

# COUNCIL CALENDAR

September 01, 2020

2:00 PM

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## ROLL CALL

## PRAYER AND PLEDGE OF ALLEGIANCE

## FILING OF THE JOURNAL

## LAW AND PUBLIC SAFETY COMMITTEE

1. [202001436](#) ORDINANCE (EMERGENCY) AUTHORIZING the transfer and return to the unappropriated surplus of General Fund 050 the sum of up to \$260,000 from the Department of Transportation and Engineering's Fund 455 "Streetcar Operations" non-personnel operating budget account no. 455x236x7200, the exact amount which will be determined by the revenue generated by fares for the Cincinnati Bell Connector collected during Fiscal Year 2021; AUTHORIZING the appropriation of up to \$260,000 from the unappropriated surplus of General Fund 050 to the Cincinnati Police Department's General Fund personnel operating budget account no. 050x222x7100 for the purpose of providing additional police visibility overtime for crime hotspots, the exact amount which will be determined by the revenue generated by fares for the Cincinnati Bell Connector collected during Fiscal Year 2021; and AUTHORIZING the appropriation of the sum of up to \$260,000 from the unappropriated surplus of Fund 455 "Streetcar Operations" to the Department of Transportation and Engineering's non-personnel operating budget account no. 455x236x7200 for the purpose of providing resources to operate and maintain the Cincinnati Bell Connector during Fiscal Year 2021, the exact amount which will be determined by the revenue generated by fares for the Cincinnati Bell Connector during Fiscal Year 2021.

ON PURSUANT TO RULE 10.8

**Sponsors:** Mayor

## MAJOR PROJECTS AND SMART GOVERNMENT COMMITTEE

2. [202001387](#) ORDINANCE (EMERGENCY), submitted by Councilmember Seelbach, dated August 31, 2020, AUTHORIZING the City Manager to take such actions as are necessary to establish fare-free transit service for the Cincinnati Bell Connector beginning on September 2, 2020, which program shall be consistent with the adopted Fiscal Year 2021 streetcar budget; AUTHORIZING the suspension for sixty days of those sections of the Cincinnati Municipal Code that would otherwise require payment of fares by streetcar rides; and DECLARING Council's intent to introduce additional legislation within sixty days to modify the Cincinnati Municipal Code to allow for an ongoing fare-free service option for the Cincinnati Bell Connector.

PASS EMERGENCY

**Sponsors:** Seelbach

## ANNOUNCEMENTS

## NEW BUSINESS

Adjournment

EMERGENCY

City of Cincinnati

JRS AW 6

An Ordinance No. \_\_\_\_\_

- 2020

**AUTHORIZING** the transfer and return to the unappropriated surplus of General Fund 050 the sum of up to \$260,000 from the Department of Transportation and Engineering's Fund 455 "Streetcar Operations" non-personnel operating budget account no. 455x236x7200, the exact amount which will be determined by the revenue generated by fares for the Cincinnati Bell Connector collected during fiscal year 2021; **AUTHORIZING** the appropriation of up to \$260,000 from the unappropriated surplus of General Fund 050 to the Cincinnati Police Department's General Fund personnel operating budget account no. 050x222x7100 for the purpose of providing additional police visibility overtime for crime hotspots, the exact amount which will be determined by the revenue generated by fares for the Cincinnati Bell Connector collected during fiscal year 2021; and **AUTHORIZING** the appropriation of the sum of up to \$260,000 from the unappropriated surplus of Fund 455 "Streetcar Operations" to the Department of Transportation and Engineering's non-personnel operating budget account no. 455x236x7200 for the purpose of providing resources to operate and maintain the Cincinnati Bell Connector during Fiscal Year 2021, the exact amount which will be determined by the revenue generated by fares for the Cincinnati Bell Connector collected during Fiscal Year 2021.

WHEREAS, Ordinance No. 0208-2020 approved a \$4,974,320 operations and maintenance budget for the Cincinnati Bell Connector using, in part, \$260,000 from General Fund 050 from the Admission Tax guaranty revenue from FC Cincinnati; and

WHEREAS, Ordinance No. 0208-2020 did not contemplate the collection of any fare revenue in Fiscal Year 2021; and

WHEREAS, the City of Cincinnati Police Department is under increased strain due to an increase in criminal activity in the City which requires additional resources and a visible police presence in areas experiencing the increase in criminal activity; and

WHEREAS, the budget for the Cincinnati Bell Connector does not contemplate the need for any collected fare revenues for operation expenses and as such, those fare revenues could be used to fund needed police overtime and an increase in police visibility in the City, should such fares be collected; now, therefore,

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

Section 1. That Council hereby authorizes the transfer and return to the unappropriated surplus of the General Fund 050 the sum of up to \$260,000 from existing Department of Transportation and Engineering Fund 455 "Streetcar Operations" non-personnel operating budget account no. 455x236x7200, the exact amount which will be determined by the revenue generated

by fares for the Cincinnati Bell Connector collected during fiscal year 2021 (“FY 2021”) not exceeding \$260,000.

Section 2. That Council hereby authorizes the appropriation of up to \$260,000 from the unappropriated surplus of General Fund 050 to the Cincinnati Police Department’s General Fund personnel operating budget account no. 050x222x7100 for the purpose of providing additional police visibility overtime in crime hotspots, the exact amount which will be determined by the revenue generated by fares for the Cincinnati Bell Connector collected during FY 2021 not exceeding \$260,000.

Section 3. The Council hereby authorizes the appropriation of the sum of up to \$260,000 from the unappropriated surplus of Fund 455 “Streetcar Operations” to the Department of Transportation and Engineering’s non-personnel operating budget account no. 455x236x7200 for the purpose of providing resources to operate and maintain the Cincinnati Bell Connector during FY 2021 , the exact amount which will be determined by the revenue generated by fares for the Cincinnati Bell Connector collected during FY 2021 not exceeding \$260,000.

Section 4. That the proper City officials are hereby authorized to take all appropriate actions to carry out this ordinance including, but not limited to, the appropriations and transfers authorized herein.

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 provide funding for police visibility overtime to help reduce violent crime in the City.

Passed: \_\_\_\_\_, 2020

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John Cranley, Mayor

Attest: \_\_\_\_\_  
Clerk



EMERGENCY

City of Cincinnati

An Ordinance No. \_\_\_\_\_

AWG

AWG

- 2020

**AUTHORIZING** the City Manager to take such actions as are necessary to establish fare-free transit service for the Cincinnati Bell Connector beginning on September 2, 2020, which program shall be consistent with the adopted Fiscal Year 2021 streetcar budget; **AUTHORIZING** the suspension for sixty days of those sections of the Cincinnati Municipal Code that would otherwise require payment of fares by streetcar riders; and **DECLARING** Council's intent to introduce additional legislation within sixty days to modify the Cincinnati Municipal Code to allow for an ongoing fare-free service option for the Cincinnati Bell Connector.

WHEREAS, the Council of the City of Cincinnati has enacted an operations and maintenance budget for Fiscal Year 2021 based on collection of zero dollars in fare revenue, which makes it possible for the Cincinnati Bell Connector to move to a fare-free transit system; and

WHEREAS, the City Administration has given the streetcar operator notice to resume service on September 2, 2020; and

WHEREAS, additional legislative and administrative actions must occur in order to fully implement a fare-free transit option for the Cincinnati Bell Connector, which steps cannot be completed prior to the resumption of service on September 2, 2020; and

WHEREAS, Council by this ordinance intends to establish a sixty-day period for fare-free service, starting on September 2, 2020, which period will provide time to review and implement the broader changes necessary to establish an extended, fare-free system for the Cincinnati Bell Connector; and

WHEREAS, the City Administration will work with the Federal Transit Administration, state regulators, and the streetcar operator to take such steps as are needed for temporary and long-term free-fare service including additional legislation, fare-free operating procedures, signage requirements and information changes to station stops, and such other steps as may be necessary to carry out this ordinance; now, therefore,

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

Section 1. That Council hereby authorizes the City Manager to take any and all appropriate steps to establish a sixty-day period for fare-free service, starting on September 2, 2020, which period will provide time to review and implement the broader changes necessary to establish an extended, free-fare system for the Cincinnati Bell Connector. The fare-free system shall be

consistent with enacted streetcar budget ordinances and shall not exceed existing streetcar appropriations for Fiscal Year 2021.

Section 2. That by this ordinance Council authorizes the City Administration to adopt fare-free transit service for the Cincinnati Bell Connector notwithstanding any contrary language or provisions in the Cincinnati Municipal Code including, but not limited to: sections 723-26 - Streetcar Designated Paid Fare Zone; 770-1-D - Designated Paid Fare Zone; 770-3 - Unlawfully Obtaining Streetcar Services; 770-5 (f) - Unlawful Interference with Streetcar Services; 770-7 - Notice of Violation; Exclusion from Streetcar System; Misdemeanor; and 770-9 - Enforcement of Civil Violations. These provisions shall be inapplicable to streetcar operations for sixty days but only to the extent and in such manner as operation of these provisions would conflict with fare-free operations. The above provisions remain in effect to the extent consistent with ongoing streetcar operating policies and non-fare-based enforcement needs.

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 provide for fare-free operations and restart for the Cincinnati Bell Connector on September 2, 2020.

Passed: \_\_\_\_\_, 2020

\_\_\_\_\_  
John Cranley, Mayor

Attest: \_\_\_\_\_  
Clerk

**Date:** August 31, 2020

**To:** Councilmember Chris Seelbach  
**From:** Andrew W. Garth, Interim City Solicitor *AWG*  
**Subject:** **Emergency Ordinance – Streetcar Free Fare Authorization**

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Transmitted herewith is an ordinance captioned as follows:

**AUTHORIZING** the City Manager to take such actions as are necessary to establish fare-free transit service for the Cincinnati Bell Connector beginning on September 2, 2020, which program shall be consistent with the adopted Fiscal Year 2021 streetcar budget; **AUTHORIZING** the suspension for sixty days of those sections of the Cincinnati Municipal Code that would otherwise require payment of fares by streetcar riders; and **DECLARING** Council's intent to introduce additional legislation within sixty days to modify the Cincinnati Municipal Code to allow for an ongoing fare-free service option for the Cincinnati Bell Connector.

AWG/AWG/(lnk)  
Attachment  
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