



City of Cincinnati

801 Plum Street
Cincinnati, OH 45202

Agenda - Final

Budget and Finance Committee

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

Monday, March 25, 2024

1:00 PM

Council Chambers, Room 300

PRESENTATIONS

CITY MANAGER'S STRATEGIC PRIORITIES, Sheryl M. M. Long, City Manager
PERFORMANCE MANAGEMENT AGREEMENTS, Eric Jamison, Director, Office of
Performance and Data Analytics
COMMUNITY SURVEY RESULTS, Ryan Murray, Assistant Director of Community
Research, ETC Institute

DEPARTMENT BUDGET PRESENTATIONS

BUILDINGS & INSPECTIONS, Art Dahlberg, Director
DEPARTMENT OF TRANSPORTATION AND ENGINEERING, John Brazina, Director
DEPARTMENT OF PUBLIC SERVICES, Jerry Wilkerson, Director
DEPARTMENT OF FINANCE, Karen Alder, Director

AGENDA

DONATIONS AND SCHOLARSHIPS

1. [202400879](#) ORDINANCE, submitted by Sheryl M. M. Long, City Manager, on 3/20/2024, AUTHORIZING the City Manager to accept a donation of up to \$2,785 from the Trust for Public Land ("TPL") to reimburse travel expenses for Parks Department employees to attend the TPL Park Equity Accelerator meeting on April 23-25, 2024 in New York; AUTHORIZING the Director of Finance to deposit the donated funds into General Fund 050 revenue account no. 8571, "Contributions - Specific Purpose"; and AUTHORIZING the transfer and appropriation of up to \$2,785 from the unappropriated surplus of the General Fund to the Parks Department General Fund non-personnel operating budget account no. 050x201x7200.

Sponsors: City Manager

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

2. [202400880](#) ORDINANCE, submitted by Sheryl M. M. Long, City Manager, on 3/20/2024, AUTHORIZING the City Manager to accept in-kind donations and contributions of artwork, horticultural supplies, other miscellaneous supplies, and rental services from the Cincinnati Parks Foundation, valued at approximately \$124,341.41 to benefit various City parks.

Sponsors: City Manager

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

3. [202400878](#) ORDINANCE (EMERGENCY), submitted by Sheryl M. M. Long, City Manager, on 3/20/2024, AUTHORIZING the City Manager and employees of the Cincinnati Recreation Commission to solicit and accept donations of money, sponsorships, in-kind contributions, team registration fees, vendor fees, and other things of value from the Cincinnati business community, individual benefactors, and other appropriate sources to provide resources to support the Queen City Slam Basketball Tournament; and AUTHORIZING the Director of Finance to deposit the resources donated to or generated by the event into Fund No. 319, "Contributions for Recreation Purposes."

Sponsors: City Manager

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

4. [202400883](#) ORDINANCE submitted by Sheryl M. M. Long, City Manager, on 3/20/2024, AUTHORIZING the City Manager to apply for and accept in-kind services in the form of a technical assistance scholarship provided by Center for Community Progress.

Sponsors: City Manager

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

TRANSFERS AND APPROPRIATIONS

5. [202400295](#) ORDINANCE (EMERGENCY) submitted by Sheryl M. M. Long, City Manager, on 1/24/2024, AUTHORIZING the transfer and return to source of \$410,000 from capital improvement program project account no. 980x164x221616, "King Records Building Restoration," to unappropriated surplus of General Fund 050; AUTHORIZING the transfer and appropriation of \$410,000 from the unappropriated surplus of General Fund 050 to the Department of Community and Economic Development FY 2024 non-personnel operating budget account no. 050x164x7200 to provide resources for professional services and

operating support to allow King Records Legacy, Inc. d/b/a King Records Legacy Foundation to undertake pre-development activities related to the eventual renovation of the former King Records building; and DECLARING that the King Records Legacy, Inc. d/b/a King Records Legacy Foundation's pre-development activities related to the eventual renovation of the former King Records building serve a public purpose because the eventual renovation of the former King Records building will foster local improvements and investment and increase neighborhood vitality.

Sponsors: City Manager

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

6. [202400942](#) ORDINANCE (EMERGENCY) (B VERSION), submitted by Sheryl M. M. Long, City Manager, on 3/25/2024, AUTHORIZING the transfer and return to source of \$205,000 from capital improvement program project account no. 980x164x221616, "King Records Building Restoration," to the unappropriated surplus of General Fund 050; AUTHORIZING the transfer and appropriation of \$205,000 from the unappropriated surplus of General Fund 050 to the Department of Community and Economic Development FY 2024 non-personnel operating budget account no. 050x164x7200 to provide resources for professional services and operating support to allow King Records Legacy, Inc. d/b/a King Records Legacy Foundation to undertake pre-development activities related to the eventual renovation of the former King Records building; and DECLARING that the King Records Legacy, Inc. d/b/a King Records Legacy Foundation's pre-development activities related to the eventual renovation of the former King Records building serve a public purpose because the eventual renovation of the former King Records building will foster local improvements and investment and increase neighborhood vitality.

Sponsors: City Manager

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

SPECIAL ASSESSMENTS

7. [202400898](#) RESOLUTION (LEGISLATIVE) submitted by Sheryl M. M. Long, City Manager, on 3/20/2024, DECLARING the necessity of assessing properties in Lighting Group 1 that benefit from special street lighting within the City of Cincinnati for the cost of such lighting for the three-year period beginning August 1, 2023.

Sponsors: City Manager

Attachments: [Transmittal](#)
[Legislative Resolution](#)
[Attachment](#)

COMMUNITY REINVESTMENT AREA AGREEMENT

8. [202400896](#) ORDINANCE (EMERGENCY) submitted by Sheryl M. M. Long, City Manager, on 3/20/2024, APPROVING AND AUTHORIZING the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement (LEED or Living Building Challenge) with Cincinnati Curated, LLC, thereby authorizing a 15-year tax exemption for 100% of the value of improvements made to real property located at 34 W Court Street in the Central Business District of Cincinnati, in connection with the remodeling of an existing building into approximately 629 square feet of commercial space and approximately 5,566 square feet of residential space, consisting of 5 residential units, which remodeling shall be completed in compliance with Leadership in Energy and Environmental Design Silver, Gold or Platinum standards or Living Building Challenge Standards, at a total remodeling cost of approximately \$845,456.

Sponsors: City Manager

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

REPORTS

9. [202400897](#) REPORT, dated 3/20/2024, submitted Sheryl M. M. Long, City Manager, regarding the Cincinnati Property Tax. (Reference Document # 202400736)

Sponsors: City Manager

Attachments: [Report](#)

MOTIONS

10. [202400909](#) MOTION, submitted by Councilmembers Owens, Walsh and Harris, WE MOVE that the administration prepare a report within sixty (60) days on the feasibility of the Philadelphia Housing Develop Corporation's (PHDC) Rental Improvement Fund (RIF) being implemented in the City of Cincinnati. (BALANCE ON FILE IN THE CLERK'S OFFICE) (STATEMENT ATTACHED).

Sponsors: Owens, Walsh and Harris

Attachments: [202400909](#)

11. [202400916](#) MOTION, submitted by Councilmember Walsh, Vice Mayor Kearney and Councilmember Owens, WE MOVE that the administration produces a report within thirty (30) days on the feasibility of assuming

operations of the 4th of July fireworks celebration in Ault Park from the Ault Park Advisory Council (APAC), Hyde Park Neighborhood Council (HPNC), and Mt. Lookout Community Council (MLCC). (BALANCE ON FILE IN THE CLERK'S OFFICE) (STATEMENT ATTACHED).

Sponsors: Walsh, Kearney and Owens

Attachments: [202400916](#)

PRESENTATIONS

12. [202400945](#) PRESENTATION submitted by Sheryl M. M. Long, City Manager, dated 3/25/2024, regarding the City Manager's Strategic Priorities.
- Sponsors:** City Manager
- Attachments:** [Transmittal](#)
[Presentation](#)
13. [202400941](#) PRESENTATION submitted by Sheryl M. M. Long, City Manager, dated 3/25/2024, regarding the Office of Performance and Data Analytics Performance Management Update.
- Sponsors:** City Manager
- Attachments:** [Transmittal](#)
[Presentation](#)
14. [202400944](#) PRESENTATION, submitted by Sheryl M. M. Long, City Manager, dated 3/25/2024, regarding the Office of Performance and Data Analytics (OPDA)'s City of Cincinnati Community Survey Results.
- Sponsors:** City Manager
- Attachments:** [Transmittal](#)
[Presentation](#)
15. [202400933](#) PRESENTATION, submitted by Sheryl M. M. Long, City Manager, dated 3/25/2024, regarding Department of Buildings and Inspections' Department Budget Presentation.
- Sponsors:** City Manager
- Attachments:** [Transmittal](#)
[Presentation](#)
16. [202400946](#) PRESENTATION, submitted by Sheryl M. M. Long, City Manager, dated 3/25/2024, regarding the Department of Transportation & Engineering's Department Budget.
- Sponsors:** City Manager
- Attachments:** [Transmittal](#)
[Presentation](#)
17. [202400947](#) PRESENTATION submitted by Sheryl M. M. Long, City Manager, dated 3/25/2024, regarding the Department of Public Services Department

Budget.

Sponsors: City Manager

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

18. [202400943](#) PRESENTATION submitted by Sheryl M. M. Long, City Manager, dated 3/25/2024, regarding the Department of Finance Department Budget Presentation.

Sponsors: City Manager

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

ADJOURNMENT

March 20, 2024

To: Mayor and Members of City Council

202400879

From: Sheryl M. M. Long, City Manager

Subject: Ordinance – Parks: Trust for Public Land Monetary Donation

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to accept a donation of up to \$2,785 from the Trust for Public Land (“TPL”) to reimburse travel expenses for Parks Department employees to attend the TPL Park Equity Accelerator meeting on April 23-25, 2024 in New York; **AUTHORIZING** the Director of Finance to deposit the donated funds into General Fund 050 revenue account no. 8571, “Contributions – Specific Purpose”; and **AUTHORIZING** the transfer and appropriation of up to \$2,785 from the unappropriated surplus of the General Fund to the Parks Department General Fund non-personnel operating budget account no. 050x201x7200.

Approval of this Ordinance authorizes the City Manager to accept a donation of up to \$2,785 from the Trust for Public Land (“TPL”) to reimburse travel expenses for Parks Department employees to attend the TPL Park Equity Accelerator meeting on April 23-25, 2024 in New York. This Ordinance also authorizes the deposit of the donation into the General Fund as well as the transfer and appropriation of the donated resources to the Parks Department General Fund non-personnel operating budget.

From April 23-25, 2024, three Parks Department employees have an opportunity to attend the Trust for Public Land Park Equity Accelerator conference in New York. The conference supports the goal of enhancing access to city parks throughout the urban system and includes site visits and collaboration with other parks personnel from across the nation with an opportunity to learn and share best practices.

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

Acceptance of this donation is in accordance with the “Live” goal to “[c]reate a more livable community” and strategy to “[s]upport and stabilize our neighborhoods,” as well as the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” and strategy to “[u]nite our communities” as described on pages 160-163 and 207-212 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 a donation of up to \$2,785 from the Trust for Public Land (“TPL”) to reimburse travel expenses for Parks Department employees to attend the TPL Park Equity Accelerator meeting on April 23-25, 2024 in New York; **AUTHORIZING** the Director of Finance to deposit the donated funds into General Fund 050 revenue account no. 8571, “Contributions – Specific Purpose”; and **AUTHORIZING** the transfer and appropriation of up to \$2,785 from the unappropriated surplus of the General Fund to the Parks Department General Fund non-personnel operating budget account no. 050x201x7200.

WHEREAS, from April 23-25, 2024, three Parks Department employees have an opportunity to attend the Trust for Public Land Park Equity Accelerator conference in New York; and

WHEREAS, the conference supports the goal of enhancing access to city parks throughout the urban system and includes site visits and collaboration with other parks personnel from across the nation with an opportunity to learn and share best practices; and

WHEREAS, the Parks Department is working with the Trust for Public Land to research best practices and techniques to ensure the equitable distribution of limited resources across the parks system; and

WHEREAS, the conference is related to Parks Department employees’ official duties; and

WHEREAS, the donation of \$2,785 from the Trust for Public Land will fully reimburse the cost of travel expenses incurred by the City for three Parks employees to attend the conference; and

WHEREAS, the travel costs are customary and commensurate with the ordinary cost of travel to New York; and

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

WHEREAS, acceptance of this donation is in accordance with the “Live” goal to “[c]reate a more livable community” and strategy to “[s]upport and stabilize our neighborhoods,” as well as the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” and strategy to “[u]nite our communities” as described on pages 160-163 and 207-212 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 a donation of up to \$2,785 from the Trust for Public Land to reimburse travel expenses for Parks Department employees to attend the Trust for Public Land Park Equity Accelerator conference in New York in April 2024.

Section 2. That the Director of Finance is authorized to deposit the donated funds into General Fund 050 revenue account no. 8571, "Contributions – Specific Purpose."

Section 3. That Council authorizes the transfer and appropriation of up to \$2,785 from the unappropriated surplus of the General Fund to Parks Department General Fund non-personnel operating budget account no. 050x201x7200.

Section 4. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of the donation 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: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

March 20, 2024

To: Mayor and Members of City Council

202400880

From: Sheryl M. M. Long, City Manager

Subject: Ordinance – Parks: 4th Quarter In-Kind Donations

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to accept in-kind donations and contributions of artwork, horticultural supplies, other miscellaneous supplies, and rental services from the Cincinnati Parks Foundation, valued at approximately \$124,341.41 to benefit various City parks.

Approval of this Ordinance will authorize the City Manager to accept in-kind donations and contributions from the Cincinnati Parks Foundation valued at approximately \$124,341.41 to benefit and improve various City parks. An attachment is provided with a detailed list of the in-kind donations and contributions, summarized in the chart below, including date of donation, donor’s name, a brief description of the donation, and assessed value.

Donated Items	Amount
Artwork	\$3,266.00
Horticultural Supplies	\$73,006.72
Other Miscellaneous Supplies	\$25,483.69
Rental Services	\$22,585.00
Total:	\$124,341.41

Acceptance of these in-kind donations and contributions does not require new FTEs/full time equivalents or matching funds.

Acceptance of in-kind donations and contributions to benefit various City parks is in accordance with the “Sustain” goal to “[p]reserve our natural and built environment” and the strategy to “[p]rotect our natural resources” as described on pages 193-198 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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



Attachments

AUTHORIZING the City Manager to accept in-kind donations and contributions of artwork, horticultural supplies, other miscellaneous supplies, and rental services from the Cincinnati Parks Foundation, valued at approximately \$124,341.41, to benefit various City parks.

WHEREAS, the Cincinnati Parks Foundation donated artwork, horticultural supplies, other miscellaneous supplies, and rental services to the City of Cincinnati to benefit and improve various City parks; and

WHEREAS, the value of the in-kind donations is approximately \$124,341.41; and

WHEREAS, there are no matching funds required to accept these donations, and there are no new FTEs/full time equivalents associated with this donation; and

WHEREAS, acceptance of in-kind donations and contributions to benefit various City parks is in accordance with the “Sustain” goal to “[p]reserve our natural and built environment” and the strategy to “[p]rotect our natural resources” as set forth on pages 193-198 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 in-kind donations from the Cincinnati Parks Foundation of artwork, horticultural supplies, other miscellaneous supplies, and rental services valued at approximately \$124,341.41 to benefit and improve various City parks, as outlined in Attachment A hereto.

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

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

ATTACHMENT A

Parks Foundation In-Kind Donations - 4th Quarter 2023

Date	Num	Name	Memo	Expense Code	Amount
11/13/2023	15435	Holthaus Lackner Signs	Inv 81536 Wolf statue sign	Artwork	\$ 3,266.00
12/13/2023	15480	NATORP LANDSCAPE SUPPLY	Inv 139000 2 tribute trees	Horticultural Supplies	\$ 332.00
12/13/2023	15481	NATORP LANDSCAPE SUPPLY	Inv 140221 Dillon Sharp	Horticultural Supplies	\$ 161.00
12/13/2023	15479	NATORP LANDSCAPE SUPPLY	Inv 139880 replacement tree T.JC	Horticultural Supplies	\$ 133.50
11/30/2023	15463	Dietl International	Inv DTL-803493-002 terminal handling charges	Horticultural Supplies	\$ 203.68
11/19/2023	15440	Cincinnati Toolbank	Inv 63724 - Madtree Bond hill tree plantng 2023	Horticultural Supplies	\$ 132.19
11/19/2023	15439	Gray's Tree Experts	Inv 1083 - Madtree Bond hill tree plantng 2023	Horticultural Supplies	\$ 3,440.00
11/19/2023	15453	H. Hafner & Sons, Inc.	inv 457041, 377, 481 mulch Bond Hill Madtree planting	Horticultural Supplies	\$ 1,590.00
11/17/2023	15438	NATORP LANDSCAPE SUPPLY	Inv 136939 Bond Hill project trees	Horticultural Supplies	\$ 20,347.50
11/09/2023	15429	NATORP LANDSCAPE SUPPLY	Inv 138207 2 acer legacy	Horticultural Supplies	\$ 332.00
11/09/2023	15433	NATORP LANDSCAPE SUPPLY	Inv 139358 2 trees	Horticultural Supplies	\$ 285.25
10/26/2023	15400	NATORP LANDSCAPE SUPPLY	Inv 136996 tribute trees ordered by Boutelle	Horticultural Supplies	\$ 884.50
10/23/2023	15377	NATORP LANDSCAPE SUPPLY	Inv 121401 fall releaf trees	Horticultural Supplies	\$ 31,847.50
10/23/2023	15380	Quail Ridge Specimen Trees, LLC	Inv 1608 Fall Releaf trees	Horticultural Supplies	\$ 1,600.00
10/23/2023	15378	Riverside Native Trees and Nursery, LLC	Inv 081920 Fall releaf trees	Horticultural Supplies	\$ 5,725.00
10/23/2023	15379	WOODY WAREHOUSE NURSERY, INC.	Cust 10236, order 196556 fall releaf trees	Horticultural Supplies	\$ 5,992.60
12/13/2023	15476	Vandalia Rental	Contract 216885-0000 Scissor lift 26'	Rental	\$ 22,585.00
12/31/2023	15518	Baron Identification Products	Inv 50368 Hobbins Lennertz	Supplies	\$ 67.50
12/31/2023	15512	E C SHAW COMPANY	Inv 844781 Christiansen	Supplies	\$ 320.00
12/31/2023	15509	E C SHAW COMPANY	Inv 844778 Quint	Supplies	\$ 186.00
12/31/2023	15510	E C SHAW COMPANY	Inv 844779 Dalton	Supplies	\$ 186.00
12/31/2023	15511	E C SHAW COMPANY	Inv 844780 Vennemeyer	Supplies	\$ 186.00
12/31/2023	15513	E C SHAW COMPANY	Inv 844782 Bailey	Supplies	\$ 186.00
12/29/2023	15498	Baron Identification Products	Inv 50214 Hobbins, Hermann,Males, Caldemeyer,Sloneker,Kakalow replace 15436	Supplies	\$ 135.00
12/18/2023	15486	E C SHAW COMPANY	Inv 844300 Males	Supplies	\$ 186.00
12/13/2023	15477	Baron Identification Products	Inv 50282 Gibran Parker	Supplies	\$ 40.50
12/13/2023	15475	SERVICE SUPPLY LTD INC	Inv 23443 5 dumor benches	Supplies	\$ 8,798.00
11/27/2023	15455	Groundwork Ohio River Valley, Inc.	Inv 3206 Mad Tree Bond Hill all hands supplies	Supplies	\$ 699.32
11/19/2023	15442	E C SHAW COMPANY	Inv 843772 Burnsie	Supplies	\$ 186.00
11/09/2023	15431	Baron Identification Products	Inv 50191 Christiansen	Supplies	\$ 54.00
11/09/2023	15430	Country Casual Teak, Inc.	Inv 9997 5 6ft monarch benches	Supplies	\$ 9,599.09
11/09/2023	15428	E C SHAW COMPANY	Inv 842049 Jennifer Rudolph	Supplies	\$ 186.00
11/09/2023	15427	E C SHAW COMPANY	Inv 842048 Linnett Orlemann Leisner	Supplies	\$ 156.00
10/26/2023	15398	Baron Identification Products	Inv 50162 Cohen	Supplies	\$ 27.00
10/23/2023	15383	Baron Identification Products	Inv 50120 Goodman, Cohen	Supplies	\$ 60.50
10/23/2023	15393	Wintergreen Corp.	Acct 622473 Order 2347574 holiday wreaths etc.	Supplies	\$ 3,457.82
10/16/2023	15371	Baron Identification Products	Inv 50120 Goodman Cohen	Supplies	\$ 60.50
10/09/2023	15332	Baron Identification Products	Inv 50096 soul, livingston, magoon, meyer, schuh, dickey	Supplies	\$ 176.50
10/09/2023	15333	Baron Identification Products	Inv 50098 terri & dave, mitchell quite	Supplies	\$ 54.00
10/01/2023	459		Amazon-Gazebo for Nature Next Door Program	Supplies	\$ 475.96
				Total	\$ 124,341.41

March 20, 2024

To: Mayor and Members of City Council

202400878

From: Sheryl M. M. Long, City Manager

**Subject: Emergency Ordinance – CRC: Queen City Slam Basketball
Tournament Donations**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager and employees of the Cincinnati Recreation Commission to solicit and accept donations of money, sponsorships, in-kind contributions, team registration fees, vendor fees, and other things of value from the Cincinnati business community, individual benefactors, and other appropriate sources to provide resources to support the Queen City Slam Basketball Tournament; and **AUTHORIZING** the Director of Finance to deposit the resources donated to or generated by the event into Fund No. 319, “Contributions for Recreation Purposes.”

This Emergency Ordinance authorizes the City Manager and employees of the Cincinnati Recreation Commission (“CRC”) to solicit and accept donations of money, sponsorships, in-kind contributions, team registration fees, vendor fees, and other things of value from the Cincinnati business community, individual benefactors, and other appropriate sources to provide resources to support the Queen City Slam Basketball Tournament. This Emergency Ordinance also authorizes the Director of Finance to deposit the resources donated to or generated by the event into Fund No. 319, “Contributions for Recreation Purposes.”

The Queen City Slam Basketball Tournament will be hosted by the City and the CRC in partnership with Big City Ticket, LLC aka Hoop It Up on August 10, 2024. The Queen City Slam Basketball Tournament will engage youth and adults by providing recreation and access to community resources to support and foster continued community development.

Supporting the Queen City Slam Basketball Tournament 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 207-212 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to accept donations in a timely manner.

The Administration recommends passage of this Emergency Ordinance.

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



Attachment

EMERGENCY

CNS

-2024

AUTHORIZING the City Manager and employees of the Cincinnati Recreation Commission to solicit and accept donations of money, sponsorships, in-kind contributions, team registration fees, vendor fees, and other things of value from the Cincinnati business community, individual benefactors, and other appropriate sources to provide resources to support the Queen City Slam Basketball Tournament; and **AUTHORIZING** the Director of Finance to deposit the resources donated to or generated by the event into Fund No. 319, “Contributions for Recreation Purposes.”

WHEREAS, the Queen City Slam Basketball Tournament will be hosted by the City and the Cincinnati Recreation Commission (“CRC”) in partnership with Big City Ticket, LLC aka Hoop It Up on August 10, 2024; and

WHEREAS, the Queen City Slam Basketball Tournament will allow the City and CRC the opportunity to engage youth and adults by providing recreation and access to community resources to support and foster continued community development through a one-day basketball event for youth and adults; and

WHEREAS, only donated, non-City resources may be used for awards or cash prizes associated with the Queen City Slam Basketball Tournament; and

WHEREAS, supporting the Queen City Slam Basketball Tournament 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 207-212 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 and employees of the Cincinnati Recreation Commission are authorized to solicit and accept donations of money, sponsorships, in-kind contributions, team registration fees, vendor fees, and other things of value from the Cincinnati business community, individual benefactors, and other appropriate sources to provide resources to support the Queen City Slam Basketball Tournament.

Section 2. That the Director of Finance is authorized to deposit the resources donated to or generated by the event into Fund No. 319, “Contributions for Recreation Purposes.”

Section 3. That the proper City officials are authorized to do all things necessary and proper to comply with 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 accept donations in a timely manner.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

March 20, 2024

To: Mayor and Members of City Council

202400883

From: Sheryl M. M. Long, City Manager

Subject: Ordinance – Law: Center for Community Progress Technical Assistance Scholarship

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to apply for and accept in-kind services in the form of a technical assistance scholarship provided by Center for Community Progress.

Center for Community Progress is a national non-profit organization dedicated to tackling vacant properties that provides support to local communities to address systemic vacancy. In September 2023, representatives from the City of Cincinnati, the Hamilton County Land Reutilization Corporation, and the Hamilton County Treasurer’s Office attended an intensive training offered by Center for Community Progress focused on education of novel tools and policies for addressing vacant and deteriorated properties, which included the opportunity to obtain up to 150 hours of technical assistance from Center for Community Progress. A proposal was submitted to utilize technical assistance from Center for Community Progress to build a coalition of partners and stakeholders impacted by vacant and deteriorated properties. The proposal was successful, and the technical assistance scholarship will be utilized by Law Department staff with an approximate value of \$40,000.

The grant does not come with a match requirement. No new FTEs/full time equivalents are required.

Due to the application deadline of January 9, 2024, the City already applied for the scholarship before the effective date of this ordinance, but no scholarship resources will be accepted without approval by the City Council.

Applying for this technical assistance scholarship is in accordance with the “Compete” goal to “[s]trategically select areas for new growth” and the “Live” goal to “[s]upport and stabilize our neighborhoods” as described on pages 114-119 and pages 156-162 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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



Attachment

AUTHORIZING the City Manager to apply for and accept in-kind services in the form of a technical assistance scholarship provided by Center for Community Progress.

WHEREAS, Center for Community Progress is a national non-profit organization dedicated to tackling vacant properties that provides support to local communities to address systemic vacancy; and

WHEREAS, in September 2023, representatives from the City of Cincinnati, the Hamilton County Land Reutilization Corporation, and the Hamilton County Treasurer’s Office attended an intensive training offered by Center for Community Progress focused on education of novel tools and policies for addressing vacant and deteriorated properties, which included the opportunity to obtain up to 150 hours of technical assistance, valued at approximately \$40,000, from Center for Community Progress; and

WHEREAS, the City of Cincinnati, in partnership with the Hamilton County Land Reutilization Corporation and the Hamilton County Treasurer, submitted a successful proposal to Center for Community Progress to utilize the technical assistance from Center for Community Progress to build a coalition of partners and stakeholders impacted by vacant and deteriorated properties; and

WHEREAS, the technical assistance scholarship will be utilized by Law Department staff in collaboration with other City Departments and external stakeholders; and

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

WHEREAS, to meet the Center for Community Progress application deadline of January 9, 2024, the City already applied for the scholarship before the effective date of this ordinance, but no scholarship resources will be accepted without approval by Council; and

WHEREAS, the vacant property project and scholarship application is in accordance with the “Compete” goal to “[s]trategically select areas for new growth” and the “Live” goal to “[s]upport and stabilize our neighborhoods” as described on pages 114-119 and pages 156-162 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 and accept a donation of in-kind services of a technical assistance scholarship from Center for Community Progress.

Section 2. That the proper City officials are authorized to do all things necessary and proper to comply with the terms of the scholarship and Section 1.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

January 24, 2024

To: Mayor and Members of City Council

202400295

From: Sheryl M. M. Long, City Manager

Subject: Emergency Ordinance – DCED: King Records Project

Attached is an Emergency Ordinance captioned:

AUTHORIZING the transfer and return to source of \$410,000 from capital improvement program project account no. 980x164x221616, “King Records Building Restoration,” to unappropriated surplus of General Fund 050; **AUTHORIZING** the transfer and appropriation of \$410,000 from the unappropriated surplus of General Fund 050 to the Department of Community and Economic Development FY 2024 non-personnel operating budget account no. 050x164x7200 to provide resources for professional services and operating support to allow King Records Legacy, Inc. d/b/a King Records Legacy Foundation to undertake pre-development activities related to the eventual renovation of the former King Records building; and **DECLARING** that the King Records Legacy, Inc. d/b/a King Records Legacy Foundation’s pre-development activities related to the eventual renovation of the former King Records building serve a public purpose because the eventual renovation of the former King Records building will foster local improvements and investment and increase neighborhood vitality.

Approval of this Emergency Ordinance authorizes the transfer and return to source of \$410,000 from capital improvement program project account no. 980x164x221616, “King Records Building Restoration,” to the unappropriated surplus of General Fund 050. Additionally, the Emergency Ordinance authorizes the transfer and appropriation of \$410,000 from the unappropriated surplus of General Fund 050 to the Department of Community and Economic Development FY 2024 non-personnel operating budget account no. 050x164x7200 to provide resources for professional services and operating support to allow King Records Legacy, Inc. /b/a King Records Legacy Foundation’s to undertake pre-development activities related to the eventual renovation of the former King Records building. Finally, this Emergency Ordinance declares that the King Records Legacy, Inc. d/b/a King Records Legacy Foundation’s pre-development activities related to the eventual renovation of the former King Records building serve a public purpose.

Ordinance No. 0369-2021 authorized the transfer and appropriation of \$1,000,000 to capital improvement program project account no. 980x164x221616, “King Records Building Restoration,” to provide resources to preserve, restore, and renovate the former King Records building in the Evanston neighborhood. King Records Legacy, Inc. made a request that the City provide up to \$410,000 in resources to support professional services and operational support to allow King Records Legacy, Inc. to undertake further fundraising, project planning, and community engagement related to the renovation of the former King Records property.

Providing resources for the renovation of the former King Records building is in accordance with the “Sustain” goal to “[p]reserve our natural and built environment” and strategy to “[p]reserve our built history” as described on pages 193-198 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to deploy funding to allow the pre-development activities related to the eventual renovation of the former King Records building to remain on schedule.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment



EMERGENCY

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- 2024

AUTHORIZING the transfer and return to source of \$410,000 from capital improvement program project account no. 980x164x221616, “King Records Building Restoration,” to the unappropriated surplus of General Fund 050; **AUTHORIZING** the transfer and appropriation of \$410,000 from the unappropriated surplus of General Fund 050 to the Department of Community and Economic Development FY 2024 non-personnel operating budget account no. 050x164x7200 to provide resources for professional services and operating support to allow King Records Legacy, Inc. d/b/a King Records Legacy Foundation to undertake pre-development activities related to the eventual renovation of the former King Records building; and **DECLARING** that the King Records Legacy, Inc. d/b/a King Records Legacy Foundation’s pre-development activities related to the eventual renovation of the former King Records building serve a public purpose because the eventual renovation of the former King Records building will foster local improvements and investment and increase neighborhood vitality.

WHEREAS, on September 22, 2021, Council passed Ordinance No. 369-2021 authorizing the transfer and appropriation of \$1,000,000 to capital improvement program project account no. 980x164x221616, “King Records Building Restoration,” to provide resources to preserve, restore, and renovate the former King Records building in the Evanston neighborhood; and

WHEREAS, King Records Legacy, Inc. requested that the City provide up to \$410,000 in resources to support professional services and operations to allow King Records Legacy, Inc. to undertake further fundraising, project planning, and community engagement related to the renovation of the former King Records property; and

WHEREAS, providing resources for the renovation of the former King Records building is in accordance with the “Sustain” goal to “[p]reserve our natural and built environment” and strategy to “[p]reserve our built history” as described on pages 193-198 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the transfer and return to source of \$410,000 from capital improvement program project account no. 980x164x221616, “King Records Building Restoration,” to the unappropriated surplus of General Fund 050 is authorized.

Section 2. That \$410,000 is transferred and appropriated from the unappropriated surplus of General Fund 050 to the Department of Community and Economic Development FY 2024 non-personnel operating budget account no. 050x164x7200 to provide resources for professional

services and operating support to allow King Records Legacy, Inc. d/b/a King Records Legacy Foundation to undertake pre-development activities related to the eventual renovation of the former King Records building.

Section 3. That the King Records Legacy, Inc. d/b/a King Records Legacy Foundation's pre-development activities related to the eventual renovation of the former King Records building serve a public purpose because the eventual renovation of the former King Records building will foster local improvements and investment and increase neighborhood vitality.

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

Section 5. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to deploy funding to allow the pre-development activities related to the eventual renovation of the former King Records building to remain on schedule.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

March 25, 2024

To: Members of the Budget and Finance Committee 202400942
From: Sheryl M. M. Long, City Manager
Subject: **Emergency Ordinance – DCED: King Records Project (B Version)**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the transfer and return to source of \$205,000 from capital improvement program project account no. 980x164x221616, “King Records Building Restoration,” to the unappropriated surplus of General Fund 050; **AUTHORIZING** the transfer and appropriation of \$205,000 from the unappropriated surplus of General Fund 050 to the Department of Community and Economic Development FY 2024 non-personnel operating budget account no. 050x164x7200 to provide resources for professional services and operating support to allow King Records Legacy, Inc. d/b/a King Records Legacy Foundation to undertake pre-development activities related to the eventual renovation of the former King Records building; and **DECLARING** that the King Records Legacy, Inc. d/b/a King Records Legacy Foundation’s pre-development activities related to the eventual renovation of the former King Records building serve a public purpose because the eventual renovation of the former King Records building will foster local improvements and investment and increase neighborhood vitality.

The “B Version” of this Emergency Ordinance transfers and appropriates \$205,000, which is reflective of a recently revised funding proposal from the King Records Legacy Inc. (KRL) nonprofit corporation. The original version of this Emergency Ordinance would have authorized the transfer and appropriation of \$410,000 to the General Fund. KRL indicated that over a 12-month period from 2024 into part of 2025, it would utilize up to \$205,000 of City funding to scale up its project planning, project management, fundraising, and marketing activities.

Approval of this Emergency Ordinance authorizes the transfer and return to source of \$205,000 from capital improvement program project account no. 980x164x221616, “King Records Building Restoration,” to the unappropriated surplus of General Fund 050. This Emergency Ordinance also authorizes the transfer and appropriation of \$205,000 from the unappropriated surplus of General Fund 050 to the Department of Community and Economic Development FY 2024 non-personnel operating budget account no. 050x164x7200 to provide resources for professional services and operating support to allow King Records Legacy, Inc. d/b/a King Records Legacy Foundation to undertake pre-development activities related to the eventual renovation of the former King Records building. Finally, this Emergency Ordinance declares certain activities serve a public purpose.

Ordinance No. 0369-2021 authorized the transfer and appropriation of \$1,000,000 to capital improvement program project account no. 980x164x221616, “King Records Building Restoration,” to provide resources to preserve, restore, and renovate the former King Records building in the Evanston neighborhood.

King Records Legacy, Inc. made a request to allow for up to \$410,000 in those City resources be used to support professional services and operational support, allowing King Records Legacy, Inc. to undertake further fundraising, project planning, and community engagement related to the renovation of the former King Records property. This request was later revised down to \$205,000.

The work would further the goals and objectives of KRL's existing preferred developer agreement with the City, in which KRL is required to perform certain pre-development planning and due diligence work for an eventual renovation and reuse of the City-owned former King Records studio building. KRL is currently formulating a long-term vision for a mixed-use facility to house a King Records history center, events space, recording studio, and education center. The largest portion of the City funds, approximately two-thirds, would be used to fund a full-time contracted employee to serve as KRL's executive director for 12 months, to include such items as overseeing fundraising, grant writing, community and stakeholder engagement, serving as the liaison to the City and consulting on the continued stabilization of the property, overseeing a marketing campaign, and organizing a benefit concert. The next largest portion of the funds would be utilized for a professional marketing campaign. In addition to the City funds, KRL commits to raising approximately \$150,000 in private funds to conduct a professional fundraising campaign to be performed in concert with the City-funded activities during the term of the City funding.

Prior to requesting any additional operating support from the City, KRL will achieve this fundraising goal and will perform both the privately and publicly funded portions of their work. KRL will also continue to demonstrate progress on the milestones established in its preferred developer agreement. KRL indicated that it will agree to a performance metric of raising at least \$2,000,000 in private and non-City predevelopment funds as a direct result of the activities funded by the City, with hopes of reaching this goal in 12 months. Securing such funds would position KRL to be able to complete necessary pre-development design and cost studies, feasibility studies and business planning, community engagement, and other pre-requisites to engage in a final national campaign to raise the funds for the complete renovation and buildout. At the end of the 12-month funding term, the parties will evaluate the progress toward the \$2,000,000 goal and consider appropriate next steps.

Providing resources for the renovation of the former King Records building is in accordance with the "Sustain" goal to "[p]reserve our natural and built environment" and strategy to "[p]reserve our built history" as described on pages 193-198 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to deploy funding to allow the pre-development activities related to the eventual renovation of the former King Records building to remain on schedule.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment



EMERGENCY

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- 2024

AUTHORIZING the transfer and return to source of \$205,000 from capital improvement program project account no. 980x164x221616, “King Records Building Restoration,” to the unappropriated surplus of General Fund 050; **AUTHORIZING** the transfer and appropriation of \$205,000 from the unappropriated surplus of General Fund 050 to the Department of Community and Economic Development FY 2024 non-personnel operating budget account no. 050x164x7200 to provide resources for professional services and operating support to allow King Records Legacy, Inc. d/b/a King Records Legacy Foundation to undertake pre-development activities related to the eventual renovation of the former King Records building; and **DECLARING** that the King Records Legacy, Inc. d/b/a King Records Legacy Foundation’s pre-development activities related to the eventual renovation of the former King Records building serve a public purpose because the eventual renovation of the former King Records building will foster local improvements and investment and increase neighborhood vitality.

WHEREAS, on September 22, 2021, Council passed Ordinance No. 369-2021, authorizing the transfer and appropriation of \$1,000,000 to capital improvement program project account no. 980x164x221616, “King Records Building Restoration,” to provide resources to preserve, restore, and renovate the former King Records building in the Evanston neighborhood; and

WHEREAS, King Records Legacy, Inc. made a request that the City provide up to \$410,000 in resources to support professional services and operational support to allow King Records Legacy, Inc. to undertake further fundraising, project planning, and community engagement related to the renovation of the former King Records property; and

WHEREAS, providing resources for the renovation of the former King Records building is in accordance with the “Sustain” goal to “[p]reserve our natural and built environment” and strategy to “[p]reserve our built history” as described on pages 193-198 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the transfer and return to source of \$205,000 from capital improvement program project account no. 980x164x221616, “King Records Building Restoration,” to the unappropriated surplus of General Fund 050 is authorized.

Section 2. That \$205,000 is transferred and appropriated from the unappropriated surplus of General Fund 050 to the Department of Community and Economic Development FY 2024 non-personnel operating budget account no. 050x164x7200 to provide resources for professional

services and operating support to allow King Records Legacy, Inc. d/b/a King Records Legacy Foundation to undertake pre-development activities related to the eventual renovation of the former King Records building.

Section 3. That the King Records Legacy, Inc. d/b/a King Records Legacy Foundation's pre-development activities related to the eventual renovation of the former King Records building serve a public purpose because the eventual renovation of the former King Records building will foster local improvements and investment and increase neighborhood vitality.

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

Section 5. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to deploy funding to allow the pre-development activities related to the eventual renovation of the former King Records building to remain on schedule.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

Date: March 20, 2024

To: Mayor and Members of City Council

202400898

From: Sheryl M. M. Long, City Manager

Subject: RESOLUTION OF NECESSITY FOR GROUP 1 RESIDENTIAL STREET LIGHTING
(2023-2026)

Attached is a legislative resolution captioned as follows:

DECLARING the necessity of assessing properties in Lighting Group 1 that benefit from special street lighting within the City of Cincinnati for the cost of such lighting for the three-year period beginning August 1, 2023.

The Assessed Street Lighting program allows property owners to pay the added cost for enhanced or increased street lighting services. The Assessed Street Lighting program is divided into three groups; each group is assessed for a three-year period with one group being renewed each year. The groups are classified by the category of lighting and divided into individual districts usually consisting of a street segment.

- Group 1 consists of residential streets lighted by boulevard lights on decorative poles with underground wiring formally owned by Duke Energy and now owned and maintained by the City.
- Group 2 consists of streets within the central business district. There are various types of lighting within this area, most of which is owned and maintained by the City.
- Group 3 is an assortment of lights and streets not included in Group 1 and Group 2. Included in this group are neighborhood business districts and new residential developments. The ownership and maintenance responsibility for the lighting in these areas is divided between Duke Energy and the City.

The lighting for Group 1 consists of 871 streetlights of various types and wattages installed on boulevard poles. The estimated total assessment for Group 1 is \$371,947.24 for the three-year assessment period. The City pays for a portion of the total street lighting costs that is relatively equivalent to what is normally provided from City funds on non-assessed streets. This lighting credit, the city's share of the cost of this lighting, for Group 1 varies from \$0.33 to \$2.00 per foot for the period and is determined by the street classification. On streets that have both standard lighting and special lighting, a 2% credit to the total operating and maintenance costs is applied instead. The City also pays the assessments associated with lighting intersections and city, federal, and state property contained within an assessment district.

The annual assessment renewal process has four major steps, which require action by City Council:

1. A Resolution of Necessity is prepared by the Law Department and submitted for passage.

2. After Council passes the Resolution of Necessity, all property owners who will be assessed more than \$500.00 for the three-year period are notified and given an opportunity to object to the proposed assessment.
3. After all objections to the proposed assessment have been addressed, an Ordinance Determining to Proceed is prepared by the Law Department and submitted for passage.
4. Immediately following the Ordinance Determining to Proceed, an Assessing Ordinance is prepared and submitted.

The Administration recommends the passage of the attached legislative resolution.

Attachment I – Lighting Assessment Estimates

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

Legislative Resolution

RESOLUTION NO. _____ - 2024

DECLARING the necessity of assessing properties in Lighting Group 1 that benefit from special street lighting within the City of Cincinnati for the cost of such lighting for the three-year period beginning August 1, 2023.

WHEREAS, Chapter 727 of the Ohio Revised Code authorizes the City to levy and collect special assessments for the cost of special street lighting upon abutting, adjacent, contiguous, or specially benefitted lots or lands within the City; and

WHEREAS, Council has determined that properties abutting, adjacent, and contiguous to the streets or portions of streets identified on the attached Attachment A specially benefit from the special street lighting thereon; now, therefore,

BE IT RESOLVED by the Council of the City of Cincinnati, State of Ohio, three-fourths of the members elected thereto concurring:

Section 1. That it is hereby declared necessary and conducive to the public health, safety, convenience, and general welfare to assess properties that benefit from special street lighting in Lighting Group 1 on the streets set forth in Attachment A attached hereto, which assessments shall be for such properties' share of the cost of such lighting during the three-year period commencing on August 1, 2023.

Section 2. That the plans, specifications, and cost estimates corresponding to the proposed assessments are on file in the Clerk of Council's office, incorporated herein by reference, and hereby approved.

Section 3. That the City of Cincinnati shall pay from \$0.33 to \$2.00 per front foot for the City's share of the cost of the special lighting subject to the proposed assessment, depending on the street classification, which is equivalent to the estimated cost of lighting the streets to standard-level street lighting and is greater than two percent of the total cost of the special street lighting.

Section 4. The balance of the cost shall be assessed by the front-foot method upon all lots and lands that specially benefit from the lighting, except public right-of-way bounding and abutting upon the street or portions thereof and lands owned by the federal or state government.

Section 5. That all properties along the portions of the right of way listed on Attachment A are found to be specially benefited by the special street lighting.

Section 6. That the assessments shall be paid in cash to the City Treasurer within thirty days after the passage of the assessing ordinance or, at the option of the property owner, in three annual installments with interest payable to the City; and that assessments not paid in cash within the thirty-day period shall be certified to the County Auditor for collection by the County Treasurer in the same manner as real estate taxes are collected.

Section 7. That the City Administration shall prepare, in accordance with the method of assessment set forth in Sections 3 and 4 hereof, an estimate of the amount of the assessment against each lot or parcel to be assessed and shall file it in the Clerk of Council's office.

Section 8. That notice of the passage of this resolution shall be provided to the owners of the parcels of land to be assessed pursuant to Ohio Revised Code Section 727.14 by the Clerk of Council, or a person designated by the Clerk: (i) by publication once a week for two consecutive weeks in a newspaper of general circulation within the City of Cincinnati; (ii) by publication of notice on the City's website; (iii) as provided in Ohio Revised Code Section 7.16; or (iv) if the estimated assessment against an owner is over five hundred dollars, as provided in Ohio Revised Code Section 727.13. Notice shall also be provided in accordance with Article II, Section 6 of the City Charter.

Section 9. That the portion of the cost of any uncollectible assessments of federal, state, or City property shall be paid by the City out of a fund provided for this purpose.

Section 10. That notes and bonds of the City of Cincinnati may be issued in anticipation of the levy and collection of the special assessments.

Section 11. That this legislative resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

Dist #	Street	Limits	Number of Lights	Proposed Rate per Front Foot per Year	Total Assessment
1	ANDINA AVENUE	from the east line of Reading Road to the west line of Rhode Island Avenue	18	\$0.56	\$7,450.14
2	AVONLEA AVENUE	from the east line of Reading Road to the west line of Rhode Island Avenue	19	\$0.57	\$7,887.58
3	BAYARD AVENUE	from the north line of Erie Avenue to the south line of Victoria Avenue	18	\$0.56	\$7,582.01
4	BEAVERTON AVENUE	from the west line of Parkdale Avenue to approx. 487.41' west of west line of Elmshade Avenue	11	\$0.65	\$4,743.81
5	BEECHVIEW CIRCLE	Beechview from the south line of Montgomery Road to Rogers Park Place & Rogers Park Pl from the south line of Montgomery Road to the south line of Beech View Subdivision	14	\$0.56	\$5,895.17
6	BELLA VISTA	from the east line of Reading Road to its east terminus	6	\$0.74	\$2,628.84
7	BELLEWOOD AVENUE	from the west line of Ridge Avenue to the east line of Lester Road	9	\$0.59	\$3,817.49
8	BERKLEY AVENUE	from the west line of Rhode Island Avenue to the east line of Reading Road	19	\$0.57	\$8,026.81
9	CASTELTON PLACE	from 140' south of the south line of Northwood Drive to its north terminus	8	\$0.64	\$3,440.64
10	CATALINA AVENUE	from the west line of Rhode Island Avenue to its west terminus	22	\$0.67	\$9,520.05
11	CHALFONTE PLACE	from the west line of Reading Road to its west terminus	6	\$0.61	\$2,562.63
12	CHEYENNE DRIVE	from the south line of Towanda Terrace to the west line of Maketewah View Subdivision	7	\$0.60	\$2,925.21
13	CLIFTON AVENUE	E.S. from the south line of M. L. King Drive to 855' south of the south line of Ludlow Avenue. W.S. from the north line of Mc Millian Street to the south line of Dixmyth	64	\$1.47	\$31,591.30
14	CLIFTON AVENUE	from the south line of Ludlow Ave.: to 855' south of the south line of Ludlow Avenue E.S. the south line of Dixmyth Avenue W.S.	15	\$1.24	\$6,414.78
15	CLIFTON AVENUE	from the north line of Ludlow Avenue to the south line of Lafayette Avenue	39	\$0.47	\$13,382.12
16	CORONADO AVENUE	from the north line of Zula Avenue to the south line of Cleves Pike	17	\$0.79	\$7,512.27
17	CORVALLIS AVENUE	from the west line of Parkdale Avenue to approx. 466.92' west of the west line of Elmshade Avenue	11	\$0.60	\$4,679.90
18	COVEDALE AVENUE	from the north line of Cleves Pike to the south line of Sidney Road	15	\$0.63	\$6,426.54
19	EILEEN DRIVE	from the north line of Madison Road to the south line of Markbrite Avenue	10	\$0.66	\$4,321.03

Dist #	Street	Limits	Number of Lights	Proposed Rate per Front Foot per Year	Total Assessment
20	EPWORTH AVENUE	from the north line of Werk Road to the south line of Ramona Avenue	9	\$0.78	\$3,974.94
21	EUGENIE LANE	from the east line of Werk Road to the west line of LaFeuille Avenue	11	\$0.60	\$4,596.52
22	FAR HILLS DRIVE	Michigan Avenue, south and around Michigan Avenue	10	\$0.56	\$4,131.91
23	FENMORE DRIVE	from the west line of Paddock Road to the east line of Coad Drive	6	\$0.74	\$2,632.73
24	GARDEN LANE	from the west line of Rhode Island Avenue to the west terminus	14	\$0.54	\$5,791.98
25	GRAFTON AVENUE	from the north line of Dale Road to the north line of 5438 Grafton Avenue	14	\$0.58	\$5,919.29
26	GREENLAND PLACE	from the north line of Northwood Drive to 163 feet south of the south line of Miramar Court	6	\$0.64	\$2,577.79
27	HANSFORD PLACE	from the south line of Harrison Ave to the south terminus	8	\$0.68	\$3,464.93
28	HAYWARD AVENUE	from the south line of Principio Avenue to the north line of Arnold Street	12	\$0.67	\$5,196.67
29	JOHNSTONE PLACE	from the south line of Madison Road to the south terminus	8	\$0.63	\$3,429.55
30	KELLYWOOD AVENUE	from the north line of Guerley Road to the north terminus	10	\$0.62	\$4,281.40
31	KENOVA AVENUE	from the west line of Reading Road to a point approximately 1500' west of Reading Road	13	\$0.61	\$5,551.46
32	LACONIA AVENUE	from the north line of Dale Road to the north terminus	13	\$0.58	\$5,507.22
33	LAKELAND AVENUE	from the west line of Parkdale Avenue to approximately 505.08 feet west of Elmshade Avenue	9	\$0.58	\$3,813.85
34	LARRY AVENUE	from the east line of Hamilton Avenue to the east terminus	9	\$0.63	\$3,860.42
35	LAWN AVENUE	from the west line of Rhode Island Avenue to the west terminus	16	\$0.56	\$6,745.57
36	LILLIAN DRIVE	from the north line of Dale Road to the north terminus	10	\$0.60	\$4,258.33
37	LUDLOW AVENUE	from the south line of LaFayette Avenue to the west line of Whitfield Avenue	37	\$0.63	\$13,833.40
38	MANOR HILL DRIVE	from the north line of Ludlow Avenue to the north terminus	8	\$0.50	\$3,240.94
39	MARLINGTON AVENUE	from the east line of Westgate Avenue to the west line of Middlebrook Avenue from the south line of Marlinton Avenue to the north line of Downing Avenue. Westgate Ave from the south line of Marlinton to the north line of Downing.	10	\$0.74	\$4,382.44
40	SOUTH CLEROSE CIRCLE	from the east line of Rosemont Avenue to the east line of Rosemont Avenue	12	\$0.64	\$5,152.61

Dist #	Street	Limits	Number of Lights	Proposed Rate per Front Foot per Year	Total Assessment
41	NORTHAMPTON DRIVE	from the east line of Reading Road to the east terminus	5	\$0.63	\$2,144.82
42	NORTHCUTT AVENUE	from the east line of Reading Road to the west line of Rhode Island Avenue	19	\$0.59	\$7,971.33
43	NORTHWOOD DRIVE	from 150 feet west of Reading Road to the east line of Castleton Place	11	\$0.59	\$4,675.56
44	ORCHARD LANE	the north line of Montgomery Road to approx. 1800' north of Montgomery Road	14	\$0.56	\$5,897.31
45	PORTSMOUTH AVENUE	the east line of Paxton Avenue to Victoria Ln/ and Victoria Ln to the the north line of Victoria Avenue	26	\$0.64	\$11,164.67
46	RAWSON WOODS LANE	from the west line of Middleton Avenue to the west terminus And Rawson Woods Circle.	7	\$0.27	\$2,500.55
47	RAYMAR DRIVE	from the south line of Victoria Avenue to Raymar Blvd and Raymar Blvd from the south line of Victoria Ave to the north line of Erie Avenue	24	\$0.72	\$10,478.48
48	ROBINWOOD AVENUE	from the west terminus to Hurley Ave and Hurley Ave from the north line of Kenova & the to west line of Scottwood to Robinwood Ave	13	\$0.69	\$5,652.68
49	ROOKWOOD DRIVE	Rookwood Drive- from the north line of Grandin Road to Rookwood Place. Rookwood Place- from Rookwood Drive to E. Rookwood Drive. E. Rookwood Drive- from the west line of Edwards Road to Rookwood Lane. Rookwood Lane- from Rookwood Drive to the east terminus. S. Rookwood Drive-from Rookwood Drive to E. Rookwood Drive.	30	\$0.59	\$12,732.14
50	ROSECLIFF AVENUE	from from the west line of Reading Road to the east line of Parkdale Avenue	4	\$0.45	\$1,616.65
51	SCHULTE DRIVE	from the south line of Carnation Park Subdivision on Schulte Dr to the east terminus	10	\$0.67	\$4,322.82
52	SCOTTWOOD AVENUE	from from the south line of Shenandoah Avenue to the north line of Kenova Avenue	10	\$0.42	\$4,000.59
53	SHENANDOAH AVENUE	from from the west line of Reading Road to approximately 446.09' west of Elmshade Avenue	18	\$0.63	\$7,716.75
54	STRATFORD AVENUE	from the south line of Probasco Street to 400' south of the south line of Joselin Ave.	8	\$0.62	\$3,423.75
55	STRATFORD PLACE	from the east line of Paddock Road northeast to the northeast terminus	4	\$0.63	\$1,716.89

<u>Dist #</u>	<u>Street</u>	<u>Limits</u>	<u>Number of Lights</u>	<u>Proposed Rate per Front Foot per Year</u>	<u>Total Assessment</u>
56	SUNCREST DRIVE	from the west line of Herschel Avenue to the north line of Griest Avenue	9	\$0.59	\$3,820.60
57	TOWANDA TERRACE	from the west line of Paddock Road to the west line of Maketwah View Subdivision	10	\$0.74	\$4,311.02
58	VICTORIA AVENUE	from the east line of Paxton Road to the west line of Erie Avenue	27	\$0.83	\$12,009.90
59	WARWICK AVENUE	from the south line of Mitchell Avenue to the north line of Clinton Springs Avenue	11	\$0.62	\$4,623.87
60	WERKASTLE LANE	from the east line of Werk Road to the west line of Eugenie Lane	8	\$0.60	\$3,347.05
61	YORKSHIRE PLACE	from the north line of Northwood Drive to the north terminus	7	\$0.77	\$3,082.72
62	U OF C	East side of Clifton Calhoun to M. L. King	23	\$1.79	\$11,584.82
Count of Assemblies			<u>871</u>	Total Assessment:	<u>\$371,947.24</u>

March 20, 2024

To: Mayor and Members of City Council

From: Sheryl M.M. Long, City Manager

202400896

Subject: Emergency Ordinance – Approving and Authorizing a CRA Tax Exemption Agreement with Cincinnati Curated, LLC of 34 W Court St.

Attached is an Emergency Ordinance captioned:

APPROVING AND AUTHORIZING the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement (LEED or Living Building Challenge) with Cincinnati Curated, LLC, thereby authorizing a 15-year tax exemption for 100% of the value of improvements made to real property located at 34 W Court Street in the Central Business District of Cincinnati, in connection with the remodeling of an existing building into approximately 629 square feet of commercial space and approximately 5,566 square feet of residential space, consisting of 5 residential units, which remodeling shall be completed in compliance with Leadership in Energy and Environmental Design Silver, Gold or Platinum standards or Living Building Challenge Standards, at a total remodeling cost of approximately \$845,456.

STATEMENT

HOUSING: The activation of a vacant, blighted building will address a need for housing options in the Downtown area. The additional units this project will provide could help to alleviate Cincinnati’s strained housing market, which is currently experiencing increasing affordability issues due to lack of supply. Although these housing units are anticipated to be short term rental units, research shows that over the long run, short term rentals often become long-term rental housing.

BACKGROUND/CURRENT CONDITIONS

The project is located at 34 W Court St in Downtown. Currently the property is a vacant building constructed in the 1850’s with an addition built in 1854. The building has never been properly modernized nor renovated to include proper insulation, ventilation, HVAC, wiring, and plumbing. Once completed, the rebuilt project will have obtained a LEED Silver certification through USGBC and be comprised of 5 residential units (1 being owner occupied). The project will also feature a 1st floor commercial space that will be utilized in a manner that benefits children attending the School for Creative and Performing Arts while waiting for after school programs.

DEVELOPER INFORMATION

Cincinnati Curated, LLC is owned and operated by Melissa Brown Jones. Ms. Jones is a first-time developer in Cincinnati. Ms. Jones is not only the developer for this project but will also be a resident at 34 W Court Street.

RECOMMENDATION

The Administration recommends approval of this Emergency Ordinance.

Attachment: Project Outline and Proposed Incentive

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

Project Outline

Project Name	34 W Court St CRA
Street Address	34 W Court St
Neighborhood	Downtown
Property Condition	Vacant Building
Project Type	Renovation
Project Cost	Hard Construction Costs: \$834,456 Acquisition Costs: \$340,000 Soft Costs: \$176,980 Total Project Cost: \$1,351,436
Private Investment	Private Financing: \$825,000 Developer Equity: \$300,000
Sq. Footage by Use	Residential: 5,566 SF Office: 629 SF
Number of Units and Rent Ranges	1 studio Unit; Rent Range varies (STR) 3 1-BR Units; Rent Range varies (STR) 1 2-BR unit; Developer Residence 1 Commercial unit; Rent not yet determined 5 Total Units
Median 1-BD Rent Affordable To	This will be an owner-occupied building with the remainder of the units registered and operated as short-term rentals.
Jobs and Payroll	Estimated Creation of 3 FTE positions Total Payroll for Construction FTE Positions: \$87,500 Estimated Construction FTE Positions: 15 Total Payroll for Construction FTE Positions: \$1.30MM
Location and Transit	Located in Downtown Transit Score: 81
Community Engagement	Not presently in developer's plan.
Plan Cincinnati Goals	Live Initiative Area Goal 3 (p. 169-171), Sustain Initiative Area Goal 2 (p.193-198)

Project Image and Site Map



Proposed Incentive

Incentive Terms	15-year, net 52%
Incentive Application Process	Commercial CRA – Downtown Streetcar Area
“But For”	Without Abatement: -2% rate of return (stabilized) With Abatement: 4% rate of return (stabilized) Note: Ordinance 275-2017 states that commercial improvements which obtain LEED status shall not be subject to financial analysis.
Environmental Building Certification	LEED SILVER
VTICA	Streetcar VTICA – 15%
SBE/MBE/WBE Goals	SBE Goal of 30%
Planning Commission Approval	N/A
Other Incentives & Approvals	N/A

Potential Taxes Forgone & Public Benefit

Taxes Forgone	Value
Annual Net Incentive to Developer	\$7,442
Total Term Incentive to Developer	\$111,625
City's Portion of Property Taxes Forgone (Term)	\$0
City's TIF District Revenue Forgone (Term)	\$156,704

Public Benefit		Value
CPS PILOT	Annual	\$4,723
	Total Term	\$70,839
VTICA	Annual	\$2,147
	Total Term	\$32,199
Income Tax Total Term (Maximum)		\$135,122
Total Public Benefit (CPS PILOT, VTICA, Income Tax)		\$238,160

Total Public Benefit ROI*	\$2.13
City's ROI**	\$7.89

* This figure represents the total dollars returned for public purposes (City/Schools/Other) over the benefit received.

**This figure represents the total dollars returned for City/ over the City's property taxes forgone. Note this figure does not include any short term rental taxes collected if the owner does indeed operate the units as short term rentals.

For Reference: 2023 Cincinnati MSA Area Median Income Limits

AMI	1	2	3	4	5	6	7	8
30%	\$21,250	\$24,300	\$27,350	\$30,350	\$32,800	\$35,250	\$37,650	\$40,100
50%	\$35,400	\$40,450	\$45,500	\$50,550	\$54,600	\$58,650	\$62,700	\$66,750
60%	\$42,480	\$48,540	\$54,600	\$60,760	\$65,520	\$70,380	\$75,240	\$80,100
80%	\$56,650	\$64,750	\$72,850	\$80,900	\$87,400	\$93,850	\$100,350	\$106,800

EMERGENCY

EVK

- 2024

APPROVING AND AUTHORIZING the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement (LEED or Living Building Challenge) with Cincinnati Curated LLC, thereby authorizing a fifteen-year tax exemption for 100 percent of the value of improvements made to real property located at 34 W. Court Street in the Central Business District of Cincinnati, in connection with the remodeling of an existing building into approximately 629 square feet of commercial space and approximately 5,566 square feet of residential space, consisting of five residential rental units, which remodeling shall be completed in compliance with Leadership in Energy and Environmental Design Silver, Gold or Platinum standards or Living Building Challenge standards, at a total remodeling cost of approximately \$845,456.

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, (as amended, the “Commercial Policy Ordinance”), sets forth certain additional policies, conditions, and limitations regarding newly constructed or remodeled commercial and residential structures in the Community Reinvestment Area; and

WHEREAS, to encourage the development of real property in a more environmentally-friendly manner, the Commercial Policy Ordinance incentivizes: (i) construction and remodeling to Leadership in Energy and Environmental Design (“LEED”) standards (as defined by the U.S. Green Building Council); and (ii) construction and remodeling that obtains (a) Living Building Challenge Net Zero certification, (b) Living Building Challenge Full certification, or (c) solely in circumstances where the construction or remodeling complies with the requirements of the “Energy Petal” of the Living Building Challenge, Living Building Challenge Petal certification, in each case as defined by the International Living Future Institute and the Cascadia Green Building Council (collectively, “LBC” standards), all pursuant to the Statute; 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, Cincinnati Curated LLC (the “Company”) desires to remodel an existing building into approximately 629 square feet of commercial space and approximately 5,566 square feet of residential space, consisting of five residential rental units on real property at 34 W. Court Street located within the corporate boundaries of the City of Cincinnati, to LEED or

LBC standards (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 (LEED or Living Building Challenge), 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 100 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 33 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 \$7,540; 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 support the streetcar that specially benefits the property; 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 (LEED or Living Building Challenge) with Cincinnati Curated LLC (the “Agreement”), thereby authorizing a fifteen-year tax exemption for 100 percent of the assessed value of improvements to be made to real property located at 34 W. Court Street in Cincinnati, as calculated by the Hamilton County Auditor, in connection with the remodeling of an existing building into approximately 629 square feet of commercial space and approximately

5,566 square feet of residential space, consisting of five residential rental units, to be constructed in compliance with Leadership in Energy and Environmental Design Silver, Gold or Platinum standards (as defined by the U.S. Green Building Council) or Living Building Challenge standards (as described in the Agreement and as determined by the International Living Future Institute and the Cascadia Green Building Council, as applicable) at a total remodeling cost of approximately \$845,456.

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;
- (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: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

Community Reinvestment Area Tax Exemption Agreement
(LEED or Living Building Challenge)

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 CINCINNATI CURATED 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. Pursuant to the Commercial Policy Ordinance, a project that is constructed or remodeled to (1) Leadership in Energy and Environmental Design (“LEED”) Silver, Gold or Platinum standards (as defined by the U.S. Green Building Council), or (2) receives a (a) Living Building Challenge Net Zero certification, (b) Living Building Challenge Full certification, or (c) solely in circumstances where the construction or remodeling complies with the requirements of the “Energy Petal” of the Living Building Challenge, Living Building Challenge Petal certification, in each case as defined by the International Living Future Institute and the Cascadia Green Building Council (such qualifying remodeling or construction is referred to, collectively, as “LBC” remodeling or construction), may qualify for a longer term and/or greater abatement.
- E. The Company is the sole owner of certain real property within the City, located at 34 W. Court Street, Cincinnati, Ohio 45202 (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.
- F. The Company has proposed to remodel a building located on the Property to LBC standards or LEED Silver, Gold or Platinum standards, as defined by the U.S. Green Building Council, 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.

- G. 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.
- H. 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.
- I. 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.
- J. 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.
- K. 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.
- L. 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").
- M. 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").
- N. The Company represents that within the past three (3) years neither the Company, 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.
- O. 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.
- P. City Council passed (i) Motion No. 201401368 on November 19, 2014, establishing a tax incentive policy that incentivizes each applicant for a real property tax abatement in the neighborhoods of Downtown and OTR to enter into a voluntary tax incentive contribution agreement with a third-party organization ("VTICA") for an amount equal to a percentage of the real property taxes that would have been payable on the abated property but for the City-authorized tax abatement (the "VTICA Contribution"), which funds shall be committed by a third-party organization to support the streetcar that specially benefits the abated property, and (ii) Motion No. 201501592 on December 16, 2015, which established that the VTICA Contribution to be recognized by the Director of the Department of Community and Economic Development is 15% of the real property taxes that would have been payable on the abated property but for the City-authorized tax abatement. The Commercial Policy Ordinance confirmed that such motions have not been superseded and remain the will of Council.

- Q. The Company acknowledges that the Streetcar will specially benefit the Project due to (a) the Streetcar's enhancement of public transit options in such neighborhoods and (b) the anticipated increase in property values attributable to public investment in Streetcar infrastructure.
- R. The Company represents and warrants to the City that the Company has entered or will enter into a VTICA and shall pay the VTICA Contribution each year for the full term of the abatement.
- S. This Agreement has been authorized by Ordinance No. _____-2024, passed by Cincinnati City Council on _____, 2024.
- T. 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 into 5 residential units consisting of approximately 5,566 square feet, and commercial space consisting of approximately 629 square feet on the Property (the "Improvements") at an estimated aggregate cost of \$845,456 to commence after the execution of this Agreement and to be completed no later than October 31, 2026; *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 Error! Reference source not found.** shall be in compliance with applicable building code and zoning regulations, as well as complying with LBC standards or LEED Silver, Gold or Platinum standards, as defined by the U.S. Green Building Council. The Company hereby represents that either or both of the following clauses (a) and (b) are true: (a) it has registered with the U.S. Green Building Council with intent to certify compliance with LEED Silver, Gold or Platinum standards, or (b) it has registered with the International Living Future Institute and/or the Cascadia Green Building Council with intent to certify compliance with LBC standards. 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 one hundred percent (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 fifteen (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 **Error! Reference source not found.**, (B) the cost of **Error! Reference source not found.**, (C) the facts asserted in the application for exemption, (D) compliance with LBC standards or LEED Silver, Gold or Platinum standards, as defined by the U.S. Green Building Council, and (E) 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 2027 nor extend beyond the earlier of (i) tax year 2041 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 11 U.S.C. §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(C)(4), 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)(7), 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 no existing employment at the Property or in the State.

Section 13. Job Creation and Retention.

A. Jobs to be Created by Company. The Company agrees to use its best efforts to create (i) 3 full-time permanent jobs, and (ii) 15 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.

B. Company's Estimated Payroll Increase. The Company's increase in the number of employees will result in approximately (i) \$87,500 of additional annual payroll with respect to the full-time permanent jobs, and (ii) \$1,298,813 of additional annual payroll prior to the completion of the Project with respect to the full-time temporary construction jobs.

C. 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.

D. 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)(7), 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 (E) 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 in order to support the streetcar. 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:

Cincinnati Curated LLC
Attention: Melissa Brown Jones
855 Matz Court
Union, Kentucky 41091

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

CINCINNATI CURATED LLC,
an Ohio limited liability company

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

Date: _____, 2024

By: _____

Printed Name: _____

Title: _____

Date: _____, 2024

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

Property Address: 34 W. Court Street, Cincinnati, Ohio 45202

Auditor's Parcel ID: 076-0002-0132-00

Situate in the City of Cincinnati, Hamilton County, Ohio, to-wit: The east one-half (1/2) of Lot No. Twenty-three (23) in Square 7 of Piatt & Grandin's Subdivision, plat of which is recorded in Deed Book 22, page 113 in the Recorder's Office of Hamilton County, Ohio. Said east half of Lot No. Twenty-three being seventeen (17) feet in front on the north side of Court Street between Vine and Race Streets and extending back northwardly between parallel lines the same width in rear as in front one hundred and twenty-four (124) feet to an alley.

Exhibit B to CRA Agreement

APPLICATION FOR TAX EXEMPTION



APPLICATION FOR COMMERCIAL TAX ABATEMENT

CITY OF CINCINNATI COMMUNITY REINVESTMENT AREA

COMMERCIAL, INDUSTRIAL, MIXED-USE, MULTI-UNIT (5+ UNITS)

Note: After review and recommendation by the Department of Community & Economic Development, all applications must be reviewed and approved by the City of Cincinnati Council before commencing construction. Any projects that start construction before City Council approval will be **INELIGIBLE** for a Commercial CRA Tax Abatement.

SECTION I – Applicant/Project Information

Applicant Information:

Legal Name of Property Owner Applying for Abatement: Melissa Brown Jones

Form of business enterprise Cincinnati Curated LLC (corporation, partnership, proprietorship, LLC, non-profit, or other)

Is the Applicant affiliated with a larger developer or development entity? (Yes / No) If Yes, please provide the name of this developer or development entity: _____

Legal Address of real property owner: 855 Matz Ct. Union, KY 41091

Federal Tax ID #(s): 87-1969224

Applicant Contact Person: Melissa Brown Jones Title: Owner

Phone: 214-315-7932 Main Contact email address: brownmk1@gmail.com

Address of subject property 34 W. Court Street Cincinnati Zip: 45202

Hamilton County Auditor Parcel ID#: 076 - 0002 - 0132-00 (attach a page listing all parcels and addresses if more than one parcel)

City of Cincinnati Neighborhood: Court Street Historic District (Central Business)

Is any other financial assistance being requested from the City of Cincinnati for this project? Yes No

If yes, please indicate the Development Analyst with whom you are working:

n/a

Space/Units to be constructed/renovated:

Construction Type: New Construction Renovation
 What percentage of the existing structure is currently occupied: _____ 0 %

Total sqft/units to be constructed/renovated:
 Commercial: 629 (sqft) Office: _____ (sqft) Industrial: 1,421 (sqft) *basement (eventually)*
 Residential: 5,566 (sqft) Residential: ~~5,566~~ 5 (# of units)

<p>Project Type:</p> <p><input type="checkbox"/> Commercial (Retail, Office etc)</p> <p><input type="checkbox"/> Industrial</p> <p><input type="checkbox"/> Multi-Unit Residential (5 or more units)</p> <p><input checked="" type="checkbox"/> Mixed-Use (Residential & Commercial)</p> <p>Describe the break down in use in SF below:</p> <p><u>101 - 629 SF (storefront) 102 - 751 SF</u> <u>201 - 519 SF (studio apt.) 202 - 779 SF</u> <i>1-bed</i> <u>301 - 2,717 SF (family apt.) 302 - 792 SF</u> <i>apts.</i></p>	<p>Please indicate if the project intends to meet Leadership in Energy and Environmental Design (LEED) levels as defined by the U.S. Green Building Council (www.usgbc.org).</p> <p><input type="checkbox"/> Project is <u>not</u> LEED-certified</p> <p><input checked="" type="checkbox"/> LEED Silver</p> <p><input type="checkbox"/> LEED Gold</p> <p><input type="checkbox"/> LEED Platinum</p> <p>Please indicate if the project will be qualified under the Living Building Challenge program (http://living-future.org/lbc):</p> <p><input checked="" type="checkbox"/> Project is <u>not</u> LBC qualified</p> <p><input type="checkbox"/> LBC Full</p> <p><input type="checkbox"/> LBC Net Zero</p> <p><input type="checkbox"/> LBC Petal (requires "Energy Petal")</p> <p><i>hope to be in future</i></p>
<p>If approved for an abatement, does the Applicant intend to enter into a Voluntary Tax Incentive Contribution Agreement (VTICA)?</p> <p><input checked="" type="radio"/> Yes <u>15</u> % <input type="radio"/> No</p> <p>(A VTICA is an agreement with a third-party non-profit designated by the City in which the Applicant would contribute a portion of the abated taxes to support neighborhood-based projects and services as well as City-wide affordable housing initiatives [note that VTICAs in the vicinity of the Streetcar are used to support streetcar operations]. As indicated the applicable City legislation & policies as this is a significant factor in determining the terms of the abatement.)</p>	

General Project Information:

Project Name (of Applicable): 34 West Court Street

Description of the project:
Please see attached letter.

Please provide a brief description of the applicant's development experience:
See attached

Please state why this project deserves a tax exemption from the City of Cincinnati and what benefits the project will bring to the neighborhood where it is located:
See attached

If Commercial or Industrial, state the nature of commercial/industrial activity (manufacturing, warehousing, wholesale or retail stores, or other) to be conducted at the site: _____

Please detail the project's planned community engagement (link for community council boundaries):
See attached

SECTION II – Job Creation/Retention

Job Creation and Retention:
 The Company will agree to use its best efforts to retain and/or create at least the following estimated number of employee positions at the Property in connection with the Project, in accordance with the specified schedule, and to maintain the minimum employment levels throughout the period of the incentive. The Job numbers below are to be listed in Full Time Equivalent (FTE) positions. FTEs are calculated by the number of total hours worked divided by the maximum number of compensable hours for a full-time work schedule (40hrs/week).

Existing positions at the site of the company to be retained:
 Full-Time Equivalent 0 employees; total annual payroll \$ _____

Will the project involve relocation of positions from another company location in the State of Ohio to the City of Cincinnati? Yes No

Existing positions at other company locations in Ohio to be relocated:

Address of Other Location(s): _____
 Full-Time Equivalent _____ employees; total annual payroll \$ _____

Address of Other Location(s): _____
 Full-Time Equivalent _____ employees; total annual payroll \$ _____

*Please attach additional sheets if other locations exceed spaces provided above.

M. Jones

Will the project involve relocation of positions from another company location outside of the State of Ohio to the City of Cincinnati? No

Existing positions at other company locations outside of the State of Ohio:

Address of Other Location: _____
Full-Time Equivalent _____ employees; total annual payroll \$ _____
Address of Other Location: _____
Full-Time Equivalent _____ employees; total annual payroll \$ _____
Address of Other Location: _____
Full-Time Equivalent _____ employees; total annual payroll \$ _____

*Please attach additional sheets if other locations exceed spaces provided above.

Estimate the number of **new employees** the property owner will cause to be created at the facility that comprises the project site within **three years**. Job creation projection must be itemized by the name of the employer (add an additional page if more than one employer). FTEs are calculated by the number of total hours worked divided by the maximum number of compensable hours for a full-time work schedule (40hrs/week):

Full-Time Equivalent 3 employees (Total); total annual payroll \$ 87,500
During the first twelve months of the agreement: _____ positions
During the second twelve months of the agreement: _____ additional positions
During the third twelve months of the agreement: _____ additional positions

Temporary Construction 15 jobs; total annual payroll \$ 1,298,813
Length of Construction Period: 12 months

In addition to the Full Time Equivalent positions listed above, are there any part time jobs and associated payroll? If so, please provide, as well as a description of the positions:

Please provide a brief description of the Job Creation that is associated with this Project (types of jobs; e.g. fabrication, warehousing, sales, operations, management, technical, retail, etc.):

architectural, construction, professional services, retail, security cleaning and maintenance

Note to Applicant: Ohio Revised Code Section 3735.673 requires the City formally to notify each county or corporation from which the company intends to relocate, and the Ohio Development, prior to approval of a tax exemption agreement. This notification must be sent prior to consideration of the exemption by Cincinnati City Council.

SECTION III – Project Investment

Real Estate Investment:

Indicate the estimated cost of the construction or remodeling: \$ ~~845,456~~
Estimated total cost of the project (including soft costs & acquisition): \$ 1,351,436
Estimated Project start date: March 2024 MS Estimated Project completion date: September 2026 MS
Current Auditor's value of property (aggregate value of all parcels involved): 285,000 September 2026
Estimated post-construction value of property: 743,951
(Please provide appraisal or other method for determining post-construction value of the property)

Other Investment *will email spreadsheet*

Investment in Machinery & Equipment (M&E) at the Property: \$ _____

Investment in Furniture, Fixtures, and Equipment (FF&E) at the Property: \$ _____

Other Investment: \$ _____

Description of Other Investment: _____

SECTION IV – Applicant Certifications

Does the property owner owe:

1. Any delinquent taxes to the State of Ohio, the City of Cincinnati or another political subdivision of the State? YES NO
2. Any moneys to the State of a state agency for the administration or enforcement of any environmental laws of the State? YES NO
3. Any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not? YES NO

If the applicant responds yes to any of the three above questions, please provide details of each instance including but not limited to the location, amounts, and/or case identification numbers (please submit additional sheets for response).

The Applicant authorizes the City and/or the Ohio Department of Development to inspect the personal financial statements of the Applicant, including but not limited to tax records and other similar information not ordinarily open to public inspection; and authorizes the Ohio Environmental Protection Agency and the Ohio Department of Taxation to release information to the City and/or the Ohio Department of Development in connection with the above statements.

Note: The above statements as to taxes and other obligations, and authorization to inspect, are required by Ohio Revised Code Section 9.66 (C) (1). As provided by statute, a knowingly false statement under this paragraph may be prosecuted as a first degree misdemeanor under Ohio Revised Code 2921.13 (D) and may render the Applicant ineligible for any future economic development assistance from the state or any political subdivision.

Please initial that you have read the above. X ABJ

Project Completion:

Once the project is complete, the Applicant is required to submit a CRA Completion Application Form along with required documentation noted therein. It is the Applicant's responsibility to submit this completed form to the City of Cincinnati to ensure the tax abatement will be initiated by the Hamilton County Auditor.

Please initial that you have read the above statement and understand that the abatement will not be considered by the Hamilton County Auditor's Office until the CRA Completion Application Form is complete and submitted.

X ABJ

Additional Certifications by Applicant:

- The Applicant acknowledges that the property is **Not Eligible** for tax exemption if construction activities are commenced prior to the execution of a Community Reinvestment Area Tax Exemption Agreement between the Applicant and the City. No agreement may be executed by the City without prior approval by Cincinnati City Council.
- The Applicant acknowledges that if the application is approved by Cincinnati City Council, a \$750.00 application fee payable to "Treasurer, State of Ohio" will be due. Applicant must submit this fee to the City's Department of Community & Economic Development upon approval by Cincinnati City Council.
- The Applicant acknowledges that a Payment In Lieu of Taxes (PILOT) agreement in the amount of 33% of the annual value of the exemption with Cincinnati Board of Education will be required. The form of this PILOT agreement is available upon request.
- The Applicant acknowledges that if one of the City's considerations for granting a tax exemption is the applicant's representation that it will enter into a VTICA, then the failure by the Applicant to do so is considered grounds for the City of Cincinnati to terminate the tax exemption granted to the Applicant.
- The Applicant acknowledges that all tax exemptions must submit an Annual Report on or before March 31 of each year. This report must be submitted for each year of the tax exemption agreement including during the construction period.
- The Applicant acknowledges that all tax exemptions will be subject to an annual monitoring fee of 1% of the annual taxes exempted under the agreement or \$500, whichever is greater; no City annual fee will be greater than \$2,500 per year. This annual monitoring fee must be submitted with each Annual Report.
- The Applicant acknowledges that to be eligible for tax exemption by the City of Cincinnati, the subject property must be located within the City of Cincinnati.
- The Applicant acknowledges that exemption values are determined by the Hamilton County Auditor's Office.
- The Applicant acknowledges that the City of Cincinnati may revoke the tax exemption any time after the first year if the property has building code violations or is delinquent on the property taxes.
- The Applicant acknowledges that the City of Cincinnati Council may rescind or alter the Ordinance granting tax exemptions.
- The Applicant agrees to supply additional information upon request.

Please initial that you have read the above. X MBJ

RECEIVED
MAR 24 2023
COMMUNITY & ECONOMIC DEVELOPMENT

Prior Agreement. Applicant represents and warrants that neither Applicant, nor any "predecessor" or "related member" is a party to another agreement granting tax exemption relating to a structure in this state at which the Applicant (or the predecessor or related member) has discontinued or intends to discontinue operations prior to the expiration of the term of that agreement. (Note: This information is required by Ohio Revised Code 3735.671 (E). As used herein "predecessor" means a person or entity that has transferred assets or equity to Applicant, which transfer resulted in the full or partial non-recognition of gain or loss, or resulted in a carryover basis, both as determined by rule adopted by the Ohio Tax Commissioner; and "related member" has the same meaning as defined in Ohio Revised Code 5733.042 without regard to division (B) of that section.)

Please initial that you have read the above. X MBJ

I declare under the penalties of falsification that this application, including all enclosed documents and statements, has been examined by me, and to the best of my knowledge and belief is true, correct, and complete.

Melissa Brown Jones
Signature of Applicant

21 March 2023
Date

Melissa Brown Jones
Printed Name

Owner, Cincinnati Curated LLC
Title (if signed as officer)

Please complete this application in its entirety and submit to the Department of Community & Economic Development along with required supporting documentation. Please make and retain a copy of this application for your records. Please allow 4 weeks for the Department of Community & Economic Development to review and follow-up on this application.

Send Completed Application to:

City of Cincinnati
Department of Community & Economic Development
805 Central Avenue, Suite 710
Cincinnati, Ohio 45202
Attention: Commercial Tax Abatement Application

Processing Timeline

Upon receipt of a completed application, city staff will work diligently to process the request and respond to the applicant in a timely manner. For estimating purposes, below is a timeline that the applicant should use from the date of the completed application to estimate the date that the applicant will be able to commence construction if the assistance request is approved. Note that most applicants do not initially submit a complete application and for most applicants some back and forth will be required with city staff to ensure the application is complete before the internal city review process can begin.

Internal City Review & Offer Letter	Four weeks
Contract Drafting & Legislative Approval	Twelve weeks
Contract Signature & Pre-construction Process	Two weeks
Estimated Timeline	Eighteen weeks

Note that the applicant cannot commence construction prior to having a signed agreement from the city or the requested assistance may not be provided by the city.

STREETCAR VTICA AREA



Required Application Attachments

Please provide the following required items as a corresponding attachment. *If you believe a particular item is not applicable to your project, please address the item by including an explanation of why you believe it is not applicable.* Please ensure that all sections of the application are complete and that **ALL REQUIRED ATTACHMENTS LISTED BELOW ARE SUBMITTED/ ADDRESSED WITH YOUR APPLICATION.** Please check all items that are included. If an item is left unaddressed by the Applicant, the reviewing department cannot complete its review of the application.

Attachment Number	Attached Y/N	Attachment Description
#1	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>Public Purpose:</u> List the major reasons why City Assistance is necessary. Discuss the project gap, why other sources are not available to fill that gap (including debt and owner equity) and how City assistance will allow the gap to be filled. For property sale requests explain why a non-competitive sale is being requested and the public benefits that will be realized.
#2	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>Development Team:</u> A) Corporate Resolution, Articles of Incorporation, and an Operating/Partnership Agreement for entity applying for assistance showing who is authorized to sign for the organization B) Certificate of Good Standing from the Ohio Secretary of State for all Organizations that will be involved in the project C) Resumes of owners and/or key managers or partners. In the case of Real Estate development, provide information for the entire development team (developer, architect, contractor, leasing/sales agent, LEED certifications, etc.) D) Names, addresses, photos and a brief description of recent projects completed by the development team of similar type and size to that proposed in this application.
#3	<input checked="" type="radio"/> Yes <input type="radio"/> No	Current Financial Statement or other acceptable third party verification of funds from all entities or individuals who will be contributing more than 20% of the required equity for the investment.
#4	<input type="radio"/> Yes <input type="radio"/> No	<u>Financial Information:</u> A) Real Estate Projects: Provide spreadsheet of 10 year cash flow projection and list all project assumptions (rent rates, revenue & expense growth, etc). Provide budget that details total project investment (reference Section III of application). These documents may be requested in Excel format.

		<p>2) Current business financial statement (less than 90 days old);</p> <p>3) Business financial projections for three fiscal years (privately held companies only);</p> <p>4) Business financial information for the last three fiscal years on affiliate businesses when appropriate.</p>
#5	<input checked="" type="radio"/> Yes <input type="radio"/> No	<p><u>Sources of Funds:</u> For all sources included in the sources and uses provided in #4 above, please attach documentation:</p> <p>A) Conditional bank commitment and/or term sheet B) List of any additional grant requests pending or committed C) Tax credits allocated or being applied for D) Financing Projections E) Other</p>
#6	<input checked="" type="radio"/> Yes <input type="radio"/> No	<p><u>Cost Verifications:</u> Cost verifications and/or third party cost estimates. If third-party estimates are not available, explain your methodology for arriving at your project budget. Please include:</p> <p>A) Purchase agreements for any acquisitions B) Contractor Estimates or bids for new construction and/or rehabilitation C) Architectural Contract D) Other</p>
#7	<input type="radio"/> Yes <input type="radio"/> No	<p><u>Environmental Site Assessments:</u> Summary Review / Statement of Phase I & Phase II ESA results</p>
#8	<input checked="" type="radio"/> Yes <input type="radio"/> No	<p><u>Market Information:</u></p> <p>A) Summary of appraisal, market study, Real Estate comps and industry information with sources. B) Include a copy of any third-party or in-house market analysis completed for the preparation of financial projection assumptions (sales or lease prices, absorption and capture rates, vacancy rates, expense escalators, etc.).</p>
#9	<input checked="" type="radio"/> Yes <input type="radio"/> No	<p>Copy of proposed construction plans/renderings etc.</p>
#10	<input type="radio"/> Yes <input type="radio"/> No	<p><u>Proposed Project Timeline:</u> Anticipated milestones – Please provide in Gantt format if available.</p>
#11	<input type="radio"/> Yes <input type="radio"/> No	<p><u>Legal Description of the Property Involved:</u> This may include a survey as well as a written legal.</p>
#12	<input checked="" type="radio"/> Yes <input type="radio"/> No	<p>If this project is seeking LEED or Living Building Challenge (Full, Net Zero, or Petal [must include "Energy Petal"]) Certification, provide confirmation of registration</p>
#13	<input checked="" type="radio"/> Yes <input type="radio"/> No	<p><u>Application Fee</u> (\$1,250 made payable to city of Cincinnati and \$750 for the Ohio Department of Development)</p>

#14	<input type="radio"/> Yes <input type="radio"/> No	<u>City Business Disclosure Form</u>
#15	<input type="radio"/> Yes <input type="radio"/> No	<u>SBE Utilization Plan</u>
#16	<input type="radio"/> Yes <input type="radio"/> No	<u>Balanced Development Application</u>

March 20, 2024

To: Mayor and Members of City Council

From: Sheryl M.M. Long, City Manager

202400897

Subject: Cincinnati Property Tax Relief

REFERENCE DOCUMENT #202400736

On March 13, 2024, the Council referred the following for a report:

MOTION, submitted by Councilmember Jeffreys, **WE MOVE** that a task force be created to make short, medium and long-term policy recommendations on how the City can provide relief to residents that are tax burdened by the recent spike in property taxes. **WE FURTHER MOVE** that this task force include members from HOME, LISC, the Realists, Legal Aid, the Urban League, the National Appraiser Bias Task Force, the Greater Cincinnati Northern Kentucky Apartment Association, Community Action Agency, the City of Cincinnati, and the Hamilton County Auditor & Treasurer as well as effected homeowners and other subject matter experts. **WE FURTHER MOVE** that the Administration continue to hold the \$50 million in reserves that is being held in the event the Schaad v. Alder case is overturned. These funds should be held until this task force can make recommendations for property tax relief. If Schaad v. Alder is overturned, then those reserves should be leveraged for their original intent.

The purpose of this report is to respond to Councilmember Jeffreys' motion regarding the proposed creation of a task force to produce policy recommendations relating to increased property taxes.

As a threshold matter, reference is made to the report previously produced by the Administration capturing the recommendations and responses to the extensive work of the Property Tax Working Group on this issue. The report was issued in September 2021 and is available as Item 202102393.

The motion indicates an interest in policy recommendations related to the recent spike in property taxes. The effective tax rate for residential properties in fact dropped significantly from 2023 to 2024 (76.87 mills for taxes paid in 2023 to 69.30 mills for taxes paid in 2024). A similar decrease in tax rate occurred for commercial properties (90.56 mills for taxes paid in 2023 to 82.07 mills for taxes paid in 2024). Therefore, the majority of any tax increase recently experienced by a property owner was likely due to increased property valuations resulting from the 2023 reappraisal process, a state-required process completed by the

Hamilton County Auditor. Therefore, the Administration recommends that policy research focus on the driving factors behind valuation increases.

The motion further discusses the potential utilization of up to \$50 million of the City's financial reserves to provide property tax relief. This suggestion raises grave concerns for the Administration. First, the \$50 million is part of the City's overall cumulative financial reserves—a critical factor in maintaining the City's credit rating. Though the identified portion of the reserves was part of planning for an unfavorable outcome in the *Schaad v. Alder* case, those funds are still an important part of the City's overall reserve levels and financial health. That is true regardless of the outcome of the litigation. Further, though a favorable decision was recently issued in that litigation, the appeal window for that decision has not yet expired. Finally, though temporarily supported by American Rescue Plan funds, the City is still experiencing an operating deficit, has overall high debt levels, and has an unfunded pension obligation of over \$700 million. Any discussion on this issue, whether relating to utilization of reserves or changes to the City's property tax rate, must incorporate the context of the City's overall financial health and operational impacts.

The task force, as proposed, will be considered a public body and subject to associated legal requirements under state law, including open meetings requirements. The Administration does not have the capacity at this time to oversee and manage such a project, so if pursued by Council this task force will need to be overseen by one or more Councilmembers and their staff. We recommend tight coordination with the Law Department to ensure that all legal requirements are followed.

cc: William Weber, Assistant City Manager



202400909

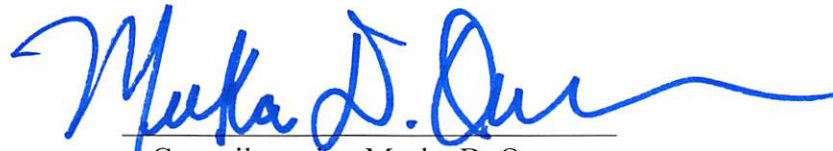
Meeka D. Owens
Cincinnati City Council

March 18th, 2024

Feasibility of a Cincinnati Rental Improvement Fund (CRIF)

WE MOVE that the administration prepare a report within sixty (60) days on the feasibility of the Philadelphia Housing Develop Corporation's (PHDC) Rental Improvement Fund (RIF) being implemented in the City of Cincinnati, including but not limited to:

- Costs
- Possible funding sources from Local, State, and Federal sources
- Identification of scope/eligibility, including but not limited to, possible pilot neighborhoods.
- Identification of how improvements will be in alignment with the Green Cincinnati Plan.
- Identification of how this program could prevent evictions and/or legal actions.
- How this program can accommodate, support, and expand current Financial Assistance Programs such as Emergency Repair Grants, CARE, HIP, HFHGC, HSP, and HARBOR
- How education of this program can be a part of landlord/tenant trainings
- How this can factor into the Code Enforcement Process
- Involvement from the Law Department's Quality of Life team
- Identification of local partners to leverage including but not limited to, banks, NGOs, and contractors.
- Overall steps for implementation.



Councilmember Meeka D. Owens





CAL

3/18

DR

[Faint, illegible handwritten text]

STATEMENT

Philadelphia, Pennsylvania's Rental Improvement Fund (RIF) elevates small landlord to improve their properties and to keep them affordable. By implementing a program like this, Cincinnati would be capable of stating that we want local ownership of rental properties, and we want them to be improved with local means. This program does not just elevate small housing providers but also elevates local contractors, plumbers, roofers, carpenters, and more. This program will advance opportunities for multiple different facets of our community.

This program is just beginning in Philadelphia but has already allocated almost a \$1 million dollars to 40 providers. Many providers were under the impression that this program would not be as effective as promised but were able to renovate their home over the course of a couple weeks. This program would be highly beneficial for small housing providers as the loan structure established in Philadelphia allows for fully forgive and with no additional interest, allowing housing providers to improve their property without future financial consequences.

Rental Improvement Funds show the importance for state and local partnerships for the aspiration of healthy stable housing. By leveraging state and local dollars, Pennsylvania has been able to address neighborhoods of a major metropolitan city and revitalize them while maintaining rents. The establishment of a Rental Improvement Fund would be game changing for Cincinnati and would allow small housing providers to keep their properties rather than selling them to large LLCs. Resulting in a more equitable and localized housing ecosystem.



202400916

Seth Walsh
Councilmember

3/14/2023

MOTION

To Study the Feasibility of the City Assuming Operations of the Ault Park 4th of July Fireworks

WE MOVE that the administration produces a report within thirty (30) days on the feasibility of assuming operations of the 4th of July fireworks celebration in Ault Park from the Ault Park Advisory Council (APAC), Hyde Park Neighborhood Council (HPNC), and Mt. Lookout Community Council (MLCC). This report should include background information on the history of the 4th of July fireworks celebration, the logistics of running the event including any support needed from other City departments, how much funding is necessary, and what is needed to make the event sustainable going forward.

BACKGROUND

The 4th of July fireworks celebration in Ault Park has been going on for over 50 years and has been historically put on by a group of volunteers in the community. The event has been very successful and grown considerably over time and is a staple of 4th of July in Cincinnati. However, in part due to this growth and success, it was recently announced by the volunteer organizers that they can no longer independently organize, fund, and administer the event. The primary stated reasons are safety and security and fundraising. The organizers explored many options but concluded that they do not have the capacity to “own” the event any longer.

Councilmember Seth Walsh

March 25, 2024

To: Members of the Budget and Finance Committee

202400945

From: Sheryl M. M. Long, City Manager

Subject: Presentation – City Manager’s Strategic Priorities

Attached is the City Manager’s Strategic Priorities Presentation for the Budget and Finance Committee Meeting on Monday, March 25, 2024 at 1:00 PM.

cc: Natasha S. Hampton, Assistant City Manager
Virginia Tallent, Assistant City Manager
William “Billy” Weber, Assistant City Manager

Fiscal Year 2025 Budget Presentation

City Manager Sheryl M.M. Long

Agenda

City Manager's Office

- City Manager's Strategic Priorities
- FY24 Accomplishments
- Introduction to Community Perceptions Survey

Office of Performance & Data Analytics

- 2023 Community Perceptions Survey Results
- Performance Management Agreements

Department Budget Presentations



MISSION STATEMENT

Through collaboration with our community and partners, we will work to preserve and improve our residents' lives by delivering effective, friendly, and efficient services.

We will employ the following strategies in pursuit of our mission:

People | Create disciplined leaders at all levels of City operations that are passionate and committed to our mission, and who work effectively to accomplish it.

Accountability | Develop a culture and practice that understands the importance of setting performance goals, measuring our progress, and following through on direction and obligations.

Focus | Create strategic alignment around a common set of outcomes and prioritize resources and actions to advance them.

Collaboration | Develop a culture and practice of collaborating, listening, and communicating with our colleagues, elected officials, partners, and community.

Impact | Maximize impact through efficient use of resources, leveraging technology, optimizing revenues, and continual evaluation of the effectiveness of existing resource investments.

Equity | Adopt an intentional, aggressive, and transparent approach to addressing inequities in our community through action at every level of city operations.

The Strategic Initiative Execution Teams (SIET) were created to establish the framework and supporting routines needed for a more proactive, collaborative, and disciplined approach to citywide decision making.

Strategic Initiative **Execution Teams**

Created to establish the framework and supporting routines needed for a more proactive, collaborative, and disciplined approach to citywide decision-making.



Excellent & Equitable Service Delivery

People-Centered Leadership | Customer Experience |
Data-Driven Culture | Equity-focused Delivery |
Open Dialogue with Community



Thriving Neighborhoods

Affordable Housing | Tenant-Centered Housing |
Climate Resilience | Desirable Destination



Public Safety & Health

Violence Reduction | Diversion | Emergency Readiness |
Protective Health



Fiscal Sustainability

Transparent, Collaborative Budgeting | Financial Resilience |
Evaluate Proportional Allocations | Asset Management



Growing Economic Opportunity

Job Mobility | Racial Wealth Equity | Business Expansion |
Conducive Infrastructure

FY24 Accomplishments

- Performance Management
- Revenue Enhancements and Annual Review Process
- Cincinnati Southern Railway Sale and Capital Budget
- Code Enforcement Academy
- Economic Development

FY24 Accomplishments Cont.

- Multi-Departmental Community Engagement Enhancements
- Office of Human Service Interventions
- Placed Based Investments
- Special Events Permit Increases and Efficiencies
- Career Pathways Youth Participation Increase

Intro to Community Perceptions Survey Results

- Second full-service community perceptions survey to capture satisfaction with City services and community priorities for investment in services, as well as benchmark Cincinnati against peer cities.
- This year, we're proud to share a few key highlights:
 - Cincinnati is on the rise! Of the 51 areas assessed in the survey, we rated above the U.S. average in 43% of areas and significantly above average in 39% of areas
 - In comparison to our peers, our advantages include ratings of the city as a place to live, customer service provided by employees, quality of service provided by the City, and much more.

Summary

- Updated city-wide strategic goals and objectives to reflect community needs and vision of City leadership
- Created new way to identify and track Performance Measures and Volume Measures for each department and functional area
- Focused on building transparent accountability measures to monitor our progress

March 25, 2024

To: Members of the Budget and Finance Committee

202400941

From: Sheryl M. M. Long, City Manager

Subject: Presentation – OPDA: Performance Management Update

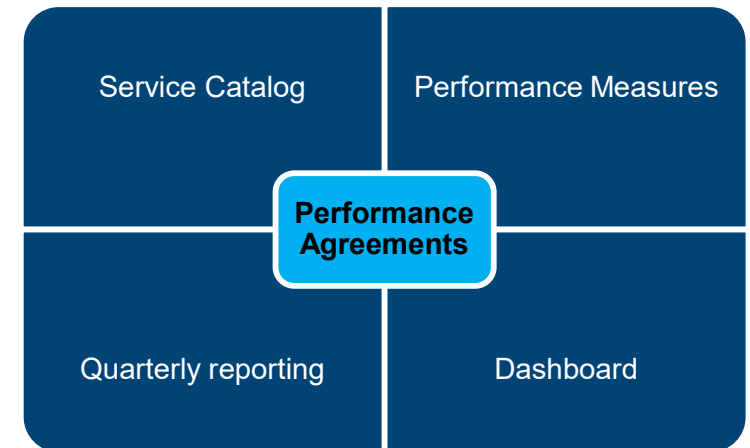
Attached is the Office of Performance and Data Analytics (OPDA)'s Performance Management Update Presentation for the Budget and Finance Committee Meeting on Monday, March 25, 2024 at 1:00 PM.

cc: Natasha S. Hampton, Assistant City Manager
Virginia Tallent, Assistant City Manager
William "Billy" Weber, Assistant City Manager

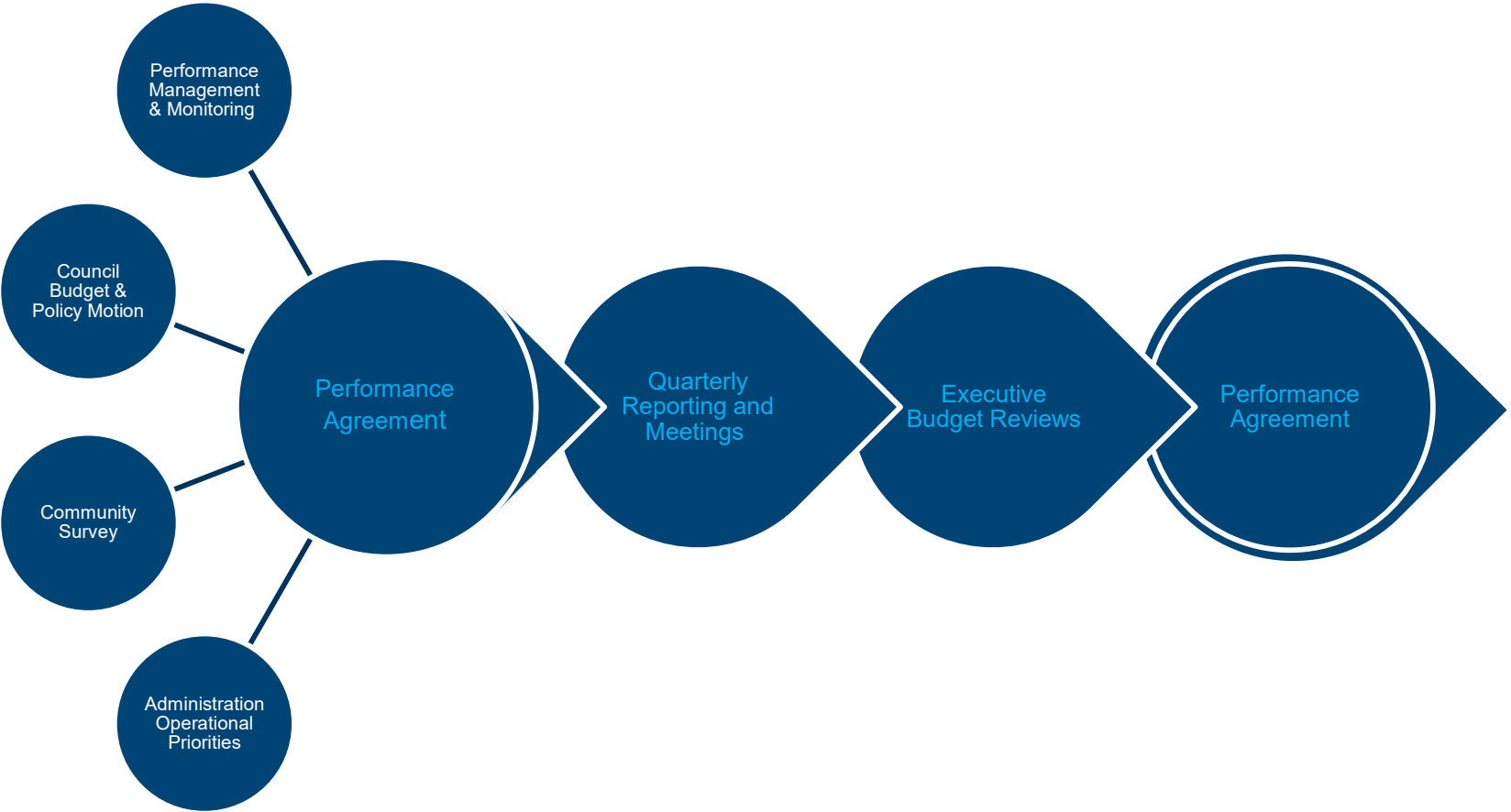
PERFORMANCE MANAGEMENT

Department Performance Management Process

- **Common language and standardized approach citywide**
- **Service Catalog of key services the department provides**
- **Performance Measures for each service**
 - Volume Measures
 - Performance Goals
- **Performance Management dashboard to track top 10 Performance Goals**
- **End goal is sustained performance improvement**
- **Performance Agreements are the contract between the CM and Directors clearly indicating and aligning on priorities.**



Performance Agreement Priority Inputs



Department Performance Management Process

Completed

- B&I
- CCA
- CPD
- DEI
- DOTE
- DPS
- ECC
- ETS
- GCWW
- HR
- Law
- MSD
- Planning
- Budget
- Internal Audit

In Progress

- Finance
- CFD
- Recreation
- Parks
- Health
- CAGIS

Upcoming (completed June 2024)

- OES
- OPDA
- Procurement
- Communications
- Human Services
- Aging and Accessibility
- Federal Grants Administration
- Office of Equity
- Special Events
- DCED

Department Presentation to Council

- **FY24 Accomplishments**
- **Service Delivery Challenges (narrative)**
- **FY25 Performance Goals**
- **Budget History**

THANK YOU



@CincyInsights



/CincyStat



cincinnati-oh.gov/manager/opda



cincystat@cincinnati-oh.gov

Performance Management Process Timeline



March 25, 2024

To: Members of the Budget and Finance Committee

From: Sheryl M. M. Long, City Manager

202400944

Subject: Presentation – OPDA: City of Cincinnati Community Survey Results

Attached is the Office of Performance and Data Analytics (OPDA)'s City of Cincinnati Community Survey Results Presentation for the Budget and Finance Committee Meeting on Monday, March 25, 2024 at 1:00 PM.

cc: Natasha S. Hampton, Assistant City Manager
Virginia Tallent, Assistant City Manager
William "Billy" Weber, Assistant City Manager



City of Cincinnati Resident Survey

PRESENTED BY ETC INSTITUTE

Since 2006,
ETC Institute
Has,
In More Than
1,000 Cities
&
49 States,
Surveyed
More Than
3,000,000
Persons.

ETC Institute is a National Leader
in Market Research for Local
Governmental Organizations

*For more than 35 years, **our mission** has
been to help municipal governments
gather and use survey data to enhance
organizational performance.*

Purpose

To objectively assess resident satisfaction with the delivery of City services and provide comparisons to past survey results

To compare the City's performance with similarly sized communities

To help determine priorities for the City using Importance-Satisfaction Analysis

To provide the City with an additional tool that can be used to help strategically plan as the City continues to grow

Methodology

Survey Description

- 3rd Resident Survey conducted for the City by ETC Institute

Method of Administration

- By mail and online to a random sample of households in the City
- Each survey took approximately 15-20 minutes to complete

Sample Size

- **Goal:** 1,200 completed surveys – minimum of 200 from six (6) neighborhood zones
- **Actual:** 1,235 completed surveys – all neighborhood zone goals were met

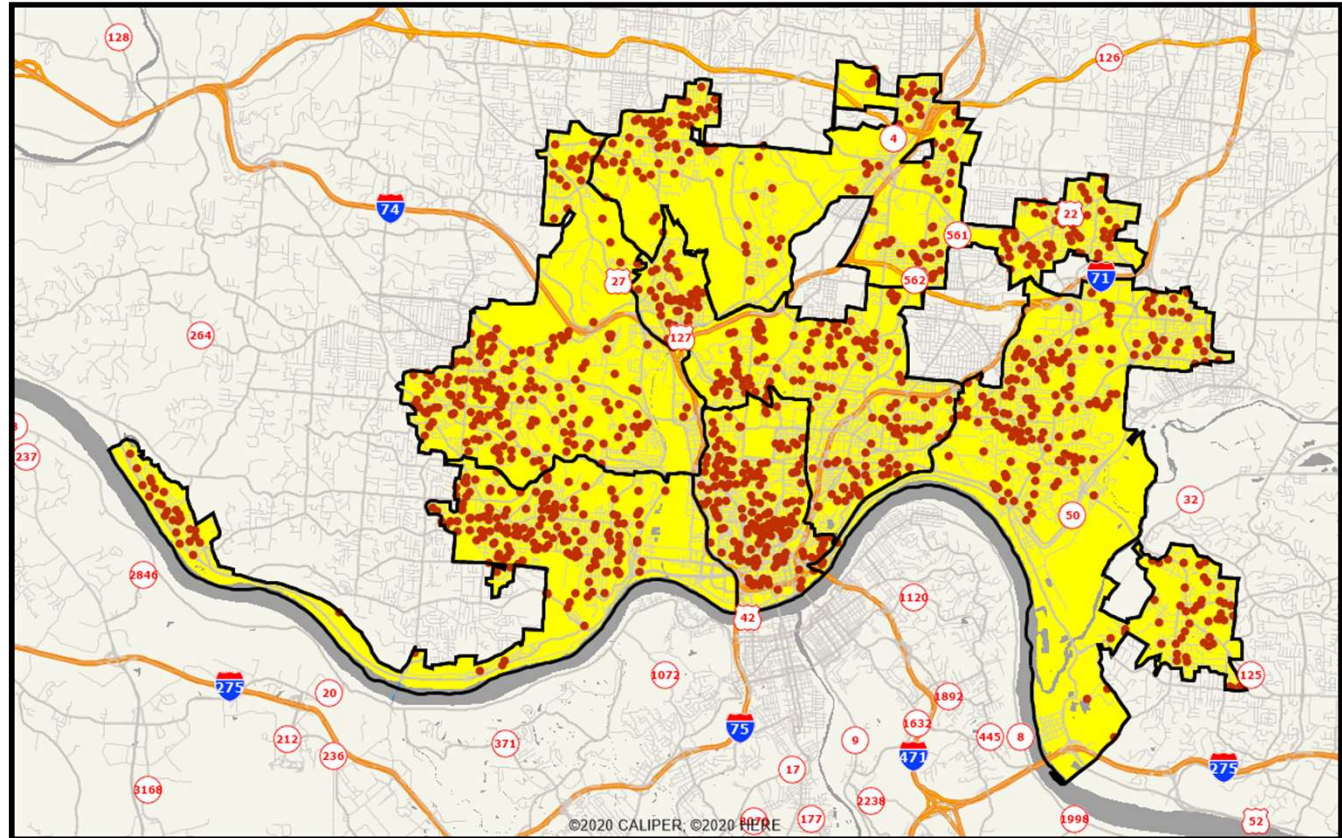
Margin of Error

- +/- 2.8% at the 95% level of confidence

Location of Survey Respondents

Good representation of responses throughout the City

Home address of all respondents are geocoded to the block level



City of Cincinnati Resident Survey

Benchmarks

The City's survey contained 51 questions that were directly comparable to ETC Institute's benchmarking databases

The U.S. Average is based on a national survey administered during the summer of 2023 to a random sample of more than 10,000 U.S. residents

The average for communities with a population of 250k or more is based on surveys administered to more than 1,500 residents living in large cities during the summer of 2023

Benchmarks

Of the 51 areas assessed, the City rated above the U.S. average in 22 areas (43%) and significantly above the U.S. average (a difference of 4 percentage points or more) in 20 areas (39%)

The City rated above the similarly sized community average in 32 areas (63%) and significantly above the U.S. average (a difference of 4 percentage points or more) in 27 areas (53%)

Comparisons to Similarly Sized Average

COMPARATIVE ADVANTAGES

City parks & recreation programs/facilities
Rating the city as a place to live
Customer service you receive from City employees
Overall quality of curbside recycling services
Rating the city as a place to work
Overall quality of trash collection services
How quickly fire services personnel respond to emergencies
Overall quality of services provided by City
Overall image of City
How quickly emergency medical personnel respond to emergencies

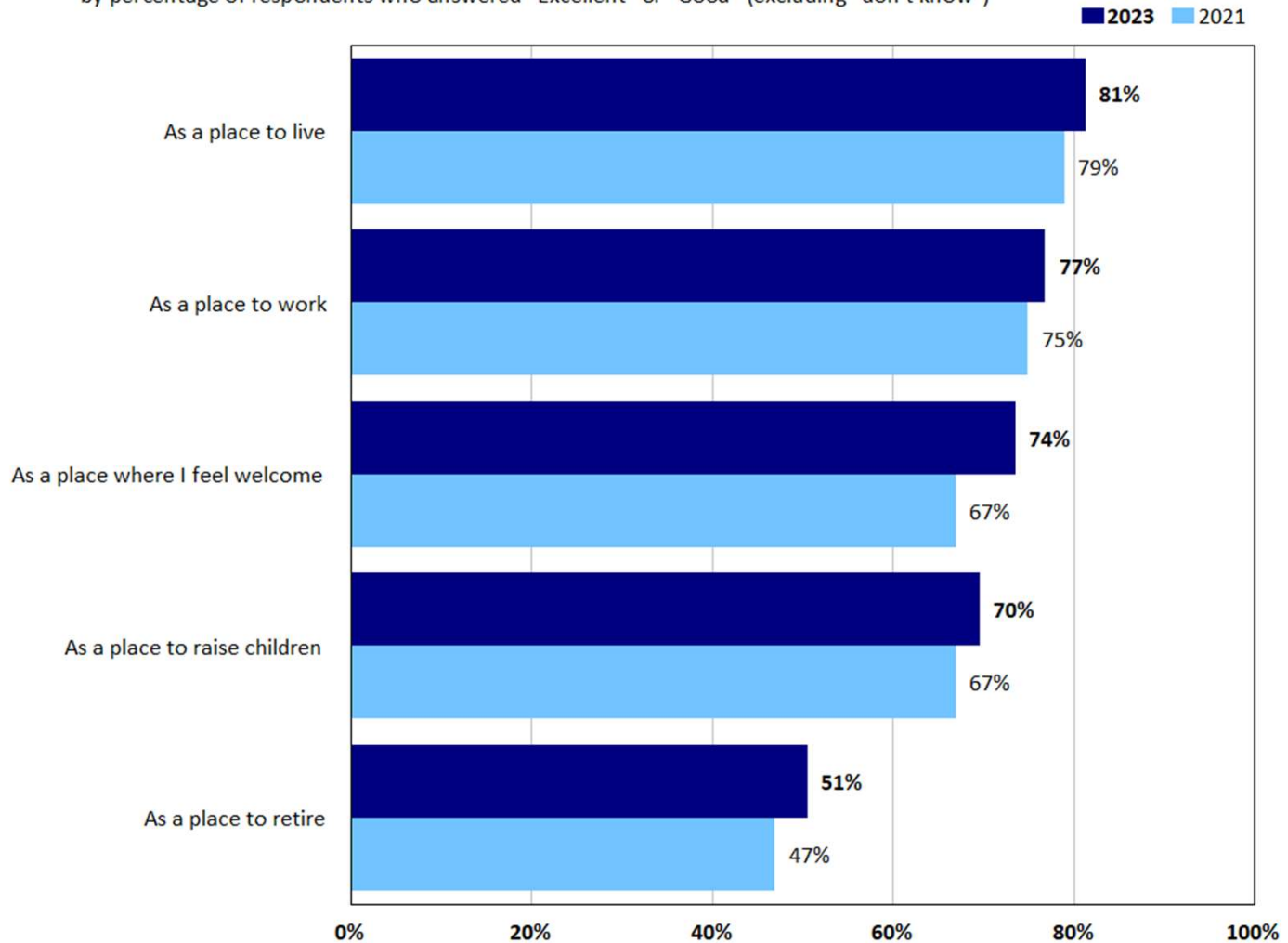
COMPARATIVE WEAKNESSES

Condition of sidewalks in the City
Overall feeling of safety in City
Maintenance of city streets
Adequacy of city street lighting
Quality of on-street bicycle infrastructure
Enforcing trash, weeds, and exterior maintenance in your neighborhood
Accessibility of streets, sidewalks, & buildings for people with disabilities
City's overall efforts to prevent crime
City government efforts to keep you informed about City services, issues, events, and programs
Enforcement of clean-up of trash and debris on private property

Satisfaction Ratings

Q1. Overall Ratings of City

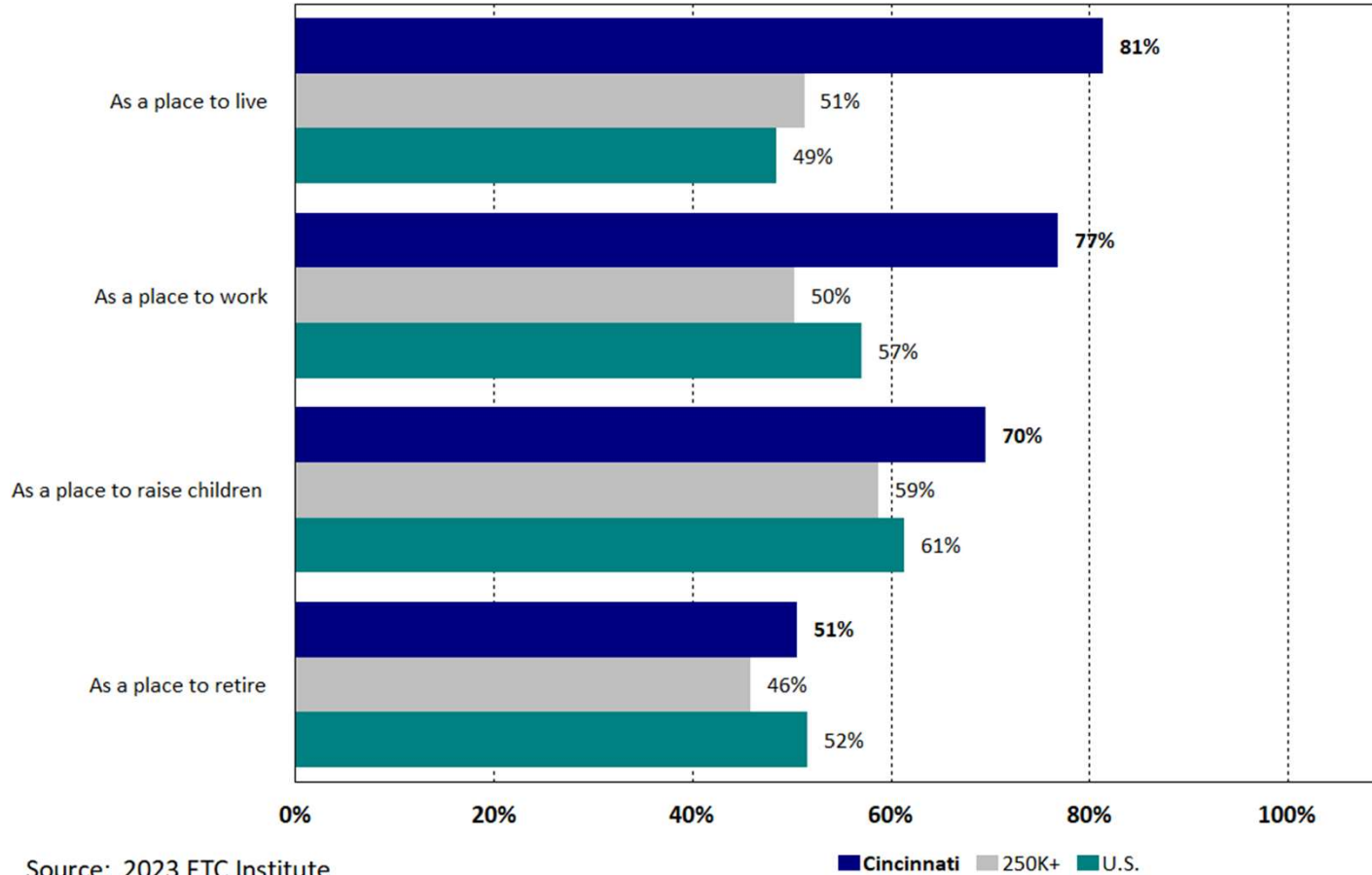
by percentage of respondents who answered "Excellent" or "Good" (excluding "don't know")



Although perceptions have seen a dip nationally, Cincinnati has avoided any major downturns

Overall Satisfaction with Cincinnati City of Cincinnati vs. 250K+ Cities vs. U.S.

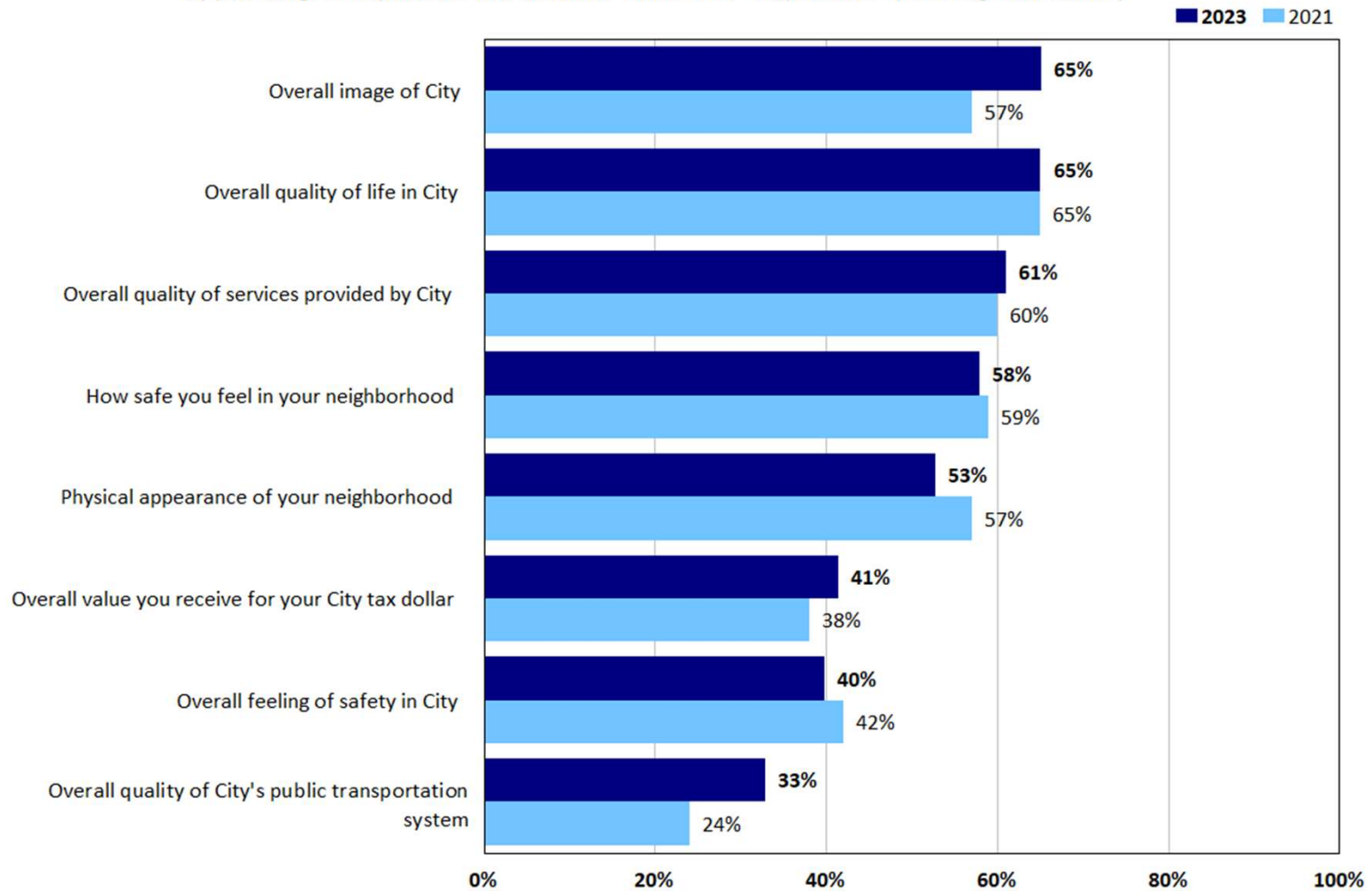
by percentage of respondents who rated the item 4 or 5 on a 5-point scale where 5 was "very satisfied" and 1 was "very dissatisfied" (excluding don't knows)



Overall, the City is performing exceptionally well compared to both averages

Q2. Perceptions of the Community

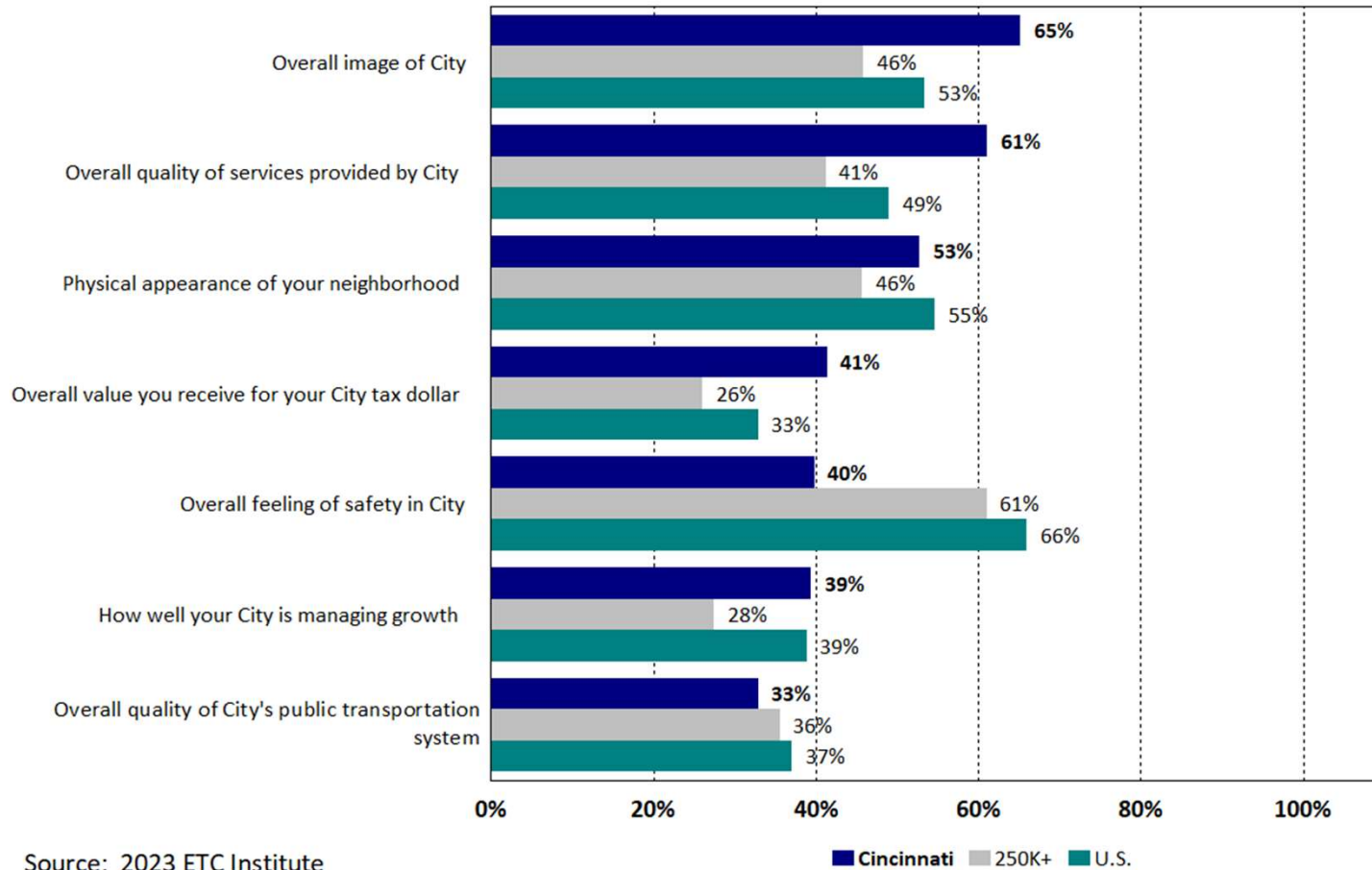
by percentage of respondents who answered "Satisfied" or "Very Satisfied" (excluding "don't know")



Key perception items have seen an increase in positive ratings

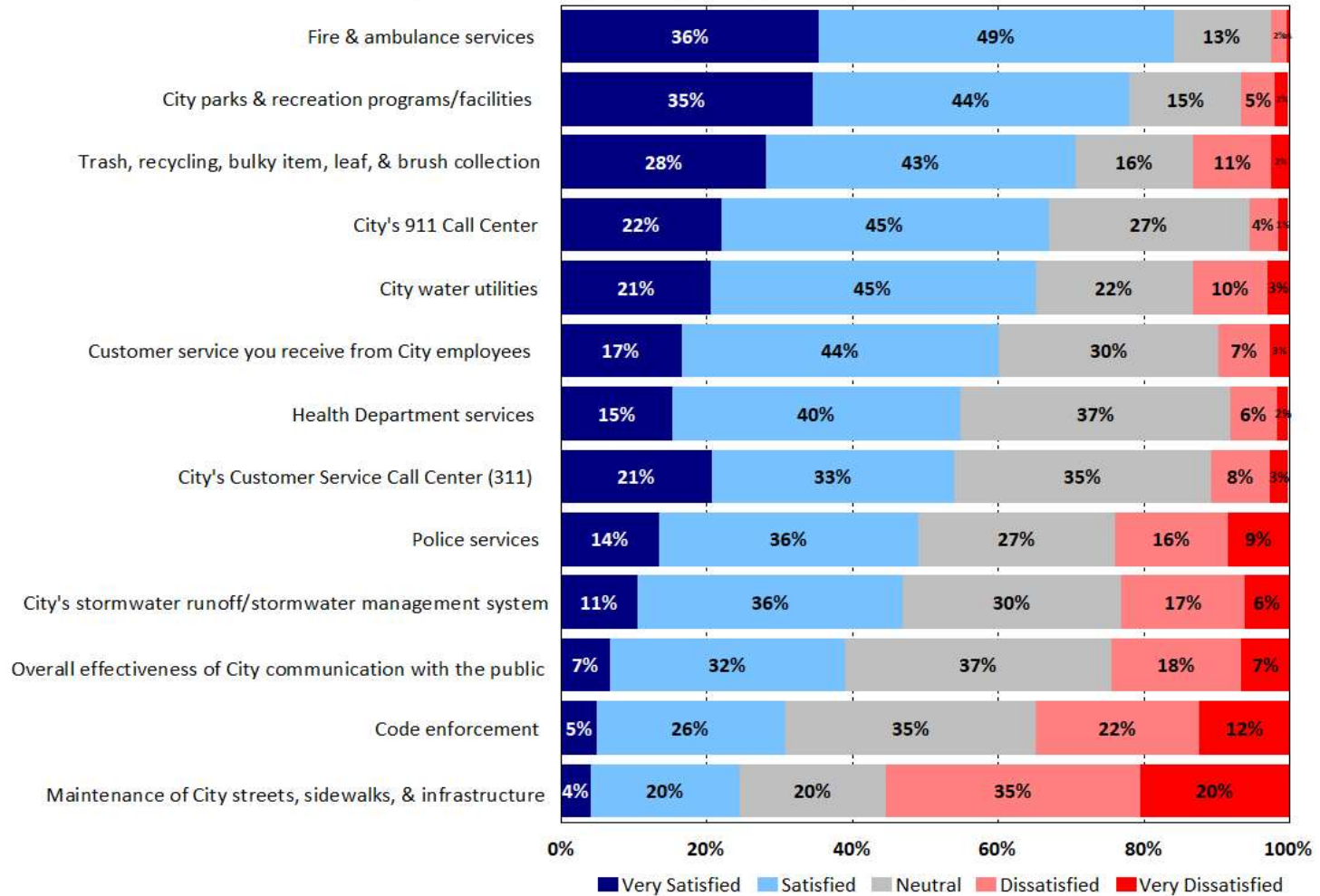
Overall Satisfaction with Perceptions of the Community City of Cincinnati vs. 250K+ Cities vs. U.S.

by percentage of respondents who rated the item 4 or 5 on a 5-point scale where 5 was "very satisfied" and 1 was "very dissatisfied" (excluding don't knows)



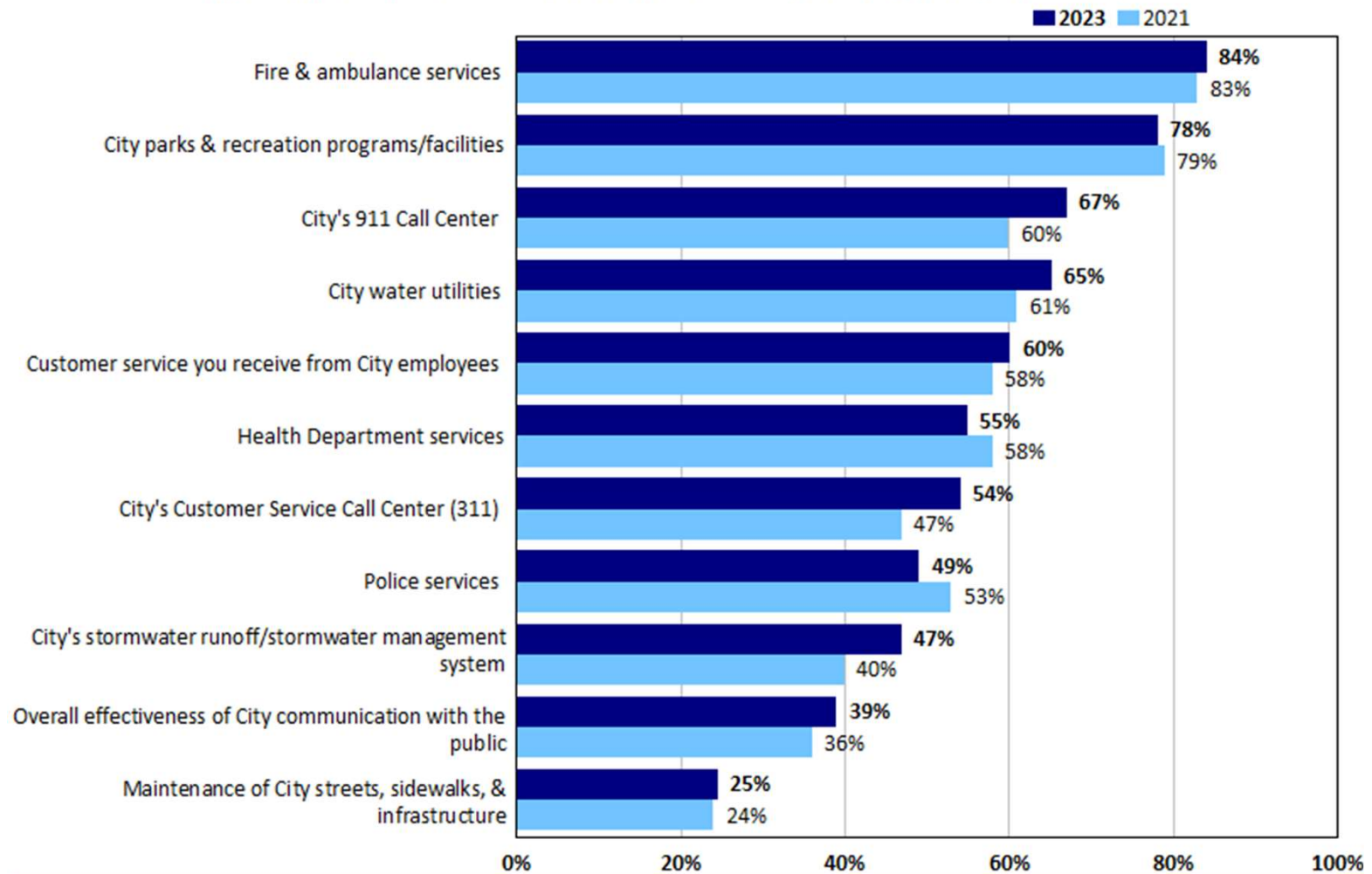
Q3. Overall Quality of City Services

by percentage of respondents (excluding "don't know")



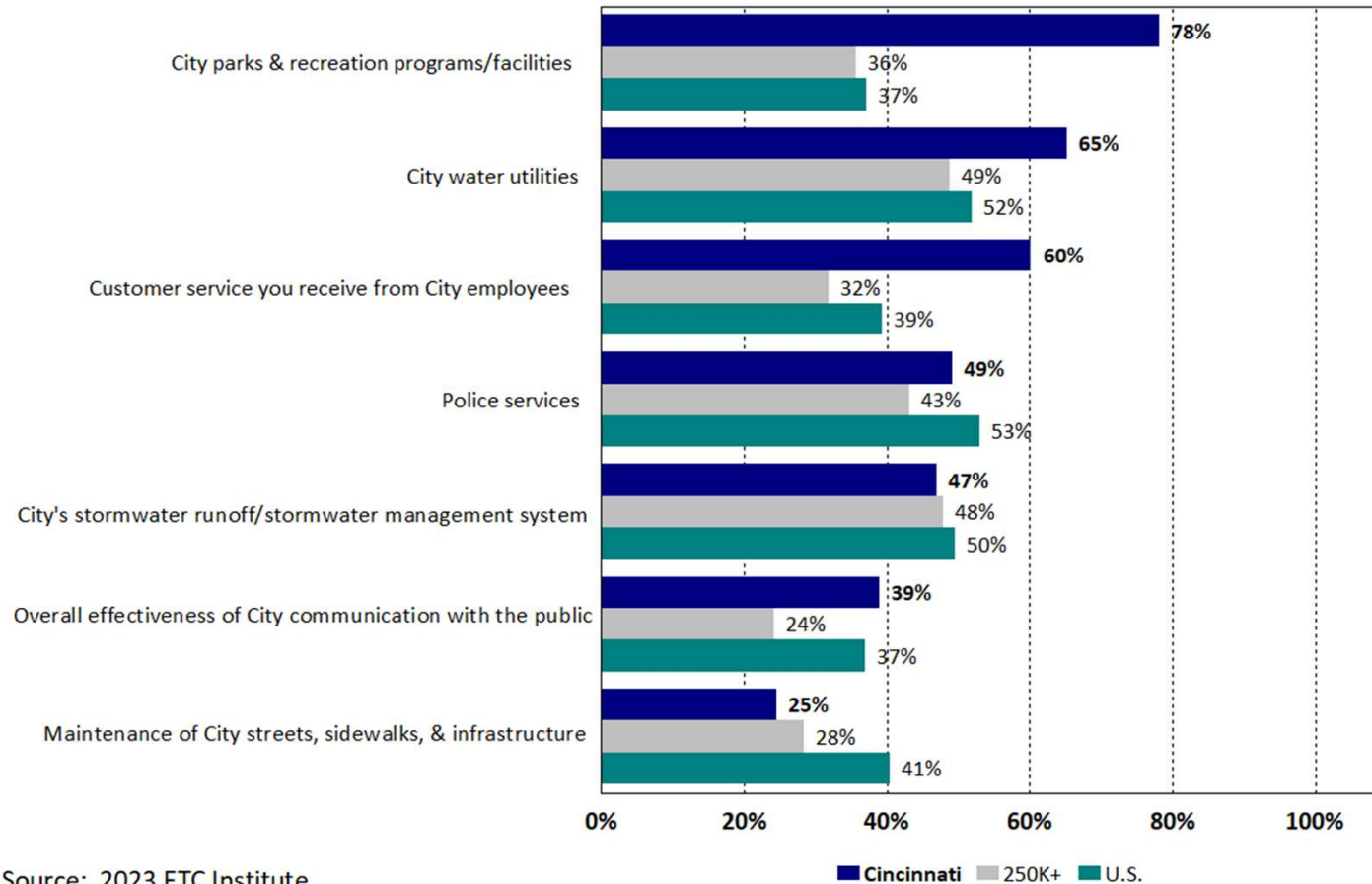
Q3. Quality of City Services

by percentage of respondents who answered "Satisfied" or "Very Satisfied" (excluding "don't know")



Overall Satisfaction with the Overall Quality of City Services City of Cincinnati vs. 250K+ Cities vs. U.S.

by percentage of respondents who rated the item 4 or 5 on a 5-point scale
where 5 was "very satisfied" and 1 was "very dissatisfied" (excluding don't knows)

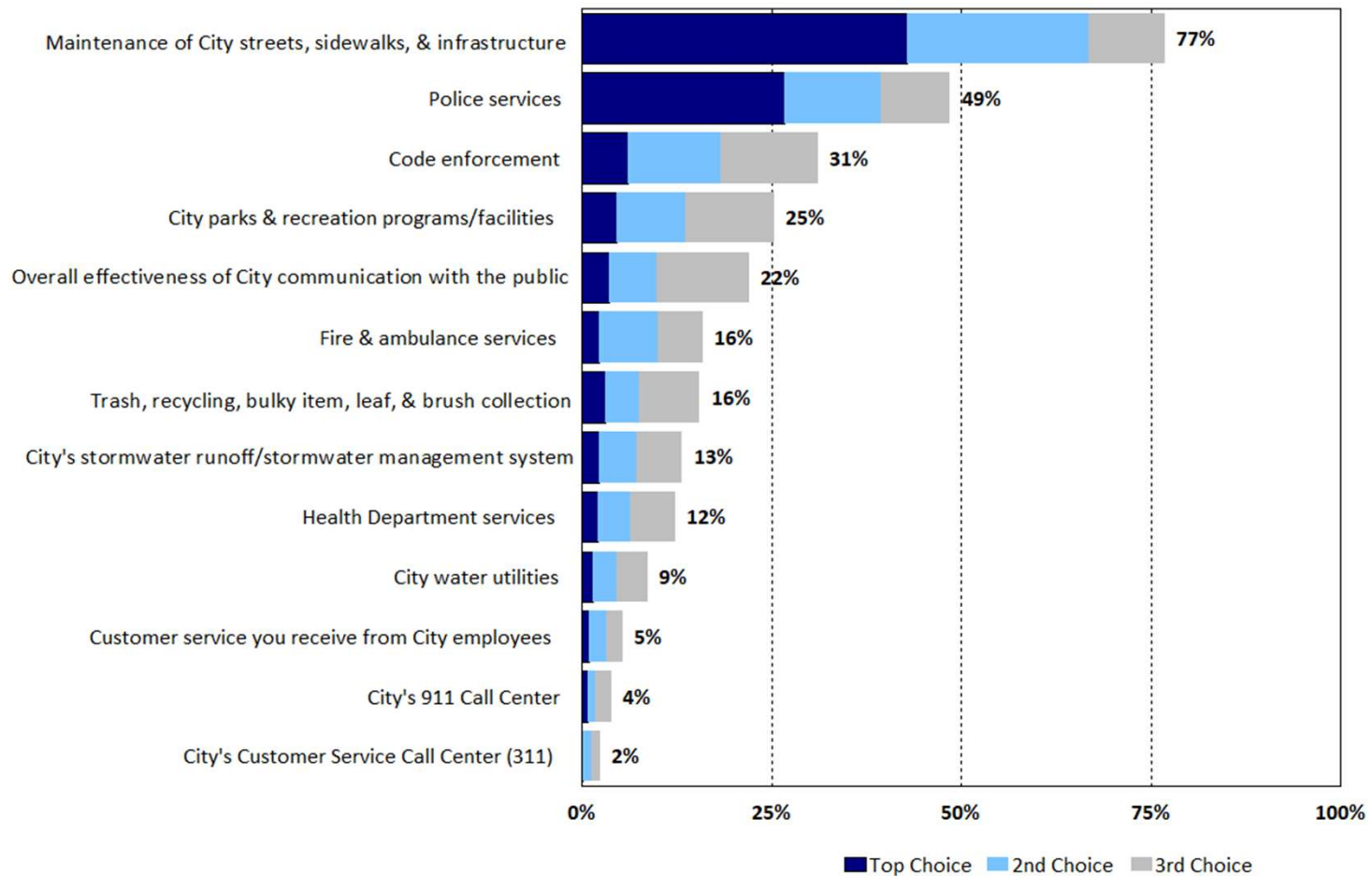


Source: 2023 ETC Institute

Importance Ratings

Q4. Which THREE services do you think are MOST IMPORTANT for the city to emphasize over the next two years?

by percentage of respondents who selected the item as one of their top three choices



Importance-Satisfaction Analysis

Importance-Satisfaction Rating

Cincinnati, OH

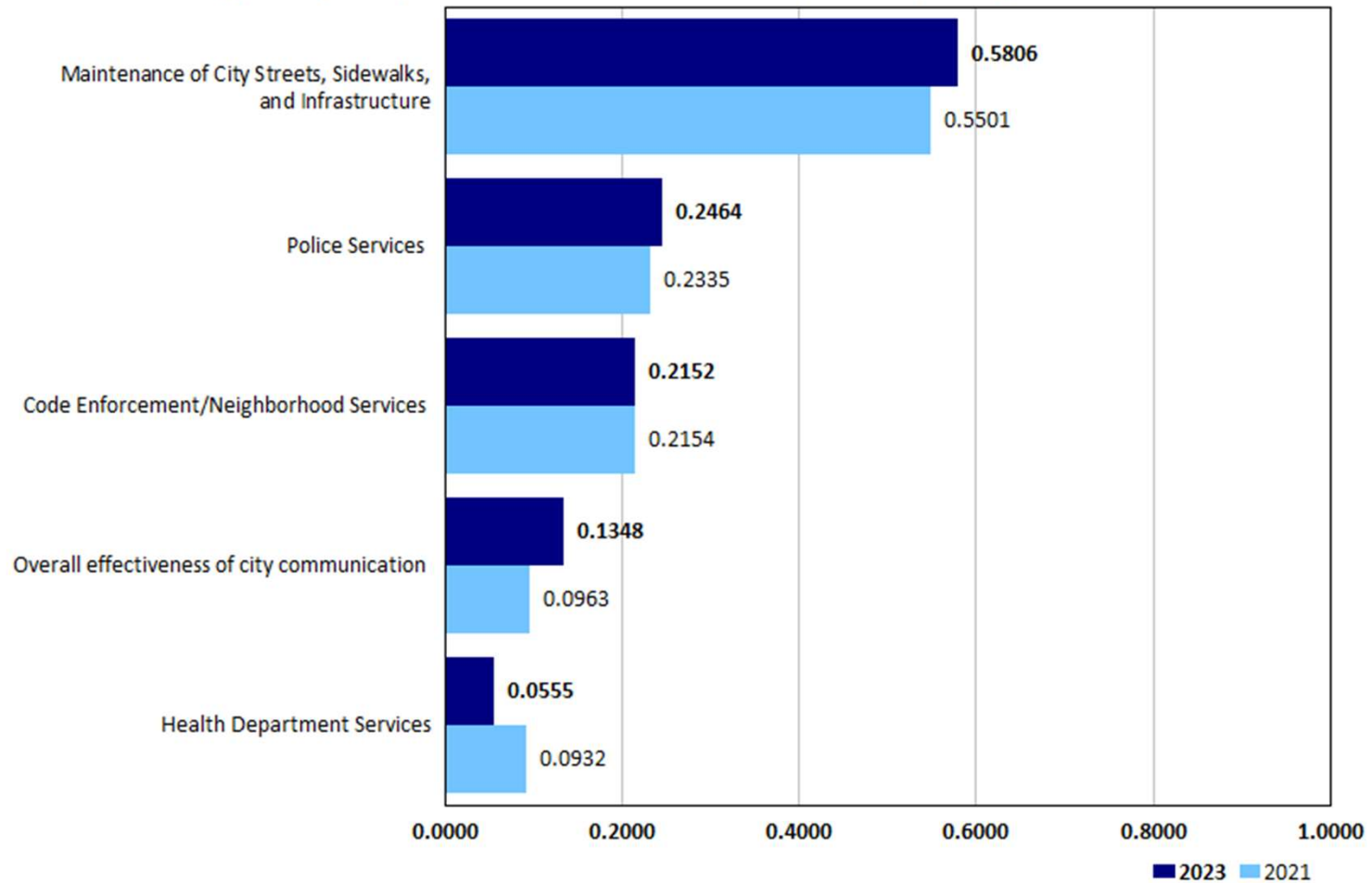
Major City Services

Category of Service	Most Important %	Most Important Rank	Satisfaction %	Satisfaction Rank	Importance-Satisfaction Rating	I-S Rating Rank
Maintenance of City streets, sidewalks, & infrastructure	77%	1	25%	13	0.5806	1
Police services	48%	2	49%	9	0.2464	2
Code enforcement	31%	3	31%	12	0.2152	3
Overall effectiveness of City communication with the public	22%	5	39%	11	0.1348	4
City's stormwater runoff/stormwater management system	13%	8	47%	10	0.0701	5
Health Department services	12%	9	55%	7	0.0555	6
City parks & recreation programs/facilities	25%	4	78%	2	0.0554	7
Trash, recycling, bulky item, leaf, & brush collection	16%	7	71%	3	0.0454	8
City water utilities	9%	10	65%	5	0.0303	9
Fire & ambulance services	16%	6	84%	1	0.0251	10
Customer service you receive from City employees	5%	11	60%	6	0.0215	11
City's 911 Call Center	4%	12	67%	4	0.0132	12
City's Customer Service Call Center (311)	2%	13	54%	8	0.0110	13

I-S Ratings .1000 or Greater Are Considered a High Priority for Investment Over the Next Two Years

Top 5 Importance Satisfaction Ratings 2021 vs 2023

by percentage of respondents who answered "Satisfied" or "Very Satisfied" (excluding "don't know")



Summary

Overall, residents continue to have a positive perception of the City

- The ratings of many key areas increased since the baseline survey

Satisfaction with the overall quality of city services is higher in Cincinnati than other communities of a similar size

Top Priorities for Improvement

1. Maintenance of City streets, sidewalks, and infrastructure
2. Police services
3. Code enforcement
4. Overall effectiveness of City communication with the public

Questions?

THANK YOU

March 25, 2024

To: Members of the Budget and Finance Committee **202400933**

From: Sheryl M. M. Long, City Manager

**Subject: Presentation – Department of Buildings and Inspections (B&I)
Department Budget Presentation**

Attached is the Department of Buildings and Inspections' Department Budget Presentation for the Budget and Finance Committee Meeting on Monday, March 25, 2024 at 1:00 PM.

cc: Natasha S. Hampton, Assistant City Manager
Virginia Tallent, Assistant City Manager
William "Billy" Weber, Assistant City Manager

Buildings and Inspections

Budget & Finance Committee

March 25, 2024

Agenda

- Mission Statement and Services
- FY24 Accomplishments
- Service Delivery Challenges
- FY25 Performance Goals
- Budget and FTE History

Mission Statement and Services

To protect the health, safety, and quality of life in the built environment by ensuring code compliance, eliminating blight and safety hazards; facilitating efficient development; and promoting safe housing.

- Building Permit Inspection
- License Inspection
- Commercial Courtesy Inspection
- HVAC Inspection
- Permit Intake & Issuance
- Landlord and Tenant Training
- Community Engagement & Outreach
- Contractor Registration
- Designer/Contractor Training
- Journeyman Plumber Registration
- Elevator Period Inspection
- Elevator Plan Review & New Elevator Inspections
- Commercial Reviews
- Residential Reviews
- Coordinated Site Review
- Special Event Reviews
- Plan Consultation
- HVAC Plan Review
- Zoning Support
- Plumbing Code Enforcement
- Plumbing Plan Exam and Inspection
- PMCE Complaints and Inspections
- PLAP
- Vacant (VBML, VFPR)
- Harbor
- Hazard Abatement
- RRR and RRI
- Relocation Assistance Programs
- Emergency Call Outs
- Zoning Code Enforcement
- Façade & Fire Escape Inspection
- Stabilization of Historic Buildings

FY24 Accomplishments

- **Enhanced Residential Tenant Protections:** Approval of ordinances and program implementations for 1) Permanent and Expanded Residential Rental Inspection (RRI) Program, 2) New Essential Services Program, and 3) New Landlord Responsibility Program. Implementation of these ordinances adopted by City Council in December 2023, allows the department to take a more tenant-centric view to maintain safe housing by:
 - Expanding the RRI, to ensure B&I and Law holistically ensure that a residential rental property owner's entire portfolio of units are maintained and safe once the owner has established a track record of demonstrated problems with one or more properties in 7 priority neighborhoods.
 - Providing an option for B&I to correct essential services that make a building habitable and avoid forced removal of tenants from a residential rental property.
 - Establish the minimum financial responsibilities a residential rental property owner has to tenants when vacation of a building is required
- **Modeling after B&I's original success within the Customer Service Division, Civil Service, AFSMCE, Central HR and current inspection staff agreed to new career ladder.** The ladder altered previously 3 inspector positions into 4 career steps. Its design integrates seamlessly with the B&I's state approved Inspection Training Academy, the first in Ohio. The career ladder allows B&I to hire initially a more diversified mix of competent people who previously could not because they lacked state minimum experience requirements and train them in the Inspection Academy (Inspector 1). Satisfactory academy and probation completion and passing of State Certification Exams, leads to next step (Inspector 2). Inspectors may then self-progress at their own ability, to Inspector 3 and 4 levels, with sufficient experience years and additional certifications. The department would optimally desire to see all Inspection staff obtain Inspector 4 classification, providing high levels of knowledge and service delivery.
- **City Council authorized funding of a unit of 10 inspectors and 2 assistant supervisors with a goal of tackling complex code enforcement issues.** Operating closely with the Police District liaisons and Quality of Life attorneys, the unit of experienced inspectors, will work within programs such as RRI, VBML, VFBR, as well as difficult code compliance cases to provide for consistent inspection enforcement and more efficient problem solving for problem properties within the city. As the Inspection Academy begins to fill the current 36% inspector vacancy gap, this unit will help to reduce workloads of other inspectors, allowing them to improve the timeliness of other core departmental functions.

Service Delivery Challenges

- **Challenge 1:** B&I continues to experience a lack of qualified human capital in the Plan Examination and Inspection arena. This is affecting the departments' ability to execute established performance metrics. Steps have been implemented to combat these concerns, yet recruitment efforts remain challenging.
 - Approved career ladder changes for inspectors. Previously a 3-step career ladder, there are now 4 steps in the inspection career ladder. Its design integrates seamlessly with B&I's state approved Inspection Training Academy, the first in Ohio. The career ladder allows B&I to hire initially a more diversified mix of competent people who previously could not because they lacked state minimum experience requirements and train them in the Inspection Academy. The training academy is 44 weeks. This leaves B&I with reduced staffing levels until completion, which affects service delivery.
 - Plan Examiner job specification changes – B&I created an additional job classification, the Building Plans Examiner. This position will permit B&I to hire candidates that may not be a Registered Engineer or Architect; however, they must be a certified Building Inspector with 5 years' experience in a certified non-residential Ohio building department. This will allow inspectors to move into plan examiner positions which retains employees with institutional knowledge. It also permits capacity to review plans that do not require the skill set of a Senior or Master Plans Examiner.
 - Both areas, while opening the arena, share the challenge of initial limited productivity.
- **Challenge 2:** B&I's service delivery is impacted by the current data systems in place. While the department is in transition to CAGIS EDGE, it is imperative that B&I is in a position for the complete transition in FY25. Additional hardware will be needed to ensure office & field staff are adequately operational. The Customer Service data system, particularly the phone management system, has proven to be challenging with the onboarding of department programs.
- **Challenge 3:** B&I's service delivery is impacted by lack of effective communication with the neighborhoods. Sixty percent of complaints are viable while 40% are not necessarily code violations that inspectors can act on. Educating the neighborhood on the various tools, resources, and programs that B&I offers will aid in addressing neighborhood concerns. Knowing what are quality of life complaints and other potential code violations that the Strategic Code Team can act on will enable B&I to provide more impactful service delivery, reduce time addressing non-viable complaints which will aid in improving established metrics. This will also broaden the perception of the Building Department where B&I can be viewed as an ally to the 52 neighborhoods of Cincinnati.

FY25 Performance Measures

Plan Examination

- **90% of Initial Commercial Plan Reviews will be completed in 15 business days**
- **# of commercial permits applied for**

Plan Examination

- **90% of Initial Residential Plan Reviews will be completed in 10 business days**
- **# of residential permits applied for**

PMCE - PLAP

- **90% of initial PLAP Inspections (Litter and Grass) will be completed in 2 business days of the complaint being filed**
- **# of PLAP complaints received**

PMCE Complaints & Inspections

- **90% of Non-Emergency Site Inspections are completed within 5 business days of the complaint being filed**
- **# of Non-Emergency Site Inspections completed**

PMCE – VBML, VFPR

- **90% of site inspections are completed within 5 days of complaint or registration**
- **# of site inspections completed**

Budget and FTE History

Buildings & Inspections General Fund	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Personnel Compensation	6,262,170	5,628,380	6,865,450	6,973,850	7,793,500
Fringe Benefits	2,576,740	2,140,150	2,579,290	2,427,300	2,948,200
Non-Personnel Expenses	734,440	832,400	1,156,310	2,092,170	2,669,900
General Fund Total	9,573,350	8,600,930	10,601,050	11,493,320	13,411,600

Buildings & Inspections Principal Restricted Funds	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Stormwater Management Fund 107	-	-	1,372,670	1,621,940	1,652,840
Income Tax-Infrastructure Fund 302	62,370	46,780	62,370	62,370	53,030
Hazard Abatement Fund 347	1,033,610	2,728,810	1,574,840	696,950	697,060
Principal Restricted Funds Total	1,095,980	2,775,590	3,009,880	2,381,260	2,402,930

Buildings & Inspections - FTEs by Agency	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
211 - Buildings & Inspections, Licenses & Permits	76.00	76.00	75.00	110.00	121.50
212 - Property Maintenance Code Enforcement	34.50	40.50	45.50	9.50	8.00
FTE Total	110.50	116.50	120.50	119.50	129.50

Questions?

March 25, 2024

To: Members of the Budget and Finance Committee 202400946

From: Sheryl M. M. Long, City Manager

Subject: Presentation – Department of Transportation & Engineering (DOTE) Department Budget Presentation

Attached is the Department of Transportation & Engineering's Department Budget Presentation for the Budget and Finance Committee Meeting on Monday, March 25, 2024 at 1:00 PM.

cc: Natasha S. Hampton, Assistant City Manager
Virginia Tallent, Assistant City Manager
William "Billy" Weber, Assistant City Manager

Transportation and Engineering

Budget & Finance Committee

March 25, 2024

Agenda

- Mission Statement and Services
- FY24 Accomplishments
- Service Delivery Challenges
- FY25 Performance Goals
- Budget and FTE History

Mission Statement and Services

A safe, balanced and multimodal transportation system by regulating activities in the roadways and sidewalks, preserving and improving infrastructure assets, and operating the Streetcar and Lunken Airport.

- OUPs Markings
- CPD Camera Installations
- Emergency Outages
- DOTE Permits
- Sidewalk Vending Program
- Coordinated Site Review
- Gateways
- Neighborhood Traffic Calming
- Private Property Encroachment
- Sidewalk Safety Program
- Bicycle Program
- Traffic Signal Management
- Pedestrian Safety Program
- Geotechnical Review of B&I Permits
- Construction Administration and Inspection
- Wall Stabilization and Landslide Correction
- Bridge Program
- Hillside Step Program
- Western Hills Viaduct
- Street Rehabilitation
- Operations Management of the Airport
- Operations Management of the Streetcar
- OpenCounter Permits
- Street Lighting and Design

FY24 Accomplishments

- The Pedestrian Safety program launched two pilot projects this past year: centerline hardening (11 locations), and concrete speed cushions (5 locations). Both pilots have been well received by the community. Other DOTE initiated Traffic Calming measures implemented include 17 Curb Extensions, 2 Curb Radii Reduced, 22 Street Segments with Speed Limits Reduced, 1 Pedestrian Island, 4 Slip Lanes Removed, 2 Street Segments with Rush Hour Parking Converted to 24/7 Parking, 34 Speed Cushions, 13 Speed Limit Pavement Tattoos, 6 Miles of Street Resizing.
- DOTE was awarded over \$21 million in outside grant funding. Notable grants in 2023 include: Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant: Westwood Northern Blvd Corridor Plan = \$2,275,000; Ohio Department of Transportation (ODOT) Safety Grants for multiple locations = \$2,061,000; Southwest Ohio Regional Transit Authority (SORTA) Transit Infrastructure Fund (TIF): Gilbert Avenue Complete Street = \$4,900,000; SORTA TIF: Harrison Avenue Roadway Improvement = \$1,856,136; Ohio Kentucky Indiana Regional Council of Governments (OKI) Transportation Alternative (TA) Grant: Reading and Asmann Pedestrian Safety = \$1,000,000; OKI Surface Transportation Block Grant (STBG): Lick Run Connector Bike Trail = \$8,000,000; Ohio Department of Natural Resources (ODNR) Earmarks: Wasson Way and Uptown Corridor Bike Trails = \$650,000; ODNR Clean Ohio Trail Fund: Red Bank Road = \$500,000.
- CY 2023 saw record ridership for the streetcar. In 2023, over 1 million riders used the streetcar to get to their jobs, shopping and special events. This was a 30% increase over the previous year.

Service Delivery Challenges

- **Challenge 1: Current Staffing levels: 25 current vacancies – 181/206 - operating budget**
- **Challenge 2: Software/hardware upgrades to improve customer service – operating budget**
- **Challenge 3: Increasing construction costs e.g. Street Rehab - \$500,000 per lane mile – capital budget**

FY25 Performance Measures

Pedestrian Safety Program

- 15% reduction in pedestrian crashes from the previous year
- Total # of pedestrian crashes

Street Rehabilitation

- Annual PCI rating of 65 or higher
- Total # of Contracts bid

Emergency Outages

- 95% of emergency outages are responded to within 24 hours
- Total # of emergency outages

Traffic Signals

- 10 traffic signals rebuilt each year
- Total # of traffic signals rebuilt each year

Western Hills Viaduct

- Meet 95% of the project milestones
- Percentage of design completed

Budget and FTE History

Transportation & Engineering - General Fund	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Personnel Compensation	309,520	250,660	560,400	492,330	977,060
Fringe Benefits	160,060	13,500	87,430	102,180	198,080
Non-Personnel Expenses	1,932,240	2,013,000	2,060,560	2,049,100	2,245,930
General Fund Total	2,401,820	2,277,160	2,708,390	2,643,610	3,421,070

Transportation & Engineering - Principal Restricted Funds	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
General Aviation Fund	2,083,250	2,273,620	2,127,810	2,161,580	2,222,220
Street Construction Maintenance & Repair Fund	475,000	1,403,910	1,418,580	1,441,860	1,461,950
Income Tax-Infrastructure Fund	6,904,820	8,610,880	11,117,710	11,967,310	11,572,580
Municipal Motor Vehicle License Tax Fund	-	202,020	209,300	236,180	256,190
Streetcar Operations Fund	300,150	3,288,700	4,846,472	4,913,210	5,682,240
Income Tax-Transit Fund	253,710	1,685,320	-	-	-
Principal Restricted Funds Total	10,016,930	17,464,450	19,719,872	20,720,140	21,195,180

Transportation & Engineering - FTEs by Agency	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Office of the Director	19.00	20.00	19.00	19.00	20.00
Transportation Planning	30.80	31.80	30.80	32.00	40.73
Engineering	67.50	65.50	66.00	65.00	56.00
Aviation	13.00	14.00	12.00	12.00	12.00
Streetcar Operations	0.00	2.00	2.00	2.00	2.00
Traffic Services	0.00	41.00	41.00	41.00	46.00
Traffic Engineering	28.00	29.00	27.00	28.00	29.46
FTE Total	158.30	203.30	197.80	199.00	206.19

Questions?

March 25, 2024

To: Members of the Budget and Finance Committee 202400947
From: Sheryl M. M. Long, City Manager
Subject: **Presentation – Department of Public Services (DPS) Department Budget Presentation**

Attached is the Department of Public Service’s Department Budget Presentation for the Budget and Finance Committee Meeting on Monday, March 25, 2024 at 1:00 PM.

cc: Natasha S. Hampton, Assistant City Manager
Virginia Tallent, Assistant City Manager
William “Billy” Weber, Assistant City Manager

Department of Public Services

Budget & Finance Committee

March 25, 2024

Agenda

- Mission Statement and Services
- FY24 Accomplishments
- Service Delivery Challenges
- FY25 Performance Goals
- Budget and FTE History

Mission Statement and Services

Our mission is to partner with the citizens of Cincinnati to provide a clean and safe City through efficient solid waste collection, neighborhood maintenance programs, effective street maintenance and fleet management, litter reduction programs, and management of the City's facility assets.

- Collections
- Emergency Response
- Facilities
- Fleet
- Right-of-Way (ROW)
- Special Events

FY24 Accomplishments

- **The Fleet garage slab replacement project addressed concrete deterioration and increased the strength of the floor slab to allow for modern day equipment and trucks to be serviced at the City's Fleet garage that was built in 1954. The renovated slab will receive an epoxy coating for protection. This project addressed operational and structural hazards.**
- **Fleet innovation project, guidance committee, and telematics project will include all on-road City vehicles and will provide real time vehicle information such as location, mileage, and diagnostic trouble codes. This will also assist the City in moving forward our routing and dispatching processes within some Departments & Divisions. Rollout is currently taking place and will continue throughout this year.**
- **Cincinnati Facilities Maintenance (CFM) will be breaking ground on a new Fire training campus this spring. Completion of the project is projected to take 14 months with 95% completion being within FY2025.**

Service Delivery Challenges

- **Challenge 1: Additional project professionals to develop and monitor projects that will replace existing infrastructure** (Fire Station replacement, facility renovations).
- **Challenge 2: Obsolete facilities that don't meet the needs of current & future operations.**
(Fleet garage, Cormany garage, West Fork garage and incinerator)
- **Challenge 3: Operational funding for new infrastructure** (ex. bike lanes, Wasson Way Trail) that is turned over to DPS to maintain.

FY25 Performance Measures

Collections

- Less than 1% of 90,000 households have a missed collection CSR per week
- # of missed collection CSRs received

Emergency Response

- One passable lane per street within 24 hours of last snowfall
- # of miles driven during each snow event

Right-of-Way

- Complete 90% of dumping and obstruction CSRs in 24 hours
- # of dumping and obstruction CSRs received

Potholes

- 75% of pothole CSRs are closed within 14 days
- # of pothole CSRs received

Service 5

- 75% of PM (preventative maintenance) on vehicles completed on time each month according to each vehicle's maintenance schedule
- # of vehicles that completed preventative maintenance

Budget and FTE History

Public Services General Fund	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Personnel Compensation	4,945,690	4,806,920	5,490,510	6,328,680	6,065,390
Fringe Benefits	2,065,290	1,896,000	2,017,900	2,186,480	2,267,610
Non-Personnel Expenses	7,614,450	7,659,370	8,363,480	8,089,520	7,921,200
General Fund Total	14,625,430	14,362,290	15,871,890	16,604,680	16,254,200

Public Services Principal Restricted Funds	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Stormwater Management Fund	8,244,920	8,377,230	7,369,660	7,791,460	7,850,340
Street Construction Maintenance & Repair Fund	14,854,800	13,490,250	14,259,960	14,605,470	14,720,170
Income Tax-Infrastructure Fund	6,628,270	4,135,280	4,604,100	4,368,120	4,354,670
Municipal Motor Vehicle License Tax Fund	3,559,030	3,316,850	3,390,770	3,550,450	3,751,840
Safe and Clean Fund	50,500	51,010	51,520	52,040	52,040
Principal Restricted Funds Total	33,337,520	29,370,620	29,676,010	30,367,540	30,729,060

Public Services - FTEs by Agency	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Office of the Director	11.00	10.00	9.00	9.00	8.00
Traffic and Road Operations Division (TROD)	166.00	122.00	117.00	115.92	116.00
Neighborhood Operations Division (NOD)	206.00	206.00	207.00	206.73	201.00
City Facilities Management (CFM)	28.00	28.00	27.00	27.00	27.00
Fleet Services	72.00	72.00	70.00	71.00	71.00
FTE Total	483.00	438.00	430.00	429.65	423.00

Questions?

March 25, 2024

To: Members of the Budget and Finance Committee 202400943
From: Sheryl M. M. Long, City Manager
Subject: Presentation – Department of Finance Department Budget Presentation

Attached is the Department of Finance’s Department Budget Presentation for the Budget and Finance Committee Meeting on Monday, March 25, 2024 at 1:00 PM.

cc: Natasha S. Hampton, Assistant City Manager
Virginia Tallent, Assistant City Manager
William “Billy” Weber, Assistant City Manager

Finance

Budget & Finance Committee

March 25, 2024

Agenda

- Mission Statement and Services
- FY24 Accomplishments
- Service Delivery Challenges
- FY25 Performance Goals
- Budget and FTE History

Mission Statement and Services

Our core mission is to protect the fiscal integrity of the City through the financial management of taxpayer resources, collection of revenue, disbursements, administration of payroll, debt management, prudent investments and the preparation of financial statements, among other duties. In addition, the Department focuses on the wellbeing of employees through employee safety programs, an employee wellness program and employee benefit programs.

- Audits
- Collections
- Income Tax Administration
- Safety & Workers Compensation
- PEAP
- Health & Wellness Benefits
- EHS
- Insurance
- Financial Reporting
- Payroll
- Financial Operations
- Bond Retirement
- Tax Collection
- Licenses
- Cash Management
- Investments (Treasury)
- Benefits (Retirement)
- Investments (Retirement)
- Retirement Administration

FY24 Accomplishments

- **GFOA Certificate of Achievement for Excellence in Financial Reporting.** This certificate indicates that the City is timely in its financial reporting and that the City goes beyond the minimum requirements of generally accepted accounting principles to prepare its Annual Comprehensive Financial Report that evidences the spirit of transparency and full disclosure.
- **2023 Healthiest 100 Workplaces in America Award.** Healthcare is the City's 2nd largest expense. This award acknowledges the Finance Department's efforts to encourage healthy behaviors and personal proactive health management which both lead to lower healthcare costs to the City.
- **Received affirmed strong credit ratings of AA and Aa2.** The ratings stress the City's well managed financial operations and strong fiscal planning and policies.

Service Delivery Challenges

- **Recruiting, training, and retaining professional staff to ensure proper checks and balances are performed.**
- **Providing comprehensive healthcare coverage for employees in an efficient and cost-effective manner that is also consistent with union contract requirements .**
- **Staying current with technology trends that can make City processes more efficient and effective.**

FY25 Performance Measures

Income Tax Collections

- 90% of refunds issued within 90 days
- # of refunds

Financial Operations

- 75% of all GF revenue line item projections are within 5% of actuals or \$250,000 for those line items, whichever is greater.

Financial Operations

- 90% of vendors paid within 30 days
- # of payments processed

Treasury Investments

- 80% of the portfolio equaling or exceeding the benchmark as defined in the investment policy
- Investment return percentage

Safety & Workers' Compensation

- Conduct at least 10 facility/job site safety audits per quarter
- # of facility/job site safety audits

Budget and FTE History

Finance General Fund	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Personnel Compensation	4,753,500	4,546,490	4,335,700	4,543,680	4,879,770
Fringe Benefits	1,598,970	1,428,700	1,500,300	1,528,860	1,596,710
Non-Personnel Expenses	966,200	1,002,275	1,367,800	1,278,310	1,436,880
General Fund Total	7,318,670	6,977,465	7,203,800	7,350,850	7,913,360

Finance Principal Restricted Funds	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Parking System Facilities Fund	52,810	54,550	55,040	55,040	55,320
Bond Retirement Fund	129,215,090	147,505,719	184,199,480	129,455,840	149,756,080
Income Tax-Infrastructure Fund	376,610	396,440	231,370	146,800	145,210
Parking Meter Fund	46,330	46,330	44,320	26,320	26,320
Retirement System Fund*	-	-	-	-	3,984,610
Principal Restricted Funds Total	129,690,840	148,003,039	184,530,210	129,684,000	153,967,540

*The Retirement System Fund is government by a Board of Trustees. Management of the agency was transferred to the Department of Finance in FY 2024. The budget is developed on a calendar year basis. The FY 2024 amount represents the CY 2024 estimate.

Finance - FTEs by Agency	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
106 - Retirement*	0.00	0.00	0.00	0.00	15.00
131 - Office of the Director	3.00	3.00	3.00	3.00	3.00
133 - Accounts and Audits	19.00	19.00	19.00	19.00	18.81
134 - Treasury**	12.00	12.00	13.00	13.00	14.00
135 - Risk Management	19.70	27.70	25.70	25.96	30.63
136 - Income Tax	30.80	31.00	31.00	31.00	31.00
137 - Procurement***	23.00	24.00	0.00	0.00	0.00
FTE Total	107.50	116.70	91.70	91.96	112.44

*Retirement was moved to Finance in FY 2024.

**FTEs in Treasury included an additional position for FY 2024 due to a temporary overfill; FTEs have since been reduced to 13.00 in Treasury.

***Procurement was moved to the City Manager's Office for FY 2022.

Questions?