



City of Cincinnati

801 Plum Street
Cincinnati, Ohio 45202

CALENDAR

Cincinnati City Council

Wednesday, October 28, 2020

2:00 PM

Council Chambers, Room 300

ROLL CALL

PRAYER AND PLEDGE OF ALLEGIANCE

FILING OF THE JOURNAL

CITY MANAGER

1. [202002056](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 10/28/2020, **AUTHORIZING** the establishment of new capital improvement program project account no. 980x164x211642, "Oakley Pedestrian Tunnel," for the purpose of providing resources to facilitate the design and construction of a pedestrian tunnel in the Oakley neighborhood; **AUTHORIZING** the transfer and appropriation of \$265,000 from the unappropriated surplus of Oakley District Equivalent Fund 499 to the newly established capital improvement program project account no. 980x164x211642, "Oakley Pedestrian Tunnel," to provide resources for the design of a pedestrian tunnel under the railroad that separates the former Kenner Factory site and the Castfab/Oakley Station site; and **DECLARING** that expenditures from capital improvement program project account no. 980x164x211642, "Oakley Pedestrian Tunnel," are for a public purpose because the project will foster local improvements and investment and increase neighborhood vitality.

Recommendation BUDGET AND FINANCE COMMITTEE
Sponsors: City Manager
2. [202002058](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 10/28/2020, **ACCEPTING** and confirming the grant of a permanent sidewalk easement by BRE Retail Residual Owner 1 LLC in favor of the City of Cincinnati, on behalf of the general pedestrian public, across certain real property located in proximity to Werk Road in the Westwood neighborhood.

Recommendation BUDGET AND FINANCE COMMITTEE
Sponsors: City Manager
3. [202002062](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 10/28/2020, **AUTHORIZING** the City Manager to install and maintain a mural and sculpture arches in certain public right-of-way in the Lower Price Hill and East Price Hill neighborhoods known as Maryland Avenue, notwithstanding any conflicting Department of Transportation and Engineering rules and regulations or any provision of the Cincinnati Municipal

Code that would prohibit the installation and maintenance of the mural and sculpture arches.

Recommendation ECONOMIC GROWTH AND ZONING COMMITTEE

Sponsors: City Manager

4. [202002065](#) **REPORT**, dated 10/28/2020, submitted by Paula Boggs Muething, City Manager, regarding W 8th Street and Glenway Avenue - Removal of Parking Restrictions. (SEE REFERENCE DOCUMENT #202001571)

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

BUDGET AND FINANCE COMMITTEE

5. [202002027](#)

FYI MEMO, dated 10/20/2020, submitted by Councilmember Mann from Paula Boggs Muething, City Manager, "Update on Coronavirus Relief Fund Allocation", The purpose of this memorandum is to provide the Mayor and the City Council with an update on funding received by the City from the State of Ohio and Hamilton County under the Coronavirus Relief Fund (CRF), established by the United States Department of the Treasury pursuant to the Coronavirus Aid, Relief, and Economic Security Act (CARES Act).

Recommendation

APPROVE & FILE

Sponsors: Mann and City Manager

6. [202001880](#)

ORDINANCE (EMERGENCY), dated 09/25/2020, submitted by Councilmember Landsman, from Andrew W. Garth, Interim City Solicitor, **AUTHORIZING** the return of the sum of \$339,245 from the Cincinnati Health Department's Cincinnati Health District Fund non-personnel operating budget account no. 416x263x7200 to the unappropriated surplus of Cincinnati Health District Fund 416; **AUTHORIZING** the transfer of the sum of \$339,245 from the unappropriated surplus of Cincinnati Health District Fund 416 to the unappropriated surplus of General Fund 050 for the purpose of returning funds to source; **AUTHORIZING** the return of the sum of \$95,000 from the Department of Recreation's General Fund 050 non-personnel operating budget account no. 050x199x7200 to the unappropriated surplus of General Fund 050 to the Department of Community and Economic Development's General Fund non-personnel operating budget account no. 050x164x7200 for the purpose of providing leveraged support funding to The Dragonfly Foundation to provide support for families affected by pediatric cancer; **AUTHORIZING** the appropriation of the sum of \$184,245 from the unappropriated surplus of General Fund 0-50 to the Department of Community and Economic Development's General Fund non-personnel operating budget account no. 050x164x7200 for the purpose of providing leveraged support funding to Rosemary's Babies Company for adolescent parent and family support.

Recommendation

PASS EMERGENCY

Sponsors: Landsman

7. [202002063](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 10/26/2020, **AUTHORIZING** the appropriation of the sum of \$3,942,957 from the unappropriated surplus of COVID-19 Fund 473 to the City Manager's Office COVID-19 Fund personnel operating budget account no. 473x101x7100 for the purpose of providing reimbursement of or resources for certain personnel expenditures as set forth in the attached Attachment A; **AUTHORIZING** the appropriation of the sum of \$5,037,042 from the unappropriated surplus of COVID-19 Fund 473 to the City Manager's Office COVID-19 Fund non-personnel operating budget account no. 473x101x7200 for the purpose of providing reimbursement of or resources for certain non-personnel expenditures as set forth in the attached Attachment A; **AUTHORIZING** the appropriation of the sum of \$42,220,000 from the unappropriated surplus of COVID-19 Fund 473 to the City Manager's Office COVID-19 Fund personnel operating budget account no. 473x101x7100 for the purpose of providing funds for the reimbursement of FY 2020 payroll and benefit expenses of public safety and public health personnel that are substantially dedicated to mitigating or responding to COVID-19 and unemployment expenses associated with furloughs due to COVID-19; **AUTHORIZING** the City Manager to re-allocate certain herein appropriated funds in the event that such funds remain unencumbered by December 1, 2020 so that such funds may be utilized prior to the December 30, 2020 deadline; and further, **DECLARING** that such expenditures serve a public purpose.

Recommendation PASS EMERGENCY

Sponsors: City Manager

8. [202001878](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, Interim City Manager, on 10/14/2020, **AUTHORIZING** the deposit into Fund No. 312, "Private Lead Service Line Replacement," of one-third of all future payments on the lease between the City of Cincinnati and T-Mobile Central LLC dated July 3, 2007 (75x1030) ("Wardall Lease") for location of cellular communications equipment on the City telecommunications tower located at the Greater Cincinnati Water Works ("GCWW") Wardall water tower site; and **AUTHORIZING** the transfer from the unappropriated surplus of Fund No. 101, "Water Works," into Fund No. 312 account 2140 of the year-to-date amounts of the GCWW share of payments already made for FY 2021 on the Wardall Lease, totaling approximately \$3,325.55 through October 2020, for the purpose of assisting qualified, low-income residential property owners with the cost of private lead service line replacement through GCWW's Help Eliminate Lead Pipes ("HELP") Program.

Recommendation PASS EMERGENCY

Sponsors: City Manager

9. [202001879](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, Interim City Manager, on 10/14/2020, **MODIFYING** the Administrative Code of the City of Cincinnati by amending Article XXI, Section 2, "Duties of the Director of Buildings and Inspections," to add the responsibilities associated with administration and enforcement of the City's weed, high grass, and litter regulations and the Private Lot Abatement Program ("PLAP") to the duties of the Director of the Department of Building and Inspections; and **AMENDING** Article VI, Section 2, "Duties of Director of the Department of Public Services,"

to remove the responsibilities associated with administration and enforcement of the City's weed, high grass, and litter regulations and the PLAP; and further AUTHORIZING the transfer of the sum of \$40,000 from the unappropriated surplus of Stormwater Management Fund 107 and the transfer of \$787,520 within Stormwater Management Fund 107 from and to various operating accounts of Stormwater Management Fund 107 for the purpose of transferring the Private Lot Abatement Program from the Department of Public Services to the Department of Buildings and Inspections, in accordance with the attached Schedule of Transfer.

Recommendation PASS EMERGENCY

Sponsors: City Manager

10. [202001884](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, Interim City Manager, on 10/14/2020, **AUTHORIZING** the City Manager to execute a *Property Transfer Agreement* with BJ Homes Limited Partnership under which the City will acquire fee interest in and to certain real property located adjacent to Boldface Park at 3110 Illinois Avenue in the Sedamsville neighborhood of Cincinnati.

Recommendation PASS EMERGENCY

Sponsors: City Manager

11. [202001885](#) **ORDINANCE (EMERGENCY)**, dated 10/09/2020, submitted by Councilmembers Sundermann, Mann and Vice Mayor Smitherman, from Andrew W. Garth, Interim City Solicitor, **AUTHORIZING** the designation of \$235,000 of the \$1,000,000 included in the Approved FY 2021 Budget Update for the Community Safety Response Program for the Victims Assistance Liaison/Cincinnati Citizens Respect Our Witnesses Unit of the Cincinnati Police Department's Criminal Investigation Section; and AUTHORIZING the designation of \$20,000 of the \$1,000,000 included in the Approved FY 2021 Budget Update for the Community Safety Response Program for the UCanSpeakForMe program for assistance in community outreach and crime solving initiatives; and AUTHORIZING the designation of \$20,000 of the \$1,000,000 included in the Approved FY 2021 Budget Update for the Community Safety Response Program to Ennis Tait Ministries for Violence reduction administered by Project Lifeline.

Recommendation
PASS EMERGENCY

Sponsors: Mann, Sundermann and Smitherman

12. [202001991](#) **MOTION**, submitted by Councilmember Landsman, Kearney, Young, Seelbach and Sittenfeld, **WE MOVE** that the Administration work with Kingsley and Co. and the Mt. Auburn community to ensure that project - and community-based commitments are ultimately met, including an attempt by the developer to resolve remaining tenant issues.

Recommendation ADOPT

Sponsors: Landsman, Kearney, Young, Seelbach and Sittenfeld

13. [202001993](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City

Manager, on 10/21/2020, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a COVID-19 (Coronavirus) Care Resource Coordination Support Grant (RC 21) in the amount of \$275,583 from the Ohio Department of Health, to support vulnerable populations facing social and economic instability related to COVID-19 testing and diagnosis that results in isolation and quarantine.

Recommendation PASS EMERGENCY

Sponsors: City Manager

14. [202001994](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 10/21/2020, **AUTHORIZING** the City Manager to accept and deposit a donation in an amount up to \$110,000 from the Cincinnati Parks Foundation in Fund No. 430, "Parks Private Endowment," for the purpose of providing resources to reimburse capital improvement program project accounts for the implementation of a landscaping renovation plan completed at Hyde Park Square; ESTABLISHING new capital improvement program project account no. 980x203x212003, "Hyde Park Square Renovation," for the purpose of providing resources for the implementation of a landscaping renovation plan at Hyde Park Square; and further **AUTHORIZING** the transfer and appropriation of up to \$110,000 from the unappropriated surplus of Fund No. 430, "Parks Private Endowment," to newly established capital improvement program project account no. 980x203x212003, "Hyde Park Square Renovation."

Recommendation PASS EMERGENCY

Sponsors: City Manager

15. [202001996](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 10/21/2020, **AUTHORIZING** the City Manager to execute a Release of Easement to release public pedestrian ingress and egress easements across certain real property located at 525 Vine Street in the Central Business District of Cincinnati to facilitate the redevelopment of Fountain Square West.

Recommendation PASS

Sponsors: City Manager

16. [202001998](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 10/21/2020, **DECLARING**, pursuant to Ohio Revised Code Section 5709.40(B), improvements to certain parcels of real property at the former Cast-Fab site, located west of Disney Street in the Oakley neighborhood of Cincinnati to be a public purpose and exempt from real property taxation for a period of 30 years.

Recommendation PASS EMERGENCY

Sponsors: City Manager

17. [202001999](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 10/21/2020, **APPROVING AND AUTHORIZING** the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement (LEED or Living Building Challenge) with Graphite Oakley, LLC, thereby authorizing a

12-year tax exemption for 100% of the value of improvements made to real property located at 2980 Disney Street in the Oakley neighborhood of Cincinnati, in connection with the construction of five new building into enclosed parking on the first floor, consisting of approximately 564 parking spaces, and approximately 360,828 square feet of residential rental space on the upper floors, consisting of approximately 316 apartments, which construction 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 construction cost of approximately \$35,569,369.

Recommendation PASS EMERGENCY

Sponsors: City Manager

18. [202002000](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 10/21/2020, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant in the amount of \$56,000 from the Oregon Community Health Information Network COVID-19 Telehealth Funding Program to support telehealth innovation for underserved communities.

Recommendation PASS EMERGENCY

Sponsors: City Manager

19. [202002053](#) **MOTION**, dated 10/21/2020, submitted by Councilmember Landsman, **MOTION: LEGAL AND OTHER SUPPORTS TO ASSIST LOW-INCOME RESIDENTS.** Cincinnatians continue to face extreme financial uncertainty. A staggering number of children and families are having to face legal issues, such as eviction, without the necessary funds for desperately needed legal services. (BALANCE OF MOTION ON FILES)

Recommendation

ADOPT

Sponsors: Landsman

20. [202002057](#) **ORDINANCE (EMERGENCY)**, dated 10/22/2020, submitted by Councilmember Sittenfeld, from Andrew W. Garth, Interim City Solicitor, **AUTHORIZING** the reallocation of \$11,000 from the City Manager's Office General Fund non-personnel operating budget account no. 050x101x7200 which was formerly designated for increased Census outreach efforts to be redesignated for the purpose of providing partial funding to support a "Fare Free Day" for Cincinnati Metro on Election Day, November 3, 2020; and further **AUTHORIZING** the designation of \$1,500 from the Other City Obligations non-departmental account non-personnel operating budget account no. 050x959x7200 for the purpose of providing partial funding to support a "Fare Free Day" for Cincinnati Metro on Election Day, November 3, 2020.

Recommendation

PASS EMERGENCY

Sponsors: Sittenfeld

21. [202002061](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 10/26/2020, **AUTHORIZING** the expenditure of funds for the provision of inexpensive food and non-alcoholic beverages to required

attendees of City board and commission meetings, for the purpose of facilitating the efficient conduct of City business at such meetings; AUTHORIZING the expenditure of funds for inexpensive food and non-alcoholic beverages for attendees of outreach and engagement meetings and events, for the purpose of encouraging the greatest possible attendance at such meetings and events; AUTHORIZING the expenditure of funds for the provision of inexpensive awards, food, and non-alcoholic beverages for employee recognition events, for the purpose of supporting employee morale and facilitating employee advancement; AUTHORIZING the City Manager to establish rules and regulations specifying the circumstances in which the City may expend funds for such purposes, as well as controls to ensure the appropriate expenditure of such funds; and further DECLARING that such expenditures serve a public purpose.

Recommendation PASS EMERGENCY

Sponsors: City Manager

SUPPLEMENTAL ITEMS

MAJOR PROJECTS & SMART GOVERNMENT COMMITTEE

22. [202001871](#) **MOTION**, submitted by Councilmember Seelbach, **WE MOVE** that the Equity, Inclusion, Youth & the Arts Committee be moved to 3PM on Tuesday's in the A week beginning on Tuesday, November 10, 2020.

Recommendation ADOPT

Sponsors: Seelbach

23. [202002020](#) **RESOLUTION**, submitted by Mayor Cranley, **EXPRESSING** the support of the Mayor and Cincinnati City Council for the City Administration to proceed without delay to establish a program to provide financial relief to qualified low-income residential customers experiencing COVID-19-related economic hardship by forgiving delinquent water service and City of Cincinnati stormwater charges accumulated during the COVID-19 crisis between March 1 to September 30, 2020.

Recommendation PASS

Sponsors: Cranley

24. [202001887](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 10/21/2020, **AUTHORIZING** the City Manager to execute a Quitclaim Deed in favor of the State of Ohio, Department of Transportation, to convey land adjacent to Interstate 75 in the Queensgate neighborhood of Cincinnati in connection with transportation improvement project HAM 75-00.22.

Recommendation PASS EMERGENCY

Sponsors: City Manager

25. [202001992](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 10/21/2020, **ACCEPTING** and **CONFIRMING** the dedication of permanent easements to public use for the construction, maintenance, repair, and replacement of storm sewers and appurtenances over and across the property owned by Children's Hospital Medical Center, an Ohio non-profit corporation,

located at 5642 Hamilton Avenue in College Hill neighborhood of Cincinnati, in accordance with the plat entitled "Easement for storm sewer-Kings Run Watershed."

Recommendation PASS

Sponsors: City Manager

ANNOUNCEMENTS

NEW BUSINESS

Adjournment