'
 North: 400797.9885' East: 1379285.6207'
 Perimeter: 418.97' Area: 0.087 acres
 Error Closure: 0.0095 Course: N83°26'19"E
 Error North: 0.00109 East: 0.00941
 Precision 1: 44101.05

154-0003-0011
 WATCO TRANSLADING, L.L.C.
 O.R. 12928 PG. 1630
 PARCEL 2
 2.0947 ACRES (DEED)

154-0003-0057
 WATCO TRANSLADING, L.L.C.
 O.R. 12928 PG. 1690
 PARCEL 3
 2.4821 ACRES (DEED)

NOTES:

1. SOURCE DOCUMENTS AS NOTED.
2. OCCUPATION IN GENERAL FITS SURVEY.
3. MONUMENTATION IS IN GOOD CONDITION UNLESS OTHERWISE NOTED.
4. ALL IRON PINS SET ARE 5/8" DIAMETER x 30" IRON REBAR WITH ID CAP STAMPED "KLEINGERS".
5. HORIZONTAL DATUM IS BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM SOUTH ZONE (OSPC), AS DERIVED FROM THE OHIO DEPARTMENT OF TRANSPORTATION'S VIRTUAL REFERENCE STATIONING (VRS). (NAD '83 - 2011).

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAT OF SURVEY WAS PREPARED UNDER MY DIRECTION AND IN ACCORDANCE WITH OHIO ADMINISTRATIVE CODE CHAPTER 4733-37 "MINIMUM STANDARDS FOR BOUNDARY SURVEYS". ALL MONUMENTATION HAS BEEN SET AS SHOWN.

 MATTHEW D. HABEDANK
 OHIO PROFESSIONAL SURVEYOR NO. 8611



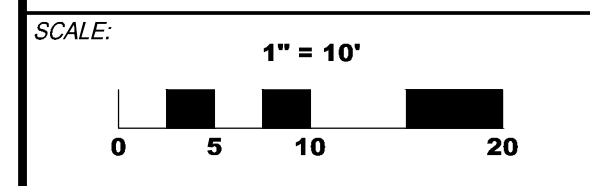
THE KLEINGERS GROUP
 CIVIL ENGINEERING | www.kleingers.com
 SURVEYING | 6219 Centre Park Dr.
 LANDSCAPE ARCHITECTURE | West Chester, OH 45069
 513.779.7851



NO.	DATE	DESCRIPTION
1	11/03/22	VACATION PLAT - KLJ
2	12/06/22	CITY COMMENTS - MDH

SURVEY PLAT FOR A PORTION OF SOUTHSIDE PLACE 0.181 ACRES
 SECTION 34, TOWN 4, FR 1, MP STORRS TOWNSHIP CITY OF CINCINNATI HAMILTON COUNTY, OHIO

PROJECT NO: 220291VSD000
 DATE: 11/03/2022



SHEET NAME:
HILLTOP CONCRETE

SHEET NO.
1 OF 1

0.128 ACRES

North: 400537.4536' East: 1378396.6634'

Segment #1 : Line
Course: S76° 36' 24"W Length: 742.24'
North: 400365.5250' East: 1377674.5102'

Segment #2 : Line
Course: N13° 23' 36"W Length: 7.50'
North: 400372.8210' East: 1377672.7730'

Segment #3 : Line
Course: N76° 36' 24"E Length: 741.63'
North: 400544.6083' East: 1378394.2327'

Segment #4 : Line
Course: S18° 01' 32"E Length: 7.52'
North: 400537.4574' East: 1378396.5597'

Perimeter: 1498.90' Area: 0.128 acres
Error Closure: 0.0053 Course: N43° 54' 01"W
Error North: 0.00382 East: -0.00367
Precision 1: 282809.43

0.022 ACRES

North: 400382.3222' East: 1377800.9412'

Segment #1 : Line
Course: S76° 36' 24"W Length: 125.00'
North: 400353.3679' East: 1377679.3408'

Segment #2 : Line
Course: N13° 23' 36"W Length: 7.50'
North: 400360.6639' East: 1377677.6036'

Segment #3 : Line
Course: N76° 36' 24"E Length: 125.00'
North: 400389.6182' East: 1377799.2039'

Segment #4 : Line
Course: S13° 23' 36"E Length: 7.50'
North: 400382.3222' East: 1377800.9412'

Perimeter: 265.00' Area: 0.022 acres
Error Closure: 0.0000 Course: N00° 00' 00"E
Error North: 0.00000 East: 0.00000
Precision 1: 265000000.00

0.047 ACRES

North: 400446.9055' East: 1378072.8843'

Segment #1 : Line
Course: S76° 36' 24"W Length: 275.00'
North: 400383.2059' East: 1377605.3635'

Segment #2 : Line
Course: N13° 23' 36"W Length: 7.50'
North: 400390.5020' East: 1377603.6263'

Segment #3 : Line
Course: N76° 36' 24"E Length: 275.00'
North: 400454.2015' East: 1378071.1470'

Segment #4 : Line
Course: S13° 23' 36"E Length: 7.50'
North: 400446.9055' East: 1378072.8843'

Perimeter: 565.00' Area: 0.047 acres
Error Closure: 0.0000 Course: N00° 00' 00"E
Error North: 0.00000 East: 0.00000
Precision 1: 565000000.00

0.059 ACRES

North: 400525.8796' East: 1378410.8321'

Segment #1 : Line
Course: S76° 36' 24"W Length: 342.85'
North: 400446.4636' East: 1378077.3066'

Segment #2 : Line
Course: N13° 23' 36"W Length: 7.50'
North: 400453.7596' East: 1378075.5694'

Segment #3 : Line
Course: N76° 36' 24"E Length: 342.24'
North: 400533.0343' East: 1378408.5014'

Segment #4 : Line
Course: S18° 01' 32"E Length: 7.52'
North: 400525.8834' East: 1378410.8284'

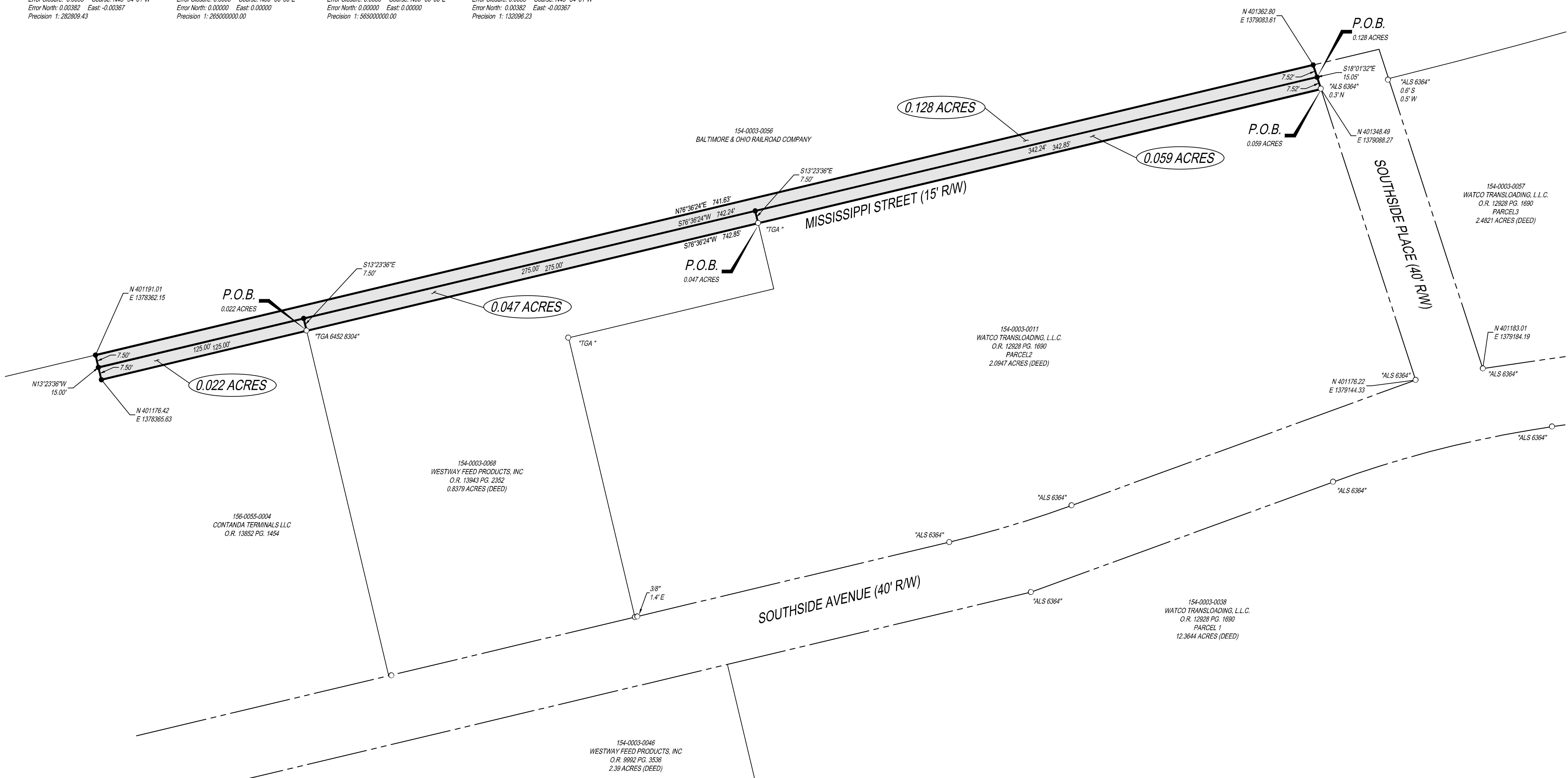
Perimeter: 700.12' Area: 0.059 acres
Error Closure: 0.0053 Course: N43° 54' 01"W
Error North: 0.00382 East: -0.00367
Precision 1: 132096.23

LEGEND

- 5/8" IRON PIN FOUND (UNLESS NOTED OTHERWISE)
- 5/8" IRON PIN SET (KLEINGERS)
- ▭ AREA TO BE VACATED



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NOTES:

1. SOURCE DOCUMENTS AS NOTED.
2. OCCUPATION IN GENERAL FITS SURVEY.
3. MONUMENTATION IS IN GOOD CONDITION UNLESS OTHERWISE NOTED.
4. ALL IRON PINS SET ARE 5/8" DIAMETER x 30" IRON REBAR WITH ID CAP STAMPED "KLEINGERS".
5. HORIZONTAL DATUM IS BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM SOUTH ZONE (OSPC), AS DERIVED FROM THE OHIO DEPARTMENT OF TRANSPORTATION'S VIRTUAL REFERENCE STATIONING (VRS). (NAD 83 - 2011).

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAT OF SURVEY WAS PREPARED UNDER MY DIRECTION AND IN ACCORDANCE WITH OHIO ADMINISTRATIVE CODE CHAPTER 4733-37 "MINIMUM STANDARDS FOR BOUNDARY SURVEYS". ALL MONUMENTATION HAS BEEN SET AS SHOWN.

MATTHEW D. HABEDANK
OHIO PROFESSIONAL SURVEYOR NO. 8611

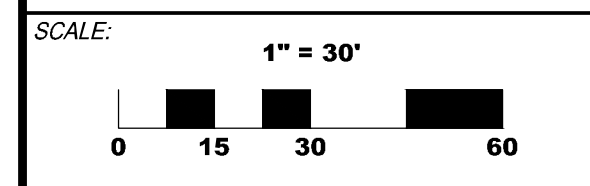
DATE



NO.	DATE	DESCRIPTION
1	11/03/22	VACATION PLAT - KLJ
2	12/06/22	CITY COMMENTS - MDH

SURVEY PLAT FOR A PORTION OF MISSISSIPPI STREET 0.256 ACRES
SECTION 34, TOWN 4, FR 1, MP STORRS TOWNSHIP
CITY OF CINCINNATI
HAMILTON COUNTY, OHIO

PROJECT NO: 220291VSD000
DATE: 11/03/2022



SHEET NAME:
HILLTOP CONCRETE

SHEET NO.
1 OF 1



Legal Description
0.012 Acres - Southside Place
Baltimore and Ohio Railroad

Situated in Section 34, Town 4, Fractional Range 1, Miami Purchase, Storrs Township, City of Cincinnati, Hamilton County, Ohio, being a portion of Southside Place, being more particularly described as follows:

Beginning at a 5/8" iron pin set in the west right of way line of Southside Place, said point being N18°01'32"W a distance of 188.69 feet from the intersection of said west right of way line with the north right of way line of Southside Avenue;

Thence along said west right of way line, N18°01'32"W a distance of 7.52 feet to a 5/8" iron pin set in the north right of way line of Southside Place;

Thence along said north right of way line, N76°36'24"E a distance of 40.13 feet to a 5/8" iron pin set in the east right of way line of Southside Place;

Thence along said east right of way line, S18°01'32"E a distance of 18.30 feet, witness a 5/8" iron pin found lying 0.6 feet south and 0.5 feet west;

Thence through the aforesaid Southside Place the following three (3) courses:

1. Along a curve to the right an arc distance of 20.05 feet to a 5/8" iron pin set, said curve having a radius of 4052.49 feet, a central angle of 00°17'01" and a chord bearings N76°10'52"E a distance of 20.05 feet;
2. N18°01'32"W a distance of 10.92 feet to a 5/8" iron pin set;
3. S76°36'24"W a distance of 20.07 feet to the point of beginning.

Containing 0.012 acres of land, more or less.

Bearings are based on the Ohio State Plane Coordinate System South Zone as derived from the Ohio Department of Transportation's Virtual Reference Stationing System. (VRS)(NAD 83)

All iron pins set are 5/8" diameter x 30" iron rebar with ID cap stamped "Kleingers".

The above description is based on a field survey performed by The Kleingers Group in May of 2022 under the direct supervision of Matthew D. Habedank, Ohio Professional Surveyor No. 8611.



Matthew D. Habedank
Ohio Professional Surveyor No. 8611

Date



Legal Description
0.022 Acres - Mississippi Street
Contanda Terminals LLC

Situated in Section 34, Town 4, Fractional Range 1, Miami Purchase, Storrs Township, City of Cincinnati, Hamilton County, Ohio, being a portion of Mississippi Street, being more particularly described as follows:

Beginning at a 5/8" iron pin found in the south right of way line of Mississippi Street, said point being S76°36'24"W a distance of 617.85 feet from the intersection of the west right of way line of Southside Place with said south right of way line;

Thence along said south right of way line, S76°36'24"W a distance of 125.00 feet to a 5/8" iron pin set at the southwest terminus of said Mississippi Street;

Thence along the westerly terminus of said Mississippi Street, N13°23'36"W a distance of 7.50 feet to a 5/8" iron pin set in the centerline of said Mississippi Street;

Thence along said centerline, N76°36'24"E a distance of 125.00 feet to a 5/8" iron pin set;

Thence through said Mississippi Street, S13°23'36"E a distance of 7.50 feet to the point of beginning.

Containing 0.022 acres of land, more or less.

Bearings are based on the Ohio State Plane Coordinate System South Zone as derived from the Ohio Department of Transportation's Virtual Reference Stationing System. (VRS)(NAD 83)

All iron pins set are 5/8" diameter x 30" iron rebar with ID cap stamped "Kleingers".

The above description is based on a field survey performed by The Kleingers Group in May of 2022 under the direct supervision of Matthew D. Habedank, Ohio Professional Surveyor No. 8611.

Matthew D. Habedank Date
Ohio Professional Surveyor No. 8611



Legal Description
0.047 Acres - Mississippi Street
Westway Feed Products, Inc.

Situated in Section 34, Town 4, Fractional Range 1, Miami Purchase, Storrs Township, City of Cincinnati, Hamilton County, Ohio, being a portion of Mississippi Street, being more particularly described as follows:

Beginning at a 5/8" iron pin found in the south right of way line of Mississippi Street, said point being S76°36'24"W a distance of 342.85 feet from the intersection of the west right of way line of Southside Place with said south right of way line;

Thence along said south right of way line, S76°36'24"W a distance of 275.00 feet to a 5/8" iron pin found;

Thence through said Mississippi Street, N13°23'36"W a distance of 7.50 feet to a 5/8" iron pin set in the centerline of said Mississippi Street;

Thence along said centerline, N76°36'24"E a distance of 275.00 feet to a 5/8" iron pin set;

Thence through said Mississippi Street, S13°23'36"E a distance of 7.50 feet to the point of beginning.

Containing 0.047 acres of land, more or less.

Bearings are based on the Ohio State Plane Coordinate System South Zone as derived from the Ohio Department of Transportation's Virtual Reference Stationing System. (VRS)(NAD 83)

All iron pins set are 5/8" diameter x 30" iron rebar with ID cap stamped "Kleingers".

The above description is based on a field survey performed by The Kleingers Group in May of 2022 under the direct supervision of Matthew D. Habedank, Ohio Professional Surveyor No. 8611.

Matthew D. Habedank Date
Ohio Professional Surveyor No. 8611



Legal Description
0.059 Acres - Mississippi Street
Watco Transloading

Situated in Section 34, Town 4, Fractional Range 1, Miami Purchase, Storrs Township, City of Cincinnati, Hamilton County, Ohio, being a portion of Mississippi Street, being more particularly described as follows:

Beginning at the intersection of the west right of way line of Southside Place with the south right of way line of Mississippi Street, witness a 5/8" iron pin found lying 0.3 feet north;

Thence along said south right of way line, S76°36'24"W a distance of 342.85 feet to a 5/8" iron pin found;

Thence through said Mississippi Street, N13°23'36"W a distance of 7.50 feet to a 5/8" iron pin set in the centerline of said Mississippi Street;

Thence along said centerline, N76°36'24"E a distance of 342.24 feet to a 5/8" iron pin set in the aforementioned west right of way line of Southside Place;

Thence along said west right of way line, S18°01'32"E a distance of 7.52 feet to the point of beginning.

Containing 0.059 acres of land, more or less.

Bearings are based on the Ohio State Plane Coordinate System South Zone as derived from the Ohio Department of Transportation's Virtual Reference Stationing System. (VRS)(NAD 83)

All iron pins set are 5/8" diameter x 30" iron rebar with ID cap stamped "Kleingers".

The above description is based on a field survey performed by The Kleingers Group in May of 2022 under the direct supervision of Matthew D. Habedank, Ohio Professional Surveyor No. 8611.

Matthew D. Habedank Date
Ohio Professional Surveyor No. 8611



Legal Description
0.082 Acres - Southside Place
Watco Transloading

Situated in Section 34, Town 4, Fractional Range 1, Miami Purchase, Storrs Township, City of Cincinnati, Hamilton County, Ohio, being a portion of Southside Place, being more particularly described as follows:

Beginning at a 5/8" iron pin found at the intersection of the north right of way line of Southside Avenue with the east right of way line of Southside Place;

Thence along said north right of way line, S80°20'10"W a distance of 20.21 feet to a 5/8" iron pin set;

Thence through said Southside Place, N18°01'32"W a distance of 179.10 feet to a 5/8" iron pin set;

Thence continuing, along a curve to the left an arc distance of 20.05 feet to a point in the east right of way line of Southside Place, witness a 5/8" iron pin found lying 0.6 feet south and 0.5 feet west, said curve having a radius of 4052.49 feet, a central angle of 00°17'01" and a chord bearing N76°10'52"E a distance of 20.05 feet;

Thence along said east right of way line, S18°01'32"E a distance of 180.55 feet to the point of beginning.

Containing 0.082 acres of land, more or less.

Bearings are based on the Ohio State Plane Coordinate System South Zone as derived from the Ohio Department of Transportation's Virtual Reference Stationing System. (VRS)(NAD 83)

All iron pins set are 5/8" diameter x 30" iron rebar with ID cap stamped "Kleingers".

The above description is based on a field survey performed by The Kleingers Group in May of 2022 under the direct supervision of Matthew D. Habedank, Ohio Professional Surveyor No. 8611.

Matthew D. Habedank Date
Ohio Professional Surveyor No. 8611



**Legal Description
0.087 Acres - Southside Place
Watco Transloading**

Situated in Section 34, Town 4, Fractional Range 1, Miami Purchase, Storrs Township, City of Cincinnati, Hamilton County, Ohio, being a portion of Southside Place, being more particularly described as follows:

Beginning at a 5/8" iron pin found at the intersection of the north right of way line of Southside Avenue with the west right of way line of Southside Place;

Thence along said west right of way line, N18°01'32"W a distance of 188.69 feet to a 5/8" iron pin set;

Thence through said Southside Place, N76°36'24"E a distance of 20.07 feet to a 5/8" iron pin set;

Thence continuing, S18°01'32"E a distance of 190.00 feet to a 5/8" iron pin set in the aforementioned north right of way line of Southside Avenue;

Thence along said north right of way line, S80°20'10"W a distance of 20.21 feet to the point of beginning.

Containing 0.087 acres of land, more or less.

Bearings are based on the Ohio State Plane Coordinate System South Zone as derived from the Ohio Department of Transportation's Virtual Reference Stationing System. (VRS)(NAD 83)

All iron pins set are 5/8" diameter x 30" iron rebar with ID cap stamped "Kleingers".

The above description is based on a field survey performed by The Kleingers Group in May of 2022 under the direct supervision of Matthew D. Habedank, Ohio Professional Surveyor No. 8611.

Matthew D. Habedank Date
Ohio Professional Surveyor No. 8611



Legal Description
0.128 Acres - Mississippi Street
Baltimore and Ohio Railroad

Situated in Section 34, Town 4, Fractional Range 1, Miami Purchase, Storrs Township, City of Cincinnati, Hamilton County, Ohio, being a portion of Mississippi Street, being more particularly described as follows:

Beginning at a 5/8" iron pin found in the west right of way line of Southside Place, said point being, said point being N18°01'32"W a distance of 7.52 feet from the intersection of said west right of way line with the south right of way line of Mississippi Street;

Thence along the centerline of said Mississippi Street, S76°36'24"W a distance of 742.24 feet to a 5/8" iron pin set in the westerly terminus of said Mississippi Street;

Thence along said westerly terminus, N13°23'36"W a distance of 7.50 feet to a 5/8" iron pin set to the northwesterly terminus of said Mississippi Street;

Thence along the north right of way line of said Mississippi Street, N76°36'24"E a distance of 741.63 feet to a 5/8" iron pin set in the aforementioned west right of way line of Southside Place;

Thence along said west right of way line, S18°01'32"E a distance of 7.52 feet to the point of beginning.

Containing 0.128 acres of land, more or less.

Bearings are based on the Ohio State Plane Coordinate System South Zone as derived from the Ohio Department of Transportation's Virtual Reference Stationing System. (VRS)(NAD 83)

All iron pins set are 5/8" diameter x 30" iron rebar with ID cap stamped "Kleingers".

The above description is based on a field survey performed by The Kleingers Group in May of 2022 under the direct supervision of Matthew D. Habedank, Ohio Professional Surveyor No. 8611.

Matthew D. Habedank Date
Ohio Professional Surveyor No. 8611

May 3, 2023

To: Mayor and Members of City Council

202301299

From: Sheryl M.M. Long, City Manager

Subject: Emergency Ordinance – Approving and Authorizing CRA Tax Exemption Agreement with Allez Bar & Bakery, LLC

Attached is an Emergency Ordinance captioned:

APPROVING, AND AUTHORIZING the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement with Allez Bar & Bakery, LLC, thereby authorizing a fifteen-year tax exemption for one hundred percent of the value of improvements made to real property located at 6012 Madison Road in the Madisonville neighborhood of Cincinnati, in connection with the remodeling of an existing building into approximately 5,056 square feet of commercial space, at a total construction cost of approximately \$1,600,000.

BACKGROUND/CURRENT CONDITIONS

The property, located at 6012 Madison Road, is a vacant, historic building in the Madisonville NBD. It has been in a distressed and hazardous condition (including a collapsed roof and other structural issues) for many years. The focus of the project thus far has been to prevent continued deterioration and promote the building's return to productive economic use. To date, the City has awarded a total of \$947,750 in CDBG funds to Madisonville Community Urban Revitalization Corporation (MCURC) and the Hamilton County Land Reutilization Corporation (HCLRC) for the purchase and stabilization of the property. The following is summary of the use of funds:

- **FY19 - \$275K NBDIP grant awarded to MCURC for acquisition, stabilization, and renovation.** The property was acquired; however, the project stalled due to a lack of funds needed to complete the scale of stabilization required.
- **FY21 – Additional \$200K in NBDIP funds awarded to MCURC for building stabilization.** This award was an amendment to the 2019 funding agreement, and the contract was structured so that the loan would be forgiven upon completion of the construction and project milestones.
- **FY22 – \$200K in FY21 funds folded into a \$672,750 CDBG grant to the HCLRC and MCURC.** Building stabilization is currently underway and anticipated to be completed by June 2023.

After stabilization, MCURC will sell the property to Allez Bar & Bakery LLC (“Allez”). Allez applied for a Commercial CRA Tax Exemption to help defray the cost of the business's expansion to this second, much larger location in Madisonville, which will include a \$2M privately financed investment by Allez.

BUSINESS INFORMATION

Tom McKenna and Patrick Hague are the principal owners of Allez OTR, which has operated out of a 950-sf location on Main St. for 5+ years. Despite the limited size of the current location, the owners have been highly successful in growing the business, which has received both local and national recognition. In 2021, Food & Wine Magazine listed Allez OTR among the 100 best bakeries in America.

The expansion to Madisonville will enable Allez to fuel business growth through a second, much larger location, Allez Bar & Bakery. With expanded capacity and retail offerings, Allez will 1) add 15 new jobs (FTEs include bread manufacturing, restaurant, retail, sales and part-time positions include dishwashers, nighttime porter, host/hostess, retail clerk, barista, and delivery driver for a total annual payroll of \$499,200), 2) broaden services in the Madisonville NBD, and 3) bring a once hazardous and blighted property back to productive use.

RECOMMENDATION

The Administration recommends approval of this Emergency Ordinance.

Attachment: Project Outline

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

Project Outline

<u>Project Description Details</u>	<u>Explanation</u>
Project Name	Allez Bar & Bakery
Street Address	6012 Madison Road
Property Condition	Historic building currently vacant and undergoing stabilization; The business will acquire the building after stabilization is complete.
Neighborhood	Madisonville
Incentive Application Process	Commercial CRA application
Recent or other projects by Developer	The business currently operates out of a 950-sf location on Main St. in Over-the-Rhine, which it has operated out of for 5 yrs. It will keep its current location.
Approval at planning commission/Neighborhood support	Planning Commission N/A
Plan Cincinnati Goals	Achieves the Compete Initiative Area Goal 2 (pages 114-120) and Sustain Initiative Area Goal 2 (pages 193-198) of Plan Cincinnati

Project Image



<u>Incentive Summary Category</u>	<u>Explanation</u>
Abatement Term and amount	15-yr CRA 100% (Net 52%).
Construction Cost & Private investment committed	\$1,600,000 in hard construction costs, \$52,000 in acquisition costs, and \$413,500 in soft costs; Allez is working with Cincinnati Development Fund and National Development Council to finance construction and business expansion.
Sq. Footage by Use	5,056 sf - commercial
Number of units and rental ranges	No residential units
Jobs created/retained and payroll (living wage)	Projected to create 15 FTE positions at \$499,200 in annual payroll.
“But For”	Allez is seeking a Commercial CRA to help defray the costs of their expansion

	into this much larger second location. Allez is privately financing the \$1,600,000 redevelopment of the property. The estimated total cost of the project, including soft costs & acquisition, is \$2,065,500. While the business will be taking on new loan payments to finance the construction, this tax incentive will reduce the annual cost of ownership to the business resulting from the expansion.
Cash on Cash Return for developer (Market return between 8-12%, depends on investment risk)	The project will not result in an income-producing property for the applicant as they will occupy the property with their business. This metric does not apply to company expansion initiatives where the company is the owner/occupant.
LEED or other environmental build	Non-LEED
Neighborhood VTICA	Neighborhood VTICA – 15%
Total Public Benefit (Benefits Realized vs Taxes Forgone)	\$6.25 of new CPS/VTICA/Income taxes for each \$1 forgone
Projected Income Tax Revenue	\$163,944
MBE/WBE Goals	SBE Goal of 30%
Transit Access/Walkability	Sits along Route 11 24/7 Bus Route, and Route 12 Madisonville Commuter Service Route
Geography	Located in Madisonville NRSA
Historic Preservation/Existing Building Renovation	This project will bring a once hazardous and blighted historic building back to productive use. Allez will be redeveloping 5,056 square feet for the following: <ul style="list-style-type: none"> • Increasing bread and pastry production capacity (50% of first floor) • Café/bistro that will be open 5-6 days a week (40% of building) • Retail outlet for breads, pastries, and sandwiches (10% of building)
Public Infrastructure Improvements	N/A

EMERGENCY

TJL

- 2023

APPROVING, AND AUTHORIZING the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement with Allez Bar & Bakery, LLC, thereby authorizing a fifteen-year tax exemption for one hundred percent of the value of improvements made to real property located at 6012 Madison Road in the Madisonville neighborhood of Cincinnati, in connection with the remodeling of an existing building into approximately 5,056 square feet of commercial space, at a total construction cost of approximately \$1,600,000.

WHEREAS, to encourage the development of real property and the acquisition of personal property, Council by Ordinance No. 274-2017 passed on September 27, 2017, designated the area within the corporate boundaries of the City of Cincinnati as a “Community Reinvestment Area” pursuant to Ohio Revised Code (“R.C.”) Sections 3735.65 through 3735.70 (the “Statute”); and

WHEREAS, Ordinance No. 275-2017 passed by Council on September 27, 2017, as amended by Ordinance No. 339-2018, passed by Council on October 31, 2018, sets forth certain additional policies, conditions, and limitations regarding newly constructed or remodeled commercial and residential structures in the Community Reinvestment Area; and

WHEREAS, effective October 23, 2017, the Director of Development of the State of Ohio determined that the area within the corporate boundaries of the City of Cincinnati contains the characteristics set forth in the Statute and confirmed such area as a Community Reinvestment Area under the Statute; and

WHEREAS, Allez Bar & Bakery, LLC (the “Company”) desires to remodel an existing building into approximately 5,056 square feet of commercial space on real property at 6012 Madison Road located within the corporate boundaries of the City of Cincinnati (the “Improvements”), provided that the appropriate development incentives are available to support the economic viability of the Improvements; and

WHEREAS, to provide an appropriate development incentive for the Improvements, the City Manager has recommended a Community Reinvestment Area Tax Exemption Agreement, in substantially the form of Attachment A to this ordinance, to authorize a real property tax exemption for the Improvements in accordance with the Statute; and

WHEREAS, the property is located within the Cincinnati City School District; and

WHEREAS, the Board of Education of the Cincinnati City School District (the “Board of Education”), pursuant to that certain Tax Incentive Agreement effective as of April 28, 2020 (as may be amended, the “Board of Education Agreement”), has approved exemptions of up to one hundred percent of Community Reinvestment Area projects, waived advance notice and the

right to review such projects, and waived sharing or allocation of municipal income taxes in connection with such projects; and

WHEREAS, pursuant to the Board of Education Agreement, the Company has entered into (or will enter into) an agreement with the Board of Education requiring the Company to pay the Board of Education amounts equal to thirty-three percent of the exempt real property taxes; and

WHEREAS, the City's Department of Community and Economic Development estimates that the real property tax exemption for the Improvements will provide an annual net benefit to the Company in the amount of approximately \$14,269; and

WHEREAS, the Company has represented that it has entered into (or will enter into) a voluntary tax incentive contribution agreement with a third-party organization for amounts equal to fifteen percent of the exempt real property taxes, which funds shall be committed by the third-party organization to facilitate permanent improvements and neighborhood services furthering redevelopment in the neighborhood of the Improvements and to support affordable housing on a City-wide basis; and

WHEREAS, the Improvements do not involve relocation of part or all of the Company's operations from another county or municipal corporation in Ohio or, if there is relocation, notice has been given per R.C. Section 3735.673; now, therefore,

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

Section 1. That Council approves a Community Reinvestment Area Tax Exemption Agreement with Allez Bar & Bakery, LLC (the "Agreement"), thereby authorizing a fifteen-year tax exemption for one hundred percent of the assessed value of improvements to be made to real property located at 6012 Madison Road in Cincinnati, as calculated by the Hamilton County Auditor, in connection with the remodeling of an existing building into approximately 5,056 square feet of commercial space, to be completed at a total construction cost of approximately \$1,600,000.

Section 2. That Council authorizes the City Manager:

- (i) to execute the Agreement on behalf of the City of Cincinnati (the "City") in substantially the form of Attachment A to this ordinance; and
- (ii) to submit on behalf of Council annual reports on the Agreement to the Director of the Ohio Department of Development, in accordance with Ohio Revised Code Section 3735.672, and to the Board of Education of the Cincinnati City School District, as necessary; and

- (iii) to take all necessary and proper actions to fulfill the City’s obligations under 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 the immediate need to allow the remodeling described in this ordinance and the corresponding revitalization of the City of Cincinnati and the benefits to the City’s economic welfare to begin at the earliest possible time.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

Community Reinvestment Area Tax Exemption Agreement

This Community Reinvestment Area Tax Exemption 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 ALLEZ BAR & BAKERY, LLC, an Ohio limited liability company (the "Company").

Recitals:

- A. The City, through the adoption of Ordinance No. 274-2017 on September 27, 2017, designated the entire City of Cincinnati as a Community Reinvestment Area to encourage the development of real property and the acquisition of personal property in that area, pursuant to Ohio Revised Code Sections 3735.65 through 3735.70 (the "Statute").
- B. In accordance with the Statute, the Ohio Director of Development has forwarded to the City the Director's determination dated October 23, 2017, stating that the findings contained in Ordinance No. 274-2017 are valid and that the entire City is a Community Reinvestment Area under the Statute. By such determination, the Director of Development of the State of Ohio determined that the area within the corporate boundaries of the City of Cincinnati contains the characteristics set forth in the Statute and confirmed such area as a Community Reinvestment Area under the Statute.
- C. The Council of the City of Cincinnati has also passed Ordinance No. 275-2017 as of September 27, 2017, as amended by Ordinance No. 339-2018, passed on October 31, 2018, Ordinance No. 370-2020, passed on November 12, 2020, and Ordinance No. 24-2022, passed on February 2, 2022 (as amended, the "Commercial Policy Ordinance"), which sets forth certain additional policies, conditions and limitations regarding newly constructed or remodeled commercial and residential structures in the Community Reinvestment Area.
- D. The Company is the sole owner of certain real property within the City, located at 6012 Madison Road, Cincinnati, Ohio 45227 (the "Property"), as further described in Exhibit A (Legal Description of Property) hereto. Notwithstanding the foregoing, the Property shall not include any residential condominiums being developed in connection with the Project (as defined below) (the "Excluded Property"), and the Company acknowledges and agrees that the City's Community Reinvestment Area program entails separate applications by the owner of any residential condominium units included within the Project. For the avoidance of doubt, the Excluded Property shall not be exempt under this Agreement; however, this provision shall not be deemed to prohibit any owners from time to time of any Excluded Property from separately applying for a tax abatement in accordance with applicable law.
- E. The Company has proposed the remodeling of a building located on the Property, within the boundaries of the City of Cincinnati, as more fully described in Section 1 herein (the "Project"); provided that the appropriate development incentives are available to support the economic viability of the Project.
- F. The Statute provides that if any part of a project is to be used for commercial or industrial purposes, including projects containing five or more dwelling units, in order to be eligible for tax exemption the City and the Company must enter into an agreement pursuant to Ohio Revised Code Section 3735.671 prior to commencement of construction or remodeling.
- G. The City, having appropriate authority under the Statute for this type of project, agrees (as provided herein and subject to all conditions herein) to provide the Company with the tax exemption incentives stated herein, available under the Statute, for development of the Project.

- H. The Company has submitted to the City an application for this tax exemption agreement (the "Application"), a copy of which is attached hereto as Exhibit B, has remitted with the Application the City application fee of One Thousand Two Hundred Fifty Dollars (\$1,250) made payable to the City.
- I. The Director of the City's Department of Community and Economic Development has recommended approval of the Application on the basis that the Company is qualified by financial responsibility and business experience to create and preserve employment opportunities and improve the economic climate of the City.
- J. The Board of Education of the Cincinnati City School District (the "Board of Education"), pursuant to that certain *Tax Incentive Agreement* effective as of April 28, 2020, has approved exemptions of up to one hundred percent (100%) of Community Reinvestment Area projects, waived advance notice and right to review such projects, and waived sharing or allocation of municipal income taxes in connection with such projects.
- K. The Company has entered into (or will enter into) an agreement with the Board of Education requiring the Company to pay the Board of Education amounts equal to thirty-three percent (33%) of the full amount of exempt real property taxes that would have been paid to Hamilton County if this Agreement were not in effect (the "Board of Education Agreement").
- L. The Company represents and warrants to the City that the Company and its major tenants, if any, do not intend to relocate part or all of their operations to the City from another county or municipal corporation in the State of Ohio (the "State").
- M. The Company represents that within the past three (3) years neither the Company, nor any related member of the Company, nor any entity to which the Company is a successor has discontinued operations at a project site in the State during the term of a property tax exemption agreement (under Ohio Revised Code Section 3735.671, 5709.62, 5709.63 or 5709.632) applicable to that site, and the Company acknowledges that misrepresentation hereunder will result in voiding of this Agreement.
- N. The Company represents and warrants to the City that the Company is not subject to an Enterprise Zone Agreement with the City of Cincinnati for the Property or the Project.
- O. The Company acknowledges that the Madisonville neighborhood is a rising neighborhood in need of resources for development, neighborhood improvements, amenities, and organizations oriented towards neighborhood services. The Company anticipates that future development, improvements, amenities and organizations will contribute to the quality and vitality of the neighborhood, therefore increasing the value of the Property and directly and indirectly contributing to the Project's success. The Project's success, in turn, will benefit the neighborhood. Although this feedback effect will promote the revitalization and redevelopment of the City, it could also impact the affordability of property in the area. Therefore, in support of the Madisonville neighborhood and with the intention of preserving and improving the availability of quality, reliable affordable housing on a City-wide basis, as a material inducement to the City to enter into this Agreement, the Company hereby represents to the City that it will enter into a voluntary tax incentive contribution agreement ("VTICA") with a City-designated third-party non-profit administrative organization (the "Third-Party Administrator") to contribute to the Third-Party Administrator an amount equal to fifteen percent (15%) of the real property taxes that would have been payable on the abated property but for the City-authorized tax abatement (the "VTICA Contribution"). Half of such VTICA Contribution is to be committed by the Third-Party Administrator to facilitate permanent improvements and neighborhood services furthering urban redevelopment in the Madisonville neighborhood and the other half of such VTICA Contribution is to be committed by the Third-Party Administrator in supporting quality affordable housing on a City-wide basis. The Company hereby represents and warrants that it will pay the VTICA Contribution for the full term of the abatement.

- P. This Agreement has been authorized by Ordinance No. _____-2023, passed by Cincinnati City Council on _____, 2023.
- Q. In determining to recommend and authorize this Agreement, the Department of Community and Economic Development and City Council, respectively, have acted in material reliance on the Company's representations in the Application and herein regarding the Project including, but not limited to, representations relating to the number of jobs to be created and/or retained by the Company, the Board of Education Agreement, the VTICA Contribution, and the Project's effect in promoting the general welfare of the people of Cincinnati by, for example, encouraging the development of real property located in the Community Reinvestment Area and thereby promoting economic growth and vitality in Cincinnati.

NOW, THEREFORE, pursuant to Ohio Revised Code Section 3735.67(A) and in conformity with the format required under Ohio Revised Code Section 3735.671, in consideration of the mutual covenants contained herein and the benefit to be derived by the parties from the execution hereof, the parties agree as follows:

Section 1. Project. Upon issuance of the necessary zoning and building approvals, the Company agrees to remodel the existing building on the Property to create approximately 5,056 square feet of commercial space (the "Improvements") at an estimated aggregate cost of \$1,600,000 to commence after the execution of this Agreement and to be completed no later than December 31, 2025; *provided*, however, that the Director of the Department of Community and Economic Development (the "Housing Officer") may, in his or her discretion, extend such deadline for a period of up to 12 months by written notice if, in the Director's judgment, the Company is proceeding in good faith towards completion. The remodeling shall be in compliance with applicable building code requirements and zoning regulations. In addition to the foregoing, (A) the Project shall comply with the Americans with Disabilities Act, together with any and all regulations or other binding directives promulgated pursuant thereto (collectively, the "**ADA**"), and (B) if (i) any building(s) within the Project is subject to the accessibility requirements of the ADA (e.g., by constituting a "place of public accommodation" or another category of structure to which the ADA is applicable) and (ii) such building(s) is not already required to meet the Contractual Minimum Accessibility Requirements (as defined below) pursuant to the ADA, applicable building code requirements, or by any other legal requirement, then the Company shall cause such building(s) to comply with the Contractual Minimum Accessibility Requirements in addition to any requirements pursuant to the ADA and the applicable building code or legal requirement. As used herein, "**Contractual Minimum Accessibility Requirements**" means that a building shall, at a minimum, include (1) at least one point of entry (as used in the ADA), accessible from a public right of way, with respect to which all architectural barriers (as used in the ADA) to entry have been eliminated, and (2) if such accessible point of entry is not a building's primary point of entry, conspicuous signage directing persons to such accessible point of entry.

Section 2. Real Property Tax Exemption. Subject to the satisfaction of the conditions set forth in this Agreement, the City approves exemption from real property taxation, pursuant to and to the fullest extent authorized by the Statute, of 100% of the amount by which the Improvements increase the assessed value of the Property as determined by the Hamilton County Auditor, for a period of 15 years, provided that the Company shall have entered into the Board of Education Agreement. Within 120 days after completion of the Project (unless otherwise extended in writing by the City's Housing Officer), the Company must file the appropriate application for tax exemption with the City's Housing Officer. The Company is solely responsible to take this action. Upon receipt of the application for tax exemption, the City will proceed with the exemption authorized by this Agreement. In accordance with Ohio Revised Code Section 3735.67, the exemption is conditioned on verification by the Housing Officer of (A) the completion of remodeling, (B) the cost of remodeling, (C) the facts asserted in the application for exemption, and (D) if a remodeled structure is a structure of historical or architectural significance as designated by the City, state or federal government, that the appropriateness of the remodeling has been certified in writing by the appropriate agency. If the required verification is made, the Housing Officer will forward the exemption application to the Hamilton County Auditor with the necessary certification by the Housing Officer. Subject to the conditions set forth in this Agreement, the exemption commences the first tax year for which the Improvements would first be taxable were the Improvements not exempted from taxation. The dates

provided in this paragraph refer to tax years in which the subject property is assessed, as opposed to years in which taxes are billed. No exemption shall commence after tax year 2026 nor extend beyond the earlier of (i) tax year 2040 or (ii) the end of the fifteenth (15th) year of exemption.

Section 3. Use; Maintenance; Inspections. The Company shall use the Property solely for the purposes described in Section 1 hereof and shall properly maintain and repair the Property throughout the period of tax exemption authorized herein. The Company authorizes the Housing Officer, or the Housing Officer's designees, to enter upon the Property as reasonably required to perform property inspections in accordance with Ohio Revised Code Section 3735.68.

Section 4. Compliance with Board of Education Agreement. As a condition of the tax exemption authorized under this Agreement, the Company agrees to enter into and comply with its obligation under the Board of Education Agreement.

Section 5. Duty of Company to Pay Taxes. As required by Ohio Revised Code Section 3735.671(B)(3), the Company shall pay such real property taxes as are not exempted under this Agreement and are charged against the Property and shall file all tax reports and returns as required by law. If the Company fails to pay such taxes or file such returns and reports, exemptions from taxation granted or authorized under this Agreement are rescinded beginning with the year for which such taxes are charged or such reports or returns are required to be filed and continuing thereafter.

Section 6. Company Certifications Regarding Non-Delinquency of Tax Obligations. As required by Ohio Revised Code Section 3735.671(B)(4), the Company certifies that at the time this Agreement is executed, the Company does not owe any delinquent real or tangible personal property taxes to any taxing authority of the State, and does not owe delinquent taxes for which the Company is liable under Ohio Revised Code Chapters 5735, 5739, 5741, 5743, 5747 or 5753, or if such delinquent taxes are owed, the Company currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State or an agent or instrumentality thereof, has filed a petition in bankruptcy under 101, et seq., or such a petition has been filed against the Company. For the purposes of this certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the Ohio Revised Code governing payment of those taxes.

Section 7. Covenant of Satisfaction of Tax and Other Obligations. In accordance with Ohio Revised Code Section 9.66, (A) the Company affirmatively covenants that it does not owe: (i) any delinquent taxes to the State or to a political subdivision of the State; (ii) any moneys to the State or a State agency for the administration or enforcement of any environmental laws of the State; or (iii) 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) the Company authorizes the City and/or the State to inspect the personal financial statements of the Company, including tax records and other similar information not ordinarily open to public inspection; and (C) the Company 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 Ohio Revised Code Section 2921.13, may render the Company ineligible for any future economic development assistance from the State or any political subdivision of the State, and will result in the City requiring the Company's repayment of any assistance provided by the City in connection with the Project.

Section 8. City Cooperation. As required by Ohio Revised Code Section 3735.671(B), upon specific request from the Company, the City shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve and maintain exemptions from taxation granted under this Agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions.

Section 9. Continuation of Exemptions. As provided in Ohio Revised Code Section 3735.671(B), if for any reason the City revokes the designation of the City of Cincinnati as a Community Reinvestment Area, entitlements granted under this Agreement shall continue for the number of years

specified under this Agreement, unless the Company materially fails to fulfill its obligations under this Agreement and the City terminates or modifies the exemptions from taxation authorized pursuant to this Agreement.

Section 10. City Not Liable. The Company acknowledges that the exemption authorized in this Agreement is subject to approval and implementation by the appropriate state and/or county taxing authorities. The Company acknowledges that the City does not give any guarantee or assurance that the exemption approved in this Agreement will be so approved, and the Company agrees that in no event shall the Company seek to hold the City liable in any way in the event such exemption is not granted or implemented.

Section 11. Small Business Enterprise Program.

A. Compliance with Small Business Enterprise Program. The policy of the City is that a fair share of contracts be awarded to Small Business Enterprises (as such term is defined in Cincinnati Municipal Code (“CMC”) Section 323-1-S, “SBEs”). Pursuant to CMC Section 323-11, 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-C4), supplies (as such term is defined in CMC Section 323-1-S5), services (as such term is defined in CMC Section 323-1-S) and professional services (as such term is defined in CMC Section 323-1-P2). Accordingly, the Company 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. The Company may refer interested firms to the City’s Department of Economic Inclusion for review and possible certification as an SBE. The Company shall comply with the provisions of CMC Chapter 323, including without limitation taking at least the following affirmative steps:

- (i) Including qualified SBEs on solicitation lists.
- (ii) Assuring that SBEs are solicited whenever they are potential sources. The Company 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.
- (iii) When economically feasible, dividing total requirements into small tasks or quantities so as to permit maximum SBE participation.
- (iv) If any subcontracts are to be let, the Company shall require the prime contractor (if different from the Company) to take the above affirmative steps.
- (v) Prior to the commencement of work under any subcontracts, the Company 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. The Company shall update the report monthly.
- (vi) The Company 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. Remedies for Noncompliance with Small Business Enterprise Program. Failure of the Company 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 the Company 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.

Section 12. Jobs. The Company represents that, as of the date of the execution of this Agreement, the Company has (a) 3 full-time equivalent employees in the City of Cincinnati, with a total annual payroll of \$108,000, and (b) no existing employment at the Property or at other locations in the State.

Section 13. Job Creation and Retention.

A. Jobs to be Retained by Company. The Company agrees to use its best efforts to (i) relocate and retain 2 of the 3 existing full-time equivalent employees to the Property, with a total annual payroll of \$75,000, in connection with the Project, and (ii) retain 1 existing full-time equivalent employee in the City of Cincinnati, with a total annual payroll of \$33,000.

B. Jobs to be Created by Company. The Company agrees to use its best efforts to create (i) 15 full-time permanent jobs, and (ii) 48 full-time temporary construction jobs, at the Property in connection with the Project. In the case of the construction jobs, the job creation and retention period shall be concurrent with remodeling, and in the case of the other jobs described herein, the job creation period shall begin upon completion of remodeling and shall end three (3) years thereafter.

C. Company's Estimated Payroll Increase. The Company's increase in the number of employees will result in approximately (i) \$499,200 of additional annual payroll with respect to the full-time permanent jobs, and (ii) \$615,223 of additional annual payroll prior to the completion of the Project with respect to the full-time temporary construction jobs.

D. Community Reinvestment Area Employment. The Company shall (i) adopt hiring practices to ensure that at least twenty-five percent (25%) of the new employees shall be residents of the City of Cincinnati and (ii) give preference to residents of the City relative to residents of the State who do not reside in the City when hiring new employees under this Agreement.

E. Posting Available Employment Opportunities. To the extent allowable by law, the Company shall use its best efforts to post available employment opportunities within the Company's organization or the organization of any subcontractor working with the Company with the Ohio Means Jobs Center, 1916 Central Parkway, Cincinnati, Ohio 45214-2305, through its Employer Services Unit Manager at 513-746-7200.

Section 14. Equal Employment Opportunity. This Agreement is subject to the City's Equal Employment Opportunity Program contained in CMC Chapter 325. The Equal Employment Opportunity Clause in CMC Section 325-9 is incorporated by reference in this Agreement. The term "Company" is substituted for "Contractor" throughout CMC Section 325-9 in the context of this Agreement.

Section 15. Compliance with Immigration and Nationality Act. In the performance of its obligations under this Agreement, the Company 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.

Section 16. Default. As provided in Ohio Revised Code Section 3735.671(B), if the Company materially fails to fulfill its obligations under this Agreement, or if the City determines that the certification as to delinquent taxes required by this Agreement (Section 6 hereof) or the covenant of satisfaction of tax and other obligations (Section 7 hereof) is fraudulent, the City may terminate or modify the exemptions from taxation granted or authorized under this Agreement and may require the repayment by the Company of the amount of taxes that would have been payable had the Improvements not been exempted from taxation pursuant to this Agreement. A modification of exemption may be in the form of reduction in the number of years that eligible property is exempt and/or a reduction in the exemption percentage. The City shall provide written notice to the Company prior to finding the Company in default under this section. The notice shall provide the Company with not less than thirty (30) days to cure the default prior to City termination or modification of the exemptions under this Agreement. The City may extend the cure period as reasonably necessary under the circumstances. In the event of such termination or modification, the City is authorized

to so notify the appropriate taxing authorities in order to effect the termination or modification. If repayment of previously exempt taxes is required by the City under this Section, such amount shall be paid as directed by the City within thirty (30) days of written demand. The City may secure repayment of such taxes by a lien on the Property in the amount required to be repaid. Such a lien shall attach, and may be perfected, collected, and enforced, in the same manner as a mortgage lien on real property, and shall otherwise have the same force and effect as a mortgage lien on real property. Amounts due and not paid when due under this Section 16 shall bear interest at the rate specified in Ohio Revised Code Section 1343.03(A) (as in effect on the date of the City's payment demand).

Section 17. Annual Review and Report. As required by Ohio Revised Code Sections 3735.671(B)(5) and 5709.85, the Company shall provide to the City's Tax Incentive Review Council (or to the City Manager if so requested by the City) any information reasonably required by the Council or the City Manager to evaluate the Company's compliance with this Agreement, including returns filed pursuant to Ohio Revised Code Section 5711.02 if requested by the Council or City Manager. The performance of the Company's obligations stated in this Agreement shall be subject to annual review by the City's Tax Incentive Review Council (the "Annual Review and Report"). The Company shall submit information for the Annual Review and Report to the City no later than March 1 of each year.

Section 18. Revocation.

A. Generally. Pursuant to Ohio Revised Code Section 3735.68, the housing officer shall make annual inspections of the properties within the community reinvestment area upon which are located structures or remodeling for which an exemption has been granted under Ohio Revised Code Section 3735.67. If the housing officer finds that the property has not been properly maintained or repaired due to the neglect of the Company, the housing officer may revoke the exemption at any time after the first year of exemption. If the Company has materially failed to fulfill its obligations under this Agreement, or if the owner is determined to have violated division (E) of that section (see Section 18(B) of this Agreement), City Council, subject to the terms of the agreement, may revoke the exemption at any time after the first year of exemption. The housing officer or City Council shall notify the county auditor and the Company that the tax exemption no longer applies. If the housing officer or legislative authority revokes a tax exemption, the housing officer shall send a report of the revocation to the community reinvestment area housing council and to the tax incentive review council established pursuant to section 3735.69 or 5709.85 of the Revised Code, containing a statement of the findings as to the maintenance and repair of the property, failure to fulfill obligations under the written agreement, or violation of division (C) of Ohio Revised Code Section 3735.671, and the reason for revoking the exemption.

B. Prior Statutory Violations. The Company represents and warrants to the City that it is not prohibited by Ohio Revised Code Section 3735.671(C) from entering into this Agreement. As required by Ohio Revised Code Section 3735.671(B)(7), exemptions from taxation granted or authorized under this Agreement shall be revoked if it is determined that the Company, any successor to the Company or any related member (as those terms are defined in division (C) of Ohio Revised Code Section 3735.671 has violated the prohibition against entering into this Agreement under division (C) of Ohio Revised Code Section 3735.671 or under Ohio Revised Code Sections 5709.62, 5709.63, or 5709.632 prior to the time prescribed by that division or either of those sections.

Section 19. False Statements; Penalties; Material Representations.

A. Generally. As required in connection with Ohio Revised Code Section 9.66(C), the Company affirmatively covenants that it has made no false statements to the State or the City in the process of obtaining approval for this Agreement. If any representative of the Company has knowingly made a false statement to the State or the City to obtain approval for this Agreement, or if the Company fails to provide any information expressly required under the Application, the Company shall be required to immediately return all benefits received under this Agreement (by payment of the amount of taxes exempted hereunder, paid as directed by the City within thirty (30)

days of written demand) and the Company shall be ineligible for any future economic development assistance from the State, any State agency or any political subdivision of the State pursuant to Ohio Revised Code Section 9.66(C)(1). Amounts due and not paid under this Section 19 shall bear interest at the rate of twelve percent (12%) per year. Any person who provides a false statement to secure economic development assistance (as defined in Ohio Revised Code Section 9.66) may be guilty of falsification, a misdemeanor of the first degree, pursuant to Ohio Revised Code Section 2921.13(F)(1), which is punishable by fine of not more than One Thousand Dollars (\$1,000) and/or a term of imprisonment of not more than six (6) months.

B. Material Representations – Board of Education Agreement and VTICA. The Parties acknowledge and agree that a material failure by the Company to comply with its representations concerning the Board of Education Agreement or VTICA Contribution shall constitute an event of default for purposes of Section 16 (Default) and the basis for revocation under Section 18 (Revocation). Subject to the terms of the VTICA, if the VTICA is unenforceable for reasons of infeasibility or otherwise, the Company shall enter into alternative arrangements providing for the economic equivalent of the VTICA Contribution. Such arrangements may include, but are not limited to, providing for the economic equivalent of the VTICA Contribution through formation of a special improvement district. For purposes of this Section 19.B, alternative arrangements must result in services substantially similar to those that would have been supported through the VTICA and at a value that is the economic equivalent of the VTICA Contribution, which value shall not be required to exceed the VTICA Contribution amount that would have been payable by the Company. Any determination of infeasibility or mechanism for providing alternative arrangements is subject to approval by the City at its sole discretion. Nothing in this Section 19.B shall operate to limit the City's enforcement authority under this Agreement including, without limitation, Section 16, Section 18, and Section 19.A.

Section 20. Conflict of Interest. The Company covenants that, to the Company's knowledge, no employee of the City has any personal interest, direct or indirect, in any matters pertaining to the Project, and the Company agrees to take appropriate steps to prevent any employee of the City from obtaining any such interest throughout the term of this Agreement.

Section 21. Annual Fee. The Company shall pay an annual fee of Five Hundred Dollars (\$500) or one percent (1%) of the annual taxes exempted under this Agreement, whichever is greater, but not to exceed Two Thousand, Five Hundred Dollars (\$2,500) per annum. This fee is due with submission of the information for Annual Review and Report by March 1 of each year.

Section 22. Discontinued Operations. As provided in Ohio Revised Code Section 3735.671(C), if, prior to the expiration of the term of this Agreement, the Company discontinues operations at the Project so that the Property is no longer being used for the purposes described in Section 1 hereof, then the Company, its successors, and any related member shall not enter into an agreement under Ohio Revised Code Sections 3735.671, 5709.62, 5709.63, or 5709.632, and no legislative authority shall enter into such an agreement with the Company, its successors or any related member prior to the expiration of three (3) years after the discontinuation of operations. As used in this Section 22, "successors" and "related member" shall have the meanings set forth in Ohio Revised Code Section 3735.671(C).

Section 23. Notices. Unless otherwise specified herein, each party shall address written notices, demands and communications in connection with this Agreement to the other party as follows (or to such other address as is communicated in accordance with this Section):

To the City:

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

To the Company:

Allez Bar & Bakery, LLC
Attention: Mr. Patrick Hague
6420 Desmond St.
Cincinnati, Ohio 45227

If the Company sends a notice to the City alleging that the City is in default under this Agreement, the Company shall simultaneously send a copy of such notice to: City Solicitor, City of Cincinnati, 801 Plum Street, Room 214, Cincinnati, OH 45202.

Section 24. Acknowledgment of City Participation. The Company agrees to acknowledge the support of the City on construction signs, project and exhibition signage, and any publicity such as that appearing on the internet, television, cable television, radio, or in the press or any other printed media. In identifying the City as a Project partner, the Company shall use either the phrase "Project Assistance 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.

Section 25. Entire Agreement. This Agreement and the Exhibits attached hereto constitute the entire agreement between the City and the Company with respect to the subject matter herein, superseding any prior or contemporaneous agreement with respect thereto.

Section 26. Governing Law. This Agreement is entered into and is to be performed in the State. The City and the Company agree that the law of the State of Ohio shall govern the rights, obligations, duties and liabilities of the parties to this Agreement and shall govern the interpretation of this Agreement.

Section 27. Waiver. The City's waiver of any breach by the Company of any provision of this Agreement shall not constitute or operate as a waiver by the City of any other breach of such provision or of any other provisions, nor shall any failure or delay by the City to enforce any provision hereof operate as a waiver of such provision or of any other provision.

Section 28. Severability. This Agreement shall be severable; if any part or parts of this Agreement shall for any reason be held invalid or unenforceable by a court of competent jurisdiction, all remaining parts shall remain binding and in full force and effect.

Section 29. Amendment. This Agreement may be modified or amended only by a written agreement duly executed by the parties hereto or their representatives.

Section 30. Non-Assignment. As required by Ohio Revised Code Section 3735.671(B)(6), this Agreement is not transferable or assignable by the Company without the express written approval of the City Manager of the City. If the Company has entered into a Board of Education Agreement or VTICA in connection with the Property, the City shall not approve the assignment of this Agreement unless the assignee has assumed the Company's remaining obligations under the Board of Education Agreement and VTICA, as applicable. Failure to assign or otherwise perform the Company's obligations under the Board of Education Agreement or VTICA upon transfer of the Property during the term of the tax abatement authorized by this Agreement shall be basis for revocation of the tax exemption under Section 18.

Section 31. Recording. At its election, the City may record this Agreement at the City's expense in the Hamilton County Recorder's Office.

Section 32. Legislative Action Required. As provided in Ohio Revised Code Section 3735.671, the Company and the City acknowledge that this Agreement must be approved by formal action of the City Council of the City as a condition for this Agreement to take effect. Notwithstanding anything to the contrary herein, this Agreement shall take effect after the later of the date of such approval or the final date of execution of this Agreement by all parties.

Section 33. Additional Representations and Warranties of Company. The Company represents and warrants that (a) it is duly organized and existing and it has full power and authority to take, and has taken, all action necessary to execute and deliver this Agreement and any other documents required or permitted to be executed or delivered by it in connection with this Agreement, and to fulfill its obligations hereunder; (b) no notices to, or consents, authorizations or approvals of, any person are required (other than any already given or obtained) for its due execution, delivery and performance of this Agreement; and (c) this Agreement has been duly executed and delivered by it and constitutes the legal, valid and binding obligation of the Company.

Section 34. Certification as to Non-Debarment. The Company represents that neither it nor any of its principals is presently debarred by any federal, state, or local government agency. In completing the Project, the Company shall not solicit bids from any contractors or subcontractors who are identified as being debarred by any federal, state, or local government agency. If the Company or any of its principals becomes debarred by any federal, state, or local government agency during the term of this Agreement, the company shall be considered in default under this Agreement.

Section 35. Appeals. Pursuant to Ohio Revised Code Section 3735.70, a person aggrieved under the Statute or this Agreement may appeal to the community reinvestment area housing council, which shall have the authority to overrule any decision of a housing officer. Appeals may be taken from a decision of the council to the court of common pleas of the county where the area is located.

Section 36. Wage Enforcement.

(i) Applicability. Council passed Ordinance No. 22-2016 on February 3, 2016, which ordained Chapter 326 (Wage Enforcement) of the Cincinnati Municipal Code (the "Wage Enforcement Chapter"). The Wage Enforcement Chapter was then amended by Ordinance No. 96-2017, passed May 17, 2017. As amended, the Wage Enforcement Chapter imposes certain requirements upon persons entering into agreements with the City whereby the City provides an incentive or benefit that is projected to exceed \$25,000, as described more particularly in the Wage Enforcement Chapter. Cincinnati Municipal Code Section 326-5 requires that the language below be included in contracts subject to the Wage Enforcement Chapter.

(ii) Required Contractual Language. Capitalized terms used, but not defined, in this clause (ii) have the meanings ascribed thereto in the Wage Enforcement Chapter.

(a) This contract 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 with a Contractor or Subcontractor of that Person shall report all Complaints or Adverse Determinations of Wage Theft and Payroll Fraud (as each of those terms is defined in Chapter 326 of the Cincinnati Municipal Code) against the Contractor or Subcontractors to the Department of Economic Inclusion within 30 days of notification of the Complaint or Adverse Determination.

(b) If this contract is subject to the Wage Enforcement provisions of Chapter 326 of the Cincinnati Municipal Code, the Person entering into this contract is required to include provisions in solicitations and contracts regarding a Development Site that all employers, Contractors or Subcontractors performing or proposing to perform work on a Development Site provide an initial sworn and notarized "Affidavit Regarding Wage Theft and Payroll Fraud" on a form prescribed by the city manager or his or her designee and, within 30 days of an Adverse Determination or Complaint of Wage Theft or Payroll Fraud, shall provide an "Amended Affidavit Regarding Wage Theft and Payroll Fraud" on a form prescribed by the city manager or his or her designee.

(c) If this contract is subject to the Wage Enforcement provisions of Chapter 326 of the Cincinnati Municipal Code, the Person entering into this contract is required to authorize, and does hereby specifically authorize, any local, state or federal agency, court, administrative body or other entity investigating a complaint of Wage Theft or Payroll Fraud against the Person (collectively "investigative bodies") to release to the City's Department of Economic Inclusion any and all evidence, findings,

complaints and determinations associated with the allegations of Wage Theft or Payroll Fraud upon the City's request and further authorizes such investigative bodies to keep the City advised regarding the status of the investigation and ultimate determination. If the investigative bodies require the Person to provide additional authorization on a prescribed form or in another manner, the Person shall be required to provide such additional authorization within 14 days of a request by the City.

(d) If this Agreement is subject to the Wage Enforcement provisions of Chapter 326 of the Cincinnati Municipal Code, the Person entering into this Agreement shall include in its contracts with all Contractors language that requires the Contractors to provide the authorizations set forth in subsection (c) above and that further requires each Contractor to include in its contracts with Subcontractors those same obligations for each Subcontractor and each lower tier subcontractor.

(e) If this Agreement is subject to the Wage Enforcement provisions of Chapter 326 of the Cincinnati Municipal Code, the Person entering into this Agreement shall post a conspicuous notice on the Development Site throughout the entire period work is being performed pursuant to the Agreement indicating that the work being performed is subject to Cincinnati Municipal Code Chapter 326, Wage Enforcement, as administered by the City of Cincinnati Department of Economic Inclusion. Such notice shall include contact information for the Department of Economic Inclusion as provided by the department.

(f) Under the Wage Enforcement provisions, the City shall have the authority, under appropriate circumstances, to terminate this contract or to reduce the incentives or subsidies to be provided under this contract and to seek other remedies, including debarment.

Section 37. Legal Requirements. In completing and operating the Project, the Company 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.

Section 38. 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; any original signatures that are initially delivered electronically shall be physically delivered as soon as reasonably possible.

Remainder of this page intentionally left blank. Signature page follows.

Executed by the parties on the dates indicated below, effective as of the later of such dates (the "Effective Date").

CITY OF CINCINNATI,
an Ohio municipal corporation

ALLEZ BAR & BAKERY, LLC,
an **Error! Reference source not found.**

By: _____
Sheryl M. M. Long, City Manager

By: _____

Date: _____, 2023

Printed Name: _____

Title: _____

Date: _____, 2023

Authorized by resolution dated _____

Approved as to Form:

Assistant City Solicitor

Certified Date: _____

Fund/Code: _____

Amount: _____

By: _____
Karen Alder, City Finance Director

Exhibit A to CRA Agreement

LEGAL DESCRIPTION OF PROPERTY

SITUATED IN THE COUNTY OF HAMILTON, IN THE STATE OF OHIO AND IN THE CITY OF CINCINNATI AND BEING ALL OF LOTS NUMBERED SEVEN (7) AND EIGHT (8) OF H.B. PRICE'S SUBDIVISION OF LOTS IN SAID TOWN OF MADISONVILLE (NOW CINCINNATI) HAMILTON COUNTY, STATE OF OHIO. SAID LOTS SEVEN (7) AND EIGHT (8) HAVING A TOTAL FRONTAGE OF FORTY-NINE (49) FEET ON THE NORTH SIDE OF MAIN STREET IN SAID TOWN OF MADISONVILLE, CINCINNATI, OHIO AND EXTENDING BACK NORTHWARDLY BETWEEN PARALLEL LINES TO AN ALLEY, BEING THE SAME WIDTH IN REAR AS IN FRONT.

PARCEL # 035-0003-0141-00 **CONS**
ST **142** -----

Exhibit B to CRA Agreement
APPLICATION FOR TAX EXEMPTION

TO BE ATTACHED

Date: May 3, 2023

To: Mayor and Members of City Council

202301302

From: Sheryl M. M. Long, City Manager

Subject: **Liquor License – Transfer**

FINAL RECOMMENDATION REPORT

OBJECTIONS: None

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

APPLICATION: 4529627
PERMIT TYPE: TRFO
CLASS: D5 D6
NAME: KDOLLA HOLDINGGS LLC
DBA: UNCLE WOODYS
339 CALHOUN ST
CINCINNATI, OH 45219

On March 14, 2023, CUF Neighborhood Association was notified of this application and does not object.

Police Department Approval

David M. Laing, Assistant City Prosecutor
Law Department - Recommendation
 Objection No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: May 9, 2023

Date: 5/3/2023

To: Mayor and Members of City Council 202301303
 From: Sheryl M. M. Long, City Manager
 Subject: **SPECIAL EVENT PERMIT APPLICATION: (OTR Community Day)**

In accordance with Cincinnati Municipal Code, Chapter 765; (Alisa Berry, Cornerstone Renter Equity) has submitted a Special Event Permit Application Form to the Chief of Police. The Special Event Permit Application has been reviewed by the following department(s): (Cincinnati Police Department, Fire Department, Health Department, Parks Department, Department of Building and Inspections, Department of Community and Economic Development, Department of Finance, Department of Public Services, and Department of Transportation and Engineering). There are no objections to issuing the Special Events Permit.

The particulars of the requested event are as indicated:

EVENT NAME/TITLE: OTR Community Day
EVENT SPONSOR/PRODUCER: Over-the-Rhine Community Council
CONTACT PERSON: Alisa Berry
LOCATION: Green St & Republic (Between Vine St and Race St)
DATE(S) AND TIME(S): Street Closure - 05/20/2023 12:00am—05/21/2023 12:00am
 Event time - 12:00 PM to 4:00PM
EVENT DESCRIPTION: CSRE will be hosting Community Day for OTR. The event will be held outside and bring together other community agency's, volunteers, and community members in a kick off to the season and a time to fellowship. We will have mural paintings, street painting, and STEAM demonstrations. We will also have a DJ, games, and food.
ANTICIPATED ATTENDANCE: 250
ALCOHOL SALES: YES. NO.
TEMPORARY LIQUOR PERMIT HOLDER IS: N/A

cc: Colonel Teresa A. Theetge, Police Chief

Date: May 3, 2023

To: Mayor and Members of City Council

202301313

From: Sheryl M. M. Long, City Manager

Subject: ORDINANCE – ODOT BRENT SPENCE BRIDGE – FINDLAY STREET TO MARSHALL AVENUE

Attached is an ordinance captioned as follows:

AUTHORIZING the City Manager to take all necessary and proper actions to cooperate with the Director of the Ohio Department of Transportation to facilitate the performance of construction activities for Interstate 75 from Findlay Street to south of Marshall Avenue including interchanges to the new Western Hills Viaduct in connection with the Ohio Department of Transportation’s Brent Spence Bridge Corridor project in the City of Cincinnati.

This ordinance will allow the City to continue to collaborate with the Ohio Department of Transportation for the projects along the Brent Spence Corridor. This ordinance is specific to Phase I of the project with limits from Findlay Street to just south of Marshall Ave.

The Administration recommends passage of the attached ordinance/resolution.

Attachment I – Ordinance

Attachment II - Brent Spence Bridge Corridor Projects map

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

AUTHORIZING the City Manager to take all necessary and proper actions to cooperate with the Director of the Ohio Department of Transportation to facilitate the performance of construction activities for Interstate 75 from Findlay Street to south of Marshall Avenue including interchanges to the new Western Hills Viaduct in connection with the Ohio Department of Transportation’s Brent Spence Bridge Corridor project in the City of Cincinnati.

WHEREAS, the Ohio Department of Transportation (“ODOT”) has identified the need to perform construction activities as part of the Brent Spence Bridge Corridor project including the reconstruction of Interstate 75 from Findlay Street to south of Marshall Avenue and construction of interchanges on Interstate 75 to connect to the new Western Hills Viaduct project (PID No. 114161) (the “Project”); and

WHEREAS, except as needed for temporary access, no transfer of City right-of-way is required for the Project, and no change in the use of City streets is expected to arise from the Project; and

WHEREAS, the State of Ohio shall provide one hundred percent of the eligible cost of the Project; and

WHEREAS, ODOT has requested that all necessary rights-of-way in the Project area be made available for the Project in accordance with current state and federal regulations; and

WHEREAS, the City’s Department of Transportation & Engineering has reviewed and approved the proposed Project; and

WHEREAS, the extent of City streets and changes in their use are subject to review and approval by the City Planning Commission, but no changes requiring the commission’s review have been identified at this stage of the Project; and

WHEREAS, upon completion of the Project, ODOT and the City desire for the City to continue its existing maintenance responsibilities for the right-of-way in the Project area, as applicable, and other duties required by applicable state and federal law; now, therefore,

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

Section 1. That the City of Cincinnati consents to and shall cooperate with the Director of the Ohio Department of Transportation (“ODOT”), on behalf of the State of Ohio, to facilitate the

performance of construction activities as part of the Brent Spence Bridge Corridor project including the reconstruction of Interstate 75 from Findlay Street to south of Marshall Avenue and construction of interchanges on Interstate 75 to connect to the new Western Hills Viaduct project (PID No. 114161) (the “Project”).

Section 2. That the State of Ohio will assume and bear one hundred percent of the cost of the improvements proposed as part of the Project.

Section 3. That the City shall bear one hundred percent of the cost of those features, if any, requested by the City that ODOT and the Federal Highway Administration determine to be unnecessary for the Project; as of the date of this ordinance, no such features have been identified.

Section 4. That the City agrees to make available to ODOT all City rights-of-way required for the Project, including utility relocation, in accordance with current state and federal regulations and subject to any additional City approvals required for the encumbrance or acquisition of City property or change in use of City streets. The City acknowledges that all utility accommodation, relocation, and reimbursement in connection with the Project will comply with the current provisions of 23 C.F.R. 645 and the ODOT Utilities Manual.

Section 5. That, from time to time, change orders and extra-work contracts may be required to fulfill the Project, and ODOT shall provide written notice to the City, which shall process such as needed and contribute the City’s share of the costs of those items; as of the date of this ordinance, no such costs have been identified.

Section 6. That, to the extent applicable and unless otherwise agreed, the City upon completion of the Project shall: (1) provide adequate maintenance for the Project in accordance with all applicable state and federal law, including, but not limited to, 23 U.S.C. Section 116; (2) provide ample financial provisions, as necessary, for any City maintenance responsibilities in

connection with the Project; (3) to the extent required by state and federal law, maintain the right-of-way and keep it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

Section 7. That the City Manager is hereby authorized to enter into any agreements and process any change orders or extra-work orders connected thereto with the Director of ODOT, or ODOT-prequalified consultants, as necessary to complete the Project in accordance with the terms of this ordinance.

Section 8. That the City Manager is further authorized to execute any documents, upon the request of ODOT, necessary to allow ODOT to recover damages or exercise its rights and remedies under any contracts arising from any errors or omissions of any contractors or consultants.

Section 9. That the City Manager and the appropriate City officials are hereby authorized to take all necessary and proper actions to cooperate with the Director of ODOT to facilitate the Project.

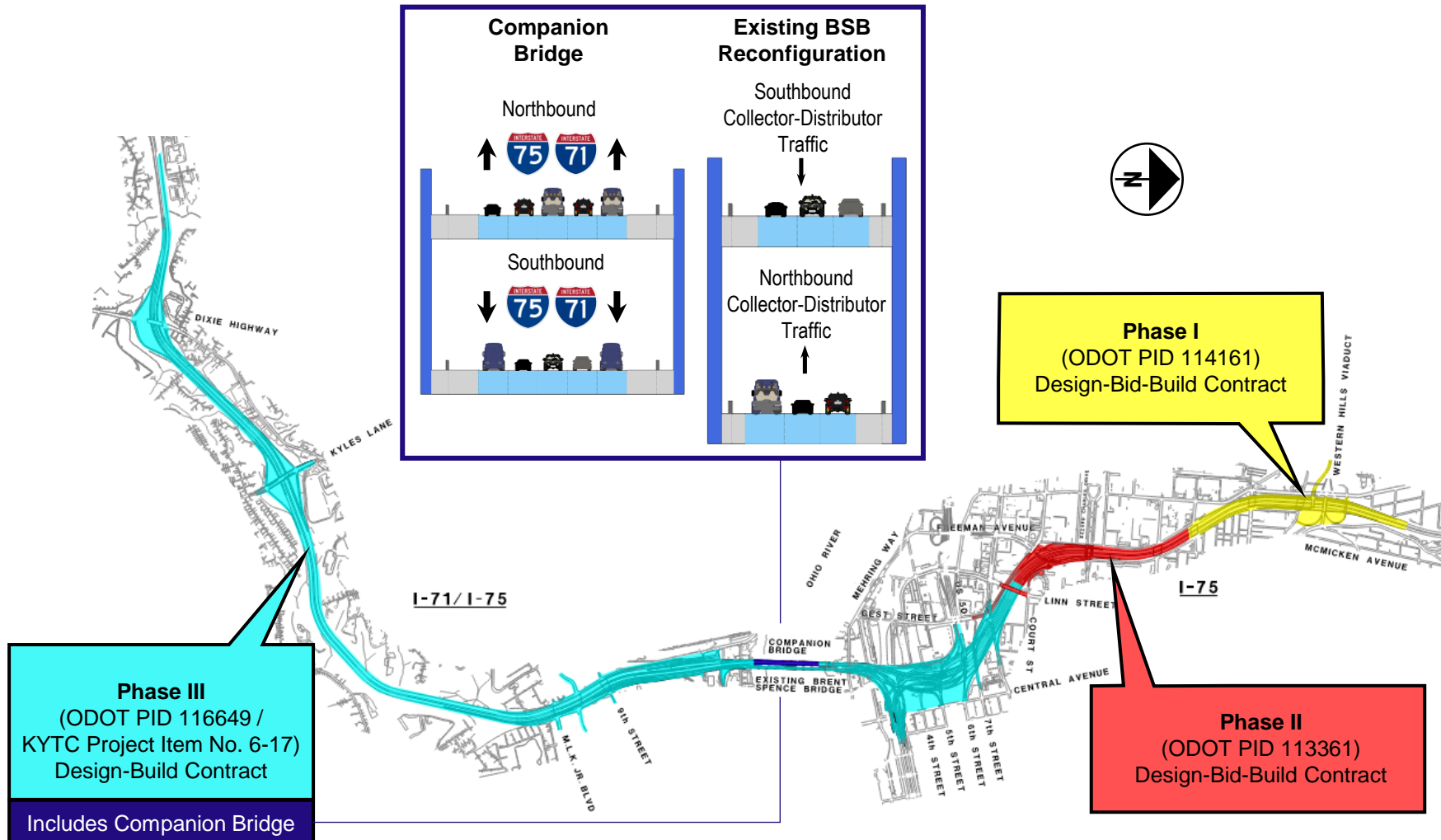
Section 10. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

PROJECT DELIVERY



Date: May 3, 2023

202301314

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

Subject: ORDINANCE – ODOT BRENT SPENCE BRIDGE – LINN STREET TO FINDLAY STREET

Attached is an ordinance captioned as follows:

AUTHORIZING the City Manager to take all necessary and proper actions to cooperate with the Director of the Ohio Department of Transportation to facilitate the performance of construction activities for Interstate 75 from Linn Street to Findlay Street in connection with the Ohio Department of Transportation’s Brent Spence Bridge Corridor project in the City of Cincinnati.

This ordinance will allow the City to continue to collaborate with the Ohio Department of Transportation for the projects along the Brent Spence Corridor. This ordinance is specific to Phase II of the project with limits from Linn Street to Findlay Street.

The Administration recommends passage of the attached ordinance/resolution.

Attachment I – Ordinance

Attachment II - Brent Spence Bridge Corridor Projects map

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

AUTHORIZING the City Manager to take all necessary and proper actions to cooperate with the Director of the Ohio Department of Transportation to facilitate the performance of construction activities for Interstate 75 from Linn Street to Findlay Street in connection with the Ohio Department of Transportation’s Brent Spence Bridge Corridor project in the City of Cincinnati.

WHEREAS, the Ohio Department of Transportation (“ODOT”) has identified the need to perform construction activities as part of the Brent Spence Bridge Corridor project including the reconstruction and widening of Interstate 75 north of the Linn Street overpass to the northern limits of the bridge over Findlay Street; the replacement of the Linn Street overpass with Interstate 75 and reconstruction of Gest Street from Freeman Avenue to U.S. Route 50; the elimination of the roadway connection from Gest Street to Linn Street; the replacement of pedestrian access from Gest Street to Linn Street; the replacement of the Ezzard Charles Drive bridge over Interstate 75; the reconstruction of portions of Western Avenue and the West Court Street cul-de-sac; and the construction of new Interstate 75 ramps to and from Freeman Avenue, Western Avenue, and Ninth Street (PID No. 113361) (the “Project”); and

WHEREAS, except as needed for temporary access, no transfer of City right-of-way is required for the Project, and no change in the use of City streets is expected to arise from the Project; and

WHEREAS, the State of Ohio shall provide one hundred percent of the eligible cost of the Project; and

WHEREAS, ODOT has requested that all necessary rights-of-way in the Project area be made available for the Project in accordance with current state and federal regulations; and

WHEREAS, the City’s Department of Transportation & Engineering has reviewed and approved the proposed Project; and

WHEREAS, the extent of City streets and changes in their use are subject to review and approval by the City Planning Commission, but no changes requiring the commission’s review have been identified at this stage of the Project; and

WHEREAS, upon completion of the Project, ODOT and the City desire for the City to continue its existing maintenance responsibilities for the right-of-way in the Project area, as applicable, and other duties required by applicable state and federal law; now, therefore,

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

Section 1. That the City of Cincinnati consents to and shall cooperate with the Director of the Ohio Department of Transportation (“ODOT”), on behalf of the State of Ohio, to facilitate the performance of construction activities as part of the Brent Spence Bridge Corridor project including the reconstruction and widening of Interstate 75 north of the Linn Street overpass to the northern limits of the bridge over Findlay Street; the replacement of the Linn Street overpass with Interstate 75 and reconstruction of Gest Street from Freeman Avenue to U.S. Route 50; the elimination of the roadway connection from Gest Street to Linn Street; the replacement of pedestrian access from Gest Street to Linn Street; the replacement of the Ezzard Charles Drive bridge over Interstate 75; the reconstruction of portions of Western Avenue and the West Court Street cul-de-sac; and the construction of new Interstate 75 ramps to and from Freeman Avenue, Western Avenue, and Ninth Street (PID No. 113361) (the “Project”).

Section 2. That the State of Ohio will assume and bear one hundred percent of the cost of the improvements proposed as part of the Project.

Section 3. That the City shall bear one hundred percent of the cost of those features, if any, requested by the City that ODOT and the Federal Highway Administration determine to be unnecessary for the Project; as of the date of this ordinance, no such features have been identified.

Section 4. That the City agrees to make available to ODOT all City rights-of-way required for the Project, including utility relocation, in accordance with current state and federal regulations and subject to any additional City approvals required for the encumbrance or acquisition of City property or change in use of City streets. The City acknowledges that all utility accommodation, relocation, and reimbursement in connection with the Project will comply with the current provisions of 23 C.F.R. 645 and the ODOT Utilities Manual.

Section 5. That, from time to time, change orders and extra-work contracts may be required to fulfill the Project, and ODOT shall provide written notice to the City, which shall process such as needed and contribute the City's share of the costs of those items; as of the date of this ordinance, no such costs have been identified.

Section 6. That, to the extent applicable and unless otherwise agreed, the City upon completion of the Project shall: (1) provide adequate maintenance for the Project in accordance with all applicable state and federal law, including, but not limited to, 23 U.S.C. Section 116; (2) provide ample financial provisions, as necessary, for any City maintenance responsibilities in connection with the Project; (3) to the extent required by state and federal law, maintain the right-of-way and keep it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

Section 7. That the City Manager is hereby authorized to enter into any agreements and process any change orders or extra-work orders connected thereto with the Director of ODOT, or ODOT-prequalified consultants, as necessary to complete the Project in accordance with the terms of this ordinance.

Section 8. That the City Manager is further authorized to execute any documents, upon the request of ODOT, necessary to allow ODOT to recover damages or exercise its rights and remedies under any contracts arising from any errors or omissions of any contractors or consultants.

Section 9. That the City Manager and the appropriate City officials are hereby authorized to take all necessary and proper actions to cooperate with the Director of ODOT to facilitate the Project.

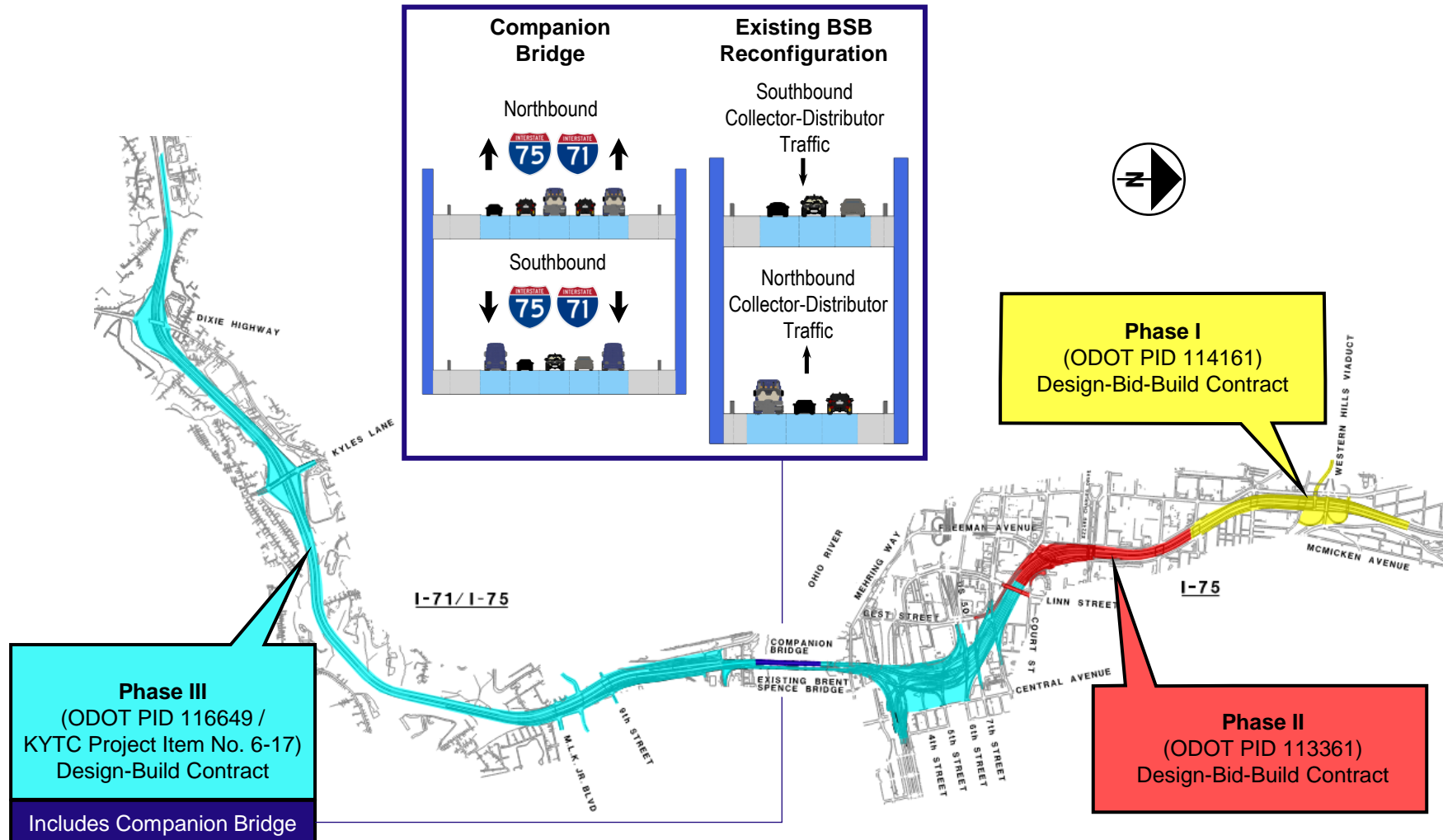
Section 10. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

PROJECT DELIVERY



Date: May 3, 2023

To: Mayor and Members of City Council

202301315

From: Sheryl M. M. Long, City Manager

Subject: ORDINANCE – ODOT BRENT SPENCE BRIDGE – BRENT SPENCE BRIDGE (KY) TO
LINN STREET

Attached is an ordinance captioned as follows:

AUTHORIZING the City Manager to take all necessary and proper actions to cooperate with the Director of the Ohio Department of Transportation to facilitate the performance of construction activities for Interstate 75 and the Brent Spence Bridge and companion bridge over the Ohio River to Linn Street in connection with the Ohio Department of Transportation's Brent Spence Bridge Corridor project in the City of Cincinnati.

This ordinance will allow the City to continue to collaborate with the Ohio Department of Transportation for the projects along the Brent Spence Corridor. This ordinance is specific to Phase III of the project which within the City of Cincinnati, consists of the State of Kentucky to Linn Street overpass.

The Administration recommends passage of the attached ordinance/resolution.

Attachment I – Ordinance

Attachment II – Brent Spence Bridge Corridor Projects map

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

AUTHORIZING the City Manager to take all necessary and proper actions to cooperate with the Director of the Ohio Department of Transportation to facilitate the performance of construction activities for Interstate 75 and the Brent Spence Bridge and companion bridge over the Ohio River to Linn Street in connection with the Ohio Department of Transportation’s Brent Spence Bridge Corridor project in the City of Cincinnati.

WHEREAS, the Ohio Department of Transportation (“ODOT”) has identified the need to perform construction activities as part of the Brent Spence Bridge Corridor project including the construction or reconstruction of the Brent Spence Bridge and the companion bridge over the Ohio River from the State of Kentucky to Linn Street in the City of Cincinnati (PID No. 116649) (the “Project”); and

WHEREAS, except as needed for temporary access, no transfer of City right-of-way is required for the Project, and no change in the use of City streets is expected to arise from the Project; and

WHEREAS, the State of Ohio shall provide one hundred percent of the eligible cost of the Project; and

WHEREAS, ODOT has requested that all necessary rights-of-way in the Project area be made available for the Project in accordance with current state and federal regulations; and

WHEREAS, the City’s Department of Transportation & Engineering has reviewed and approved the proposed Project; and

WHEREAS, the extent of City streets and changes in their use are subject to review and approval by the City Planning Commission, but no changes requiring the commission’s review have been identified at this stage of the Project; and

WHEREAS, upon completion of the Project, ODOT and the City desire for the City to continue its existing maintenance responsibilities for the right-of-way in the Project area, as applicable, and other duties required by applicable state and federal law; now, therefore,

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

Section 1. That the City of Cincinnati consents to and shall cooperate with the Director of the Ohio Department of Transportation (“ODOT”), on behalf of the State of Ohio, to facilitate the

performance of construction activities as part of the Brent Spence Bridge Corridor project including the construction or reconstruction of the Brent Spence Bridge and the companion bridge over the Ohio River from the State of Kentucky to Linn Street in the City of Cincinnati (PID No. 116649) (the “Project”).

Section 2. That the State of Ohio will assume and bear one hundred percent of the cost of the improvements proposed as part of the Project.

Section 3. That the City shall bear one hundred percent of the cost of those features, if any, requested by the City that ODOT and the Federal Highway Administration determine to be unnecessary for the Project; as of the date of this ordinance, no such features have been identified.

Section 4. That the City agrees to make available to ODOT all City rights-of-way required for the Project, including utility relocation, in accordance with current state and federal regulations and subject to any additional City approvals required for the encumbrance or acquisition of City property or change in use of City streets. The City acknowledges that all utility accommodation, relocation, and reimbursement in connection with the Project will comply with the current provisions of 23 C.F.R. 645 and the ODOT Utilities Manual.

Section 5. That, from time to time, change orders and extra-work contracts may be required to fulfill the Project, and ODOT shall provide written notice to the City, which shall process such as needed and contribute the City’s share of the costs of those items; as of the date of this ordinance, no such costs have been identified.

Section 6. That, to the extent applicable and unless otherwise agreed, the City upon completion of the Project shall: (1) provide adequate maintenance for the Project in accordance with all applicable state and federal law, including, but not limited to, 23 U.S.C. Section 116; (2) provide ample financial provisions, as necessary, for any City maintenance responsibilities in

connection with the Project; (3) to the extent required by state and federal law, maintain the right-of-way and keep it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

Section 7. That the City Manager is hereby authorized to enter into any agreements and process any change orders or extra-work orders connected thereto with the Director of ODOT, or ODOT-prequalified consultants, as necessary to complete the Project in accordance with the terms of this ordinance.

Section 8. That the City Manager is further authorized to execute any documents, upon the request of ODOT, necessary to allow ODOT to recover damages or exercise its rights and remedies under any contracts arising from any errors or omissions of any contractors or consultants.

Section 9. That the City Manager and the appropriate City officials are hereby authorized to take all necessary and proper actions to cooperate with the Director of ODOT to facilitate the Project.

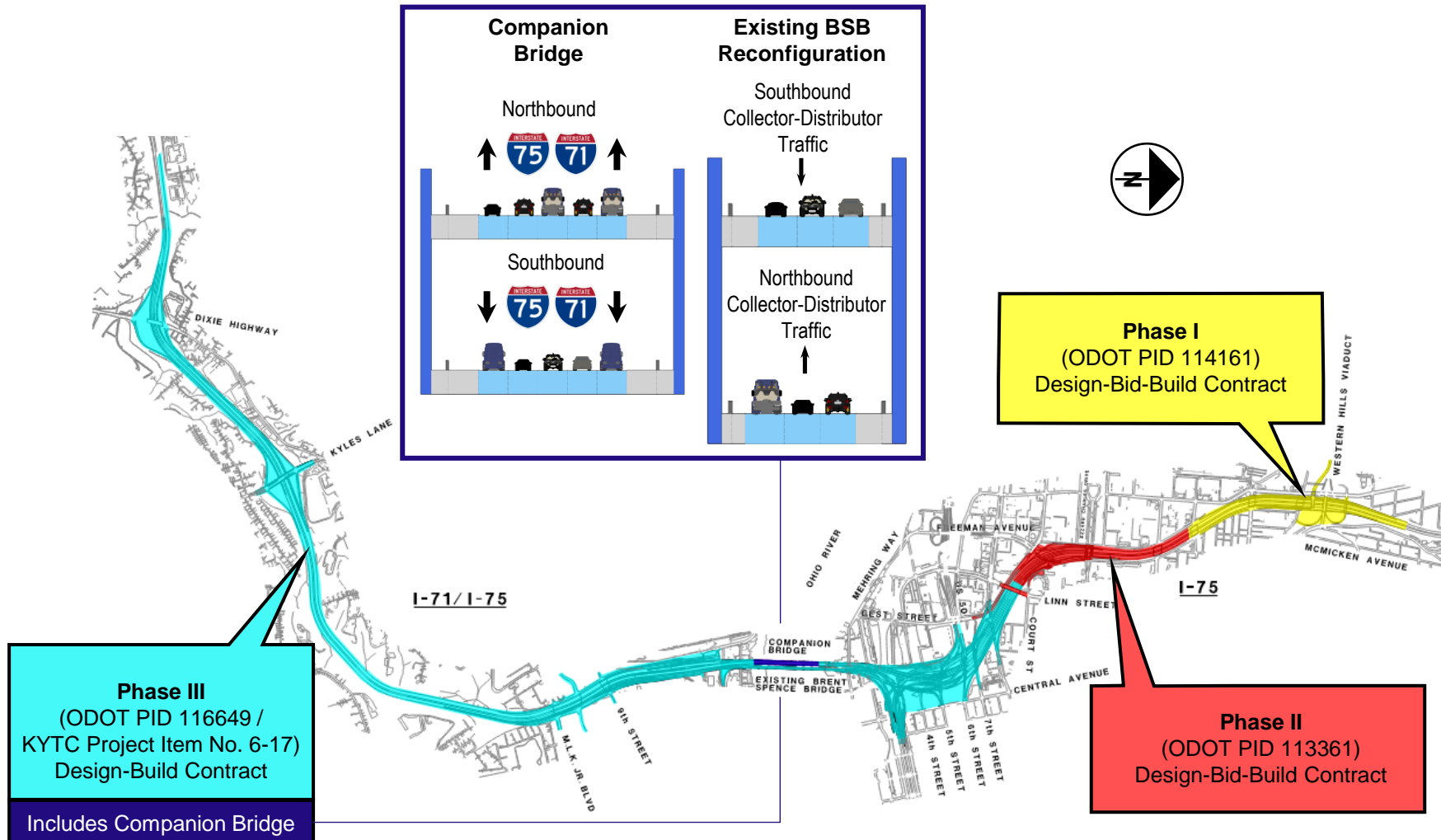
Section 10. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

PROJECT DELIVERY



202301317

Clerk of Council

\$25.00 FILING FEE

801 Plum Street, Room 308
Cincinnati, Ohio 45202
(513) 352-3246

LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT

This statement must be filed with the Clerk of Council within ten (10) days of engagement. Please read instructions and review Section 112-5 prior to filing. There is a \$25.00 fee for this filing. *Check or money order only made payable to "Clerk of Council"*. Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days) the form may be obtained from Clerk. **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

A. LEGISLATIVE AGENT INFORMATION

- 1. Full Name Charles H. Gerhardt, III
- 2. Occupation Government Strategies Group
- 3. Title/Position President & CEO
- 4. Business Address 700 Walnut Street Ste 450
Street Suite Number
Cincinnati OH 45202
City State Zip(+4)
- 5. Telephone Number (513) 651-4100
- 6. Date of Engagement as Legislative Agent April 24, 2023

B. EMPLOYER INFORMATION

- 1. Full name of company or organization NB Affordable
- 2. Type of Industry Real Estate Development
- 3. Business Address 100 Franklin Square Drive, Suite 401
Street Suite Number
Somerset NJ 08873
City State Zip(+4)

C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.

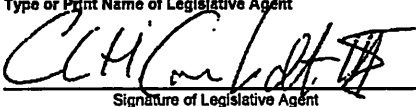
Activities related to affordable housing development.

D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.


- | | | |
|---|--|---|
| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Environment | <input checked="" type="checkbox"/> Real Estate/Housing |
| <input type="checkbox"/> Alcohol/Tobacco | <input type="checkbox"/> Financial Institutions/Consumer Finance | <input type="checkbox"/> Retail and Commercial |
| <input type="checkbox"/> Arts/Entertainment | <input type="checkbox"/> Medical/Hospitals/Health Care | <input type="checkbox"/> Service Business |
| <input type="checkbox"/> Communications/Media | <input type="checkbox"/> Insurance | <input type="checkbox"/> Social Svs./Human Svs. |
| <input type="checkbox"/> Contractors/Construction | <input type="checkbox"/> Labor/Labor Organizations | <input type="checkbox"/> Science and Technology |
| <input type="checkbox"/> County/Local Government | <input type="checkbox"/> Legal | <input type="checkbox"/> State Employees |
| <input type="checkbox"/> Education | <input type="checkbox"/> Manufacturer | <input type="checkbox"/> State Government |
| <input type="checkbox"/> Energy/Utilities | <input type="checkbox"/> Public Interest | <input type="checkbox"/> Transportation |

CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

Charles H. Gerhardt, III
Type or Print Name of Legislative Agent

Signature of Legislative Agent

April 25, 2023
Date

Jonathan Weiss
Type or Print Name of Persons Signing for Employer
 BY: 
Signature for Employer

Managing Director
Title

April 25, 2023
Date

202301318

\$25.00 FILING FEE

Clerk of Council
801 Plum Street, Room 308
Cincinnati, Ohio 45202
(513) 352-3246

LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT

This statement must be filed with the Clerk of Council within ten (10) days of engagement. Please read instructions and review Section 112-5 prior to filing. There is a \$25.00 fee for this filing. *Check or money order only made payable to "Clerk of Council"*. Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days the form may be obtained from Clerk. **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

A. LEGISLATIVE AGENT INFORMATION

- 1. Full Name J. Douglas Moormann
- 2. Occupation Development Strategies Group
- 3. Title/Position Vice President
- 4. Business Address 700 Walnut Street Ste 450
Street Suite Number
Cincinnati OH 45202
City State Zip(+4)
- 5. Telephone Number (513) 651-4100
- 6. Date of Engagement as Legislative Agent April 24, 2023

B. EMPLOYER INFORMATION

- 1. Full name of company or organization NB Affordable
- 2. Type of Industry Real Estate Development
- 3. Business Address 100 Franklin Square Drive, Suite 401
Street Suite Number
Somerset NJ 08873
City State Zip(+4)

C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.

Activities related to affordable housing development.

D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.

- | | | |
|---|--|---|
| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Environment | <input checked="" type="checkbox"/> Real Estate/Housing |
| <input type="checkbox"/> Alcohol/Tobacco | <input type="checkbox"/> Financial Institutions/Consumer Finance | <input type="checkbox"/> Retail and Commercial |
| <input type="checkbox"/> Arts/Entertainment | <input type="checkbox"/> Medical/Hospitals/Health Care | <input type="checkbox"/> Service Business |
| <input type="checkbox"/> Communications/Media | <input type="checkbox"/> Insurance | <input type="checkbox"/> Social Svs./Human Svs. |
| <input type="checkbox"/> Contractors/Construction | <input type="checkbox"/> Labor/Labor Organizations | <input type="checkbox"/> Science and Technology |
| <input type="checkbox"/> County/Local Government | <input type="checkbox"/> Legal | <input type="checkbox"/> State Employees |
| <input type="checkbox"/> Education | <input type="checkbox"/> Manufacturer | <input type="checkbox"/> State Government |
| <input type="checkbox"/> Energy/Utilities | <input type="checkbox"/> Public Interest | <input type="checkbox"/> Transportation |

CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

J. Douglas Moormann

 Type or Print Name of Legislative Agent


 Signature of Legislative Agent

April 25, 2023

 Date

Jonathan Weiss

 Type or Print Name of Persons Signing for Employer
 BY: 

 Signature for Employer

Managing Director

 Title

April 25, 2023

 Date

202301319

Clerk of Council

801 Plum Street, Room 308
Cincinnati, Ohio 45202
(513) 352-3246

\$25.00 FILING FEE

LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT

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A. LEGISLATIVE AGENT INFORMATION

- 1. Full Name Charles H. Gerhardt, III
- 2. Occupation Government Strategies Group
- 3. Title/Position President & CEO
- 4. Business Address 700 Walnut Street Ste 450
Street Suite Number
Cincinnati OH 45202
City State Zip(+4)
- 5. Telephone Number (513) 651-4100
- 6. Date of Engagement as Legislative Agent April 15, 2023

B. EMPLOYER INFORMATION

- 1. Full name of company or organization Ascend Ohio
- 2. Type of Industry Dispensary
- 3. Business Address 1411 Broadway, 16th Floor
Street Suite Number
New York NY 10018
City State Zip(+4)

C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.

Activities related to dispensary location and permitting.

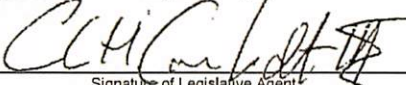
D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.

- | | | |
|---|--|---|
| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Environment | <input checked="" type="checkbox"/> Real Estate/Housing |
| <input checked="" type="checkbox"/> Alcohol/Tobacco | <input type="checkbox"/> Financial Institutions/Consumer Finance | <input type="checkbox"/> Retail and Commercial |
| <input type="checkbox"/> Arts/Entertainment | <input type="checkbox"/> Medical/Hospitals/Health Care | <input type="checkbox"/> Service Business |
| <input type="checkbox"/> Communications/Media | <input type="checkbox"/> Insurance | <input type="checkbox"/> Social Svs./Human Svs. |
| <input type="checkbox"/> Contractors/Construction | <input type="checkbox"/> Labor/Labor Organizations | <input type="checkbox"/> Science and Technology |
| <input type="checkbox"/> County/Local Government | <input type="checkbox"/> Legal | <input type="checkbox"/> State Employees |
| <input type="checkbox"/> Education | <input type="checkbox"/> Manufacturer | <input type="checkbox"/> State Government |
| <input type="checkbox"/> Energy/Utilities | <input type="checkbox"/> Public Interest | <input type="checkbox"/> Transportation |

CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

Charles H. Gerhardt, III

 Type or Print Name of Legislative Agent


 Signature of Legislative Agent

April 25, 2023

 Date

Matt McKenna

 Type or Print Name of Persons Signing for Employer

BY: Matt McKenna

 Signature for Employer

Public Affairs Manager

 Title

April 28, 2023

 Date

202301320

Clerk of Council

\$25.00 FILING FEE

801 Plum Street, Room 308
Cincinnati, Ohio 45202
(513) 352-3246

LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT

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A. LEGISLATIVE AGENT INFORMATION

- 1. Full Name J. Douglas Moormann
- 2. Occupation Development Strategies Group
- 3. Title/Position Vice President
- 4. Business Address 700 Walnut Street Ste 450
Street Suite Number
Cincinnati OH 45202
City State Zip(+4)
- 5. Telephone Number (513) 651-4100
- 6. Date of Engagement as Legislative Agent April 15, 2023

B. EMPLOYER INFORMATION

- 1. Full name of company or organization Ascend Ohio
- 2. Type of Industry Dispensary
- 3. Business Address 1411 Broadway, 16th Floor
Street Suite Number
New York NY 10018
City State Zip(+4)

C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.

Activities related to dispensary location and permitting.

D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.

- | | | |
|---|--|---|
| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Environment | <input checked="" type="checkbox"/> Real Estate/Housing |
| <input checked="" type="checkbox"/> Alcohol/Tobacco | <input type="checkbox"/> Financial Institutions/Consumer Finance | <input type="checkbox"/> Retail and Commercial |
| <input type="checkbox"/> Arts/Entertainment | <input type="checkbox"/> Medical/Hospitals/Health Care | <input type="checkbox"/> Service Business |
| <input type="checkbox"/> Communications/Media | <input type="checkbox"/> Insurance | <input type="checkbox"/> Social Svs./Human Svs. |
| <input type="checkbox"/> Contractors/Construction | <input type="checkbox"/> Labor/Labor Organizations | <input type="checkbox"/> Science and Technology |
| <input type="checkbox"/> County/Local Government | <input type="checkbox"/> Legal | <input type="checkbox"/> State Employees |
| <input type="checkbox"/> Education | <input type="checkbox"/> Manufacturer | <input type="checkbox"/> State Government |
| <input type="checkbox"/> Energy/Utilities | <input type="checkbox"/> Public Interest | <input type="checkbox"/> Transportation |

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ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

J. Douglas Moormann

 Type or Print Name of Legislative Agent


 Signature of Legislative Agent

April 25, 2023

 Date

Matt McKenna

 Type or Print Name of Persons Signing for Employer

BY: Matt McKenna

 Signature for Employer

Public Affairs Manager

 Title

April 28, 2023

 Date

Clerk of Council

801 Plum Street, Room 308
Cincinnati, Ohio 45202
(513) 352-3246

202301324
\$25.00 FILING FEE

LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT

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A. LEGISLATIVE AGENT INFORMATION

- 1. Full Name Anne C. Sesler
- 2. Occupation Government Strategies Group
- 3. Title/Position Director of Public Affairs and Strategy
- 4. Business Address 700 Walnut Street Ste 450
Street Suite Number
Cincinnati OH 45202
City State Zip(+4)
- 5. Telephone Number (513) 651-4100
- 6. Date of Engagement as Legislative Agent April 25, 2023

B. EMPLOYER INFORMATION

- 1. Full name of company or organization Lighthouse Youth & Family Services
- 2. Type of Industry Social services
- 3. Business Address 401 E. McMicken Ave
Street Suite Number
Cincinnati OH 45206
City State Zip(+4)

C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.

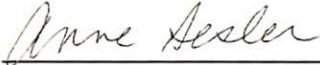
Activities related to human services, youth homelessness, and behavioral health.

D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.

- | | | |
|---|--|--|
| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Environment | <input type="checkbox"/> Real Estate/Housing |
| <input type="checkbox"/> Alcohol/Tobacco | <input type="checkbox"/> Financial Institutions/Consumer Finance | <input type="checkbox"/> Retail and Commercial |
| <input type="checkbox"/> Arts/Entertainment | <input type="checkbox"/> Medical/Hospitals/Health Care | <input type="checkbox"/> Service Business |
| <input type="checkbox"/> Communications/Media | <input type="checkbox"/> Insurance | <input checked="" type="checkbox"/> Social Svs./Human Svs. |
| <input type="checkbox"/> Contractors/Construction | <input type="checkbox"/> Labor/Labor Organizations | <input type="checkbox"/> Science and Technology |
| <input type="checkbox"/> County/Local Government | <input type="checkbox"/> Legal | <input type="checkbox"/> State Employees |
| <input type="checkbox"/> Education | <input type="checkbox"/> Manufacturer | <input type="checkbox"/> State Government |
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ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

Anne C. Sesler
 Type or Print Name of Legislative Agent

 Signature of Legislative Agent

April 25, 2023
 Date

Paul F. Haffner
 Type or Print Name of Persons Signing for Employer
 BY: 
 Signature for Employer

President & CEO
 Title

4/25/23
 Date

April 26, 2023

To: Mayor and Members of City Council

202301237

From: Sheryl M. M. Long, City Manager

Subject: Ordinance – Police: FY 2023 Law Enforcement Mental Health and Wellness Act Grant Program

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to apply for, accept, and appropriate grant resources in an amount up to \$200,000 from the U.S. Department of Justice, Office of Community Oriented Policing Services, FY23 Law Enforcement Mental Health and Wellness Act Grant Program (ALN 16.710) for the purpose of providing assistance with expansion of the Cincinnati Police Department’s current law enforcement mental health and wellness efforts; and **AUTHORIZING** the Director of Finance to deposit the grant funds into Law Enforcement Grant Fund 368, Project Account no. 23LEMH.

This Ordinance authorizes the City Manager to apply for, accept, and appropriate a grant in an amount up to \$200,000 from the U.S. Department of Justice (DOJ), Office of Community Oriented Policing Services (COPS), FY 2023 Law Enforcement Mental Health and Wellness Act Grant Program (ALN 16.710) for the purpose of providing assistance with the expansion of the Cincinnati Police Department’s current law enforcement mental health and wellness efforts. This Ordinance also authorizes the Finance Director to deposit the grant resources into Law Enforcement Grant Fund 368, project account no. 23LEMH.

The FY 2023 Law Enforcement Mental Health and Wellness Act Grant is available through the U.S. Department of Justice, Office of Community Oriented Policing Services, for the purpose of providing assistance with expansion of the Cincinnati Police Department’s (CPD) current law enforcement mental health and wellness efforts, which may include research, training, and the Terrace Metrics Assessment.

The grant application deadline was April 21, 2023, and to meet the application deadline, CPD has applied for the grant, but no grant funds will be accepted prior to City Council approval. There are no new FTEs associated with this grant, and no matching funds are required.

Acceptance of this grant is in accordance with the “Live” goal to “[c]reate a more livable community” as described on page 156 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, accept, and appropriate grant resources in an amount up to \$200,000 from the U.S. Department of Justice, Office of Community Oriented Policing Services, FY23 Law Enforcement Mental Health and Wellness Act Grant Program (ALN 16.710) for the purpose of providing assistance with expansion of the Cincinnati Police Department’s current law enforcement mental health and wellness efforts; and **AUTHORIZING** the Director of Finance to deposit the grant funds into Law Enforcement Grant Fund 368, Project Account No. 23LEMH.

WHEREAS, a grant in an amount of up to \$200,000 is available from the U.S. Department of Justice, Office of Community Oriented Policing Services, FY23 Law Enforcement Mental Health and Wellness Act Grant Program (ALN 16.710) for the purpose of assisting with expansion of the Cincinnati Police Department’s (“CPD”) current law enforcement mental health and wellness efforts, which may include research, training, and the Terrace Metrics Assessment; and

WHEREAS, the grant does not require local matching funds, and there are no additional FTEs/full time equivalents associated with this grant; and

WHEREAS, the grant application deadline is April 21, 2023, and CPD intends to apply by this date, but no grant funds will be accepted before approval by Council; and

WHEREAS, this ordinance is in accordance with the “Live” goal to “[c]reate a more livable community” as described on page 156 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 grant resources in an amount up to \$200,000 from the U.S. Department of Justice, Office of Community Oriented Policing Services, FY23 Law Enforcement Mental Health and Wellness Act Grant Program (ALN 16.710) for the purpose of assisting with expansion of the Cincinnati Police Department’s current law enforcement mental health and wellness efforts.

Section 2. That the Director of Finance is authorized to deposit the grant funds into Law Enforcement Grant Fund 368, Project Account No. 23LEMH.

Section 3. That the proper City officials are authorized to do all things necessary and proper to comply with the terms of this 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: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

April 26, 2023

To: Mayor and Members of City Council

202301238

From: Sheryl M. M. Long, City Manager

Subject: Emergency Ordinance – Cincinnati Fire Department (CFD): Lift Assistance Belts In-Kind Donation

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager to accept an in-kind donation of sixty new lift assistance belts from the Cincinnati Fire Foundation valued at \$17,940 to be used by the Cincinnati Fire Department in fire apparatus.

Approval of this Emergency Ordinance will authorize the City Manager to accept an in-kind donation of sixty new lift assistance belts from the Cincinnati Fire Foundation valued at \$17,940 to be used by the Cincinnati Fire Department in fire apparatus.

An anonymous donor has worked with the Cincinnati Fire Foundation to purchase sixty new lift assistance belts, which the Foundation is donating to the Fire Department. The lift assistance belts will be used to ensure patient and firefighter safety while moving patients in emergency situations.

There are no new FTEs or matching funds associated with the in-kind donation.

Acceptance of this donation is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” and the strategy to “[u]nite our communities,” as described on pages 209-212 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to incorporate the lift assistance belts with fire apparatus to ensure patient and firefighter safety.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment



EMERGENCY

MSS

- 2023

AUTHORIZING the City Manager to accept an in-kind donation of sixty new lift assistance belts from the Cincinnati Fire Foundation valued at \$17,940 to be used by the Cincinnati Fire Department in fire apparatus.

WHEREAS, an anonymous donor worked with the Cincinnati Fire Foundation to purchase sixty new lift assistance belts, which the Foundation is donating to the City for use in all Cincinnati Fire Department (“CFD”) fire apparatus; and

WHEREAS, CFD will use the lift assistance belts to aid in safely and securely lifting and moving patients and firefighters in situations where such assistance is needed; and

WHEREAS, there are no match requirements or new FTEs/full time equivalents associated with acceptance of this in-kind donation; and

WHEREAS, acceptance of this donation is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” and strategy to “[u]nite our communities,” as described on pages 209-212 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 accept an in-kind donation of sixty new lift assistance belts from the Cincinnati Fire Foundation valued at \$17,940 to be used by the Cincinnati Fire Department in fire apparatus.

Section 2. That the appropriate City officials are hereby 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 incorporate the lift assistance belts with fire apparatus to ensure patient and firefighter safety.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

April 26, 2023

To: Mayor and Members of City Council

202301239

From: Sheryl M. M. Long, City Manager

Subject: Ordinance – Cincinnati Recreation Commission (CRC): Senior Trip Program Donation

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to accept and appropriate a donation in the amount of \$2,000 from the Cincinnati Recreation Foundation for the purpose of providing resources for the newly established Senior Trip Program; and **AUTHORIZING** the Director of Finance to deposit the donated resources into Contributions for Recreation Purposes Fund 319x8571.

Approval of this Ordinance will authorize the City Manager to accept a donation in the amount of \$2,000 from the Cincinnati Recreation Foundation for the purpose of providing resources for a new Senior Trip Program. This Ordinance further authorizes the Finance Director to deposit the donated funds into Contributions for Recreation Purposes Fund 319 revenue account no. 319x8571.

Cincinnati Recreation Center’s new Senior Trip Program will provide senior citizens living in Millvale, South Cumminsville, and North Fairmount an opportunity to travel beyond their neighborhoods and have experiences they otherwise may not be afforded due to transportation or financial needs. The donation will subsidize the cost of admissions and transportation for each individual in the program.

There are no new FTEs or matching funds associated with the donation.

Acceptance of this donation is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community,” and the strategy to “[u]nite our communities,” as described on pages 209-212 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 accept and appropriate a donation in the amount of \$2,000 from the Cincinnati Recreation Foundation for the purpose of providing resources for the newly established Senior Trip Program; and **AUTHORIZING** the Director of Finance to deposit the donated resources into Contributions for Recreation Purposes Fund 319x8571.

WHEREAS, the Cincinnati Recreation Foundation has graciously offered to donate \$2,000 to support the creation of a Senior Trip Program; and

WHEREAS, the Senior Trip Program will provide senior citizens living in Millvale, South Cumminsville, and North Fairmount an opportunity to travel outside their neighborhoods and have experiences they otherwise may not be afforded due to transportation or financial needs; and

WHEREAS, the donation will subsidize the cost of admission and transportation for each individual in the program; and

WHEREAS, acceptance of this donation requires no matching funds, and no FTEs are associated with the donation; and

WHEREAS, acceptance of this donation is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community,” and the strategy to “[u]nite our communities,” as described on pages 209-212 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 hereby authorized to accept and appropriate a donation in the amount of \$2,000 from the Cincinnati Recreation Foundation for the purpose of providing resources for the newly established Senior Trip Program.

Section 2. That the Director of Finance is hereby authorized to deposit the donated funds into Contributions for Recreation Purposes Fund 319x8571.

Section 3. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of 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: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

April 26, 2023

To: Mayor and Members of City Council

202301244

From: Sheryl M. M. Long, City Manager

Subject: Emergency Ordinance – OES: Diversified Supply, Inc. Moral Obligation

Attached is an Emergency Ordinance captioned:

ESTABLISHING new capital improvement program project account no. 980x104x231042, “Recreation LED Lighting Improvements,” for the purpose of providing resources for LED lighting installations in City of Cincinnati recreation centers; **AUTHORIZING** the transfer and appropriation of \$27,649.73 from the unappropriated surplus of Revolving Energy Loan Fund 883 to newly established capital improvement program project account no. 980x104x231042, “Recreation LED Lighting Improvements,” and **AUTHORIZING** a payment of \$27,649.73 from capital improvement program project account no. 980x104x0000x7685x231042, “Recreation LED Lighting Improvements,” to Diversified Supply, Inc. as a moral obligation of the City of Cincinnati for professional services completed for the Recreation LED Lighting Improvements project.

Approval of this Emergency Ordinance establishes new capital improvement program project account no. 980x104x231042, “Recreation LED Lighting Improvements,” for the purpose of providing resources for LED lighting installations in City of Cincinnati recreation centers. Approval of this Emergency Ordinance also authorizes the transfer and appropriation of \$27,649.73 from the unappropriated surplus of Revolving Energy Loan Fund 883 to newly established capital improvement program project account no. 980x104x231042, “Recreation LED Lighting Improvements.” Finally, this Emergency Ordinance authorizes a payment of \$27,649.73 from capital improvement program project account no. 980x104x0000x7685x231042, “Recreation LED Lighting Improvements,” to Diversified Supply, Inc. as a moral obligation of the City of Cincinnati for professional services completed for the Recreation LED Lighting Improvements project.

The City issued delivery order no. DO 104 2018001994 for Diversified Supply, Inc. on January 17, 2018 in the amount of \$232,167.50 to complete lighting audits on Cincinnati Recreation Commission (CRC) facilities, procure light-emitting diode (LED) bulbs, and install lighting upgrades at CRC facilities. The lighting audit identified needs for the CRC that resulted in costs exceeding the delivery order amount, and additional resources were not encumbered before additional lighting upgrades were completed.

Ordinance No. 0341-2018 established capital improvement program project account no. 980x104x191017, "Recreation LED Lighting Improvements," for the purpose of providing resources for LED lighting installations in City of Cincinnati recreation centers and authorized the transfer and appropriation from the unappropriated surplus of Revolving Energy Loan Fund 883 to capital improvement program project account no. 980x104x191017, "Recreation LED Lighting Improvements." This project is fully expended and closed, and resources must be appropriated to a new capital improvement program project account for the same purpose to provide payment to Diversified Supply, Inc.

Sufficient resources are available in Revolving Energy Loan Fund 883 to transfer and appropriate to the newly established capital improvement program project account and provide payment to Diversified Supply, Inc.

The reason for the emergency is the immediate need to pay Diversified Supply, Inc. in a timely manner for professional services provided to the City of Cincinnati for the Recreation LED Lighting Improvements project.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment

EMERGENCY

KKF

- 2023

ESTABLISHING new capital improvement program project account no. 980x104x231042, “Recreation LED Lighting Improvements,” for the purpose of providing resources for LED lighting installations in City of Cincinnati recreation centers; **AUTHORIZING** the transfer and appropriation of \$27,649.73 from the unappropriated surplus of Revolving Energy Loan Fund 883 to newly established capital improvement program project account no. 980x104x231042, “Recreation LED Lighting Improvements,” and **AUTHORIZING** a payment of \$27,649.73 from capital improvement program project account no. 980x104x0000x7685x231042, “Recreation LED Lighting Improvements,” to Diversified Supply, Inc. as a moral obligation of the City of Cincinnati for professional services completed for the Recreation LED Lighting Improvements project.

WHEREAS, the City issued delivery order no. DO 104 2018001994 for Diversified Supply, Inc. on January 17, 2018 in the amount of \$232,167.50 to complete lighting audits on Cincinnati Recreation Commission (“CRC”) facilities, procure light-emitting diode (“LED”) bulbs, and install lighting upgrades at CRC facilities; and

WHEREAS, the lighting audit completed by Diversified Supply, Inc. identified additional needs for CRC that resulted in costs exceeding the delivery order amount, and additional resources were not encumbered before additional lighting upgrades were completed on CRC facilities; and

WHEREAS, Ordinance No. 341-2018 established capital improvement program project account no. 980x104x191017, “Recreation LED Lighting Improvements,” for the purpose of providing resources for LED lighting installations in City of Cincinnati recreation centers and authorized the transfer and appropriation from the unappropriated surplus of Revolving Energy Loan Fund 883 to capital improvement program project account no. 980x104x191017, “Recreation LED Lighting Improvements”; and

WHEREAS, capital improvement program project account no. 980x104x191017, “Recreation LED Lighting Improvements,” is fully expended and closed, and resources must be appropriated to a new capital improvement program project for the same purpose in order to provide payment to Diversified Supply, Inc.; and

WHEREAS, sufficient resources are available in Revolving Energy Loan Fund 883 to transfer and appropriate to the newly established capital improvement program project account and to provide payment to Diversified Supply, Inc.; and

WHEREAS, Council desires to provide payment to Diversified Supply, Inc. for professional services completed for the Recreation LED Lighting Improvements project; 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. 980x104x231042, “Recreation LED Lighting Improvements,” is hereby established for the purpose of providing resources for LED lighting installations at City of Cincinnati recreation centers.

Section 2. That the transfer and appropriation of \$27,649.73 from the unappropriated surplus of Revolving Energy Loan Fund 883 to newly established capital improvement program project account no. 980x104x231042, “Recreation LED Lighting Improvements,” is hereby authorized.

Section 3. That the Finance Director is authorized to make a payment of \$27,649.73 from capital improvement program project account no. 980x104x0000x7685x231042, “Recreation LED Lighting Improvements,” to Diversified Supply, Inc. as a moral obligation of the City of Cincinnati for professional services completed for the Recreation LED Lighting Improvements project.

Section 4. That the proper City officials are authorized to do all things necessary and proper to carry out the provisions 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 pay Diversified Supply, Inc. in a timely manner for professional services provided to the City of Cincinnati for the Recreation LED Lighting Improvements project.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

April 26, 2023

To: Mayor and Members of City Council 202301247
From: Sheryl M. M. Long, City Manager
Subject: Emergency Legislative Resolution: 2024 Property Tax Millage

Submitted herewith is an Emergency Legislative Resolution captioned as follows:

AUTHORIZING tax levies for the calendar year beginning January 1, 2024, certifying them to the Hamilton County Auditor pursuant to O.R.C. § 5705.34, and requesting the County Auditor and County Treasurer to pay monies that may be in the County Treasury and are lawfully applicable to the purpose of this calendar year to the City Treasurer pursuant to O.R.C. § 321.34.

The Hamilton County Budget Commission approved the FY 2024 Tax Budget proposed and approved by City Council on December 14, 2022. The attached resolution is necessary to certify the property tax millage for calendar year 2024. The resolution certifies the General Fund operating millage at 6.10 mills and the debt service millage at 7.50 mills. The operating millage of 6.10 is estimated to generate property tax revenue of \$35,446,946.

State Law requires that the approved resolution be submitted to the County by May 26, 2023, therefore the resolution must be passed by Council prior to this date.

cc: William “Billy” Weber, Assistant City Manager
Karen Alder, Finance Director

Attachment

EMERGENCY

Legislative Resolution

CMZ

RESOLUTION NO. _____ - 2023

AUTHORIZING tax levies for the calendar year beginning January 1, 2024, certifying them to the Hamilton County Auditor pursuant to O.R.C. § 5705.34, and requesting the County Auditor and County Treasurer to pay monies that may be in the County Treasury and are lawfully applicable to the purpose of this calendar year to the City Treasurer pursuant to R.C. Section 321.34.

WHEREAS, Council adopted a tax budget for the calendar year beginning January 1, 2024; and

WHEREAS, the County Budget Commission has approved the budget and estimate by the County Auditor of the rate of each tax necessary to be levied by this Council and the parts within and outside of the ten mill limitation; and

WHEREAS, Council must request payment of funds derived from taxes and other sources payable to the County Treasury to be made to the account of the City of Cincinnati, which funds are lawfully applicable to the purpose of the calendar year; now, therefore,

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

Section 1. That there is hereby levied on the tax duplicate of the City of Cincinnati for the calendar year beginning January 1, 2024, the rate of each tax necessary to be levied as follows:

<u>Fund</u>	Amount to be derived from levies inside	Amount to be derived from levies outside	Estimate of Rate to be levied		
	<u>Millage</u>	<u>Millage</u>	<u>Inside Mills</u>	<u>Outside Mills</u>	<u>Total Mills</u>
General	\$ - - -	\$35,446,946	- - -	6.10	6.10
Bond Retirement	\$22,813,120	\$25,794,380	3.52	3.98	7.50
Total	\$22,813,120	\$61,241,326	3.52	10.08	13.60

Section 2. That the Hamilton County Auditor and Hamilton County Treasurer are hereby requested to pay to the Treasurer of the City of Cincinnati monies from taxes and other sources

in the County Treasury to the account of the City that are lawfully applicable to the purpose of this calendar year.

Section 3. That the Clerk of Council is hereby directed to file a certified copy of this legislative resolution with the County Auditor.

Section 4. That this legislative resolution 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 that the City can meet the May 26, 2023 filing deadline with the County Auditor pursuant to the extension granted by the Ohio Department of Taxation attached hereto.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk



Department of Taxation

Office of the Tax Commissioner
4485 Northland Ridge Blvd. • Columbus, OH 43229

JOURNAL ENTRY

Date: APR 17 2023

The Honorable Brigid Kelly
Hamilton County Auditor
Administration Bldg
138 E Court St Rm 304A
Cincinnati OH, 45202-1221

Entry Number: 23-04-0095

Re: Approval of Extension for the Hamilton County Budget Commission to Certify Tax Rates to the City of Cincinnati

The Tax Commissioner, upon consideration of the application filed by the County Auditor, as secretary of the county budget commission, on February 2, 2023, for an extension of time beyond the statutory date of March first to certify tax rates to the City of Cincinnati, as provided by Ohio Revised Code section 5705.35(A), finds that the extension of time is necessary and approves April 26, 2023, as the date within which the certification shall be made, pursuant to Ohio Revised Code section 5705.341 (last para.).

The Tax Commissioner also extends the April first deadline contained in Ohio Revised Code section 5705.34 for the City of Cincinnati to authorize the necessary tax levies to the auditor by the same number of days that the extension to certify rates is granted by this entry. Accordingly, the City of Cincinnati must authorize the necessary tax levies to the auditor by May 26, 2023. The County Auditor must notify the City of Cincinnati of this entry.

It is ordered that a copy of this entry be certified to the County Auditor, as secretary of the County Budget Commission.

I CERTIFY THAT THIS IS A TRUE AND ACCURATE COPY OF THE
ENTRY RECORDED IN THE TAX COMMISSIONER'S JOURNAL

PATRICIA HARRIS
TAX COMMISSIONER

/s/ Patricia Harris

Patricia Harris
Tax Commissioner

May 1, 2023

To: Members of the Budget and Finance Committee 202301296

From: Sheryl M. M. Long, City Manager

Subject: **Emergency Ordinance – Cincinnati Recreation Commission (CRC):
Trees and Plants In-Kind Donation (B Version)**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager to accept an in-kind donation of new trees, boulders, plants, and related landscaping from the Cincinnati Zoo and Botanical Garden valued at up to \$25,000, in addition to the services reasonably necessary to install and maintain this donation, for the purpose of beautification of green space at the Forest and Irving Recreation Area.

The B Version of this ordinance broadens the list of items included in the in-kind donation from the Cincinnati Zoo and Botanical Garden to include trees, boulders, plants, and related landscaping materials and services required to install and maintain this donation.

Approval of this Emergency Ordinance will authorize the City Manager to accept an in-kind donation from the Cincinnati Zoo and Botanical Garden valued at up to \$25,000 for the beautification of green space at the Forest and Irving Recreation Area.

The Cincinnati Zoo and Botanical Garden has offered to donate new trees, boulders, plants, related landscaping, and services reasonably necessary to install and maintain the donation at the Forest and Irving Recreation Area for the purpose of activating and beautifying Cincinnati Recreation Commission green space in the Avondale neighborhood.

There are no new FTEs or matching funds associated with the in-kind donation.

Acceptance of this donation is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” and the strategy to “[u]nite our communities,” as described on pages 209-212 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to accept the donation and proceed with the plantings at the request of the donor.

The Administration recommends passage of this Emergency Ordinance.

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



Attachment

EMERGENCY

IMD/B

- 2023

AUTHORIZING the City Manager to accept an in-kind donation of new trees, boulders, plants, and related landscaping from the Cincinnati Zoo and Botanical Garden valued at up to \$25,000, in addition to the services reasonably necessary to install and maintain this donation, for the purpose of beautification of green space at the Forest and Irving Recreation Area.

WHEREAS, the Cincinnati Zoo and Botanical Garden has generously offered to donate new trees, boulders, and plants, and the services reasonably necessary to install and maintain the landscaping, valued at up to \$25,000, to the City for planting at the Forest and Irving Recreation Area, which will go toward the activation and beautification of Cincinnati Recreation Commission green space in the Avondale neighborhood; and

WHEREAS, acceptance of this in-kind donation requires no matching funds, and there are no additional FTEs/full time equivalents associated with the donation; and

WHEREAS, acceptance of this donation is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community,” and strategy to “[u]nite our communities,” as described on pages 209-212 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 hereby authorized to accept an in-kind donation of new trees, boulders, plants, and related landscaping from the Cincinnati Zoo and Botanical Garden valued at up to \$25,000, in addition to the services reasonably necessary to install and maintain this donation, for the purpose of beautification of green space at the Forest and Irving Recreation Area.

Section 2. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of the donation and 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 accept the donation and proceed with the plantings at the request of the donor.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk



202301276

Meeka D. Owens
Cincinnati City Council

April 25, 2023

MOTION

Cincinnati Votes: Civic Education and Voter Registration & Identification Assistance

WE MOVE that the Administration, in coordination with Motion #2022-00108, provide a strategic report within forty-five days on how City services, facilities, and resources can incorporate nonpartisan voter engagement, registration and identification assistance, and voting law education. The report should, at a minimum, identify which City departments are appropriate for providing such services and outline how each department can use its specific footprint and ongoing interaction with the public to do such voter-engagement work. It should also consider the cost and feasibility of incorporating the following strategies:

- Provide resources at neighborhood recreation centers, health centers, police districts, fire stations, and other City facilities, including information on changes in voter identification law and the paperwork for voter registration and vote-by-mail ballot applications. These engagements would be similar to efforts to register voters at the Bureau of Motor Vehicles, Library, or federal agency initiatives as those outlined in *Executive Order 14019, "Promoting Access to Voting" (Attachment A)*.
- Assess how City departments, offices, or programs that interface with residents off-site in the community can similarly provide assistance and education to citizens.
- Partner with SORTA / Metro and other relevant community organizations to arrange free transportation to the BMV to remove barriers to citizens' ability to receive a free photo ID being provided by the State of Ohio.
- Offer multiple trainings, either through the City or through a nonpartisan partner organization, to build capacity among city departments, employees, and partner nonprofit organizations to provide such education and voter ID assistance services, including assisting constituents to complete voter registration and/or vote-by-mail ballot applications.

WE FURTHER MOVE that as part of this strategy, nonprofit organizations receiving funds from the City of Cincinnati who perform direct service to Cincinnati residents be tasked with incorporating similar voter engagement efforts into their work, including informing those they serve about Ohio's registration and new voter identification requirements, and report back to the City about their plans to do so, as well as any current activity in furtherance of that mission.

Councilmember Meeka D. Owens

STATEMENT

The right to vote is the foundation of American democracy, one method by which the American people can share their collective will and shape the course of our country, states, and cities. Yet on April 7th, strict new changes to the state's voter identification law went into place in the State of Ohio, which will impact a majority of urban voters, voters of color, senior voters, and young voters. Citizens are adversely impacted by these changes. As few voters are aware of these changes, they are disenfranchised without their knowledge.

These changes come after additional restrictions which disproportionately impact Ohio's urban communities, 1) including years of voter roll purges, 2) limiting voter drop boxes to one per county, and 3) other new restrictions on opportunities to vote early in person or absentee / by mail. Together, these measures do great damage to populous counties like Hamilton and cities like Cincinnati.

The civic health of our city and region depends on access to the ballot and an individual's ability to participate in civic affairs. And when civic engagement erodes, the strength of a community erodes as well. This also has a direct detrimental impact on the social determinants of health of our residents.

Just as the City has a direct interest in ensuring our population is accurately counted for the ten-year U.S. Census process, so too does Cincinnati have a direct interest in ensuring our constituents are aware of and can overcome these obstacles to their participation in our democracy. Each decade, the City works hard to do its part for the Census process and now too should Cincinnati work hard to do its part in encouraging a healthy democracy. Providing the means to engage and be aware of these changes, as well as the resources to overcome these obstacles, is pivotal to ensuring our citizens' participation in our democracy.

As a government, the City of Cincinnati should work to meet people where they are, in the places where people congregate. City departments and partner organizations that directly serve our citizens in need are positioned to be providers of this type of civic engagement assistance. Assisting their constituents to participate in democracy is a critical part of our broader missions. No institutions are better positioned to assist than the City departments and the agencies we support, many of which serve the very communities disproportionately impacted by these state-imposed changes.

This motion does not seek to circumvent the new state laws, but rather to educate and inform the citizens of Cincinnati about the regulations so they are prepared to continue their participation in our democracy. There are institutions across the country—such as Nonprofit Vote and VoteRiders—which provide training for nonprofits and other public-serving institutions to do this work effectively and in compliance with all legal requirements.

We have an obligation to support the historically disenfranchised citizens of our city. Providing civic engagement and voter registration & identification assistance through City and partner services is one strategy we can employ to ensure that voices who have not historically been engaged by the government can still receive equal opportunity to participate in our democracy.

MARCH 07, 2021

Executive Order on Promoting Access to Voting

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. Purpose. The right to vote is the foundation of American democracy. Free and fair elections that reflect the will of the American people must be protected and defended. But many Americans, especially people of color, confront significant obstacles to exercising that fundamental right. These obstacles include difficulties with voter registration, lack of election information, and barriers to access at polling places. For generations, Black voters and other voters of color have faced discriminatory policies and other obstacles that disproportionately affect their communities. These voters remain more likely to face long lines at the polls and are disproportionately burdened by voter identification laws and limited opportunities to vote by mail. Limited access to language assistance remains a barrier for many voters. People with disabilities continue to face barriers to voting and are denied legally required accommodations in exercising their fundamental rights and the ability to vote privately and independently. Members of our military serving overseas, as well as other American citizens living abroad, also face challenges to exercising their fundamental right to vote.

The Constitution and laws of the United States prohibit racial discrimination and protect the right to vote. The Voting Rights Act of 1965 and other Federal statutes implement those protections and assign the Federal Government a key role in remedying disenfranchisement and unequal access to the polls. In passing the National Voter Registration Act of 1993, the Congress found that it is the duty of Federal, State, and local governments to promote the exercise of the fundamental right to vote. Executive departments and agencies (agencies) should partner with State, local, Tribal, and territorial election officials to protect and promote the exercise of the right to vote, eliminate discrimination and other barriers to voting, and expand access to voter registration and accurate election information. It is our duty to ensure that registering to vote and the act of voting be made simple and easy for all those eligible to do so.

Sec. 2. Policy. It is the policy of my Administration to promote and defend the right to vote for all Americans who are legally entitled to participate in elections. It is the responsibility of the Federal Government to expand access to, and education about, voter registration and election information, and to combat misinformation, in order to enable all eligible Americans to participate in our democracy.

Sec. 3. Expanding Access to Voter Registration and Election Information. Agencies shall consider ways to expand citizens' opportunities to register to vote and to obtain information about, and participate in, the electoral process.

(a) The head of each agency shall evaluate ways in which the agency can, as appropriate and consistent with applicable law, promote voter registration and voter participation. This effort shall include consideration of:

- (i) ways to provide relevant information in the course of activities or services that directly engage with the public — including through agency materials, websites, online forms, social media platforms, and other points of public access — about how to register to vote, how to request a vote-by-mail ballot, and how to cast a ballot in upcoming elections;
- (ii) ways to facilitate seamless transition from agencies' websites directly to State online voter registration systems or appropriate Federal websites, such as Vote.gov;
- (iii) ways to provide access to voter registration services and vote-by-mail ballot applications in the course of activities or services that directly engage with the public, including:
 - (A) distributing voter registration and vote-by-mail ballot application forms, and providing access to applicable State online systems for individuals who can take advantage of those systems;
 - (B) assisting applicants in completing voter registration and vote-by-mail ballot application forms in a manner consistent with all relevant State laws; and
 - (C) soliciting and facilitating approved, nonpartisan third-party organizations and State officials to provide voter registration services on agency premises;
- (iv) ways to promote and expand access to multilingual voter registration and election information, and to promote equal participation in the electoral process for all eligible citizens of all backgrounds; and
- (v) whether, consistent with applicable law, any identity documents issued by the agency to members of the public can be issued in a form that satisfies State voter identification laws.

(b) Within 200 days of the date of this order, the head of each agency shall submit to the Assistant to the President for Domestic Policy a strategic plan outlining the ways identified under this review that the agency can promote voter registration and voter participation.

(c) The Administrator of the Office of Electronic Government, Office of Management and Budget, shall, consistent with applicable law, coordinate efforts across agencies to improve or modernize Federal websites and digital services that provide election and voting information to the American people, including ensuring that Federal websites are accessible to individuals with disabilities and people with limited English proficiency. As appropriate, the Administrator of the United States Digital Service may support agencies in implementing the strategic plans directed in subsection (b) of this section.

Sec. 4. Acceptance of Designation Under the National Voter Registration Act. (a) This order shall supersede section 3 of Executive Order 12926 of September 12, 1994

(Implementation of the National Voter Registration Act of 1993).

(b) Each agency, if requested by a State to be designated as a voter registration agency pursuant to section 7(a)(3)(B)(ii) of the National Voter Registration Act, shall, to the greatest extent practicable and consistent with applicable law, agree to such designation. If an agency declines to consent to such designation, the head of the agency shall submit to the President a written explanation for the decision.

(c) The head of each agency shall evaluate where and how the agency provides services that directly engage with the public and, to the greatest extent practicable, formally notify the States in which the agency provides such services that it would agree to designation as a voter registration agency pursuant to section 7(a)(3)(B)(ii) of the National Voter Registration Act.

Sec. 5. Modernizing Vote.gov. The General Services Administration (GSA) shall take steps to modernize and improve the user experience of Vote.gov. In determining how to do so, GSA shall coordinate with the Election Assistance Commission and other agencies as appropriate, and seek the input of affected stakeholders, including election administrators, civil rights and disability rights advocates, Tribal Nations, and nonprofit groups that study best practices for using technology to promote civic engagement.

(a) GSA's efforts to modernize and improve Vote.gov shall include:

- (i) ensuring that Vote.gov complies, at minimum, with sections 504 and 508 of the Rehabilitation Act of 1973;
- (ii) ensuring that Vote.gov is translated into languages spoken by any of the language groups covered under section 203 of the Voting Rights Act anywhere in the United States; and
- (iii) implementing relevant provisions of the 21st Century Integrated Digital Experience Act (Public Law 115-336).

(b) Within 200 days of the date of this order, GSA shall submit to the Assistant to the President for Domestic Policy a strategic plan outlining the steps to modernize and improve the user experience of Vote.gov.

Sec. 6. Increasing Opportunities for Employees to Vote. It is a priority of my Administration to ensure that the Federal Government, as the Nation's largest employer, serves as a model employer by encouraging and facilitating Federal employees' civic participation. Accordingly, the Director of the Office of Personnel Management shall take the following actions within 200 days of the date of this order:

(a) coordinate with the heads of executive agencies, as defined in 5 U.S.C. 105, to provide recommendations to the President, through the Assistant to the President for Domestic Policy, on strategies to expand the Federal Government's policy of granting employees time off to vote in Federal, State, local, Tribal, and territorial elections. Such recommendations should include efforts to ensure Federal employees have opportunities to participate in early voting.

(b) Coordinate with the heads of executive agencies, as defined in 5 U.S.C. 105, to provide recommendations to the President, through the Assistant to the President for Domestic Policy,

on strategies to better support Federal employees who wish to volunteer to serve as non-partisan poll workers or non-partisan observers, particularly during early or extended voting periods.

Sec. 7. Ensuring Equal Access for Voters with Disabilities. Within 270 days of the date of this order, the National Institute of Standards and Technology (NIST) within the Department of Commerce shall evaluate the steps needed to ensure that the online Federal Voter Registration Form is accessible to people with disabilities. During that period, NIST, in consultation with the Department of Justice, the Election Assistance Commission, and other agencies, as appropriate, shall also analyze barriers to private and independent voting for people with disabilities, including access to voter registration, voting technology, voting by mail, polling locations, and poll worker training. By the end of the 270-day period, NIST shall publish recommendations regarding both the Federal Voter Registration Form and the other barriers it has identified.

Sec. 8. Ensuring Access to Voting for Active Duty Military and Overseas Citizens. (a) Within 200 days of the date of this order, the Secretary of Defense shall establish procedures, consistent with applicable law, to affirmatively offer, on an annual basis, each member of the Armed Forces on active duty the opportunity to register to vote in Federal elections, update voter registration information, or request an absentee ballot.

(b) Within 200 days of the date of this order, the Secretary of Defense shall evaluate the feasibility of implementing an online system to facilitate the services described in subsection (a) of this section.

(c) The Secretary of Defense, in coordination with the Department of State, the Military Postal Service Agency, and the United States Postal Service, shall take all practical steps to establish procedures to enable a comprehensive end-to-end ballot tracking system for all absentee ballots cast by military and other eligible overseas voters under the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. 20301 *et seq.* Within 200 days of the date of this order, the Secretary of Defense shall submit a report to the Assistant to the President for Domestic Policy with a strategic plan for establishing the aforementioned tracking system.

(d) The head of each agency with overseas employees shall designate an employee to be responsible for coordinating with the Federal Voting Assistance Program, including to promote voter registration and voting services available to the agency's overseas employees. The Director of the Office of Management and Budget may issue guidance to assist agencies in making such designations.

Sec. 9. Ensuring Access to Voter Registration for Eligible Individuals in Federal Custody. (a) The Attorney General shall establish procedures, consistent with applicable law, to provide educational materials related to voter registration and voting and, to the extent practicable, to facilitate voter registration, for all eligible individuals in the custody of the Federal Bureau of Prisons. Such educational materials shall be incorporated into the reentry planning

procedures required under section 4042(a)(7) of title 18, United States Code. The educational materials should also notify individuals leaving Federal custody of the restrictions, if any, on their ability to vote under the laws of the State where the individual resides and, if any such restrictions exist, the point at which the individual's rights will be restored under applicable State law.

(b) The Attorney General shall establish procedures, consistent with applicable law, to ensure the United States Marshals Service includes language in intergovernmental agreements and jail contracts to require the jails to provide educational materials related to voter registration and voting, and to facilitate voting by mail, to the extent practicable and appropriate.

(c) The Attorney General shall establish procedures, consistent with applicable law, for coordinating with the Probation and Pretrial Services Office of the Administrative Office of the United States Courts to provide educational materials related to voter registration and voting to all eligible individuals under the supervision of the Probation and Pretrial Services Office, and to facilitate voter registration and voting by such individuals.

(d) The Attorney General shall take appropriate steps, consistent with applicable law, to support formerly incarcerated individuals in obtaining a means of identification that satisfies State voter identification laws, including as required by 18 U.S.C. 4042(a)(6)(B).

Sec. 10. Establishing a Native American Voting Rights Steering Group. (a) There is hereby established an Interagency Steering Group on Native American Voting Rights (Steering Group) coordinated by the Domestic Policy Council.

(b) The Steering Group shall be chaired by the Assistant to the President for Domestic Policy and shall include the Attorney General, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Labor, the Secretary of Health and Human Services, and the Secretary of Veterans Affairs or their designees. The Chair may invite the participation of the heads or senior representatives of other agencies, as the Chair determines to be helpful to complete the work of the Steering Group. The Steering Group shall consult with agencies not represented on the Steering Group to facilitate the sharing of information and best practices, as appropriate and consistent with applicable law.

(c) The Steering Group shall engage in meaningful and robust consultation with Tribal Nations and Native leaders to inform the Steering Group regarding concerns and potential areas of focus for the report described in subsection (d) of this section, and to assist the Steering Group in developing that report.

(d) The Steering Group shall study best practices for protecting voting rights of Native Americans and shall produce a report within 1 year of the date of this order outlining recommendations for providing such protection, consistent with applicable law, including recommendations for:

(i) increasing voter outreach, education, registration, and turnout in Native American

communities; increasing voting access for Native American communities (including increasing accessibility for voters with disabilities); and mitigating internet accessibility issues that may hinder voter registration and ballot access in Native American communities;

(ii) increasing language access and assistance for Native American voters, including evaluating existing best practices;

(iii) mitigating barriers to voting for Native Americans by analyzing and providing guidance on how to facilitate the use of Tribal government identification cards as valid voter identification in Federal, State, local, Tribal, and territorial elections;

(iv) facilitating collaboration among local election officials, Native American communities, and Tribal election offices; and

(v) addressing other areas identified during the consultation process.

(e) The Department of the Interior shall provide administrative support for the Steering Group to the extent permitted by law.

Sec. 11. Definition. Except as otherwise defined in section 6 of this order, “agency” means any authority of the United States that is an “agency” under 44 U.S.C. 3502(1), other than those considered to be independent regulatory agencies, as defined in 44 U.S.C. 3502(5).

Sec. 12. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN JR.

THE WHITE HOUSE,
March 7, 2021.

Date: April 26, 2023

202301242

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

Subject: EMERGENCY ORDINANCE – DEDICATION OF PORTION OF JOHN STREET – WEST
END

Attached is an emergency ordinance captioned as follows:

AMENDING Ordinance No. 234-2010 to accept and confirm the dedication to public use for street purposes of a portion of John Street in the Lincoln Court North Subdivision in the West End neighborhood in accordance with the plat entitled “Lincoln Court North Plat of Subdivision,” as recorded in Plat Book 392, Pages 58 through 65, Hamilton County, Ohio Records.

On June 16, 2010, Council approved Ordinance No. 234-2010 to accept and confirm the dedication of streets dedicated to public use for street purposes within the Lincoln Court North Subdivision in the West End neighborhood, in accordance with the plat entitled “Lincoln Court North Plat of Subdivision,” as recorded in Plat Book 392, Pages 58 through 65, Hamilton County Ohio Records.

By mistake of inadvertence, Ordinance No. 234-201 omitted John Street from the list of streets to accept and confirm the dedication to public use in accordance with the Subdivision Plat.

The City Manager upon consultation with the City’s Department of Transportation and Engineering, recommends that Council amend Ordinance No. 234-2010 to accept and confirm the dedication to public use for street purposes of a portion of John Street in accordance with the Subdivision Plat.

The reason for the emergency is the immediate need to file the necessary documentation with the Hamilton County, Ohio Auditor’s Office and record the documentation in the Hamilton County, Ohio Recorder’s Office at the earliest possible time.

The Administration recommends passage of the attached ordinance.

Attachment I - Ordinance No. 234-2010

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

EMERGENCY

JRS

- 2023

AMENDING Ordinance No. 234-2010 to accept and confirm the dedication to public use for street purposes of a portion of John Street in the Lincoln Court North Subdivision in the West End neighborhood in accordance with the plat entitled “Lincoln Court North Plat of Subdivision,” as recorded in Plat Book 392, Pages 58 through 65, Hamilton County, Ohio Records.

WHEREAS, on June 16, 2010, Council approved Ordinance No. 234-2010 to accept and confirm the dedication of streets dedicated to public use for street purposes within the Lincoln Court North Subdivision in accordance with the plat entitled “Lincoln Court North Plat of Subdivision,” as recorded in Plat Book 392, Pages 58 through 65, Hamilton County, Ohio Records (“Subdivision Plat”); and

WHEREAS, by mistake or inadvertence Ordinance No. 234-2010 omitted John Street from the list of streets to accept and confirm the dedication to public use in accordance with the Subdivision Plat; and

WHEREAS, based on the foregoing, the City Manager, upon consultation with the City’s Department of Transportation and Engineering, recommends that Council amend Ordinance No. 234-2010 to accept and confirm the dedication to public use for street purposes of a portion of John Street in accordance with the Subdivision Plat; now, therefore,

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

Section 1. That Section 1 of Ordinance No. 234-2010 is hereby amended as follows:

Section 1. That the dedication of Cutter Street, portions of John Street, Hopkins Street, Helgolander Alley, Essen Alley, Munchen Alley, Rhine Alley, Ruhr Alley, Danube Alley, and Weser Alley in the Lincoln Court North Subdivision in the West End neighborhood, as depicted and described on the plat entitled “Lincoln Court North Plat of Subdivision,” as recorded in Plat Book 392, Pages 58 through 65, Hamilton County, Ohio Records, is hereby accepted and confirmed. That the dedication of the following streets: Helgolander Alley from Essen Alley to Hopkins Street; Ruhr Alley from Essen Alley to Munchen Alley; Rhine Alley from Hopkins Street to Munchen Alley; Essen Alley from Helgolander Alley to Ruhr Alley; Hopkins Street from Linn Street to Cutter Street; Munchen Alley from Rhine Alley to Ruhr Alley; and Cutter Street from Ezzard Charles Drive to Clark Street on the plat for the Lincoln Court North Subdivision recorded in the Hamilton County, Ohio Recorder’s Office in Plat Book 392, Pages 58 through 65, is hereby accepted and confirmed.

Section 2. That existing Section 1 of Ordinance No. 234-2010 is hereby repealed.

Section 3. That all terms of Ordinance No. 234-2010 not amended in this ordinance remain in full force and effect.

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 file the necessary documentation with the Hamilton County, Ohio Auditor's Office and record the documentation in the Hamilton County, Ohio Recorder's Office at the earliest possible time.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

Deletions are struck through. Additions are underlined.

DNCTB/AA

City of Cincinnati

An Ordinance No. 234 - 2010

ACCEPTING AND CONFIRMING the dedication of the following streets: Helgolander Alley from Essen Alley to Hopkins Street; Ruhr Alley from Essen Alley to Munchen Alley; Rhine Alley from Hopkins Street to Munchen Alley; Essen Alley from Helgolander Alley to Ruhr Alley; Hopkins Street from Linn Street to Cutter Street; Munchen Alley from Rhine Alley to Ruhr Alley; and Cutter Street from Ezzard Charles Drive to Clark Street to public use for street purposes as shown on the subdivision plat for Lincoln Court North Subdivision.

WHEREAS, Cincinnati Metropolitan Housing Authority, owner of all of the property comprising Lincoln Court North Subdivision, duly dedicated Helgolander Alley from Essen Alley to Hopkins Street; Ruhr Alley from Essen Alley to Munchen Alley; Rhine Alley from Hopkins Street to Munchen Alley; Essen Alley from Helgolander Alley to Ruhr Alley; Hopkins Street from Linn Street to Cutter Street; Munchen Alley from Rhine Alley to Ruhr Alley and Cutter Street from Ezzard Charles Drive to Clark Street (together the "Streets") to public use for street purposes; and

WHEREAS, the plat for Lincoln Court North Subdivision was recorded in the Hamilton County, Ohio Recorder's Office in Plat Book 392, Pages 58 through 65; and

WHEREAS, at its meeting on March 4, 2005, the City Planning Commission approved the dedication of the Streets; and

WHEREAS, Kenneth P. Kreider, Attorney at Law, has certified that Cincinnati Metropolitan Housing Authority is the owner of the Streets and that the Streets are free and clear of all encumbrances, including real estate taxes; and

WHEREAS, the dedication plat was examined and checked as to its technical features by the office of the City Engineer and found to be correct; now, therefore,

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

Section 1. That the dedication of the following streets: Helgolander Alley from Essen Alley to Hopkins Street; Ruhr Alley from Essen Alley to Munchen Alley; Rhine Alley from Hopkins Street to Munchen Alley; Essen Alley from Helgolander Alley to Ruhr Alley; Hopkins Street from Linn Street to Cutter Street; Munchen Alley from Rhine Alley to Ruhr Alley; and Cutter Street from Ezzard Charles Drive to Clark Street on the plat for the Lincoln Court North

Subdivision recorded in the Hamilton County, Ohio Recorder's Office in Plat Book 392, Pages 58 through 65, is hereby accepted and confirmed.

Section 2. That the following streets dedicated on the plat for Lincoln Court North Subdivision are not being accepted by the City of Cincinnati at this time: Essen Alley from Weser Alley to Danube Alley; Hopkins Street from Cutter Street to John Street; Munchen Alley from Weser Alley to Danube Alley; Danube Alley from Essen Alley to Munchen Alley.

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: June 16, 2010

[Signature]
Vice Mayor

Attest: [Signature]
Clerk

I HEREBY CERTIFY THAT ORDINANCE NO 234-2010
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 6-29-2010
[Signature]
CLERK OF COUNCIL