



# City of Cincinnati

801 Plum Street  
Cincinnati, Ohio 45202

## CALENDAR

### Cincinnati City Council

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Wednesday, May 17, 2023

2:00 PM

Council Chambers, Room 300

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#### ROLL CALL

#### PRAYER AND PLEDGE OF ALLEGIANCE

#### FILING OF THE JOURNAL

#### MAYOR AFTAB

#### Banks Community Authority

1. [202301390](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Kaitlyn Geiger to the Banks Community Authority for a term of two years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Female/White)

**Recommendation** CONFIRM

**Sponsors:** Mayor

2. [202301391](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Markiea Carter to the Banks Community Authority for a term of two years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Female/African American)

**Recommendation** CONFIRM

**Sponsors:** Mayor

3. [202301392](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Jason Barron to the Banks Community Authority for a term of two years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Male/White)

**Recommendation** CONFIRM

**Sponsors:** Mayor

#### Workforce Council of Southwest Ohio Board of Directors

4. [202301393](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Catherine Fitzgerald to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules. (Female/White)

**Recommendation** HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL

**Sponsors:** Mayor

5. [202301394](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Krista Rinehart to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules. (Female/White)  
**Recommendation** HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL  
**Sponsors:** Mayor
6. [202301396](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Uma Sivaprasad to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules. (Female/South Asian)  
**Recommendation** HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL  
**Sponsors:** Mayor
7. [202301397](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Michael Turner to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules. (Male/White)  
**Recommendation** HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL  
**Sponsors:** Mayor
8. [202301398](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Dani Watkins to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules. (Female/White)  
**Recommendation** HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL  
**Sponsors:** Mayor
9. [202301399](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Amy Waldbillig to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules. (Female/White)  
**Recommendation** HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL  
**Sponsors:** Mayor
10. [202301400](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Diana Small to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules. (Female/African American)  
**Recommendation** HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL  
**Sponsors:** Mayor
11. [202301401](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Alicia Reece to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules. (Female/African American)

**Recommendation** HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL

**Sponsors:** Mayor

12. [202301402](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Eric Rademacher to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules. (Male/White)

**Recommendation** HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL

**Sponsors:** Mayor

13. [202301403](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Michael Prus to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules. (Male/White)

**Recommendation** HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL

**Sponsors:** Mayor

14. [202301404](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Matthew Owens to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules. (Male/White)

**Recommendation** HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL

**Sponsors:** Mayor

15. [202301405](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Deval Motka to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules. (Female/South Asian)

**Recommendation** HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL

**Sponsors:** Mayor

16. [202301407](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Myron Hughes to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules. (Male/African American)

**Recommendation** HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL

**Sponsors:** Mayor

17. [202301413](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint DeJuan Gossett to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules. (Male/African American)

**Recommendation** HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL

**Sponsors:** Mayor

18. [202301414](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint

Renee Dean to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules. (Female/White)

**Recommendation** HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL

**Sponsors:** Mayor

19. [202301415](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Markiea Carter to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules. (Female/African American)

**Recommendation** HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL

**Sponsors:** Mayor

20. [202301416](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Paula Brehm-Heeger to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules. (Female/White)

**Recommendation** HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL

**Sponsors:** Mayor

21. [202301417](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Michael Beck to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules. (Male/White)

**Recommendation** HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL

**Sponsors:** Mayor

22. [202301418](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Jesse Grissom to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules. (Male/African American)

**Recommendation** HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL

**Sponsors:** Mayor

**MAYOR AFTAB**

**MR. WALSH**

**MS. KEARNEY**

**MS. PARKS**

**MR. CRAMERDING**

**MR. HARRIS**

**MR. JEFFREYS**

**MR. JOHNSON****MS. KEATING****MS. OWENS**

23. [202301373](#) **RESOLUTION**, submitted by Mayor Aftab Pureval, Councilmember Walsh, Vice Mayor Kearney, President Pro Tem Parks, and Councilmembers Cramerding, Harris, Jeffreys, Johnson, Keating and Owens, from Emily Smart Woerner, City Solicitor, **RECOGNIZING** the month of May 2023 as Mental Health Awareness Month.

**Recommendation** INDEFINITELY POSTPONE

**Sponsors:** Mayor, Walsh, Kearney, Parks, Cramerding, Harris, Jeffreys, Johnson, Keating and Owens

24. [202301446](#) **RESOLUTION (B VERSION)**, submitted by Mayor Aftab Pureval, Councilmember Walsh, Vice Mayor Kearney, President Pro Tem Parks, and Councilmembers Cramerding, Harris, Jeffreys, Johnson, Keating and Owens, from Emily Smart Woerner, City Solicitor, **RECOGNIZING** the month of May 2023 as Mental Health Awareness Month.

**Recommendation** PASS

**Sponsors:** Mayor, Walsh, Kearney, Parks, Cramerding, Harris, Jeffreys, Johnson, Keating and Owens

**CITY MANAGER**

25. [202301368](#) **REPORT**, dated 5/17/2023, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for Northside Rock N Roll Carnival at Hoffner Park

**Recommendation** FILE

**Sponsors:** City Manager

26. [202301374](#) **REPORT**, dated 5/17/2023 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Solace Coffee LLC, 6128 Hamilton Avenue. (#8356762, D5J D6, Transfer) [Objections: None]

**Recommendation** FILE

**Sponsors:** City Manager

27. [202301376](#) **REPORT**, dated 5/17/2023 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Nik & Niki LLC, 333 Calhoun Street. (#6385219, C1 C2, New) [Objections: None]

**Recommendation** FILE

**Sponsors:** City Manager

28. [202301377](#) **REPORT**, dated 5/17/2023 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Shreeji Krupa Gas LLC, DBA Elmore Gas, 1710

Elmore Street. (#8115254, C1 C2, Transfer) [Objections: None]

**Recommendation** FILE

**Sponsors:** City Manager

29. [202301378](#) **REPORT**, dated 5/17/2023 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Mediterranean Imports LLC, DBA Deans Mediterranean Imports, 4024 Hamilton Avenue. (#5798485, D5J, New) [Objections: None]

**Recommendation** FILE

**Sponsors:** City Manager

30. [202301388](#) **REPORT**, dated 5/17/2023 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Love On Fourth LLC, DBA Love, 138 W. Fourth Street. (#5313900, D5 D6, Transfer) [Objections: None]

**Recommendation** FILE

**Sponsors:** City Manager

31. [202301406](#) **REPORT**, dated 5/17/2023, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for Art on Vine.

**Recommendation** FILE

**Sponsors:** City Manager

32. [202301408](#) **REPORT**, dated 5/17/2023, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for Bloom OTR Block Party.

**Recommendation** FILE

**Sponsors:** City Manager

33. [202301409](#) **REPORT**, dated 5/17/2023, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for Fourth of July at Washington Park.

**Recommendation** FILE

**Sponsors:** City Manager

34. [202301410](#) **REPORT**, dated 5/17/2023, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for Black Family Reunion.

**Recommendation** FILE

**Sponsors:** City Manager

35. [202301411](#) **REPORT**, dated 5/17/2023, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for DMG Sign Lighting Ceremony.

**Recommendation** FILE

**Sponsors:** City Manager

36. [202301412](#) **REPORT**, dated 5/17/2023, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for Frisch's Roller Rink.

**Recommendation** FILE

**Sponsors:** City Manager

37. [202301423](#) **REPORT**, dated 5/17/2023 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Poco Moco LLC, DBA Onolicious Hawaii, 1005 Walnut Street. (#7009013, D5J, New) [Objections: None]  
**Recommendation** FILE  
**Sponsors:** City Manager
38. [202301424](#) **REPORT**, dated 5/17/2023 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Up Cincinnati Central LLC, 412 Central Avenue. (#9069245, D5 D6, Transfer) [Objections: None]  
**Recommendation** FILE  
**Sponsors:** City Manager
39. [202301425](#) **REPORT**, dated 5/17/2023 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Bar At Foundry LLC, 500 Race Street. (#0490255, D1 D2 D3, Transfer) [Objections: None]  
**Recommendation** FILE  
**Sponsors:** City Manager
40. [202301426](#) **REPORT**, dated 5/17/2023 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Pleasant Ridge Mart, DBA Pleasant Ridge Mart, 6647 Montgomery Road. (#6963922, C1 C2, New) [Objections: None]  
**Recommendation** FILE  
**Sponsors:** City Manager
41. [202301427](#) **REPORT**, dated 5/17/2023, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for Hyde Park Farmer's Market.  
**Recommendation** FILE  
**Sponsors:** City Manager
42. [202301428](#) **REPORT**, dated 5/17/2023, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for Ault Park Fireworks.  
**Recommendation** FILE  
**Sponsors:** City Manager
43. [202301429](#) **REPORT**, dated 5/17/2023, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for East Walnut Hills Farmers Market.  
**Recommendation** FILE  
**Sponsors:** City Manager
44. [202301430](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 5/17/2023, **AUTHORIZING** the City Manager to establish a Recreation Center Part-Time Staff Bonus Plan to recruit and retain qualified employees within the Cincinnati Recreation Commission's Recreation Centers, according to the attached Schedule.

**Recommendation** BUDGET AND FINANCE COMMITTEE**Sponsors:** City Manager

45. [202301431](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 5/17/2023, **AUTHORIZING** the City Manager to apply for grants, loans, and loan assistance awarded by Hamilton County from the Municipal Road Fund Program and the Ohio Public Works Commission State Capital Improvement Program, the Local Transportation Improvement Program, and the Revolving Loan Program (Funding Round 38) to ensure the timely completion of various road, bridge, and pedestrian construction projects throughout the City.

**Recommendation** BUDGET AND FINANCE COMMITTEE**Sponsors:** City Manager

46. [202301432](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 5/17/2023, **AUTHORIZING** the City Manager to apply for grants awarded by the Southwest Ohio Regional Transit Authority Transit Infrastructure Fund to ensure the timely completion of various road, bridge, wall, and pedestrian safety construction projects throughout the City.

**Recommendation** BUDGET AND FINANCE COMMITTEE**Sponsors:** City Manager

47. [202301433](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 5/17/2023, **AUTHORIZING** the transfer and return to source Fund 304, "Community Development Block Grant," of \$1,598,789 to close out or decrease existing project accounts according to Section A of the attached Schedule of Appropriation; and **AUTHORIZING** the transfer and appropriation of \$1,598,789 from the unappropriated surplus of Fund 304, "Community Development Block Grant," to various project accounts, as set forth in Section B of the attached Schedule of Appropriation, to provide funding that will be spent in a timely manner to support vital City programs.

**Recommendation** BUDGET AND FINANCE COMMITTEE**Sponsors:** City Manager

48. [202301440](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 5/17/2023, **AMENDING** Title XI, "Cincinnati Building Code," by repealing Chapter 1109, "Flood Damage Reduction," of the Cincinnati Municipal Code in its entirety; **ORDAINING** new Chapter 1109, "Flood Damage Reduction," of the Cincinnati Building Code, for the purpose of maintaining City eligibility for the Federal Emergency Management Agency's National Flood Insurance Program; and **MODIFYING** Chapter 1501, "Code Compliance and Hearings," by amending Section 1501-9, "Class D. Civil Offenses," to update the City's floodplain regulations to ensure the City's ongoing participation in the National Flood Insurance Program.

**Recommendation** CLIMATE, ENVIRONMENT & INFRASTRUCTURE COMMITTEE**Sponsors:** City Manager**CLERK OF COUNCIL**

49. [202301419](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent



Sonya Jindal Tork, Attorney, Partner, Taft Stettinius & Hollister LLP, 425 Walnut Street, Suite 1800, Cincinnati, Ohio 45243. (KINGSLEY + CO)

**Recommendation** FILE

**Sponsors:** Clerk of Council

50. [202301421](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Meeka D. Owens/Councilmember. (ETHICS)

**Recommendation** FILE

**Sponsors:** Clerk of Council

51. [202301438](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Scotty Johnson/Councilmember. (ETHICS)

**Recommendation** FILE

**Sponsors:** Clerk of Council

52. [202301439](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Victoria Parks/Councilmember. (ETHICS)

**Recommendation** FILE

**Sponsors:** Clerk of Council

53. [202301442](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Aftab Pureval/Mayor. (ETHICS)

**Recommendation** FILE

**Sponsors:** Clerk of Council

54. [202301443](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Elizabeth A. Keating/Councilmember. (ETHICS)

**Recommendation** FILE

**Sponsors:** Clerk of Council

## BUDGET AND FINANCE COMMITTEE

55. [202301299](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 5/3/2023, **APPROVING, AND AUTHORIZING** the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement with Allez Bar & Bakery, LLC, thereby authorizing a fifteen-year tax exemption for one hundred percent of the value of improvements made to real property located at 6012 Madison Road in the Madisonville neighborhood of Cincinnati, in connection with the remodeling of an existing building into approximately 5,056 square feet of commercial space, at a total construction cost of approximately \$1,600,000.

**Recommendation** PASS EMERGENCY

**Sponsors:** City Manager

56. [202301354](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 5/10/2023, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant in the amount of up to \$175,000 in FY 2023 Microgrants - Community Policing Development funds from the U.S. Department of Justice, Office of Community Oriented Policing Services (ALN 16.710), to aid in piloting the Cincinnati Police

Department's Workforce Development Program to recruit and retain cadets; and AUTHORIZING the Director of Finance to deposit the grant funds into Law Enforcement Grant Fund 368, project account no. 23WDEV.

**Recommendation** PASS

**Sponsors:** City Manager

57. [202301362](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 5/10/2023, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$6,250,000 from the U.S. Department of Justice, Office of Community Oriented Policing Services, FY 2023 COPS Hiring Program (ALN 16.710) to hire up to fifty entry-level police officers; and further AUTHORIZING the Director of Finance to deposit the grant funds into Law Enforcement Grant Fund 368, Project Account No. 23COPS.

**Recommendation** PASS

**Sponsors:** City Manager

58. [202301364](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 5/10/2023, **AUTHORIZING** the establishment of capital improvement program project account nos. 980x233x232324, "WHV - CEO LBR 2018 Grant," 980x233x232325, "WHV - CEO LBR 2018 HC Match," 980x233x232326, "WHV - OKI STBG 2019 Grant," and 980x233x232327, "WHV - OKI STBG 2019 HC Match," for the purpose of providing resources for the design, right-of-way acquisition, and construction of the Western Hills Viaduct project; and AUTHORIZING the City Manager to appropriate grant and matching resources in an amount up to \$12,375,000 according to the attached Schedule of Appropriation.

**Recommendation**  
PASS EMERGENCY

**Sponsors:** City Manager

59. [202301365](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 5/10/2023, **AUTHORIZING** the City Manager to apply for grants from the federal Surface Transportation Block Grant and Congestion Mitigation and Air Quality (ALN 20.205) grant programs in an amount of up to \$8,000,000, and to apply for a grant in an amount of up to \$1,000,000 from the Transportation Alternatives Grant (ALN 20.205) awarded by the Ohio-Kentucky-Indiana Regional Council of Governments, all for the timely completion of several transportation projects managed by the City's Department of Transportation & Engineering.

**Recommendation** PASS

**Sponsors:** City Manager

60. [202301422](#) **ORDINANCE (EMERGENCY)** submitted by Emily Smart Woerner, City

Solicitor, **AUTHORIZING** the City Manager and the employees of the Department of Economic Inclusion, along with the employees of the Office of Councilmember Harris, to solicit and accept donations of money, in-kind contributions, and other things of value from the Cincinnati business community, individual benefactors, and other available sources to support the 2023 Black Developers Conference; and **AUTHORIZING** the Director of Finance to deposit funds donated to the City of Cincinnati for the 2023 Black Developers Conference into Fund No. 314, "Special Events".

**Recommendation** PASS EMERGENCY

**Sponsors:** Harris

61. [202301361](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 5/10/2023, **AUTHORIZING** a payment of \$5,184 from Cincinnati Fire Department General Fund non-personnel operating budget account no. 050x271x5000x7276 to Specific Waste Industries, LLC as a moral obligation of the City of Cincinnati for pharmaceutical waste removal services provided to the Cincinnati Fire Department.

**Recommendation** PASS EMERGENCY

**Sponsors:** City Manager

62. [202301363](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 5/10/2023, **AMENDING** Ordinance No. 317-2022 to authorize the City Manager to accept and appropriate grant resources in an amount up to \$35,000 from the United States Environmental Protection Agency, Region 5 (ALN 66.034) and to authorize the Director of Finance to deposit the grant resources into Environmental Studies Fund revenue account no. 436x8543.

**Recommendation**  
PASS EMERGENCY

**Sponsors:** City Manager

63. [202301366](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 5/10/2023, **AUTHORIZING** the transfer of the sum of \$4,395,307 within the Restricted Funds, from and to various operating accounts and the unappropriated surplus of the respective Restricted Funds according to the attached Schedules of Transfer, to realign and provide funds for the ongoing needs of City departments; and further **AUTHORIZING** the transfer and return to source of the sum of \$10,009,632 to the unappropriated surplus of various Restricted Funds in accordance with the attached Schedules of Transfer to realign funds for City departments.

**Recommendation** PASS EMERGENCY

**Sponsors:** City Manager

64. [202301380](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 5/10/2023, **AUTHORIZING** the transfer of \$12,806,912 within the General Fund, from and to various operating accounts and the unappropriated surplus of the General Fund according to the attached Schedules of Transfer, for the purpose of realigning and providing funds for the ongoing needs of City departments; **AUTHORIZING** the transfer and return to source of the sum of \$70,000 from the Department of Human Resources General Fund non-personnel operating budget account no. 050x121x7200 to the unappropriated surplus of the General Fund; **AUTHORIZING** the transfer and return to source of the sum of \$26,000 from the non-departmental Lump Sum Payments personnel operating budget account no. 050x924x7100 to the unappropriated surplus of the General Fund; **AUTHORIZING** the transfer and appropriation of the sum of \$96,000 from the unappropriated surplus of the General Fund to existing capital improvement program project account no. 980x981x232505, "Fleet Replacements," for the purpose of providing resources for automotive and motorized equipment for City agencies supported by the General Fund with the intent of purchasing a truck for use by the Department of Human Resources for Commercial Driver's License training; **AUTHORIZING** the transfer and return to source of the sum of \$72,739 from the Department of City Planning and Engagement General Fund personnel operating budget account no. 050x171x7100 and \$19,261 from the Department of City Planning and Engagement General Fund fringe benefit operating budget account no. 050x171x7500 to the unappropriated surplus of the General Fund; **ESTABLISHING** new capital improvement program project account no. 980x255x232520, "Centennial II Office Renovation," for the purpose of providing resources for renovating space in Centennial II including, but not limited to, expansion of office space to accommodate additional staff in the Department of City Planning and Engagement; **AUTHORIZING** the transfer and appropriation of the sum of \$42,000 from the unappropriated surplus of the General Fund to capital improvement program project account no. 980x255x232520, "Centennial II Office Renovation," for the purpose of providing resources for renovating space in Centennial II including, but not limited to, expansion of office space to accommodate additional staff in the Department of City Planning and Engagement; **AUTHORIZING** the transfer and appropriation of the sum of \$50,000 from the unappropriated surplus of the General Fund to capital improvement program project account no. 980x091x220920, "Video Conference Room Equipment," for the purpose of providing resources for the acquisition and installation of audio/visual equipment and other equipment necessary to support video conferencing capabilities in Centennial II with the intent to support the City Planning Commission; **AUTHORIZING** the transfer and return to source of the sum of \$15,000 from the balance sheet reserve account no. 050x2535, "Reserve for Operating Budget Contingencies," to the unappropriated surplus of the General Fund; **AUTHORIZING** the transfer and appropriation of the sum of \$15,000 from the unappropriated surplus of the General Fund to City Planning and Engagement General Fund non-personnel operating budget account no. 050x171x7200 for the purpose of providing resources to support the 2023 Cincinnati Housing Solutions Summit; **AUTHORIZING** the transfer and return to source of the sum of \$63,196 from the Cincinnati Parks Department General Fund non-personnel operating budget account no. 050x202x7200 to the

unappropriated surplus of the General Fund; **ESTABLISHING** new capital improvement program project account no. 980x203x232038, "Parks Fleet Replacement - GF FAO," for the purpose of providing resources for automotive and motorized equipment including but not limited to mowers for the Cincinnati Parks Department; and **AUTHORIZING** the transfer and appropriation of the sum of \$63,196 from the unappropriated surplus of the General Fund to capital improvement program project account no. 980x203x232038, "Parks Fleet Replacement - GF FAO," for the purpose of providing resources for automotive and motorized equipment including, but not limited to, mowers for the Cincinnati Parks Department.

**Recommendation** PASS EMERGENCY

**Sponsors:** City Manager

65. [202301379](#) **MOTION**, submitted by Vice Mayor Kearney, **WE MOVE** that Cincinnati City Council add an additional \$25,000.00 to the Safe & Clean Fund, managed by Keep Cincinnati Beautiful, from the FY23 Council Contingency Fund in order to provide an avenue to support gun violence reduction initiatives led by community-based organizations during the summer of 2023 and beyond. Priority should be given to those organizations or programs serving neighborhoods experiencing the most gun violence (shootings). The City should contract with Keep Cincinnati Beautiful to manage the Safe & Clean Fund with the understanding that the application process should be expedited so that funds are available by June 1, 2023.

**Recommendation** ADOPT

**Sponsors:** Kearney

## SUPPLEMENTAL ITEMS

### HEALTHY NEIGHBORHOODS COMMITTEE

66. [202301298](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 5/3/2023, **AUTHORIZING** the City Manager to vacate Southside Place from the north line of Southside Avenue to its northern terminus and to vacate Mississippi Street from the west line of Southside Place to its western terminus in the Riverside neighborhood of Cincinnati.

**Recommendation** PASS

**Sponsors:** City Manager

67. [202301344](#) **MOTION**, submitted by Vice Mayor Kearney, **WE MOVE** that Glenwood Avenue, between Vine Street and Harvey Avenue, be given the honorary, secondary street name of "Lincoln Ware Way" in honor of his 50 years in radio broadcasting, and in honor of "The Lincoln Ware Show" that began at WCIN Radio on Glenwood Avenue. (STATEMENT ATTACHED).

**Recommendation** ADOPT

**Sponsors:** Kearney

## ANNOUNCEMENTS

Adjournment



**AFTAB PUREVAL**

City of Cincinnati, Office of the Mayor

May 2023

**REAPPOINTMENT**

I hereby reappoint Kaitlyn Geiger to the Banks Community Authority for a term of two years. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



---

Mayor Aftab Pureval



**AFTAB PUREVAL**

City of Cincinnati, Office of the Mayor

May 2023

**REAPPOINTMENT**

I hereby reappoint Markiea Carter to the Banks Community Authority for a term of two years. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



---

Mayor Aftab Pureval





**AFTAB PUREVAL**

City of Cincinnati, Office of the Mayor

May 2023

**APPOINTMENT**

I hereby appoint Jason Barron to the Banks Community Authority for a term of two years. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



---

Mayor Aftab Pureval



**AFTAB PUREVAL**

City of Cincinnati, Office of the Mayor

May 2023

**APPOINTMENT**

I hereby appoint Catherine Fitzgerald to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



---

Mayor Aftab Pureval



Home



My Network





Jobs



# Catherine Fitzgerald · 2nd

Vice President at Alloy Development Co.

-  Alloy Development Co.
-  Western Illinois University

Cincinnati, Ohio, United States · [Contact info](#)

500+ connections



[6 mutual connections: Chris Xeil Lyons, John H. Thomas, and 4 others](#)

[Message](#) [Pending](#) [More](#)

## Activity

1,143 followers

Catherine Fitzgerald commented on a post • 22h

Thanks for joining us, Alaina Geres!

 15 • 2 comments

Catherine Fitzgerald posted this • 22h



Thank you, [Paycor](#) for hosting [Alloy Development Co.](#) 's Business Retention Council. [Foreign Trade Zone 46 \(Ohio\) and 47 \(Kentucky\) – Greater Cincinnati FTZ, Inc.](#) overview by [Chris Meyer](#) was very

 17 • 1 comment

[Show all activity →](#)



Home



My Network



Jobs



### Alloy Development Co.

17 yrs 9 mos

#### Vice President

May 2021 - Present · 1 yr 7 mos

#### Senior Director

Mar 2005 - Present · 17 yrs 9 mos

HCDC, Inc.

Established in 1983, HCDC, Inc., formerly Hamilton County Development Co., Inc., helps build businesses and promote job creation in 3 simple ...see more

#### Development Officer

City of Cincinnati, Economic Development Department

1993 - 1998 · 5 yrs

Cincinnati, OH

Responsible for all commercial, industrial and retail development for neighborhoods in the northwest area of the City. Services provid ...see more

## Education



### Western Illinois University

B.A.



### University of Illinois System

M.A. Candidate

## Licenses & certifications



### Economic Development Financial Professional

National Development Council

## Skills

### Economic Development



Endorsed by Jeffrey A Finkle and 7 others who are highly skilled at this



**AFTAB PUREVAL**

City of Cincinnati, Office of the Mayor

May 2023

**APPOINTMENT**

I hereby appoint Krista Rinehart to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.





---

Mayor Aftab Pureval



## Krista Rinehart, SHRM-CP, PHR · 2nd

Director of Human Resources

-  The Summit Hotel
-  Northern Kentucky University

Cincinnati, Ohio, United States · [Contact info](#)

500+ connections



3 mutual connections: John H. Thomas, Jason Ashbrook, and 1 other

- [Message](#)
- [Pending](#)
- [More](#)

### Activity

1,004 followers

**Krista hasn't posted lately**

Krista's recent posts and comments will be displayed here.

[Show all activity →](#)

### Experience



#### Director of Human Resources

The Summit Hotel · Full-time  
Mar 2020 - Present · 2 yrs 9 mos  
Cincinnati, Ohio, United States

#### Director of Human Resources



Covington, KY



### Regional Director of Human Resources

Aimbridge Hospitality  
Jul 2016 - Sep 2017 · 1 yr 3 mos  
Covington, KY

### Human Resource Manager

Hilton Cincinnati Airport  
Nov 2002 - Dec 2005 · 3 yrs 2 mos

### Human Resource Assistant

Embassy Suites Cleveland-Rockside  
May 2001 - Feb 2003 · 1 yr 10 mos  
Independence, OH

## Education



### Northern Kentucky University

Bachelor of Arts  
Activities and societies: Theta Phi Alpha

## Licenses & certifications



### Certified Professional

SHRM  
Issued Dec 2015 · No Expiration Date

### PHR - Professional in Human Resources

HRCI - HR Certification Institute  
Issued Jan 2010 · No Expiration Date

### TIPS Trainer - Training for Intervention Procedures

Health Communications, Inc  
Issued Nov 2007 · No Expiration Date

## Skills

Human Resources



Home



My Network





Jobs



## Uma Sivaprasad (She/Her) · 2nd

Postdoc Recruiter, Scientist Recruitment Team at Cincinnati Children's Hospital Medical Center

-  Cincinnati Children's Hospital Medical Center
-  The Ohio State University

Cincinnati, Ohio, United States · [Contact info](#)

500+ connections



2 mutual connections: Jason Ashbrook and Hope Arthur

 Pending

 Message

More

**Hiring: Postdoctoral Research Fellow - Molecular Basis of Hematopoiesis**  
 Cincinnati Children's Hospital Medical Center · Cincinnati, Ohio, United States (O...  
[View job](#)

## About

Seventeen years medical research experience with six years managing post-doctoral researchers and staff on multiple multi-million dollar research projects. Creative thinker who develops novel solutions to intellectual, technical and staff challenges. Excels at critical data analysis and interpretation and technical troubleshooting. Proven ability to apply existing skills and acquire new skills to address the needs of the project. Effective and meaningful communicator of complex material to professional, technical and lay audiences. Motivated team player who 1) finds creative solutions to address a need; and 2)





Home



My Network



Jobs

## Activity

821 followers

Uma Sivaprasad reposted this • 9h

[Lisa Privette Vinnedge](#) is looking for a research assistant or postdoc!



Uma Sivaprasad reposted this • 1d

Great opportunity to "bring the bench to the bedside"!!!

### Hiring

Research Assistant III - CuSTOM Accelerator



[Show all activity](#) →

## Experience



**Cincinnati Children's Hospital Medical Center**

15 yrs 3 mos

**Postdoc Recruiter, Scientist Recruitment Team, Associate Professor**

Full-time

Oct 2021 - Present · 1 yr 2 mos

Cincinnati, Ohio, United States

**Manager, Scientist Recruitment Team, Associate Professor**

Full-time

Jan 2019 - Present · 3 yrs 11 mos

Cincinnati, OH

**Scientist Recruiter, Assistant Professor**

Feb 2015 - Present · 7 yrs 10 mos

Cincinnati, Ohio Area

Recruitment of postdoctoral Research Fellows and Research Associates to CCHMC.

[Show all 4 experiences](#) →



2003 - 2007 · 4 yrs

Research areas included:

- 1. Identifying the mechanism by which statins inhibited prostate ...see more

### Product Manager

Cipla Ltd

Sep 1995 - Jul 1996 · 11 mos

Mumbai Area, India

- Designed marketing strategies and promotional materials for ophthalmic products. ...see more

## Education



### The Ohio State University

Doctor of Philosophy (Ph.D.), Biochemistry

1996 - 2003

Graduate work focused on elucidating the mechanism for sequential prolactin receptor binding by prolactin. Used purified recombina ...see more



### University of Mumbai

Master of Science (MSc), Biochemistry

1993 - 1995

Masters Degree in Biochemistry, with a research project focused on isolating anti-microbial compounds from onion extracts.



### St. Xavier's College

Bachelor of Science (BSc), Microbiology and Biochemistry

1990 - 1993

Majored in Microbiology and Biochemistry. Successfully completed the Honor's Program.

## Licenses & certifications

### True Body Project Facilitator

True Body Project

Issued Sep 2013 · No Expiration Date



### Certified Nia Instructor



Home



My Network



Jobs



### Certified Internet Recruiter

AIRS powered by ADP

Show all 4 licenses & certifications →

## Volunteering

### Counselor

American Cancer Society, Camp Friendship

Jun 1997 · 1 mo

Children

Counselor for children in remission

### Volunteer

United Nations Association

Jan 1999 - Jan 2002 · 3 yrs

Social Services



### Mentor

cincinnati youth collaborative

Jan 2008 - Jan 2009 · 1 yr

Education

Volunteered at the College Resource Center helping students make choices about higher education.

## Skills

### Biochemistry



Endorsed by 12 colleagues at Cincinnati Children's Hospital Medical Center



18 endorsements

### Molecular Biology



Endorsed by 6 colleagues at Cincinnati Children's Hospital Medical Center



11 endorsements

### Science



**AFTAB PUREVAL**

City of Cincinnati, Office of the Mayor

May 2023

**APPOINTMENT**

I hereby appoint Uma Sivaprasad to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



---

Mayor Aftab Pureval



**AFTAB PUREVAL**

City of Cincinnati, Office of the Mayor

May 2023

**APPOINTMENT**

I hereby appoint Michael Turner to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



---

Mayor Aftab Pureval



**Michael Turner** · 3rd

Career Technical Manager at Cincinnati Public Schools

Cincinnati Metropolitan Area · [Contact info](#)

65 connections

[Message](#)

[+ Follow](#)

[More](#)



Cincinnati Public Schools

## Activity

68 followers

Michael hasn't posted lately

Michael's recent posts and comments will be displayed here.

[Show all activity →](#)

## Experience



**Career Technical Manager**

Cincinnati Public Schools

Aug 1986 - Present · 36 yrs 5 mos

## Interests

Companies



**TED Conferences**

23,130,212 followers

[+ Follow](#)



**Education Week**

860,704 followers

[+ Follow](#)

[Show all 5 companies →](#)



**AFTAB PUREVAL**

City of Cincinnati, Office of the Mayor

May 2023

**REAPPOINTMENT**

I hereby reappoint Dani Watkins to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



---

Mayor Aftab Pureval



**AFTAB PUREVAL**

City of Cincinnati, Office of the Mayor

May 2023

**REAPPOINTMENT**

I hereby reappoint Amy Waldbillig to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



---

Mayor Aftab Pureval





**AFTAB PUREVAL**

City of Cincinnati, Office of the Mayor

May 2023

**REAPPOINTMENT**

I hereby reappoint Diana Small to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



---

Mayor Aftab Pureval



**AFTAB PUREVAL**

City of Cincinnati, Office of the Mayor

May 2023

**REAPPOINTMENT**

I hereby reappoint Alicia Reece to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



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Mayor Aftab Pureval



**AFTAB PUREVAL**

City of Cincinnati, Office of the Mayor

May 2023

**REAPPOINTMENT**

I hereby reappoint Eric Rademacher to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



---

Mayor Aftab Pureval



**AFTAB PUREVAL**

City of Cincinnati, Office of the Mayor

May 2023

**REAPPOINTMENT**

I hereby reappoint Michael Prus to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



---

Mayor Aftab Pureval



**AFTAB PUREVAL**

City of Cincinnati, Office of the Mayor

May 2023

**REAPPOINTMENT**

I hereby reappoint Matthew Owens to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



---

Mayor Aftab Pureval



**AFTAB PUREVAL**

City of Cincinnati, Office of the Mayor

May 2023

**REAPPOINTMENT**

I hereby reappoint Deval Motka to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



---

Mayor Aftab Pureval



**AFTAB PUREVAL**

City of Cincinnati, Office of the Mayor

May 2023

**REAPPOINTMENT**

I hereby reappoint Myron Hughes to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



---

Mayor Aftab Pureval



**AFTAB PUREVAL**

City of Cincinnati, Office of the Mayor

May 2023

**REAPPOINTMENT**

I hereby reappoint DeJuan Gossett to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



---

Mayor Aftab Pureval





**AFTAB PUREVAL**

City of Cincinnati, Office of the Mayor

May 2023

**REAPPOINTMENT**

I hereby reappoint Renee Dean to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



---

Mayor Aftab Pureval



**AFTAB PUREVAL**

City of Cincinnati, Office of the Mayor

May 2023

**REAPPOINTMENT**

I hereby reappoint Markiea Carter to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



---

Mayor Aftab Pureval



**AFTAB PUREVAL**

City of Cincinnati, Office of the Mayor

May 2023

**REAPPOINTMENT**

I hereby reappoint Paula Brehm-Heeger to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



---

Mayor Aftab Pureval



**AFTAB PUREVAL**

City of Cincinnati, Office of the Mayor

May 2023

**REAPPOINTMENT**

I hereby reappoint Michael Beck to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



---

Mayor Aftab Pureval



**AFTAB PUREVAL**

City of Cincinnati, Office of the Mayor

May 2023

**REAPPOINTMENT**

I hereby reappoint Jesse Grissom to the Workforce Council of Southwest Ohio Board of Directors for a term expiring December 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



---

Mayor Aftab Pureval

202301373

**Date:** May 17, 2023

**To:** Mayor Aftab Pureval, Councilmember Seth Walsh, Vice Mayor Jan-Michele Lemon Kearney, President Pro Tem Victoria Parks, and Councilmembers Jeff Cramerding, Reggie Harris, Mark Jeffreys, Scotty Johnson, Liz Keating, and Meeka Owens

**From:** Emily Smart Woerner, City Solicitor *EESW*

**Subject:** **Resolution – Mental Health Awareness Resolution**

---

Transmitted herewith is a resolution captioned as follows:

**RECOGNIZING** the month of May 2023 as Mental Health Awareness Month.

EESW/CNS(dmm)  
Attachment  
382952

EESW

RESOLUTION NO. \_\_\_\_\_ - 2023

RECOGNIZING the month of May 2023 as Mental Health Awareness Month.

WHEREAS, 54 percent of American adults with mental illness did not receive care in the last year, and most Americans lack access to adequate mental health treatment; and

WHEREAS, more than fifty million Americans struggle with mental illness; and

WHEREAS, mental and physical health are equally important components of overall health; and

WHEREAS, National Children’s Mental Health Awareness Day, occurring annually on May 7, seeks to raise awareness about the importance of children’s mental health and show that positive mental health is essential to a child’s healthy development; and

WHEREAS, the City of Cincinnati is committed to breaking down barriers to accessing mental health services and treatment opportunities; now, therefore,

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

Section 1. That the Mayor and this Council recognize the month of May 2023 as National Mental Health Awareness Month.

Section 2. That this resolution be spread upon the minutes of Council and that a copy be provided to the Joe Burrow Foundation through the office of Councilmember Seth Walsh.

Passed: \_\_\_\_\_, 2023

\_\_\_\_\_  
Aftab Pureval, Mayor

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

Submitted by Mayor Aftab Pureval, Councilmember Seth Walsh, Vice Mayor Jan-Michele Lemon Kearney, President Pro Tem Victoria Parks, and Councilmembers Jeff Cramerding, Reggie Harris, Mark Jeffreys, Scotty Johnson, Liz Keating, and Meeka Owens.

202301446

**Date:** May 17, 2023

**To:** Mayor Aftab Pureval, Councilmember Seth Walsh, Vice Mayor Jan-Michele Lemon Kearney, President Pro Tem Victoria Parks, and Councilmembers Jeff Cramerding, Reggie Harris, Mark Jeffreys, Scotty Johnson, Liz Keating, and Meeka Owens

**From:** Emily Smart Woerner, City Solicitor *EESW*

**Subject:** **Resolution – Mental Health Awareness Resolution/B VERSION**

---

Transmitted herewith is a resolution captioned as follows:

**RECOGNIZING** the month of May 2023 as Mental Health Awareness Month.

EESW/CNS(dmm)  
Attachment  
382952



EESW

RESOLUTION NO. \_\_\_\_\_ - 2023

RECOGNIZING the month of May 2023 as Mental Health Awareness Month.

WHEREAS, 54 percent of American adults with mental illness did not receive care in the last year, and most Americans lack access to adequate mental health treatment; and

WHEREAS, more than fifty million Americans struggle with mental illness; and

WHEREAS, National Children’s Mental Health Awareness Day, occurring annually on May 7, seeks to raise awareness about the importance of children’s mental health and show that positive mental health is essential to a child’s healthy development; and

WHEREAS, the City applauds the work of the Burrow family and the Joe Burrow Foundation to destigmatize mental health and provide care and support for Cincinnati’s youth; and

WHEREAS, the Joe Burrow Foundation has covered expenses for twenty Cincinnati families who were struggling to pay for mental health hospital treatment; and

WHEREAS, the City is committed to breaking down barriers to accessing mental health services and treatment opportunities; now, therefore,

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

Section 1. That the Mayor and this Council recognize the month of May 2023 as National Mental Health Awareness Month.

Section 2. That this resolution be spread upon the minutes of Council and that a copy be provided to the Joe Burrow Foundation through the office of Councilmember Seth Walsh.

Passed: \_\_\_\_\_, 2023

\_\_\_\_\_  
Aftab Pureval, Mayor

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

Submitted by Mayor Aftab Pureval, Councilmember Seth Walsh, Vice Mayor Jan-Michele Lemon Kearney, President Pro Tem Victoria Parks, and Councilmembers Jeff Cramerding, Reggie Harris, Mark Jeffreys, Scotty Johnson, Liz Keating, and Meeka Owens.

Date: 5/17/2023

To: Mayor and Members of City Council  
 From: Sheryl M. M. Long, City Manager  
 Subject: **SPECIAL EVENT PERMIT APPLICATION: (Northside Northside Rock N Roll Carnival Hoffner Park)** **202301368**

---

In accordance with Cincinnati Municipal Code, Chapter 765; (Aaron Madriga, Northside Business Association) has submitted a Special Event Permit Application Form to the Chief of Police. The Special Event Permit Application has been reviewed by the following department(s): . There are no objections to issuing the Special Events Permit.

The particulars of the requested event are as indicated:

**EVENT NAME/TITLE:** Northside Northside Rock N Roll Carnival Hoffner Park  
**EVENT SPONSOR/PRODUCER:** Northside Business Association  
**CONTACT PERSON:** Aaron Madrigal  
**LOCATION:** Hoffner Park  
**DATE(S) AND TIME(S):** 06/30/2023 6:00pm—07/01/2023 1:00am  
 06/17/2023 6:00pm—11:00pm  
 07/01/2023 4:00pm—07/02/2023 1:00am  
 08/12/2023 6:00pm—11:00pm  
 07/02/2023 12:00pm—07/02/2023 6:00pm  
**EVENT DESCRIPTION:** The Northside Rock N Roll Carnival is a 20+ year old event, produced by the Northside Business Association, that occurs yearly in the heart of Northside at Hoffner Park. From June 30th to July 2nd, the park will be filled with music, food trucks, local craft, and beer vendors  
**ANTICIPATED ATTENDANCE:** 3,000  
**ALCOHOL SALES:**  YES.  NO.  
**TEMPORARY LIQUOR PERMIT HOLDER IS:** Northside Business Association

cc: Colonel Teresa A. Theetge, Police Chief

**Date:** May 17, 2023

**To:** Mayor and Members of City Council

**From:** Sheryl M. M. Long, City Manager

202301374

**Subject:** **Liquor License – Transfer (D5J D6)**

---

***FINAL RECOMMENDATION REPORT***

**OBJECTIONS:** None

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

**APPLICATION:** 8356762  
**PERMIT TYPE:** TRFO  
**CLASS:** D5J D6  
**NAME:** SOLACE COFFEE LLC  
**DBA:** NONE LISTED  
6128 HAMILTON AVE  
CINCINNATI, OH 45224

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

On March 27, 2023, College Hill Forum was notified of this application and does not object.

---

Police Department Approval

---

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

**MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: May 23, 2023**

Date: May 17, 2023

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

202301376

Subject: **Liquor License – New**

---

***FINAL RECOMMENDATION REPORT***

OBJECTIONS: None

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

APPLICATION: 6385219  
PERMIT TYPE: NEW  
CLASS: C1 C2  
NAME: Nik & Niki LLC  
DBA: NONE LISTED  
333 CALHOUN ST  
CINCINNATI, OH 45219

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

On March 21, 2023, CUF Neighborhood Association was notified of this application and does not object.

---

Police Department Approval

---

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

Objection       No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: May 16, 2023

**Date:** May 17, 2023

**To:** Mayor and Members of City Council

**From:** Sheryl M. M. Long, City Manager

202301377

**Subject:** **Liquor License – Transfer (C1 C2)**

---

***FINAL RECOMMENDATION REPORT***

**OBJECTIONS:** None

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

**APPLICATION:** 8115254  
**PERMIT TYPE:** TRFO  
**CLASS:** C1 C2  
**NAME:** SHREEJI KRUPA GAS LLC  
**DBA:** ELMORE GAS  
1710 ELMORE ST  
CINCINNATI, OH 45223

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

On March 27, 2023, Northside Community Council was notified of this application and does not object.

---

Police Department Approval

---

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

**MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: May 23, 2023**

Date: May 17, 2023

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

202301378

Subject: **Liquor License – New**

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***FINAL RECOMMENDATION REPORT***

OBJECTIONS: None

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

APPLICATION: 5798485  
PERMIT TYPE: NEW  
CLASS: D5J  
NAME: MEDITERRANEAN IMPORTS LLC  
DBA: DEANS MEDITERRANEAN IMPORTS  
4024 Hamilton Ave  
Cincinnati, OH 45223

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

On April 24, 2023, Northside Community Council was notified of this application and does not object.

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Police Department Approval

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

Objection

No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: June 16, 2023

Date: May 17, 2023

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

202301388

Subject: **Liquor License – TFOL**

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***FINAL RECOMMENDATION REPORT***

OBJECTIONS: None

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

APPLICATION: 5313900  
PERMIT TYPE: TFOL  
CLASS: D5 D6  
NAME: LOVE ON FOURTH LLC  
DBA: LOVE  
138 W FOURTH ST  
CINCINNATI, OH 45202

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

On April 24, 2023, Downtown Residents Council was notified of this application and does not object.

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Police Department Approval

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

Objection       No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: June 12, 2023

Date: 5/17/2023

202301406

To: Mayor and Members of City Council  
 From: Sheryl M. M. Long, City Manager  
 Subject: **SPECIAL EVENT PERMIT APPLICATION: Art on Vine**

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

The particulars of the requested event are as indicated:

**EVENT NAME/TITLE:** Art on Vine  
**EVENT SPONSOR/PRODUCER:** Downtown Cincinnati, Inc.  
**CONTACT PERSON:** Alex Mangas  
**LOCATION:** 1 East Court Street  
**DATE(S) AND TIME(S):** 06/03/2023 12:00pm—06/03/2023 6:00pm  
 07/01/2023 12:00pm—07/01/2023 6:00pm  
 08/05/2023 12:00pm—08/05/2023 6:00pm  
 09/02/2023 12:00pm—09/02/2023 6:00pm  
 09/30/2023 12:00pm—09/30/2023 6:00pm  
**EVENT DESCRIPTION:** A Monthly Local Art Show Featuring Fine Art & Handmade Goods From Over 80+ Artists Throughout The Ohio Region.  
**ANTICIPATED ATTENDANCE:** 350  
**ALCOHOL SALES:**  YES.  NO.  
**TEMPORARY LIQUOR PERMIT HOLDER IS:** 3CDC

cc: Colonel Teresa A. Theetge, Police Chief



Date: 5/17/2023

202301408

To: Mayor and Members of City Council  
From: Sheryl M. M. Long, City Manager  
Subject: **SPECIAL EVENT PERMIT APPLICATION: Bloom OTR Block Party**

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

The particulars of the requested event are as indicated:

EVENT NAME/TITLE: Bloom OTR Block Party  
EVENT SPONSOR/PRODUCER: Bloom OTR  
CONTACT PERSON: Michael Melcher  
LOCATION: 1121 Walnut Street  
DATE(S) AND TIME(S): 06/23/2023 12:00pm—06/23/2023 8:00pm  
EVENT DESCRIPTION: PRIDE 2023 Block Party hosted by Bloom OTR. For our one year anniversary, we are looking to provide an inclusive LGBTQ+ safe space for our friends, family, neighbors, and community to celebrate gay pride. There will be music, dancing, food vendor, and other mixed art performances.  
ANTICIPATED ATTENDANCE: 1500  
ALCOHOL SALES:  YES.  NO.  
TEMPORARY LIQUOR PERMIT HOLDER IS: Bloom OTR

cc: Colonel Teresa A. Theetge, Police Chief

Date: 5/17/2023

To: Mayor and Members of City Council 202301409  
From: Sheryl M. M. Long, City Manager  
Subject: **SPECIAL EVENT PERMIT APPLICATION: Fourth of July at Washington Park**

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

The particulars of the requested event are as indicated:

EVENT NAME/TITLE: Fourth of July at Washington Park  
EVENT SPONSOR/PRODUCER: Downtown Cincinnati, Inc.  
CONTACT PERSON: Alex Mangas  
LOCATION: Washington Park  
DATE(S) AND TIME(S): 07/04/2023 6:00pm—07/04/2023 10:00pm  
EVENT DESCRIPTION: Neighborhood Fourth of July celebration at Washington Park.  
Highlights include: food trucks, a band and fireworks.  
ANTICIPATED ATTENDANCE: 1,000  
ALCOHOL SALES:  YES.  NO.  
TEMPORARY LIQUOR PERMIT HOLDER IS: 3CDC

cc: Colonel Teresa A. Theetge, Police Chief

Date: 05/17/23

202301410

To: Mayor and Members of City Council  
From: Sheryl M. M. Long, City Manager  
Subject: **SPECIAL EVENT PERMIT APPLICATION: Black Family Reunion**

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In accordance with Cincinnati Municipal Code, Chapter 765; Tracey Artis has submitted a Special Event Permit Application Form to the Chief of Police. The Special Event Permit Application has been reviewed by the following department(s): (Cincinnati Fire Department, Metro, Cincinnati Police Special Events Unit, Cincinnati Police District One, Traffic and Engineering Department, Traffic and Road Operations Department and The Health Department. There are no objections to issuing the Special Events Permit.

The particulars of the requested event are as indicated:

EVENT NAME/TITLE: Black Family Reunion  
EVENT SPONSOR/PRODUCER: JazJordan Inc.  
CONTACT PERSON: Tracey Artis  
LOCATION: 705 East Pete Rose Way (Yeatman's Cove)  
DATE(S) AND TIME(S): 08/19/23 1200-2000 08/20/23 1000-2000  
EVENT DESCRIPTION: Music, Food, to bring individuals together to celebrate culture and educate the community  
ANTICIPATED ATTENDANCE: 2000  
ALCOHOL SALES:  YES.  NO.  
TEMPORARY LIQUOR PERMIT HOLDER IS: To be determined

cc: Colonel Teresa A. Theetge, Police Chief

Date: 05/17/23

To: Mayor and Members of City Council 202301411  
From: Sheryl M. M. Long, City Manager  
Subject: **SPECIAL EVENT PERMIT APPLICATION: DMG Sign Lighting Ceremony**

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In accordance with Cincinnati Municipal Code, Chapter 765; Alex Mangas has submitted a Special Event Permit Application Form to the Chief of Police. The Special Event Permit Application has been reviewed by the following department(s): (Cincinnati Fire Department, Metro, Cincinnati Police Special Events Unit, Cincinnati Police District One, Traffic and Engineering Department, Traffic and Road Operations Department and The Health Department. There are no objections to issuing the Special Events Permit.

The particulars of the requested event are as indicated:

EVENT NAME/TITLE: DMG Sign Lighting Ceremony  
EVENT SPONSOR/PRODUCER: Cincinnati Center City Development Corporation (3CDC)  
CONTACT PERSON: Alex Mangas  
LOCATION: 500 Vine Street (Fountain Square)  
DATE(S) AND TIME(S): 06/05/23 1800-2100 Hrs.  
EVENT DESCRIPTION: DMG Sign Lighting and Fireworks  
ANTICIPATED ATTENDANCE: 600  
ALCOHOL SALES:  YES.  NO.  
TEMPORARY LIQUOR PERMIT HOLDER IS: To Be Determined

cc: Colonel Teresa A. Theetge, Police Chief

Date: 5/17/2023

202301412

To: Mayor and Members of City Council  
 From: Sheryl M. M. Long, City Manager  
 Subject: **SPECIAL EVENT PERMIT APPLICATION: Frisch's Roller Rink**

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

The particulars of the requested event are as indicated:

**EVENT NAME/TITLE:** Frisch's Roller Rink  
**EVENT SPONSOR/PRODUCER:** Downtown Cincinnati, Inc.  
**CONTACT PERSON:** Alex Mangas  
**LOCATION:** 1 East Court Street  
**DATE(S) AND TIME(S):** 06/14/2023 12:00pm—06/18/2023 6:00pm  
 07/19/2023 12:00pm—07/23/2023 6:00pm  
 09/06/2023 12:00pm—09/10/2023 6:00pm  
  
**EVENT DESCRIPTION:** Frisch's and 3CDC are excited to bring a mobile roller skating rink to Downtown Cincinnati!  
**ANTICIPATED ATTENDANCE:** 300  
**ALCOHOL SALES:**  YES.  NO.  
**TEMPORARY LIQUOR PERMIT HOLDER IS:**

cc: Colonel Teresa A. Theetge, Police Chief

**Date:** May 17, 2023

**To:** Mayor and Members of City Council

**From:** Sheryl M. M. Long, City Manager

202301423

**Subject:** **Liquor License – New**

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***FINAL RECOMMENDATION REPORT***

**OBJECTIONS:** None

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

**APPLICATION:** 7009013  
**PERMIT TYPE:** NEW  
**CLASS:** D5J  
**NAME:** POCO MOCO LLC  
**DBA:** ONOLICIOUS HAWAII  
1005 WALNUT ST  
CINCINNATI, OH 45202

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

On March 21, 2023, Downtown Residents Council was notified of this application and does not object.

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Police Department Approval

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

**MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: May 16, 2023**

**Date:** May 17, 2023

**To:** Mayor and Members of City Council

**From:** Sheryl M. M. Long, City Manager

202301424

**Subject:** **Liquor License – TREX**

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***FINAL RECOMMENDATION REPORT***

**OBJECTIONS:** None

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

**APPLICATION:** 9069245  
**PERMIT TYPE:** TREX  
**CLASS:** D5 D6  
**NAME:** UP CINCINNATI CENTRAL LLC  
**DBA:** NONE LISTED  
412 CENTRAL AVE  
CINCINNATI, OH 45202

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

On March 23, 2023, Downtown Residents Council was notified of this application and does not object.

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Police Department Approval

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

**MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: May 16, 2023**

**Date:** May 17, 2023

**To:** Mayor and Members of City Council

202301425

**From:** Sheryl M. M. Long, City Manager

**Subject:** **Liquor License – TREX**

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***FINAL RECOMMENDATION REPORT***

**OBJECTIONS:** None

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

**APPLICATION:** 0490255  
**PERMIT TYPE:** TREX  
**CLASS:** D1 D2 D3  
**NAME:** BAR AT FOUNDRY LLC  
**DBA:** NONE LISTED  
500 RACE ST  
CINCINNATI, OH 45202

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

On April 13, 2023, Downtown Residents Council was notified of this application and does not object.

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Police Department Approval

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

**MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: June 4, 2023**



**Date:** May 17, 2023

**To:** Mayor and Members of City Council

**From:** Sheryl M. M. Long, City Manager

202301426

**Subject:** **Liquor License – NEW**

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***FINAL RECOMMENDATION REPORT***

**OBJECTIONS:** None

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

**APPLICATION:** 6963922  
**PERMIT TYPE:** NEW  
**CLASS:** C1 C2  
**NAME:** PLEASANT RIDGE MART  
**DBA:** PLEASANT RIDGE MART  
6647 MONTGOMERY RD  
CINCINNATI, OH 45213

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

On April 13, 2023, Kennedy Heights Community Council was notified of this application and does not object.

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Police Department Approval

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

**MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: June 3, 2023**

Date: 05/17/2023

202301427

To: Mayor and Members of City Council  
 From: Sheryl M. M. Long, City Manager  
 Subject: **SPECIAL EVENT PERMIT APPLICATION: (Hyde Park Farmer's Market)**

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

The particulars of the requested event are as indicated:

**EVENT NAME/TITLE:** Hyde Park Farmer's Market  
**EVENT SPONSOR/PRODUCER:** Hyde Park Farmer's Market (HPFM LLC)  
**CONTACT PERSON:** Liz Stites  
**LOCATION:** Hyde Park Square  
**DATE(S) AND TIME(S):** Sunday's 5/21/2023 thru 10/29/2023 9:30am-1:00pm & Tuesday 11/21/2023 6:30pm-8:30pm  
**EVENT DESCRIPTION:** Hyde Park Farmers' Market is a family-friendly, free event. The market brings the community together on Hyde Park Square every Sunday morning from mid-May through October + Turkey Tuesday (the Tuesday evening prior to Thanksgiving). HPFM's family farmers and food artisans strive to provide the best tasting, most healthy food in our region.  
**ANTICIPATED ATTENDANCE:** 1,000 weekly  
**ALCOHOL SALES:**  YES.  NO.  
**TEMPORARY LIQUOR PERMIT HOLDER IS:** (N/A)

cc: Colonel Teresa A. Theetge, Police Chief

Date: 05/17/2023

To: Mayor and Members of City Council 202301428  
 From: Sheryl M. M. Long, City Manager  
 Subject: **SPECIAL EVENT PERMIT APPLICATION: (Ault Park Fireworks)**

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

The particulars of the requested event are as indicated:

**EVENT NAME/TITLE:** Ault Park Fireworks  
**EVENT SPONSOR/PRODUCER:** Ault Park Advisory Council  
**CONTACT PERSON:** Kevin Frank  
**LOCATION:** Ault Park  
**DATE(S) AND TIME(S):** 7/4/2023 11:00AM to 11:00PM  
**EVENT DESCRIPTION:** 4th of July Fireworks celebration. Kids bike parade at 11:00a.m. on the Great Lawn. Fireworks start at dark usually around 10:00p.m. and last about 30 minutes. People usually arrive at 6p.m. onward. Live music or recorded music will accompany the fireworks. Stage will be at the far end of the Great Lawn from the Ault Park Pavilion. Rozzi's will handle fireworks from the Ault Park Commons site (former 'soccer field') in the northwest corner near the picnic shelter. Traffic assistance from CPD required. Food trucks and several other vendors will be present. Free to the public. No alcohol.  
**ANTICIPATED ATTENDANCE:** 3,000  
**ALCOHOL SALES:**  YES.  NO.  
**TEMPORARY LIQUOR PERMIT HOLDER IS:** (N/A)

cc: Colonel Teresa A. Theetge, Police Chief

Date: 05/17/2023

202301429

To: Mayor and Members of City Council  
From: Sheryl M. M. Long, City Manager  
Subject: **SPECIAL EVENT PERMIT APPLICATION: (East Walnut Hills Farmers Market)**

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

The particulars of the requested event are as indicated:

EVENT NAME/TITLE: East Walnut Hills Farmers Market  
EVENT SPONSOR/PRODUCER: East Walnut Hills Assembly  
CONTACT PERSON: Deborah Dereshkevich  
LOCATION: 1523 Madison Rd  
DATE(S) AND TIME(S): Every Friday 5/26/203 to 10/27/2023 - 2:30PM to 8:00PM  
EVENT DESCRIPTION: Farmer's Market  
ANTICIPATED ATTENDANCE: 400  
ALCOHOL SALES:  YES.  NO.  
TEMPORARY LIQUOR PERMIT HOLDER IS: (F-8 Application is being processed)

cc: Colonel Teresa A. Theetge, Police Chief

May 17, 2023

**To:** Mayor and Members of City Council

202301430

**From:** Sheryl M. M. Long, City Manager

**Subject: Emergency Ordinance – Cincinnati Recreation Commission:  
Recreation Center Part-Time Staff Bonus Plan**

---

Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the City Manager to establish a Recreation Center Part-Time Staff Bonus Plan to recruit and retain qualified employees within the Cincinnati Recreation Commission’s Recreation Centers, according to the attached Schedule.

Approval of this Emergency Ordinance authorizes the Cincinnati Recreation Commission (CRC) to establish a Recreation Center Part-Time Staff Bonus Plan to recruit and retain qualified employees within CRC Recreation Centers, according to the attached Schedule.

Sufficient resources are available in the existing Cincinnati Recreation Commission (CRC) Recreation Special Activities Fund personnel operating budget for the bonuses. The bonus plan is a one-time commitment for summer 2023, with one installment paid in Fiscal Year 2023 and one installment paid in Fiscal Year 2024 for a total estimated cost of \$250,500.

The Part-Time Staff Bonus Plan provides an opportunity for CRC to remain competitive in the current job market and incentivize employees to return to work with the CRC. Approximately 491 part-time positions will be eligible, with 76 part-time Municipal Worker positions being represented by the American Federation of State, County, and Municipal Employees (AFSCME) Local 250.

The Recreation Center Part-Time Staff Bonus Plan is in accordance with the “Live” initiative area to “[s]trengthen our magnetic city with energized people” as described on page 147 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to establish the bonus plan in order to recruit and retain qualified employees.

The Administration recommends passage of this Emergency Ordinance.

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



Attachment

**EMERGENCY**

CNS

- 2023

**AUTHORIZING** the City Manager to establish a Recreation Center Part-Time Staff Bonus Plan to recruit and retain qualified employees within the Cincinnati Recreation Commission’s Recreation Centers, according to the attached Schedule.

WHEREAS, in order to recruit and retain quality employees and to better serve Cincinnati residents, the Cincinnati Recreation Commission (“CRC”) has determined the creation of a bonus plan is necessary; and

WHEREAS, the Recreation Center Part-Time Staff Bonus Plan is necessary for CRC to remain competitive in the current labor market and attract and retain staff within CRC’s Recreation Centers; and

WHEREAS, the Recreation Center Part-Time Staff Bonus Plan provides opportunities to increase operational efficiencies while maintaining a standard of excellence and a clear pathway for continued growth for affected employees; and

WHEREAS, funding for the Recreation Center Part-Time Staff Bonus Plan, which is expected to cost \$250,500, will be paid from the CRC’s existing Recreation Special Activities Fund 323 personnel operating budget, with \$127,750 being paid from FY23 funds and \$122,750 being paid from FY24 funds; and

WHEREAS, employee bonuses will be disbursed in two installments between July and September 2023; and

WHEREAS, the Recreation Center Part-Time Staff Bonus Plan is in accordance with the “Live” initiative area to “[s]trengthen our magnetic city with energized people” as described on page 147 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That a Recreation Center Part-Time Staff Bonus Plan is authorized, with bonus amounts to be set by the Recreation Commission in accordance with the attached Schedule, for the purpose of recruiting, hiring, and retaining qualified employees within the Cincinnati Recreation Commission Recreation Centers.

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 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 establish the bonus plan in order to recruit and retain qualified employees.

Passed: \_\_\_\_\_, 2023

\_\_\_\_\_  
Aftab Pureval, Mayor

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

## **Cincinnati Recreation Commission Recreation Center Part-Time Staff Bonus Plan Schedule**

Bonuses will be paid in two installments of \$250 each, for a total bonus payment of up to \$500.\*

The first installment of \$250 will be paid to eligible employees through payroll for calendar year pay period fourteen. To be eligible for the first installment, an employee must be hired and start work in one of the eligible positions by the end of pay period fourteen (June 24, 2023). Eligible part-time positions include:

- Front Desk Staff
- Gymnasium Attendants
- Summer Day Camp Group Leaders and Floaters
- Therapeutic Recreation Staff\*
- Athletics Part-Time Employees
- Municipal Workers

*\*Due to the increased level of training required and additional duties of Therapeutic Recreation part-time staff, eligible employees will receive \$350 for the first bonus payment installment.*

The second bonus installment of \$250 is contingent upon hours worked and a length of time requirement and will be paid to eligible employees through payroll for calendar year pay period nineteen. Eligibility parameters for second installment include:

- Being employed in an eligible part-time position as of July 28, 2023
- Working a minimum of 100 hours between the dates of May 28, 2023, and August 5, 2023.



May 17, 2023

**To:** Mayor and Members of City Council

**From:** Sheryl M. M. Long, City Manager

202301431

**Subject: Ordinance – DOTE: MRF and OPWC Round 38 Grant Applications**

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Attached is an Ordinance captioned:

**AUTHORIZING** the City Manager to apply for grants, loans, and loan assistance awarded by Hamilton County from the Municipal Road Fund Program and the Ohio Public Works Commission State Capital Improvement Program, the Local Transportation Improvement Program, and the Revolving Loan Program (Funding Round 38) to ensure the timely completion of various road, bridge, and pedestrian construction projects throughout the City.

Approval of this Ordinance authorizes the City Manager to apply for grants, loans, and loan assistance awarded by Hamilton County from the Municipal Road Fund (MRF) Program and the Ohio Public Works Commission (OPWC) State Capital Improvement Program (SCIP), the Local Transportation Improvement Program (LTIP), and the Revolving Loan Program (Funding Round 38) for the purpose of ensuring the timely completion of various road, bridge, and pedestrian construction projects throughout the City.

DOTe identified a list of potential projects for grant funding, which is attached. However, the list is subject to change, and DOTE may apply for resources to support projects not included in the attachment. Anticipated sources of local match funds would come from existing and future capital improvement program project accounts. No new FTEs are required.

DOTe will prepare all applications as requests for grant funding, but there may be opportunities to obtain additional zero percent interest loans for these projects once the District Integrating Committee allocation of grant monies is exhausted. If the City is awarded any grants, loans, or loan assistance under these programs, DOTE will request authorization from the City Council to accept and appropriate such resources.

The implementation of various road, bridge, and pedestrian construction projects is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability,” as described on pages 129-138 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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

Attachment



**AUTHORIZING** the City Manager to apply for grants, loans, and loan assistance awarded by Hamilton County from the Municipal Road Fund Program and the Ohio Public Works Commission State Capital Improvement Program, the Local Transportation Improvement Program, and the Revolving Loan Program (Funding Round 38) to ensure the timely completion of various road, bridge, and pedestrian construction projects throughout the City.

WHEREAS, the Department of Transportation and Engineering (“DOTE”) has applied for grants, loans, and loan assistance awarded by Hamilton County from the Municipal Road Fund Program and the Ohio Public Works Commission State Capital Improvement Program, the Local Transportation Improvement Program, and the Revolving Loan Program (Funding Round 38) for funding year 2024 and 2025, to ensure the timely completion of projects identified by DOTE as high priorities; and

WHEREAS, DOTE identified the attached list of potential projects as high priorities for which it may apply for assistance, although the list is subject to change and DOTE may apply for resources for projects not included in Attachment A; and

WHEREAS, depending on the terms of the grant award for each project, local match funds may be required for assistance; and

WHEREAS, anticipated sources of local match funds, which would come from existing and future capital improvement program project accounts, are identified for each of the projects in Attachment A; and

WHEREAS, DOTE will prepare all applications as requests for grant funding, but there may be opportunities to obtain additional zero percent interest loans for these projects once the District Integrating Committee allocation of grant monies is exhausted; and

WHEREAS, if the City is awarded any grants, loans, or loan assistance under these programs, no grant funds will be accepted without approval by Council; and

WHEREAS, no additional FTEs/full time equivalents are associated with these applications for grants, loans, and loan assistance; and

WHEREAS, the implementation of various road, bridge, and pedestrian construction projects is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability,” as described on pages 129-138 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is hereby authorized to apply for grants, loans, and loan assistance awarded by Hamilton County from the Municipal Road Fund Program and the Ohio Public Works Commission State Capital Improvement Program, the Local Transportation Improvement Program, and the Revolving Loan Program (Funding Round 38) to ensure the timely completion of various road, bridge, and pedestrian construction projects throughout the City.

Section 2. That the proper City officials are hereby 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: \_\_\_\_\_, 2023

\_\_\_\_\_  
Aftab Pureval, Mayor

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

**Attachment A**  
**Potential Project List for Ohio Public Works Commission and Municipal Road Fund**

<b>Projects</b>	<b>Matching Funds</b>
Gilbert Avenue Improvements	Future City Capital and ODOT Urban Paving Funds
Harrison Avenue Safety Improvements	Future City Capital and ODOT Safety Funds
Edwards Road Rehabilitation	Future City Capital and ODOT Urban Paving Funds
Brighton Bridge Replacement	Future City Capital, OPWC Funds, Municipal Bridge Funds
Riverside Drive Landslide at Rookwood	Future City Capital
East 6th Street Rehabilitation	Future City Capital
Evanston Traffic Calming Improvements	Future City Capital
Columbia Parkway Landslide South of Beechmont	Future City Capital
2nd & 3rd Streets Crosswalks	Future City Capital
Warsaw Avenue Improvements	Future City Capital and Transit Infrastructure Fund Grant
Warner Streets Steps	Future City Capital
Riverside Drive Wall at Friendship Park	Future City Capital
Whetsel Avenue Rehabilitation	Future City Capital
Hillside Avenue Improvements	Future City Capital
Lighting Signal Corridor Project	Future City Capital
Reading & Summit Improvements	Future City Capital

May 17, 2023

**To:** Mayor and Members of City Council

**From:** Sheryl M. M. Long, City Manager

202301432

**Subject: Emergency Ordinance – DOTE: Apply for SORTA Transit Infrastructure Fund (Round 3) Grants**

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Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the City Manager to apply for grants awarded by the Southwest Ohio Regional Transit Authority Transit Infrastructure Fund to ensure the timely completion of various road, bridge, wall, and pedestrian safety construction projects throughout the City.

Approval of this Emergency Ordinance authorizes the City Manager to apply for grants awarded by the Southwest Ohio Regional Transit Authority (SORTA) Transit Infrastructure Fund for the purpose of ensuring the timely completion of various road, bridge, wall, and pedestrian safety construction projects throughout the City.

The Department of Transportation and Engineering (DOTE) intends to apply for grants awarded by the SORTA Transit Infrastructure Fund for Fiscal Year 2024 and Fiscal Year 2025 capital improvement program projects, to ensure the timely completion of various public infrastructure projects identified as high priorities. DOTE identified a list of potential projects for grant funding, which is attached. However, the list is subject to change, and DOTE may apply for resources to support projects not included in the attachment. Anticipated sources of local match funds would come from existing and future capital improvement program projects. No new FTEs are required.

The implementation of various public infrastructure projects is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability,” as described on pages 129-138 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need for the Department of Transportation and Engineering to receive Council authorization to apply for the SORTA Transit Infrastructure Fund grants by May 31, 2023.

The Administration recommends passage of this Emergency Ordinance.

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



Attachment

## EMERGENCY

**IMD**

**- 2023**

**AUTHORIZING** the City Manager to apply for grants awarded by the Southwest Ohio Regional Transit Authority Transit Infrastructure Fund to ensure the timely completion of various road, bridge, wall, and pedestrian safety construction projects throughout the City.

WHEREAS, the Department of Transportation and Engineering (“DOTe”) intends to apply for grants awarded by the Southwest Ohio Regional Transit Authority (“SORTA”) Transit Infrastructure Fund by May 31, 2023, for fiscal year 2024 and fiscal year 2025 capital improvement projects, to ensure the timely completion of various public infrastructure projects DOTe identifies as high priorities; and

WHEREAS, DOTe identified the attached list of potential projects as high priorities for which it intends to apply for assistance, although the list is subject to change and DOTe may apply for resources for projects not included in Attachment A; and

WHEREAS, depending on the terms of the grant award for each project, local matching funds may be required for acceptance; and

WHEREAS, anticipated sources of local matching funds, which would come from existing and future capital improvement program project accounts, are identified for each of the projects in Attachment A; and

WHEREAS, if the City is awarded grants from the SORTA Transit Infrastructure Fund, no grant funds will be accepted without approval by Council; and

WHEREAS, no additional FTEs/full time equivalents are associated with these applications for grant funding; and

WHEREAS, the implementation of various public infrastructure projects is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability,” as described on pages 129-138 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is hereby authorized to apply for grants awarded by the Southwest Ohio Regional Transit Authority (“SORTA”) Transit Infrastructure Fund for the

purpose of ensuring the timely completion of various road, bridge, wall, and pedestrian safety construction projects throughout the City.

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

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need for the Department of Transportation and Engineering to receive Council authorization to apply for the SORTA Transit Infrastructure Fund grants by May 31, 2023.

Passed: \_\_\_\_\_, 2023

\_\_\_\_\_  
Aftab Pureval, Mayor

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

**Attachment A**  
**Potential Project List for Transit Infrastructure Fund Grant**

<b>Projects</b>	<b>Matching Funds</b>
Gilbert Avenue Improvements	Future City Capital and ODOT Urban Paving Funds
Harrison Avenue Safety Improvements	Future City Capital and ODOT Safety Funds
Edwards Road Rehabilitation	Future City Capital and ODOT Urban Paving Funds
Brighton Bridge Replacment	Future City Capital, OPWC Funds, Municipal Bridge Funds
Riverside Drive Landslide at Rookwood	Future City Capital
East 6th Street Rehabilitation	Future City Capital
Evanston Traffic Calming Improvements	Future City Capital
Columbia Parkway Landslide South of Beechmont	Future City Capital
2nd & 3rd Streets Crosswalks	Future City Capital



May 17, 2023

**To:** Mayor and Members of City Council

**From:** Sheryl M. M. Long, City Manager

202301433

**Subject: Emergency Ordinance – CMO: Community Development Block Grant (CDBG) Program Reconciliation**

---

Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the transfer and return to source Fund 304, “Community Development Block Grant,” of \$1,598,789 to close out or decrease existing project accounts according to Section A of the attached Schedule of Appropriation; and **AUTHORIZING** the transfer and appropriation of \$1,598,789 from the unappropriated surplus of Fund 304, “Community Development Block Grant,” to various project accounts, as set forth in Section B of the attached Schedule of Appropriation, to provide funding that will be spent in a timely manner to support vital City programs.

Approval of this Emergency Ordinance authorizes the transfer and return to source Fund 304, “Community Development Block Grant,” of \$1,598,789 to close out or decrease existing project accounts according to Section A of the attached Schedule of Appropriation. This Emergency Ordinance also authorizes the transfer and appropriation of \$1,598,789 from the unappropriated surplus of Fund 304, “Community Development Block Grant,” to various project accounts, as set forth in Section B of the attached Schedule of Appropriation, to provide funding that will be spent in a timely manner to support vital City programs.

The transfer and appropriation of these CDBG resources is in accordance with the “Live” strategy to “[s]upport and stabilize our neighborhoods,” as described on pages 160-163, and the “Compete” initiative to “[b]e the pivotal economic force in the region,” as described on pages 101-102 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to provide funding for the continuation of vital City programs.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment



**EMERGENCY**

MSS

- 2023

**AUTHORIZING** the transfer and return to source Fund 304, “Community Development Block Grant,” of \$1,598,789 to close out or decrease existing project accounts according to Section A of the attached Schedule of Appropriation; and **AUTHORIZING** the transfer and appropriation of \$1,598,789 from the unappropriated surplus of Fund 304, “Community Development Block Grant,” to various project accounts, as set forth in Section B of the attached Schedule of Appropriation, to provide funding that will be spent in a timely manner to support vital City programs.

WHEREAS, the Community Development Block Grant (“CDBG”) Program began in 1974 and is one of the longest continuously run programs at the U.S. Department of Housing and Urban Development (“HUD”), through which HUD provides annual grants to local communities to address a wide range of unique community development needs; and

WHEREAS, CDBG resources in existing project accounts need to be realigned as set forth in the attached Schedule of Appropriation so that they may be deployed in a timely manner to support vital City programs; and

WHEREAS, the transfer and appropriation of these CDBG resources is in accordance with the “Live” strategy to “[s]upport and stabilize our neighborhoods,” as described on pages 160-163, and the “Compete” initiative to “[b]e the pivotal economic force in the region,” as described on pages 101-102 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 Fund 304, “Community Development Block Grant,” of \$1,598,789 in accordance with Section A of the Schedule of Appropriation, attached hereto and made a part hereof, is authorized to close out or decrease existing project accounts.

Section 2. That the transfer and appropriation of \$1,598,789 from the unappropriated surplus of Fund 304, “Community Development Block Grant,” to various project accounts in accordance with Section B of the attached Schedule of Appropriation is authorized to provide funding that will be spent in a timely manner to support vital City programs.

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

Section 4. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to provide funding for the continuation of vital City programs.

Passed: \_\_\_\_\_, 2023

\_\_\_\_\_  
Aftab Pureval, Mayor

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

**APPROPRIATION SCHEDULE**

DECREASE OF EXISTING COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPROPRIATIONS

**Section A**

Grant Program	Fund	Agency	Project Account No.	Project Title	Original Authorization	Amount to be Decreased	Revised Authorization
CDBG	304	162	30422123	Emergency Mortgage Assistance '22	\$215,000.00	\$45,000.00	\$170,000.00
CDBG	304	162	30423123	Emergency Mortgage Assistance '23	\$275,000.00	\$275,000.00	\$0.00
CDBG	304	161	30422141	Family Re-Housing Assistance	\$130,000.00	\$119,778.00	\$10,222.00
CDBG	304	162	30422124	Hand Up Initiative '22	\$1,256,000.00	\$110,504.00	\$1,145,496.00
CDBG	304	164	30422221	NBD Improvement Program '22	\$1,094,967.00	\$635,507.00	\$459,460.00
CDBG	304	164	30418201	Small Business Services '18	\$100,000.00	\$38,000.00	\$62,000.00
CDBG	304	164	30419201	Small Business Services '19	\$100,000.00	\$100,000.00	\$0.00
CDBG	304	162	30423121	Tenant Representation '23	\$275,000.00	\$275,000.00	\$0.00
<b>TOTAL</b>						<b>\$1,598,789.00</b>	

INCREASE OF EXISTING COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPROPRIATIONS

**Section B**

Grant Program	Fund	Agency	Project Account No.	Project Title	Original Authorization	Amount to be Increased	Revised Authorization
CDBG	304	162	30423120	Emergency Mortgage Assistance & Tenant Representation '23	\$0.00	\$550,000.00	\$550,000.00
CDBG	304	161	30422137	Historic Stabilization of Structures '22	\$200,000.00	\$619,778.00	\$819,778.00
CDBG	304	162	30418244	Operating Support for CDCs '18	\$350,418.95	\$38,000.00	\$388,418.95
CDBG	304	162	30419244	Operating Support for CDCs '19	\$980,000.00	\$100,000.00	\$1,080,000.00
CDBG	304	162	30422244	Operating Support for CDCs '22	\$300,000.00	\$246,011.00	\$546,011.00
CDBG	304	162	30422121	Tenant Representation '22	\$255,000.00	\$45,000.00	\$300,000.00
<b>TOTAL</b>						<b>\$1,598,789.00</b>	

May 17, 2023

To: Mayor and Members of City Council 202301440  
From: Sheryl M.M. Long, City Manager  
Subject: Emergency Ordinance – Repeal and Replacement of Chapter 1109 of the Cincinnati Building Code

---

Attached is an Emergency Ordinance captioned:

AMENDING Title XI, “Cincinnati Building Code,” by repealing Chapter 1109, “Flood Damage Reduction,” of the Cincinnati Municipal Code in its entirety; ORDAINING new Chapter 1109, “Flood Damage Reduction,” of the Cincinnati Building Code, for the purpose of maintaining City eligibility for the Federal Emergency Management Agency’s National Flood Insurance Program; and MODIFYING Chapter 1501, “Code Compliance and Hearings,” by amending Section 1501-9, “Class D. Civil Offenses,” to update the City’s floodplain regulations to ensure the City’s ongoing participation in the National Flood Insurance Program.

On March 3, 2023, the Federal Emergency Management Agency (FEMA) formally notified the City of the need to work with the Ohio Department of Natural Resources (ODNR) to review its existing floodplain-management regulations to ensure they meet the minimum requirements of the National Flood Insurance Program (NFIP). In particular, the FEMA mandate requires the City to update its floodplain-management regulations and have them certified by the ODNR as compliant with the standards of 44 CFR Part 60.3(D) of the NFIP regulations no later than June 7, 2023, the date when FEMA’s Revised Preliminary Flood Insurance Study report and Flood Insurance Rate Map become effective.

This Ordinance, drafted in consultation with the ODNR, responds to the FEMA mandate and will ensure the City may continue to participate in the National Flood Insurance Program (NFIP). The Administration recommends passage of this ordinance to allow citizens to participate in this program.

This Ordinance is based on the ODNR’s 2019 model code and includes the following modifications to the City’s existing floodplain-management regulations:

1. Clarifies the separation between residential requirements and non-residential requirements.
2. Clarifies floodway requirements vs. floodplain requirements.
3. Creates and modifies definitions to assist in understanding historic building requirements (including how additions to historic structures are treated), new construction, residential uses, and non-residential uses.
4. Clarifies the variance process, including the FEMA stance on the rarity of variance approvals.
5. Better defines the City’s process for floodplain-development approvals.

cc: Art Dahlberg, Director of Buildings & Inspections

## EMERGENCY

AEY

- 2023

**AMENDING** Title XI, “Cincinnati Building Code,” by repealing Chapter 1109, “Flood Damage Reduction,” of the Cincinnati Municipal Code in its entirety; **ORDAINING** new Chapter 1109, “Flood Damage Reduction,” of the Cincinnati Building Code, for the purpose of maintaining City eligibility for the Federal Emergency Management Agency’s National Flood Insurance Program; and **MODIFYING** Chapter 1501, “Code Compliance and Hearings,” by amending Section 1501-9, “Class D Civil Offenses,” to update the City’s floodplain regulations to ensure the City’s ongoing participation in the National Flood Insurance Program.

WHEREAS, the Federal Emergency Management Agency (“FEMA”) manages the National Flood Insurance Program (“NFIP”) which makes flood insurance available to property owners in participating communities that have adopted floodplain management regulations that help mitigate the effects of flooding; and

WHEREAS, FEMA has notified the City that, in order to continue to participate in the NFIP, the City is required to adopt updated floodplain-management regulations that have been certified by the Ohio Department of Natural Resources as compliant with the standards of 44 CFR Part 60.3(d) of the NFIP regulations no later than June 7, 2023, the date when FEMA’s Revised Preliminary Flood Insurance Study report and Flood Insurance Rate Map become effective; and

WHEREAS, this ordinance is adopted to update Chapter 1109, “Flood Damage Reduction,” to comply with the updated NFIP standards and to ensure that property owners in the City may continue to purchase flood insurance under the NFIP; now, therefore,

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

Section 1. That Council finds that the City of Cincinnati has special flood hazard areas that are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base. Council further finds that structures that are inadequately elevated, floodproofed, or otherwise protected from flood damage also contribute to flood loss. In order to minimize the threat of such damages and

to achieve the purposes hereinafter set forth, Council is adopting new Chapter 1109, “Flood Damage Reduction,” of the Cincinnati Building Code.

Section 2. That existing Chapter 1109, “Flood Damage Reduction,” of Title XI, “Cincinnati Building Code,” of the Cincinnati Municipal Code is repealed in its entirety.

Section 3. That new Chapter 1109, “Flood Damage Reduction,” of Title XI, “Cincinnati Building Code,” of the Cincinnati Municipal Code is hereby ordained to read as follows:

### **Chapter 1109 FLOOD DAMAGE REDUCTION**

#### **Sec. 1109-1. – General Provisions.**

##### 1109-1.1. - Authorization.

Article XVIII, Section 3 of the Ohio Constitution grants municipalities the legal authority to adopt land use and control measures for promoting the health, safety, and general welfare of its citizens. The city of Cincinnati participates in the Federal Emergency Management Agency’s (“FEMA”) National Flood Insurance Program (“NFIP”), which makes flood insurance available to residents, business, and property owners. The Council of the city of Cincinnati enacts chapter 1109 of the Cincinnati Building Code (“CBC”) to maintain the city’s eligibility for the NFIP.

##### 1109-1.2. - Findings of Fact.

The city has special flood hazard areas that are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base. Additionally, structures that are inadequately elevated, floodproofed, or otherwise protected from flood damage contribute to flood losses. This chapter is adopted to minimize the threat of such damages and to achieve the purposes hereinafter set forth.

##### 1109-1.3.- Statement of Purpose.

It is the purpose of this chapter to promote the public health, safety, and general welfare, and to:

- A. Protect human life and health;
- B. Minimize expenditure of public money for costly flood control projects;
- C. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. Minimize prolonged business interruptions;



- E. Provide for a fair and efficient process for orderly development within areas of potential flooding;
- F. Minimize damage to public facilities and utilities such as water and gas mains; electric, telephone, and sewer lines; streets; and bridges located in areas of special flood hazard;
- G. Help maintain a stable tax base by providing for the proper use and development of areas of special flood hazard so as to protect property and minimize future flood blight areas;
- H. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions;
- I. Minimize the impact of development on adjacent properties within and near flood prone areas;
- J. Ensure that the flood storage and conveyance functions of the floodplain are maintained;
- K. Minimize the impact of development on the natural, beneficial values of the floodplain;
- L. Prevent floodplain uses that are either hazardous or environmentally incompatible; and
- M. Meet community participation requirements of the National Flood Insurance Program.

#### 1109-1.4.- Methods of Reducing Flood Loss.

To achieve the purposes set forth in Sec. 1109-1.3, this chapter includes provisions for:

- A. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water hazards, or which result in damaging increases in flood heights or velocities;
- B. Requiring that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;
- C. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- D. Controlling filling, grading, dredging, excavating, and other development which may increase flood damage; and

- E. Preventing or regulating the construction of flood barriers, which will unnaturally divert flood waters or which may increase flood hazards in other areas.

1109-1.5. - Applicability of Chapter 1109.

The provisions of this chapter shall apply to all special flood hazard areas within the jurisdiction of the city of Cincinnati, as identified in Section 1109-1.6, including any additional special flood hazard areas annexed by the city of Cincinnati. Section 1109-6.1 provides a list of defined terms used in this chapter.

1109-1.6. - Basis for Establishing Special Flood Hazard Areas.

For the purposes of this chapter, the following maps and/or studies, as may be revised from time to time, are hereby adopted by reference and declared to be part of this chapter in order to define the special flood hazard areas within the city of Cincinnati:

- A. *Flood Insurance Study Hamilton County, Ohio, and Incorporated Areas* and *Flood Insurance Rate Map Hamilton County, Ohio, and Incorporated Areas*, each effective June 7, 2023.
- B. Other studies and/or maps approved by the floodplain administrator, which may be relied upon for establishment of the flood protection elevation, delineation of the 100-year floodplain and floodways, or delineation of other areas of special flood hazard.
- C. Any hydrologic and hydraulic engineering analysis authored by a registered professional engineer in the state of Ohio which has been approved by the city of Cincinnati as required by Sec. 1109-3.3, "Subdivisions and Other New Developments."

These maps and/or studies are on file in the office of the director of buildings and inspections also referred to herein as the floodplain administrator.

1109-1.7. - Warning and Disclaimer of Liability.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damage. This chapter shall not create liability on the part of the city of Cincinnati, any officer or employee thereof, or the Federal Emergency Management Agency for any flood damage that results from reliance on this chapter, or any administrative decision lawfully made thereunder.

**Sec. 1109-2.- Administration.**

1109-2.1. - Designation of the Floodplain Administrator.

The director of buildings and inspections is hereby appointed to administer and implement this chapter and is referred to herein as the floodplain administrator.

1109-2.2. - Duties and Responsibilities of the Floodplain Administrator.

The duties and responsibilities of the floodplain administrator shall include but are not limited to:

- A. Evaluate applications for permits to develop in special flood hazard areas.
- B. Interpret floodplain boundaries and provide flood hazard and flood protection elevation information.
- C. Issue permits to develop in special flood hazard areas when the provisions of this Chapter 1109 have been met or refuse to issue the same in the event of noncompliance.
- D. Inspect buildings and lands to determine whether any violations of this Chapter 1109 have been committed.
- E. Make and permanently keep all records for public inspection necessary for the administration of this Chapter 1109, including FIRMs, LOMCs, records of issuance and denial of permits to develop in special flood hazard areas, determinations of whether development is in or out of special flood hazard areas for the purpose of issuing floodplain development permits, elevation certificates, floodproofing certificates, variances, and records of enforcement actions taken for violations of this Chapter 1109.
- F. Enforce the provisions of this Chapter 1109.
- G. Provide information, testimony, or other evidence as needed during variance hearings.
- H. Coordinate map maintenance activities and FEMA follow-up.
- I. Conduct substantial damage determinations to determine whether existing structures, damaged from any source and in special flood hazard areas identified by FEMA, must meet the development standards of this Chapter 1109.

### 1109-2.3. - Floodplain Development Permits.

Until a floodplain development permit is obtained from the floodplain administrator, it shall be unlawful for any person to begin construction or other development activity wholly within, partially within, or in contact with any identified special flood hazard area, as established in Sec. 1109-1.6, including but not limited to: (i) the excavation, filling, or grading of land; (ii) the construction, alteration, remodeling, or expanding of any structure; or (iii) the alteration of any watercourse. Such floodplain development permit shall show that the proposed development activity is in conformity with the provisions of this Chapter 1109. No such permit shall be issued by the floodplain administrator until the requirements of this Chapter 1109 have been met.

### 1109-2.4. - Application Required.

An application for a floodplain development permit shall be required for all development activities located wholly within, partially within, or in contact with an identified special flood hazard area. Such application shall be made by the owner of the property or the owner's authorized agent, herein referred to as the applicant, prior to the actual commencement of such construction on a form furnished by the floodplain administrator for that purpose. Where it is unclear whether a development site is in a special flood hazard area, the floodplain administrator may require a floodplain development permit application to include a survey certified by a licensed professional surveyor showing the development location. All applications shall include the following information:

- A. Site plans drawn to scale showing the nature, location, dimensions, and topography of the area in question; the location of existing and proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing.
- B. Elevation of the existing, natural ground where structures are existing and proposed.
- C. Elevation of the lowest floor, including basement, of all existing and proposed structures.
- D. Such other material and information as may be requested by the floodplain administrator to determine conformance with and enable enforcement of this Chapter 1109.
- E. Technical analyses, as listed below, conducted by the appropriate design professional registered in the state of Ohio and submitted with an application for a floodplain development permit when applicable:
  1. Floodproofing certification for non-residential floodproofed structures as required in Section 1109-3.5.

2. Certification that fully enclosed areas below the lowest floor of a structure not meeting the design requirements of Section 1109-3.4(E) are designed to automatically equalize hydrostatic flood forces.
  3. Description of any watercourse alteration or relocation that the flood carrying capacity of the watercourse will not be diminished, and maintenance assurances as required in Section 1109-3.9(C).
  4. A hydrologic and hydraulic analysis demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood by more than one foot in special flood hazard areas where FEMA has provided base flood elevations but no floodway has been designated as required by Section 1109-3.9(B).
  5. A hydrologic and hydraulic engineering analysis showing impact of any development on flood heights in an identified floodway as required by Section 1109-3.9(A).
  6. Generation of base flood elevation(s) for subdivisions and other new developments as required by Section 1109-3.3.
- F. Payment of any floodplain development permit application fee set by the schedule of fees adopted by Council.
- G. For any development to be funded, financed, undertaken, or preempted by the state of Ohio, including, but not limited to (i) development activities in an existing or proposed manufactured home park that are under the authority of the Ohio Department of Commerce and subject to the flood damage reduction provisions of Ohio Administrative Code Section 4781-12; (ii) major utility facilities permitted by the Ohio Power Siting Board under R.C. Chapter 4906; and (iii) hazardous waste disposal facilities permitted by the Hazardous Waste Siting Board under R.C. Chapter 3734, the applicant shall provide documentation from such state agency stating that the development complies with the minimum NFIP criteria and any applicable local floodplain management resolution or ordinance as required by R.C. Section 1521.13.
- H. For any development activities undertaken by a federal agency and which are subject to *Federal Executive Order 11988 – Floodplain Management*, such federal agency has a responsibility to evaluate the potential effects of any actions it may take in a floodplain; to ensure that its planning programs and budget request reflect consideration of flood hazards and floodplain management; and to prescribe procedures to implement the policies and requirements of EO 11988. The applicant shall provide documentation to the floodplain administrator of compliance with this Section 1109-2.4(H).

## 1109-2.5. - Review and Approval of a Floodplain Development Permit Application.

### A. Review

1. After receipt of a complete application, the floodplain administrator shall review the application to ensure that the standards of this Chapter 1109 have been met. No floodplain development permit application shall be reviewed until all information required by Section 1109-2.4 has been received by the floodplain administrator.
2. The floodplain administrator shall review all floodplain development permit applications to assure that all necessary permits have been received from those federal, state, or local governmental agencies from which prior approval is required. The applicant shall be responsible for obtaining such permits as required including, without limitation, permits issued by the U.S. Army Corps of Engineers under Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act, and the Ohio Environmental Protection Agency under Section 401 of the Clean Water Act.

### B. Approval

Within thirty days after the receipt of a complete application, the floodplain administrator shall either approve or disapprove the application. If the floodplain administrator is satisfied that the development proposed in the floodplain development application conforms to the requirements of this Chapter 1109, the floodplain administrator shall issue the permit. All floodplain development permits shall be conditioned upon the commencement of work within 180 days. A floodplain development permit shall expire 180 days after issuance unless the permitted activity has been substantially begun and is thereafter pursued to completion.

## 1109-2.6. - Inspections.

The floodplain administrator shall make periodic inspections at appropriate times throughout the period of construction in order to monitor compliance with permit conditions.

## 1109-2.7. - Post-Construction Certifications Required.

The following as-built certifications are required after a floodplain development permit has been issued:

- A. For new or substantially improved residential structures, or nonresidential structures that have been elevated, the applicant shall have a *Federal Emergency Management Agency Elevation Certificate* completed by a registered professional surveyor to record as-built elevation data.

- B. For elevated structures in Zone A and Zone AO areas without a base flood elevation, the *Federal Emergency Management Agency Elevation Certificate* may be completed by the property owner or owner's representative.
- C. For all development activities subject to the standards of Section 1109-2.10(A), a LOMR.
- D. For new or substantially improved nonresidential structures that have been floodproofed in lieu of elevation, where allowed, the applicant shall supply a completed *Floodproofing Certificate for Non-Residential Structures* completed by a registered professional engineer or architect together with associated documentation.

1109-2.8 Revoking a Floodplain Development Permit.

A floodplain development permit shall be revocable, if among other things, the actual development activity does not conform to the terms of the application and permit in question. In the event of the revocation of a permit, an appeal may be taken to the board of building appeals in accordance with Section 1109-4.

1109-2.9. - Exemption from Filing a Development Permit.

An application for a floodplain development permit shall not be required for maintenance work such as roofing, painting, and basement sealing, or for small nonstructural development activities (except for excavation, filling, and grading) valued at less than \$2500.

1109-2.10. - Map Maintenance Activities.

The map maintenance activities in this Section 1109-2.10 are required in order to meet NFIP minimum requirements for FEMA review and approval of flood data, and to ensure that the city of Cincinnati flood maps, studies, and other data identified in Section 1109-1.6 accurately represent current flooding conditions so that floodplain management criteria are based on current data.

A. Requirement to Submit New Technical Data

- 1. Applications for development that impacts floodway delineations or base flood elevations (as listed below) shall provide the following new technical data, which the city shall submit to FEMA within six months of receipt:
  - a. Floodway encroachments that increase or decrease base flood elevations or alter floodway boundaries;
  - b. Fill sites to be used for the placement of proposed structures where the applicant desires to remove the site from the special flood hazard area;

- c. Alteration of watercourses that result in a relocation or elimination of the special flood hazard area, including the placement of culverts; and
  - d. Subdivision or other new development proposals requiring the establishment of base flood elevations in accordance with Section 1109-3.3.
- 2. The floodplain administrator shall require a CLOMR prior to the issuance of a floodplain development permit for:
  - a. Proposed floodway encroachments that increase the base flood elevation; and
  - b. Proposed development which increases the base flood elevation by more than one foot in riverine areas where FEMA has provided base flood elevations but no floodway.
- 3. Floodplain development permits issued by the floodplain administrator shall be conditioned upon the applicant obtaining a LOMR from FEMA for any development proposal subject to Section 1109-2.10(A)(1).
- 4. An applicant shall: (i) prepare all technical data required in accordance with this Section 1109-2.10(A) in a format required for a CLOMR or LOMR, and (ii) submit such technical data to FEMA. Submittal and processing fees for these map revisions shall be the responsibility of the applicant.

#### B. Right to Submit New Technical Data

The floodplain administrator may request that FEMA change any of the information shown on an effective map that does not impact floodplain or floodway delineations or base flood elevations, such as labeling or planimetric details. Such a submission shall include appropriate supporting documentation made in writing by the city manager of the city of Cincinnati and may be submitted at any time.

#### C. Annexation / Detachment

Upon occurrence, the floodplain administrator shall notify FEMA in writing whenever: (i) the boundaries of the city of Cincinnati have been modified by annexation; (ii) the city has assumed authority over an area; or (iii) the city no longer has authority to adopt and enforce the provisions of this Chapter 1109 for a particular area. In order that the city of Cincinnati's FIRM accurately represents the city of Cincinnati boundaries, the floodplain administrator shall include within such notification a copy of a map of the city of Cincinnati suitable for reproduction, clearly showing the new corporate limits or the new area for which the city of Cincinnati has assumed or relinquished floodplain management regulatory authority.



#### 1109-2.11. - Data Use and Flood Map Interpretation.

The following guidelines shall apply to the use and interpretation of maps and other data showing areas of special flood hazard:

- A. In areas where FEMA has not identified special flood hazard areas, or in FEMA-identified special flood hazard areas where base flood elevation and floodway data have not been identified, the floodplain administrator shall review and reasonably utilize any other flood hazard data available from a federal, state, or other source.
- B. Base flood elevations and floodway boundaries identified on FEMA flood maps and studies shall take precedence over base flood elevations and floodway boundaries identified by any other source that reflect a reduced floodway width and/or lower base flood elevations. Other sources of data showing increased base flood elevations or larger floodway areas than are shown on FEMA flood maps and studies shall be reasonably used by the floodplain administrator.
- C. The floodplain administrator shall make interpretations, where needed, as to the exact location of the flood boundaries and areas of special flood hazard. A person contesting the determination of the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 1109-4.
- D. Where an existing or proposed structure or other development is affected by multiple flood zones, by multiple base flood elevations, or both, the development activity must comply with the provisions of this chapter applicable to the most restrictive flood zone and the highest base flood elevation affecting any part of the existing or proposed structure; or for other developments, affecting any part of the area of the development.

#### 1109-2.12. - Use of Preliminary FIRM and/or Flood Insurance Study Data.

When assessing the flood hazard risk associated with a particular property in the zones specified below, the floodplain administrator shall apply the following rules:

- A. Zone A:
  - 1. Within Zone A areas designated on an effective FIRM, data from the preliminary FIRM and/or FIS shall be reasonably utilized as the best available data.
  - 2. When all appeals have been resolved and a notice of final flood elevation determination has been provided in a letter of final determination (“LFD”), base

flood elevation and floodway data from the preliminary FIRM and/or FIS shall be used for regulating development.

B. Zones AE, A1-30, AH, and AO:

1. Base flood elevation and floodway data from a preliminary FIS or FIRM restudy are not required to be used in lieu of base flood elevation and floodway data contained in an existing effective FIS and FIRM. However:
  - a. Where base flood elevations increase in a restudied area, communities have the responsibility to ensure that new or substantially improved structures are protected. Communities are encouraged to reasonably utilize preliminary FIS or FIRM data in instances where base flood elevations increase and floodways are revised to ensure that the health, safety, and property of their citizens are protected; and
  - b. Where base flood elevations decrease, preliminary FIS or FIRM data should not be used to regulate floodplain development until the LFD has been issued or until all appeals have been resolved.
2. If a preliminary FIRM or FIS has designated floodways where none had previously existed, communities should reasonably utilize this data in lieu of applying the encroachment performance standard of Section 1109-3.9(B) because the data in the draft or preliminary FIS represents the best data available.

C. Zones B, C, and X:

Use of base flood elevation and floodway data from a preliminary FIRM or FIS is not required for areas designated as Zone B, C, or X on the effective FIRM which are being revised to Zone AE, A1-30, AH, AO, VE, or V1-30. Communities are encouraged to reasonably utilize preliminary FIS or FIRM data to ensure that the health, safety, and property of their citizens are protected.

1109-2.13. - Substantial Damage Determinations.

When a structure has suffered damage, including, but not limited to damage resulting from flood, tornado, wind, snow, or fire, the property owner shall report such damage to the floodplain administrator. The floodplain administrator shall take the following steps to determine whether the structure has suffered substantial damage as defined in Section 1109-6.1:

- A. Determine whether damaged structures are located in special flood hazard areas;
- B. Conduct substantial damage determinations for damaged structures located in special flood hazard areas; and

- C. Require owners of substantially damaged structures to obtain a floodplain development permit prior to repair, rehabilitation, or reconstruction. The language of this Section 1109-2.13(C) shall not be interpreted to limit the requirements of Section 1109-2.3 as to the need to obtain a floodplain development permit for all construction or development activity in a special flood hazard area regardless of whether or not it is substantially damaged.

Additionally, the floodplain administrator may implement other measures to assist with the substantial damage determination and subsequent repair process. These measures include issuing press releases, public service announcements, and other public information materials related to the floodplain development permits and repair of damaged structures; coordinating with other federal, state, and local agencies to assist with substantial damage determinations; providing owners of damaged structures materials and other information related to the proper repair of damaged structures in special flood hazard areas; and assisting owners of substantially damaged structures with increased-cost-of-compliance insurance claims.

**Sec. 1109-3. - Use and Development Standards for Flood Hazard Reduction.**

The following use and development standards apply to development wholly within, partially within, or in contact with a special flood hazard area as established in this Chapter 1109.

1109-3.1. - Use Regulations.

A. Permitted Uses

All uses not otherwise prohibited in this section or any other applicable land use regulation adopted by the city of Cincinnati are allowed provided they meet the provisions of this Chapter 1109.

1109-3.2.- Water and Wastewater Systems.

The following standards apply to all water supply, sanitary sewerage, and waste disposal systems in the absence of a more restrictive standard provided under the Ohio Revised Code or applicable state rules:

- A. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems;
- B. New and replacement sanitary sewerage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and,
- C. On-site waste disposal systems shall be located to avoid impairment to or contamination from them during flooding.

### 1109-3.3. - Subdivisions and Other New Developments.

- A. All subdivision proposals and all other proposed new development shall be consistent with the need to minimize flood damage and are subject to all applicable standards in this Chapter 1109.
- B. All subdivision proposals and all other proposed new development shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage.
- C. All subdivision proposals and all other proposed new development shall have adequate drainage provided to reduce exposure to flood damage.
- D. In all areas of special flood hazard where base flood elevation data are not available, the applicant shall provide a hydrologic and hydraulic engineering analysis that generates base flood elevations for all subdivision proposals and other proposed developments containing at least fifty lots or five acres, whichever is less.
- E. The applicant shall meet the requirement to submit technical data to FEMA in Section 1109-2.10(A)(1)(d) when a hydrologic and hydraulic analysis is completed that generates base flood elevations as required by Section 1109-3.3(D).

### 1109-3.4. - Residential Structures.

The requirements of this Section 1109-3.4 apply to new construction of residential structures and to substantial improvements of residential structures in zones A, A1-30, AE, AO, and AH, in special flood hazard areas designated on the city of Cincinnati's effective FIRM, or in special flood hazard areas designated on a preliminary or final FIRM issued by FEMA under the circumstances provided in Section 1109-2.12.

- A. New construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Where a structure, including its foundation members, is elevated on fill to or above the base flood elevation, the requirements for anchoring (Section 1109-3.4(A)) and construction materials resistant to flood damage (Section 1109-3.4(B)) are satisfied.
- B. New construction and substantial improvements shall be constructed with methods and materials resistant to flood damage.
- C. New construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water

from entering or accumulating within the components during conditions of flooding.

- D. New construction and substantial improvement of any residential structure, including manufactured homes, shall have the lowest floor, including basement, elevated to or above the flood protection elevation. In Zone AO areas with no elevations specified, the structure shall have the lowest floor, including basement, elevated at least two feet above the highest adjacent natural grade.
- E. New construction and substantial improvements, including manufactured homes, that do not have basements and that are elevated to the flood protection elevation using pilings, columns, posts, or solid foundation perimeter walls with openings to allow the automatic equalization of hydrostatic pressure, may have an enclosure below the lowest floor provided the enclosure meets the following standards:

Be used only for the parking of vehicles, building access, or storage; and

- 1. Be designed and certified by a registered professional engineer or architect to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters; or
  - 2. Have a minimum of two openings on different walls having a total net area not less than one square inch for every square foot of enclosed area, and the bottom of all such openings being no higher than one foot above grade. The openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- F. Manufactured homes shall be affixed to a permanent foundation and anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.
- G. In AO and AH Zones, new construction and substantial improvement shall have adequate drainage paths around structures on slopes to guide floodwaters around and away from the structure.

#### 1109-3.5. - Nonresidential Structures.

The requirements of this Section 1109-3.5 apply to new construction and to substantial improvements of nonresidential structures in zones A, A1-30, AE, AO, and AH, in special flood hazard areas designated on the community's effective FIRM, or in special flood hazard areas designated on a preliminary or final FIRM issued by FEMA under the circumstances provided in Section 1109-2.12.

- A. New construction and substantial improvements of any commercial, industrial, or other nonresidential structure shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Where a structure, including its foundation members, is elevated on fill to or above the base flood elevation, the requirements for anchoring in this Section 1109-3.5(A) and construction materials resistant to flood damage Section 1109-3.5(B) are satisfied.
- B. New construction and substantial improvements of any commercial, industrial, or other nonresidential structure shall be constructed with methods and materials resistant to flood damage.
- C. New construction and substantial improvements of any commercial, industrial, or other nonresidential structure shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.
- D. New construction and substantial improvements of any commercial, industrial, or other nonresidential structure, including manufactured homes, that do not have basements and that are elevated to the flood protection elevation using pilings, columns, posts, or solid foundation perimeter walls with openings to allow the automatic equalization of hydrostatic pressure may have an enclosure below the lowest floor provided the enclosure meets the following standards:
  - 1. Be used only for the parking of vehicles, building access, or storage; and
    - a. Be designed and certified by a registered professional engineer or architect to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters; or
    - b. Have a minimum of two openings on different walls having a total net area not less than one square inch for every square foot of enclosed area, and the bottom of all such openings being no higher than one foot above grade. The openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- E. Manufactured homes and manufactured structures shall be affixed to a permanent foundation and anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.

- F. New construction and substantial improvement of any commercial, industrial, or other non-residential structure shall either have the lowest floor, including basement, elevated to or above the level of the flood protection elevation; or, together with attendant utility and sanitary facilities, shall meet all of the following standards:
1. Be dry floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water to the level of the flood protection elevation;
  2. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
  3. Be certified by a registered professional engineer or architect, through the use of a FEMA floodproofing certificate, that the design and methods of construction are in accordance with Sections 1109-3.5(F)(1) and (2).
- G. In Zone AO areas with no elevations specified, the structure shall have the lowest floor, including basement, elevated at least two feet above the highest adjacent natural grade.

1109-3.6. - Accessory Structures.

- A. Accessory structures that are greater than 600 square feet must comply with the requirements applicable to the principal structure.
- B. Accessory structures located within zones A, A1-30, AE, AO, and AH that are 600 square feet or less and are used exclusively for parking and/or storage are exempt from elevation and dry floodproofing standards, but must meet all of the following standards:
1. They shall not be used for human habitation;
  2. They shall be constructed of flood resistant materials;
  3. They shall be constructed and placed on the lot to offer the minimum resistance to the flow of floodwaters;
  4. They shall be firmly anchored to prevent flotation;
  5. Service facilities, such as electrical and heating equipment, shall be elevated or floodproofed to or above the level of the flood protection elevation; and
  6. They shall meet the opening requirements of Section 1109-3.4(E)(1)(b).

### 1109-3.7. - Recreational Vehicles.

Recreational vehicles on sites within zones A, A1-A30, AE, AO, or AH must meet one of the following standards:

- A. They shall not be located on sites in special flood hazard areas for more than 180 days; or
- B. They must be fully licensed and ready for highway use; or
- C. They must be placed on the site pursuant to a floodplain development permit issued under Sections 1109-2.3 and 2.4 and meet all standards of Section 1109-3.4.

### 1109-3.8. - Gas or Liquid Storage Tanks.

Within zone A, A1-A30, AE, AO, or AH, new or substantially improved above ground gas or liquid storage tanks shall be anchored to prevent flotation or lateral movement resulting from hydrodynamic and hydrostatic loads.

### 1109-3.9. - Assurance of Flood Carrying Capacity.

Pursuant to the purpose and methods of reducing flood damage stated in this Chapter 1109, the following additional standards are adopted to assure that the reduction of the flood-carrying capacity of watercourses is minimized:

#### A. Development in Floodways

- 1. Except as otherwise provided in this section, development in floodway areas shall cause no increase in flood levels during the occurrence of the base flood discharge. Prior to issuance of a floodplain development permit, the applicant must submit a hydrologic and hydraulic analysis, conducted by a registered professional engineer, demonstrating that the proposed development would not result in any increase in the base flood elevation; or
- 2. Development in floodway areas causing increases in the base flood elevation is permitted provided that the applicant completes all of the following:
  - a. Satisfies the requirements to submit technical data in Section 1109-2.10(A);
  - b. Provides a credible evaluation, acceptable to the floodplain administrator, of alternatives that would not result in increased base flood elevations and an explanation why these alternatives are not feasible;
  - c. Certifies that no structures are located in areas that would be impacted by the increased base flood elevation;



- d. Demonstrates via documentation that individual notices were provided to all impacted property owners within and outside the community, explaining the impact of the proposed action on their property; and
- e. Obtains the approvals of the city manager of the city of Cincinnati and the chief executive officer of any other communities impacted by the proposed actions.

B. Development in Riverine Areas with Base Flood Elevations but No Floodways

1. In riverine special flood hazard areas identified by FEMA where base flood elevation data are provided but no floodways have been designated, the cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the base flood elevation more than one foot at any point. Prior to issuance of a floodplain development permit, the applicant must submit a hydrologic and hydraulic analysis, conducted by a registered professional engineer, demonstrating that this standard has been met; or
2. In riverine special flood hazard areas identified by FEMA where base flood elevation data are provided but no floodways have been designated, development causing more than a one foot increase in the base flood elevation may be permitted provided the applicant does all of the following:
  - a. Provides a credible evaluation, acceptable to the floodplain administrator, of alternatives that would result in a base flood elevation increase of one foot or less and an explanation why these alternatives are not feasible;
  - b. Satisfies the requirements to submit technical data in Section 1109-2.10(A);
  - c. Certifies that no structures are located in areas that would be impacted by the increased base flood elevation;
  - d. Demonstrates via documentation that individual notices were provided to all impacted property owners within and outside the community, explaining the impact of the proposed action on their property; and
  - e. Obtains the approvals of the city manager of the city of Cincinnati and the chief executive officer of any other communities impacted by the proposed actions.

### C. Alterations of a Watercourse

For the purpose of this Chapter 1109, a watercourse is altered when any change occurs within its banks. The extent of the banks shall be established by a field determination of the “bankfull stage.” The field determination of “bankfull stage” shall be based on methods presented in Chapter 7 of the *USDA Forest Service General Technical Report RM-245, Stream Channel Reference Sites: An Illustrated Guide to Field Technique* or other applicable publication available from a federal, state, or other authoritative source. For all proposed developments that alter a watercourse, the following standards apply:

1. The bankfull flood carrying capacity of the altered or relocated portion of the watercourse shall not be diminished. Prior to the issuance of a floodplain development permit, the applicant must submit a description of the extent to which any watercourse will be altered or relocated as a result of the proposed development, and a certification by a registered professional engineer that the bankfull flood carrying capacity of the watercourse will not be diminished.
2. Adjacent communities, the U.S. Army Corps of Engineers, and the Ohio Department of Natural Resources, Division of Water, must be notified prior to any alteration or relocation of a watercourse. Evidence of such notification must be submitted to FEMA.
3. The applicant shall be responsible for providing the necessary maintenance for the altered or relocated portion of said watercourse so that the flood carrying capacity will not be diminished. The floodplain administrator may require the permit holder to enter into an agreement with the city of Cincinnati specifying the maintenance responsibilities. If an agreement is required, it shall be made a condition of the floodplain development permit.
4. The applicant shall meet the requirements to submit technical data in Section 1109-2.10(A)(1)(c) when an alteration of a watercourse results in the relocation or elimination of the special flood hazard area, including the placement of culverts.

### **Sec. 1109-4. – Appeals and Variances**

#### 1109-4.1. - Appeals Board Established.

The board of building appeals established by Article XXX, Section 5 of the Cincinnati Administrative Code shall serve as the appeals board to hear and decide appeals from rulings, orders, and decisions by the floodplain administrator made under the provisions of this Chapter 1109 and may grant variances from and in accordance with the provisions of this Chapter 1109.

1109-4.2. - Powers and Duties.

- A. The board of building appeals shall hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by the floodplain administrator in the administration or enforcement of this Chapter 1109.
- B. The board of building appeals shall have authority to grant variances in specific and rare cases where the applicant has met the burden of showing clear and convincing proof in accordance with Section 1109-4.5.

1109-4.3. – Appeals and Variances.

- A. Any person affected by any notice, interpretation, ruling, order, or other official action of the floodplain administrator may appeal the ruling to the board of building appeals by filing a notice of appeal within thirty days of the date of such ruling.
- B. Any person believing that, owing to unique physical conditions affecting that person's property, strict compliance with the use and development standards of this Chapter 1109 would cause it or surrounding property owners to suffer unnecessary hardship may file an application for a variance.

1109-4.4.- Form of Notices of Appeal and Variance Applications; Public Hearing.

- A. Notices of appeal and applications for variances shall be in writing, signed by the applicant, or agent thereof, and include: (i) the name, address, email, and telephone number of the applicant; (ii) a legal description of the property; (iii) a parcel map; (iv) a description of the existing use of the property; (v) a description of the proposed use, if applicable; and (vi) the location of the floodplain. All notices of appeal and applications for variances shall be filed with the board of building appeals, with a copy provided to the floodplain administrator. Upon receipt of the notice of appeal, the floodplain administrator shall transmit said notice and all pertinent information on which the floodplain administrator's decision was made to the board of building appeals.
- B. Notices of appeal shall additionally set forth in writing: (i) the interpretation, ruling, order, or other action appealed from; (ii) the provisions of the CBC and Ohio Building Code and related laws and ordinances involved; (iii) the reason the notice, interpretation, ruling, order, or other official action is claimed to be erroneous with reference to the standard set forth in Section 1109-4.5; and (iv) the prescribed filing fee.
- C. Applications for variances shall additionally set forth in writing: (i) a description of the variance sought; (ii) the reason for the variance request with references to the standards and factors set forth in Section 1109-4.5; (iii) supporting evidence and documentation; and (iv) the prescribed filing fee.
- D. The board of building appeals shall schedule and hold a public hearing upon receiving a notice of appeal or application for a variance, which notice shall be published in the City Bulletin at least ten days before the date of the hearing. All testimony shall be given

under oath. A complete record of the proceedings, except confidential deliberations of the board, shall be kept, including all documents presented and a record of the testimony of all witnesses. The floodplain administrator may present evidence or testimony in opposition to the appeal or variance. All witnesses shall be subject to cross-examination by the adverse party or that party's counsel. Evidence that is not admitted may be proffered and shall become part of the record for appeal. Within a reasonable time following the conclusion of the hearing, the board shall issue a written decision, containing supporting conclusions of fact.

#### 1109-4.5. Standards and Factors for Reviewing Appeals and Approving Variances.

- A. In its review of a notice of appeal, the board of building appeals shall consider whether the notice, interpretation, ruling, order, or other official action of the floodplain administrator under review is illegal, arbitrary, capricious, unreasonable, or unsupported by the preponderance of the substantial, reliable, and probative evidence presented by the applicant and other parties at the public hearing.
- B. In its review of variance applications, the board of building appeals shall consider whether the applicant has demonstrated by clear and convincing evidence that, owing to unique physical conditions affecting its property, strict compliance with the use and development standards of this Chapter 1109 would cause it or surrounding property owners to suffer unnecessary hardship. In making this determination, the board of building appeals shall consider the following factors and all other relevant factors and standards specified in other sections of this Chapter 1109:
  - 1. Any increased risk that materials may be swept onto other lands to the injury of others.
  - 2. Any increased risk to life and property due to flooding or erosion damage.
  - 3. Any increased susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
  - 4. The importance of the services provided by the proposed facility to the community.
  - 5. The availability of alternative locations or construction alternatives for the proposed use that are not subject to flooding or erosion damage.
  - 6. The necessity to the facility of a waterfront location, where applicable.
  - 7. The compatibility of the proposed use with existing and anticipated development.
  - 8. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area.

9. The safety of access to the property in times of flood for ordinary and emergency vehicles.
  10. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site.
  11. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- C. In addition to its consideration of the standard and factors contained in Section 1109-4.5(B), the board may only issue a variance(s) upon finding all of the following:
1. A showing of good and sufficient cause for the variance(s).
  2. Clear and convincing evidence demonstrating unique and unnecessary hardship to the owner or surrounding properties.
  3. A determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the property. Financial hardship, inconvenience, or aesthetic concerns of meeting the requirements of this Chapter 1109 do not constitute an exceptional hardship to the applicant.
  4. A determination that the granting of a variance will not result in increased flood heights beyond that which is allowed in this Chapter 1109; additional threats to public safety; extraordinary public expense, nuisances, fraud on or victimization of the public; or conflict with existing local laws.
  5. A determination that the structure or other development is protected by methods to minimize flood damages.
  6. A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
  7. A determination that granting the variance would comply with the NFIP regulations in 44 CFR Section 60.6(a).

D. Conditions for Variances

1. Upon granting a variance, the board of building appeals may attach such conditions to the granting of variances as it deems necessary to further the purposes of this Chapter 1109.

2. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
3. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items in Sections 1109-4.5(B)(1 to 11) have been fully considered and a favorable finding as to all of Sections 1109-4.5(C)(1 to 7). As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.
4. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and the cost of flood insurance will be commensurated with the increased risk resulting from the reduced lowest floor elevation.

#### 1109-4.6. - Appeal to the Court.

Those aggrieved by the decision of the board of building appeals as to this Chapter 1109 may appeal such decision to the Hamilton County Court of Common Pleas, pursuant to R.C. Chapter 2506.

### **Sec. 1109-5. – Enforcement.**

#### 1109-5.1. - Compliance Required.

- A. No structure or land shall hereafter be located, erected, constructed, reconstructed, repaired, extended, converted, enlarged, or altered without full compliance with the terms of this Chapter 1109 and all other applicable regulations which apply to uses within the jurisdiction of this Chapter 1109, unless specifically exempted from filing for a development permit as stated in Section 1109-2.9.
- B. Failure to obtain a floodplain development permit shall be a violation of this Chapter 1109 and shall be punishable in accordance with Section 1109-5.2.
- C. Floodplain development permits issued on the basis of plans and applications approved by the floodplain administrator authorize only the use and arrangement of structures and other approved features of a development set forth in such approved plans and applications or amendments thereto. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of this Chapter 1109 and punishable in accordance with Section 1109-5.2.

1109-5.2. - Violations and Penalties.

- A. Violation of the provisions of this Chapter 1109 or failure to comply with any of its requirements shall be deemed to be a strict liability offense and shall constitute a first-degree misdemeanor.
- B. Violations may also be cited as a Class D civil offense in accordance with CMC Title XV Code Compliance and Hearings.
- C. The director of buildings and inspections shall give notice of violations of the provisions of this Chapter 1109 in accordance with Section 1101-61.
- D. Each day a violation continues shall be considered a separate offense.
- E. Nothing herein contained shall prevent the city of Cincinnati from taking such other lawful action as is necessary to prevent or remedy any violation. The city of Cincinnati shall prosecute any violation of this Chapter 1109 in accordance with the penalties stated herein.

**Sec. 1109-6. - Definitions and Interpretation.**

1109-6.1. – Definitions. Unless specifically defined elsewhere in this Chapter 1109, the words or phrases used in this Chapter 1109 shall have the meanings defined below, regardless of whether or not the words and phrases are capitalized and shall be interpreted so as to give them the meaning they have in common usage and to give this Chapter 1109 the most reasonable application. When the definitions contained herein conflict with the identical terms contained in 44 CFR Section 59.1, the conflict shall be resolved by giving precedence to the definition creating the more stringent interpretation of this Chapter 1109.

*Accessory Structure:* A structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal structure.

*Appeal:* A request for review of the floodplain administrator’s interpretation of any provision of this Chapter 1109 or a request for a variance.

*Base Flood:* The flood having a one percent chance of being equaled or exceeded in any given year. The base flood may also be referred to as the 1% chance annual flood or 100 year flood.

*Base (100-Year) Flood Elevation (BFE):* The water surface elevation of the base flood in relation to a specified datum, usually the National Geodetic Vertical Datum of 1929 or the North American Vertical Datum of 1988, and usually expressed in Feet Mean Sea Level (MSL). In Zone AO areas, the base flood elevation is the lowest adjacent natural grade elevation plus the depth number (from one to three feet).

*Basement:* Any area of the building having its floor subgrade (below ground level) on all sides.

*Development:* Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations or storage of equipment or materials.

*Enclosure Below the Lowest Floor:* See “Lowest Floor.”

*Executive Order 11988 (Floodplain Management):* Issued by President Carter in 1977, this order requires that no federally assisted activities be conducted in or have the potential to affect identified special flood hazard areas, unless there is no practicable alternative.

*Federal Emergency Management Agency (FEMA):* The agency with the overall responsibility for administering the National Flood Insurance Program.

*Fill:* A deposit of earth material placed by artificial means.

*Flood or Flooding:* A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters, and/or
2. The unusual and rapid accumulation or runoff of surface waters from any source.

*Flood Hazard Boundary Map (FHBM):* Usually the initial map produced by the Federal Emergency Management Agency or U.S. Department of Housing and Urban Development for a community depicting approximate special flood hazard areas.

*Flood Insurance Rate Map (FIRM):* An official map on which the Federal Emergency Management Agency or the U.S. Department of Housing and Urban Development has delineated the areas of special flood hazard.

*Flood Insurance Risk Zones:* Zone designations on FHBMs and FIRMs that indicate the magnitude of the flood hazard in specific areas of a community. Following are the zone definitions:

*Zone A:* Special flood hazard areas inundated by the 100-year flood in any given year; base flood elevations are not determined.

*Zones A1-30 and Zone AE:* Special flood hazard areas inundated by the 100-year flood in any given year; base flood elevations are determined.

*Zone AO:* Special flood hazard areas inundated by the 100-year flood in any given year; with flood depths of one to three feet (usually sheet flow on sloping terrain); average depths are determined.



*Zone AH:* Special flood hazard areas inundated by the 100-year flood in any given year; flood depths of one to three feet (usually areas of ponding); base flood elevations are determined.

*Zone A99:* Special flood hazard areas inundated by the 100-year flood to be protected from the 100-year flood by a federal flood protection system under construction; no base flood elevations are determined.

*Zone B and Zone X (shaded):* Areas of 500-year flood; areas subject to the 100-year flood with average depths of less than one foot or with contributing drainage area less than one square mile; and areas protected by levees from the base flood.

*Zone C and Zone X (unshaded):* Areas determined to be outside the 500-year floodplain.

*Flood Insurance Study (FIS):* The official report in which the Federal Emergency Management Agency or the U.S. Department of Housing and Urban Development has provided flood profiles, floodway boundaries (sometimes shown on flood boundary and floodway maps), and the water surface elevations of the base flood.

*Floodproofing:* Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

*Flood Protection Elevation (FPE):* The Flood Protection Elevation is the base flood elevation plus one foot of freeboard. In areas where no base flood elevations exist from any authoritative source, the flood protection elevation can be historical flood elevations, or base flood elevations determined and/or approved by the floodplain administrator.

*Floodway:* A floodway is the channel of a river or other watercourse and the adjacent land areas that have been reserved in order to pass the base flood discharge. A floodway is typically determined through a hydraulic and hydrologic engineering analysis such that the cumulative increase in the water surface elevation of the base flood discharge is no more than a designated height. In no case shall the designated height be more than one foot at any point within the community. The floodway is an extremely hazardous area and is usually characterized by any of the following: Moderate to high velocity flood waters, high potential for debris and projectile impacts, and moderate to high erosion forces.

*Freeboard:* A factor of safety usually expressed in feet above a flood level for the purposes of floodplain management. Freeboard tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, obstructed bridge openings, debris and ice jams, and the hydrologic effect of urbanization in a watershed.

*Historic structure:* Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listings on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on the State of Ohio's inventory of historic places maintained by the Ohio Historic Preservation Office; or
4. Individually listed on the inventory of historic places maintained by the city of Cincinnati's historic preservation program, which program is certified by the Ohio Historic Preservation Office.

*Hydrologic and hydraulic engineering analysis:* An analysis performed by a professional engineer, registered in the state of Ohio, in accordance with standard engineering practices as accepted by FEMA, used to determine flood elevations and/or floodway boundaries.

*Letter of Map Change (LOMC):* A Letter of Map Change is an official FEMA determination, by letter, to amend or revise effective FIRMs, Flood Boundary and Floodway Maps, and FISes. LOMCs are broken down into the following categories:

*Letter of Map Amendment (LOMA):* A revision based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective FIRM and establishes that a specific property is not located in a special flood hazard area.

*Letter of Map Revision (LOMR):* A revision based on technical data that, usually due to manmade changes, shows changes to flood zones, flood elevations, floodplain, and floodway delineations, and planimetric features. One common type of LOMR, a LOMR-F, is a determination concerning whether a structure or parcel has been elevated by fill above the base flood elevation and is, therefore, excluded from the special flood hazard area.

*Conditional Letter of Map Revision (CLOMR):* A comment by FEMA regarding a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective base flood elevations, or the special flood hazard area. A CLOMR does not amend or revise effective FIRMs, Flood Boundary and Floodway Maps, or FISes.

*Lowest floor:* The lowest floor of the lowest enclosed area (including basement) of a structure. This definition excludes an “enclosure below the lowest floor” which is an unfinished or flood resistant enclosure usable solely for parking of vehicles, building access, or storage, in an area other than a basement area, provided that such enclosure is built in accordance with the applicable design requirements specified in this Chapter 1109 for enclosures below the lowest floor.

*Manufactured home:* A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term “manufactured home” does not include a “recreational vehicle.” For the purposes of this Chapter 1109, a manufactured home includes manufactured homes and mobile homes as defined in R.C. Chapter 4781.

*Manufactured home park:* As specified in the Ohio Adm. Code Section 4781-12-01(K), a manufactured home park means any tract of land upon which three or more manufactured homes, used for habitation, are parked, either free of charge or for revenue purposes, and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the facilities of the park. A tract of land that is subdivided and the individual lots are not for rent or rented, but are for sale or sold for the purpose of installation of manufactured homes on the lots, is not a manufactured home park, even though three or more manufactured homes are parked thereon, if the roadways are dedicated to the local government authority. Manufactured home park does not include any tract of land used solely for the storage or display for sale of manufactured homes.

*Market value of the structure:* The “market improvement value” as determined by the Hamilton County auditor or by a current appraisal of the fair market value of the improvements (not including the land value of the parcel).

*Mean sea level:* For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community’s FIRM are referenced.

*National Flood Insurance Program (NFIP):* The NFIP is a federal program enabling property owners in participating communities to purchase insurance protection against losses from flooding. This insurance is designed to provide an insurance alternative to disaster assistance to meet the escalating costs of repairing damage to buildings and their contents caused by floods. Participation in the NFIP is based on an agreement between local communities and the federal government that states if a community will adopt and enforce floodplain management regulations to reduce future flood risks to all development in special flood hazard areas, the federal government will make flood insurance available within the community as a financial protection against flood loss.

*New construction:* For floodplain management purposes, new construction refers to structures for which the “start of construction” commenced on or after the effective date of a floodplain ordinance adopted by the city of Cincinnati and includes any subsequent improvements to such structures. For the purposes of determining insurance rates, structures for which the “start of

construction" commenced on or after the effective date of the initial city of Cincinnati FIRM of October 15, 1982, whichever is later, and includes any subsequent improvements or alterations to such structures regardless of whether the work was performed with or without permits.

*Person:* Includes any individual or group of individuals, corporation, partnership, association, or any other entity, including state and local governments and agencies. An agency is further defined in R.C. Section 111.15(A)(2) as any governmental entity of the state and includes, but is not limited to, any board, department, division, commission, bureau, society, council, institution, state college or university, community college district, technical college district, or state community college. "Agency" does not include the general assembly, the controlling board, the adjutant general's department, or any court.

*Recreational vehicle:* A vehicle which is (1) built on a single chassis, (2) 400 square feet or less when measured at the largest horizontal projection, (3) designed to be self-propelled or permanently towable by a light duty truck, and (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

*Registered Professional Architect:* A person registered to engage in the practice of architecture pursuant to R.C. Chapter 4703.

*Registered Professional Engineer:* A person registered as a professional engineer pursuant to R.C. Chapter 4733.

*Registered Professional Surveyor:* A person registered as a professional surveyor pursuant to R.C. Chapter 4733.

*Residential building:* A non-commercial building designed for habitation by one or more families or a mixed-use building that includes a single family, two-to-four family, or other residential use. Hotels, motels, and dormitories shall be included under this definition.

*Special Flood Hazard Area:* Also known as "Areas of Special Flood Hazard." The land in the floodplain subject to a one percent or greater chance of flooding in any given year. Special flood hazard areas are designated by FEMA on FIRMs, FISes, Flood Boundary and Floodway Maps and FHBMs as Zones A, AE, AH, AO, A1-30, or A99. Special flood hazard areas may also refer to areas that are flood prone and designated from other federal, state, or local sources of data including but not limited to historical flood information reflecting high water marks, previous flood inundation areas, and flood prone soils associated with a watercourse.

*Start of construction:* The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or

foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of a building.

*Structure:* A walled and roofed building, manufactured home, or gas or liquid storage tank that is principally above ground.

*Substantial Damage:* Damage of any origin sustained by a structure whereby the cost of restoring the structure to the “before damaged” condition would equal or exceed fifty percent of the market value of the structure before the damage occurred. Substantial damage also means flood-related damage sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

*Substantial Improvement:* Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure before the “start of construction” of the improvement. This term includes improvement of structures, which have incurred “substantial damage,” regardless of the actual repair work performed. The term does not, however, include:

1. Any improvement to a structure that falls under the definition of “new construction” in this Chapter 1109.
2. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
3. Any alteration of or addition to an “historic structure,” provided that the alteration or addition would not preclude the structure’s continued designation as a “historic structure.”

*Variance:* A grant of relief from the standards of this Chapter 1109.

*Violation:* The failure of a structure or other development to be fully compliant with this Chapter 1109.

1109-6.2. - Abrogation and Greater Restrictions.

This Chapter 1109 is not intended to repeal any existing ordinances including subdivision regulations, zoning, or building codes. In the event of a conflict between this Chapter 1109 and any other ordinance, the more restrictive shall be followed. This Chapter 1109 is not intended to repeal, abrogate, or impair any existing ordinance, easement, covenant, or deed restrictions.

However, where this Chapter 1109 and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

1109-6.3. – Interpretation.

In the interpretation and application of this Chapter 1109, all provisions shall be:

- A. Considered as minimum requirements;
- B. Liberally construed in favor of the governing body; and
- C. Deemed neither to limit nor repeal any other powers granted under state statutes. Where a provision of this Chapter 1109 may be in conflict with a state or federal law, such state or federal law shall take precedence over this Chapter 1109.

1109-6.4. – Severability.

Should any section or provision of this Chapter 1109 be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Chapter 1109 as a whole, or any part other than that declared to be unconstitutional or invalid.

Section 4. That Section 1501-9, “Class D Civil Offenses,” of Chapter 1501, “Code Compliance and Hearings,” is hereby amended to read as follows:

**Sec. 1501-9. - Class D Civil Offenses.**

A person who violates a standard of conduct set forth in a provision of the Cincinnati Municipal Code listed below is liable for the civil fine specified in § 1501-99 for a Class D Civil Offense. If the provision is listed under paragraph (a) below, the otherwise applicable civil fine is reduced by 50% if the person charged shows in accordance with § 1501-15 that the violation has been corrected. If a person has previously been found to have violated the same provision of the Cincinnati Municipal Code within one year that person may be charged as a second offender and on being found to have committed a second or subsequent offense is liable for the civil fine for the subsequent offense provided below, which fine is specified in § 1501-99 and is not subject to reduction for correction of the violation.

(a) Class D Civil Offenses with Civil Fines Subject to 50% Reduction for Correction of Violation:

			Civil Fine for Subsequent Offense
(1)	§ 720-13	Private Facilities	Class E
(2)	§ 720-45	Notice of Violations	Class E
(3)	§ 720-69	Notice to Correct Drainage	Class E

			Civil Fine for Subsequent Offense
(4)	Chapter 855	Rooming Houses	Class D
(5)	Chapter 895	Outdoor Advertising Signs	Class D
(6)	Chapter 1101	Administration, Cincinnati Building Code	Class E
(7)	Chapter 1106	General and Specialty Contractors	Class E
(8)	Chapter 1107	Elevator and Conveyer Equipment	Class E
(9)	Chapter 1117	Housing Code	Class E
(10)	Chapter 1119	Building Hazard Abatement Code	Class E
(11)	Chapter 1127	General Inspection Programs Code	Class E
(12)	Title XIV	Zoning Code	Class E
(13)	§ 1201-21	Maintenance	Class D
(14)	§ 1201-33	Evacuation	Class D
(15)	§ 1201-35	Spills and Leaks	Class D
(16)	Chapter 1235	Detectors, Early Fire Warning Systems	Class D
(17)	§ 1123-11(a)	Vacant Foreclosed Property Registration - Failure to register a vacant, foreclosed property.	Class E
(18)	§ 874-07(a)	Failure to Register Residential Rental Property	Class D
(19)	<u>Chapter 1109</u>	<u>Flood Damage Reduction</u>	<u>Class E</u>

(b) Class D Civil Offenses With Civil Fines Not Subject to 50% Reduction for Correction of Violation:

			Civil Fine for Subsequent Offense
(1)	§ 718-25	Secret Street Uses	Class E
(2)	§ 721-59	Taking Material from Streets	Class E
(3)	§ 729-71(c)(2)	Personal Property Left Abandoned on Streets and Sidewalks - 4 or more items	Class D
(4)	§ 761-14	Eviction or Retaliation by Landlord	Class E
(5)	Chapter 891	Home Improvement	Class E
(6)	§ 1201-47	Failure to Comply with Orders	Class D
(7)	§ 1219-21	Causing Fire Through Negligence	Class D
(8)	Chapter 1251	Fire Starting Apparatus	Class D
(9)	§ 759-4	Use of a Motor Vehicle to Facilitate a Drug Related Crime	Class D
(10)	Chapter 722	Management and Control of the Use of the City Right-of-Way	Class E
(11)	Chapter 730	Commercial Waste Franchises	
(12)	§ 856-25(c)	Violation of Limitations on Operators or Operation of Short Term Rentals	Class D
(13)	§ 1125-17(1)	Failure to Register a Vacant Building	Class E
(14)	§ 1601-57	Enforcement of Emergency Orders	Class D
(15)	§ 1601-59	Enforcement of Health Orders	Class D
(16)	Chapter 811	e-Scooter Rental Franchises	Class D

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, be effective immediately. The reason for the emergency is the immediate necessity to adopt National Flood Insurance Program (NFIP) compliant floodplain management regulations to allow sufficient time for Ohio Department of Natural Resources review and approval before the June 7, 2023 deadline, so that flood-prone properties in the City



may continue to be eligible to purchase flood insurance from the National Flood Insurance Program.

Passed: \_\_\_\_\_, 2023

\_\_\_\_\_  
Aftab Pureval, Mayor

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

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

**\$25.00 FILING FEE**

**LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT**

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

**A. LEGISLATIVE AGENT INFORMATION**

1. Full Name SONYA JINDAL TORK
2. Occupation ATTORNEY
3. Title/Position PARTNER, TAFT STETTINIUS & HOLLISTER LLP
4. Business Address 425 WALNUT STREET SUITE 1800  

	<small>Street</small>	<small>Suite Number</small>
<u>CINCINNATI</u>	<u>OHIO</u>	<u>45243</u>
<small>City</small>	<small>State</small>	<small>Zip(+4)</small>
5. Telephone Number (513) 357-9335
6. Date of Engagement as Legislative Agent 5-10-2023

**B. EMPLOYER INFORMATION**

1. Full name of company or organization KINGSLEY + CO.
2. Type of Industry REAL ESTATE
3. Business Address 30 W 3RD ST FOURTH FLOOR  

	<small>Street</small>	<small>Suite Number</small>
<u>CINCINNATI</u>	<u>OH</u>	<u>45202</u>
<small>City</small>	<small>State</small>	<small>Zip(+4)</small>

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

OPPOSITION TO DESIGNATION OF 3060 DURRELL AVE. IN EVANSTON AS HISTORICAL LANDMARK

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

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

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

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

SONYA JINDAL TORK

\_\_\_\_\_  
Type or Print Name of Legislative Agent

*Sonya Jindal*

\_\_\_\_\_  
Signature of Legislative Agent

5-10-2023

\_\_\_\_\_  
Date

CHINEDUM K. NDUKWE

\_\_\_\_\_  
Type or Print Name of Persons Signing for Employer

BY:

*C. Ndukwu*

\_\_\_\_\_  
Signature for Employer

PRINCIPAL & FOUNDER

\_\_\_\_\_  
Title

5-10-2023

\_\_\_\_\_  
Date

May 3, 2023

**To:** Mayor and Members of City Council

202301299

**From:** Sheryl M.M. Long, City Manager

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

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Attached is an Emergency Ordinance captioned:

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

#### **BACKGROUND/CURRENT CONDITIONS**

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

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

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

## **BUSINESS INFORMATION**

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

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

## **RECOMMENDATION**

The Administration recommends approval of this Emergency Ordinance.

Attachment: Project Outline

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

# Project Outline

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

## Project Image



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

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

**EMERGENCY**

**TJL**

**- 2023**

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

Section 2. That Council authorizes the City Manager:

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

- (iii) to take all necessary and proper actions to fulfill the City’s obligations under the Agreement.

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to allow the remodeling described in this ordinance and the corresponding revitalization of the City of Cincinnati and the benefits to the City’s economic welfare to begin at the earliest possible time.

Passed: \_\_\_\_\_, 2023

\_\_\_\_\_  
Aftab Pureval, Mayor

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

Community Reinvestment Area Tax Exemption Agreement

This Community Reinvestment Area Tax Exemption Agreement (this "Agreement") is made and entered into as of the Effective Date (as defined on the signature page hereof) by and between the CITY OF CINCINNATI, an Ohio municipal corporation (the "City"), and ALLEZ BAR & BAKERY, LLC, an Ohio limited liability company (the "Company").

Recitals:

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

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

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

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

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

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

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

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

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

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

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

Section 7. Covenant of Satisfaction of Tax and Other Obligations. In accordance with Ohio Revised Code Section 9.66, (A) the Company affirmatively covenants that it does not owe: (i) any delinquent taxes to the State or to a political subdivision of the State; (ii) any moneys to the State or a State agency for the administration or enforcement of any environmental laws of the State; or (iii) any other moneys to the State, a State agency or a political subdivision of the State that are past due, regardless of whether the amounts owed are being contested in a court of law or not; (B) the Company authorizes the City and/or the State to inspect the personal financial statements of the Company, including tax records and other similar information not ordinarily open to public inspection; and (C) the Company authorizes the Ohio Environmental Protection Agency and the Ohio Department of Taxation to release information to the City and or other State departments in connection with the above statements. As provided by statute, a knowingly false statement under this section may be prosecuted as a first degree misdemeanor under Ohio Revised Code Section 2921.13, may render the Company ineligible for any future economic development assistance from the State or any political subdivision of the State, and will result in the City requiring the Company's repayment of any assistance provided by the City in connection with the Project.

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

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

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

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

Section 11. Small Business Enterprise Program.

A. Compliance with Small Business Enterprise Program. The policy of the City is that a fair share of contracts be awarded to Small Business Enterprises (as such term is defined in Cincinnati Municipal Code (“CMC”) Section 323-1-S, “SBEs”). Pursuant to CMC Section 323-11, the City’s annual goal for SBE participation shall be thirty percent (30%) of the City’s total dollars spent for construction (as such term is defined in CMC Section 323-1-C4), supplies (as such term is defined in CMC Section 323-1-S5), services (as such term is defined in CMC Section 323-1-S) and professional services (as such term is defined in CMC Section 323-1-P2). Accordingly, the Company shall use its best efforts and take affirmative steps to achieve the City’s goal of voluntarily meeting thirty percent (30%) SBE participation. A list of SBEs may be obtained from the City’s Department of Economic Inclusion. The Company may refer interested firms to the City’s Department of Economic Inclusion for review and possible certification as an SBE. The Company shall comply with the provisions of CMC Chapter 323, including without limitation taking at least the following affirmative steps:

- (i) Including qualified SBEs on solicitation lists.
- (ii) Assuring that SBEs are solicited whenever they are potential sources. The Company must advertise, on at least two separate occasions, both in local minority publications and in other local newspapers of general circulation, invitations to SBEs to provide services, to supply materials, or to bid on construction contracts, as applicable.
- (iii) When economically feasible, dividing total requirements into small tasks or quantities so as to permit maximum SBE participation.
- (iv) If any subcontracts are to be let, the Company shall require the prime contractor (if different from the Company) to take the above affirmative steps.
- (v) Prior to the commencement of work under any subcontracts, the Company shall provide to the City a list of such subcontractors, including information as to the dollar amount of the subcontracts and such other information as may be requested by the City. The Company shall update the report monthly.
- (vi) The Company shall periodically document its best efforts and affirmative steps to meet the above SBE participation goals by submitting such information as may be requested from time to time by the City.

B. Remedies for Noncompliance with Small Business Enterprise Program. Failure of the Company or its contractors and subcontractors to take the affirmative steps specified above, to provide fair and equal opportunity to SBEs, or to provide technical assistance to SBEs as may be necessary to reach SBE participation as set out in CMC Chapter 323 may be construed by the City as failure of the Company to use its best efforts, and, in addition to other remedies under this Agreement, may be a cause for the City to file suit in Common Pleas Court to enforce specific performance of the terms of this Section. The provisions of CMC Section 323-99 are hereby incorporated by reference into this Agreement.

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

Section 13. Job Creation and Retention.

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

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

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

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

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

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

Section 15. Compliance with Immigration and Nationality Act. In the performance of its obligations under this Agreement, the Company agrees to comply with the provisions of the Immigration and Nationality Act codified at 8 U.S.C. §§ 1324a(a)(1)(A) and (a)(2). Any noncompliance with such provisions shall be solely determined by either the federal agencies authorized to enforce the Immigration and Nationality Act or the U.S. Attorney General, in accordance with Executive Order 12989 of the U.S. President dated February 13, 1996, and as amended by Executive Order 13465 of the U.S. President dated June 6, 2008.

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



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

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

Section 18. Revocation.

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

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

Section 19. False Statements; Penalties; Material Representations.

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

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

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

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

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

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

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

To the City:

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

To the Company:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 36. Wage Enforcement.

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

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

(a) This contract is or may be subject to the Wage Enforcement provisions of the Cincinnati Municipal Code. These provisions require that any Person who has an Agreement with the city or with a Contractor or Subcontractor of that Person shall report all Complaints or Adverse Determinations of Wage Theft and Payroll Fraud (as each of those terms is defined in Chapter 326 of the Cincinnati Municipal Code) against the Contractor or Subcontractors to the Department of Economic Inclusion within 30 days of notification of the Complaint or Adverse Determination.

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

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

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

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

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

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

Section 37. Legal Requirements. In completing and operating the Project, the Company shall comply with all applicable statutes, ordinances, regulations, and rules of the government of the United States, State of Ohio, County of Hamilton, and City of Cincinnati.

Section 38. Counterparts and Electronic Signatures. This Agreement may be executed by the parties hereto in two or more counterparts and each executed counterpart shall be considered an original but all of which together shall constitute one and the same instrument. This Agreement may be executed and delivered by electronic signature; any original signatures that are initially delivered electronically shall be physically delivered as soon as reasonably possible.

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

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

CITY OF CINCINNATI,  
an Ohio municipal corporation

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

By: \_\_\_\_\_  
Sheryl M. M. Long, City Manager

By: \_\_\_\_\_

Date: \_\_\_\_\_, 2023

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_, 2023

Authorized by resolution dated \_\_\_\_\_

Approved as to Form:

\_\_\_\_\_  
Assistant City Solicitor

Certified Date: \_\_\_\_\_

Fund/Code: \_\_\_\_\_

Amount: \_\_\_\_\_

By: \_\_\_\_\_  
Karen Alder, City Finance Director

**Exhibit A to CRA Agreement**

LEGAL DESCRIPTION OF PROPERTY

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

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

**Exhibit B to CRA Agreement**  
APPLICATION FOR TAX EXEMPTION

TO BE ATTACHED



May 10, 2023

202301354

**To:** Mayor and Members of City Council

**From:** Sheryl M. M. Long, City Manager

**Subject: Ordinance – Police: FY 2023 Microgrants – Community Policing Development**

Attached is an Ordinance captioned:

**AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant in the amount of up to \$175,000 in FY 2023 Microgrants – Community Policing Development funds from the U.S. Department of Justice, Office of Community Oriented Policing Services (ALN 16.710), to aid in piloting the Cincinnati Police Department’s Workforce Development Program to recruit and retain cadets; and **AUTHORIZING** the Finance Director to deposit the grant funds into Law Enforcement Grant Fund 368, project account no. 23WDEV.

This Ordinance authorizes the City Manager to apply for, accept, and appropriate a grant in the amount of up to \$175,000 in FY 2023 Microgrants – Community Policing Development funds from the U.S. Department of Justice (DOJ), Office of Community Oriented Policing Services (COPS) (ALN 16.710), to aid in piloting the Cincinnati Police Department’s Workforce Development Program to recruit and retain cadets. This Ordinance also authorizes the Finance Director to deposit the grant funds into Law Enforcement Grant Fund 368, project account no. 23WDEV.

The grant is available through the U.S. Department of Justice, Office of Community Oriented Policing Services, to aid in piloting the Cincinnati Police Department’s (CPD) Workforce Development Program to potentially include a consultant, research, and training. CPD’s Workforce Development Program focuses on recruiting and retaining cadets, with a focus on female and minority youth.

The grant application deadline was May 8, 2023, and to meet the application deadline, CPD has applied for this grant, but no grant funds will be accepted prior to City Council approval. There are no new FTEs associated with this grant, and no matching funds are required.

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

The Administration recommends passage of this Ordinance.

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



Attachment

**AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant in the amount of up to \$175,000 in FY 2023 Microgrants – Community Policing Development funds from the U.S. Department of Justice, Office of Community Oriented Policing Services (ALN 16.710), to aid in piloting the Cincinnati Police Department’s Workforce Development Program to recruit and retain cadets; and **AUTHORIZING** the Director of Finance to deposit the grant funds into Law Enforcement Grant Fund 368, project account no. 23WDEV.

WHEREAS, there is a grant available through the U.S. Department of Justice, Office of Community Oriented Policing Services to help fund a pilot of the Cincinnati Police Department’s (“CPD”) Workforce Development Program that potentially may include a consultant, research, and training; and

WHEREAS, CPD’s Workforce Development Program focuses on recruiting and retaining cadets, with a focus on female and minority youth; and

WHEREAS, the grant application deadline was May 8, 2023, and CPD has applied for the grant prior to Council approval, but CPD will not accept the grant without Council approval; and

WHEREAS, the grant does not require any matching funds or additional FTEs/full time equivalents; and

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

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

Section 1. That the City Manager is hereby authorized to apply for, accept, and appropriate a grant in the amount of up to \$175,000 in FY 2023 Microgrants – Community Policing Development funds from the U.S. Department of Justice, Office of Community Oriented Policing Services (ALN 16.710), to aid in piloting the Cincinnati Police Department’s Workforce Development Program to recruit and retain cadets.

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

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

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

Passed: \_\_\_\_\_, 2023

\_\_\_\_\_  
Aftab Pureval, Mayor

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



May 10, 2023

**To:** Mayor and Members of City Council

202301362

**From:** Sheryl M. M. Long, City Manager

**Subject: Ordinance – Police: FY 2023 COPS Hiring Program Grant**

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Attached is an Ordinance captioned:

**AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$6,250,000 from the U.S. Department of Justice, Office of Community Oriented Policing Services, FY 2023 COPS Hiring Program (ALN 16.710) to hire up to fifty entry-level police officers; and further **AUTHORIZING** the Director of Finance to deposit the grant funds into Law Enforcement Grant Fund 368, Project Account No. 23COPS.

This Ordinance authorizes the City Manager to apply for, accept, and appropriate a grant of up to \$6,250,000 from the U.S. Department of Justice (DOJ), Office of Community Oriented Policing Services (COPS), FY 2023 COPS Hiring Program (ALN 16.710) to hire up to fifty entry-level police officers. This Ordinance also authorizes the Finance Director to deposit the grant funds into Law Enforcement Grant Fund 368, Project Account No. 23COPS.

The FY 2023 COPS Hiring Program grant is available through the U.S. Department of Justice, Office of Community Oriented Policing Services, to hire up to fifty entry-level police officers. The grant covers salary and fringe benefit expenses up to \$125,000 per officer for a maximum of three years per position.

An additional 50 FTEs will result from this grant. The COPS Hiring Program grant requires matching funds of up to \$7,964,532 depending on the exact amount of the grant award and the percentage of local match. The match will be provided by the Cincinnati Police Department (CPD) General Fund Operating Budget. CPD must retain all grant funded police officer positions for a minimum of twelve months following the 36-month grant funding period per position.

The grant application deadline was May 11, 2023, and to meet the application deadline, CPD has applied for this grant, but no grant funds will be accepted prior to City Council approval.

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

The Administration recommends passage of this Ordinance.

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



Attachment

**AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$6,250,000 from the U.S. Department of Justice, Office of Community Oriented Policing Services, FY 2023 COPS Hiring Program (ALN 16.710) to hire up to fifty entry-level police officers; and further **AUTHORIZING** the Director of Finance to deposit the grant funds into Law Enforcement Grant Fund 368, Project Account No. 23COPS.

WHEREAS, a grant of up to \$6,250,000 is available from the U.S. Department of Justice, Office of Community Oriented Policing Services (“COPS”), FY 2023 COPS Hiring Program (ALN 16.710) to hire up to fifty entry-level police officers within the Cincinnati Police Department (“CPD”); and

WHEREAS, an additional fifty FTEs will result from this grant; and

WHEREAS, the COPS Hiring Program grant requires matching funds of up to \$7,964,532, depending upon the exact amount of the grant award and the percentage of local match, which will be provided by CPD’s General Fund Operating Budget; and

WHEREAS, the grant covers salary and fringe benefit expenses up to \$125,000 per officer for a maximum of three years per position; and

WHEREAS, CPD must retain all grant-funded police officer positions for a minimum of twelve months following the 36 month grant funding period per position; and

WHEREAS, the grant application deadline is May 11, 2023, but no funds will be accepted without approval of Council; and

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

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

Section 1. That the City Manager is hereby authorized to apply for, accept, and appropriate a grant of up to \$6,250,000 from the U.S. Department of Justice, Office of Community Oriented Policing Services, FY 2023 COPS Hiring Program (ALN 16.710) to hire of up to fifty entry-level police officers.

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

Section 3. That the required local match of up to \$7,964,532 will be funded from the Cincinnati Police Department's General Fund Operating Budget.

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

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

Passed: \_\_\_\_\_, 2023

\_\_\_\_\_  
Aftab Pureval, Mayor

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

**May 10, 2023**

**To:** Mayor and Members of City Council

202301364

**From:** Sheryl M. M. Long, City Manager

**Subject: Emergency Ordinance – DOTE: Western Hills Viaduct Grants**

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Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the establishment of capital improvement program project account nos. 980x233x232324, “WHV – CEAO LBR 2018 Grant,” 980x233x232325, “WHV – CEAO LBR 2018 HC Match,” 980x233x232326, “WHV – OKI STBG 2019 Grant,” and 980x233x232327, “WHV – OKI STBG 2019 HC Match,” for the purpose of providing resources for the design, right-of-way acquisition, and construction of the Western Hills Viaduct project; and **AUTHORIZING** the City Manager to appropriate grant and matching resources in an amount up to \$12,375,000 according to the attached Schedule of Appropriation.

This Emergency Ordinance authorizes the establishment of capital improvement program project account nos. 980x233x232324, “WHV – CEAO LBR 2018 Grant,” 980x233x232325, “WHV – CEAO LBR 2018 HC Match,” 980x233x232326, “WHV – OKI STBG 2019 Grant,” and 980x233x232327, “WHV – OKI STBG 2019 HC Match,” for the purpose of providing resources for the design, right-of-way acquisition, and construction of the Western Hills Viaduct project. This Emergency Ordinance also authorizes the City Manager to appropriate grant and matching resources in an amount up to \$12,375,000 according to the attached Schedule of Appropriation.

On June 17, 2020, the City Council approved Ordinance No. 0186-2020, which authorized the City Manager to accept grant and matching resources in an amount up to \$23,026,315.79 and to appropriate the sum of \$10,651,315.79. Resources that were not yet available were not appropriated by this Ordinance, including a Surface Transportation Block Grant (STBG) awarded by the Ohio-Kentucky-Indiana Regional Council of Governments (OKI) and a Local Bridge Program grant awarded by the County Engineers Association of Ohio (CEAO).

Grant and matching resources totaling up to \$12,375,000 are now available and must be appropriated to capital improvement program project accounts for the purpose of providing resources for the Western Hills Viaduct project. No new FTEs are associated with the acceptance of these resources.

The Western Hills Viaduct project is in accordance with the “Connect” goal to “[d]evelop a regional transportation system that promotes economic vitality,” and strategy to “[p]lan, design, and implement a safe and sustainable transportation system,” as described on pages 127-138 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to appropriate and encumber resources before the end of the State of Ohio's fiscal year.

The Administration recommends passage of this Emergency Ordinance.

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



Attachments



**EMERGENCY**

**IMD**

**- 2023**

**AUTHORIZING** the establishment of capital improvement program project account nos. 980x233x232324, “WHV – CEAO LBR 2018 Grant,” 980x233x232325, “WHV – CEAO LBR 2018 HC Match,” 980x233x232326, “WHV – OKI STBG 2019 Grant,” and 980x233x232327, “WHV – OKI STBG 2019 HC Match,” for the purpose of providing resources for the design, right-of-way acquisition, and construction of the Western Hills Viaduct project; and **AUTHORIZING** the City Manager to appropriate grant and matching resources in an amount up to \$12,375,000 according to the attached Schedule of Appropriation.

WHEREAS, the design, right-of-way acquisition, and construction of the Western Hills Viaduct (the “Project”) is currently expected to cost \$398,000,000 and take approximately eight years to complete, with six construction phases and four ongoing maintenance phases being implemented as funding becomes available; and

WHEREAS, on June 17, 2020, Council approved Ordinance No. 186-2020, which authorized the City Manager to accept grant and matching resources (collectively, the “Funds”) in an amount up to \$23,026,315.79 and which appropriated the sum of \$10,651,315.79 in Funds to the Project; and

WHEREAS, Funds that were not yet available were not appropriated by Ordinance No. 186-2020, including a Surface Transportation Block Grant (“STBG”) awarded by the Ohio-Kentucky-Indiana Regional Council of Governments (“OKI”) and a Local Bridge Program grant awarded by the County Engineers Association of Ohio (“CEAO”); and

WHEREAS, Funds totaling up to \$12,375,000 from the STBG awarded by OKI and the Local Bridge Program grant awarded by CEAO are now available and must be appropriated to capital improvement program project accounts for the purpose of providing resources for the Project; and

WHEREAS, there are no new FTEs/full time equivalents associated with acceptance of these newly available Funds; and

WHEREAS, the Project is in accordance with the “Connect” goal to “[d]evelop a regional transportation system that promotes economic vitality,” and strategy to “[p]lan, design, and implement a safe and sustainable transportation system,” as described on pages 127-138 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the Director of Finance is hereby authorized to establish the following capital improvement program project accounts: nos. 980x233x232324, “WHV – CEAO LBR 2018 Grant”; 980x233x232325, “WHV – CEAO LBR 2018 HC Match”; 980x233x232326, “WHV – OKI STBG 2019 Grant”; and 980x233x232327, “OKI STBG 2019 HC Match,” to provide resources for the design, right-of-way acquisition, and construction of the Western Hills Viaduct project.

Section 2. That the City Manager is hereby authorized to appropriate grant and matching resources in an amount up to \$12,375,000 according to the attached Schedule of Appropriation.

Section 3. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of the grants and 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 appropriate and encumber resources before the end of the State of Ohio’s fiscal year.

Passed: \_\_\_\_\_, 2023

\_\_\_\_\_  
Aftab Pureval, Mayor

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

Western Hills Viaduct Grants - Schedule of Appropriation

That the amounts set forth hereinafter totaling \$12,375,000 are hereby appropriated and allocated to the individual project account for the improvements listed hereinafter:

DEPT. DIVISION	PROGRAM TO BE TRANSFERRED FROM DESCRIPTION	PROJECT OR FUND TO BE TRANSFERRED TO NUMBER: DESCRIPTION	TOTAL BUDGETED COST ALL FUNDS PRIOR	REVISED	AMOUNT TO BE APPROPRIATED OR TRANSFERRED
Transp. & Eng. Engineering 233	County Engineers Association of Ohio Local Bridge Program (CEAO LBR)	232324 WHV - CEAO LBR 2018 Grant	-	5,000,000.00	5,000,000.00
	Hamilton County Matching Funds (for CEAO LBR)	232325 WHV - CEAO LBR 2018 HC Match	-	625,000.00	625,000.00
	Ohio-Kentucky-Indiana Regional Council of Governments (OKI) Surface Transportation Block Grant (STBG)	232326 WHV - OKI STBG 2019 Grant	-	6,000,000.00	6,000,000.00
	Hamilton County Matching Funds (for OKI STBG)	232327 WHV - OKI STBG 2019 HC Match	-	750,000.00	750,000.00

**May 10, 2023**

**To:** Mayor and Members of City Council

202301365

**From:** Sheryl M. M. Long, City Manager

**Subject:** Ordinance – DOTE: STBG, CMAQ, and TA Grants Application

Attached is an Ordinance captioned:

**AUTHORIZING** the City Manager to apply for grants from the federal Surface Transportation Block Grant and Congestion Mitigation and Air Quality (ALN 20.205) grant programs in an amount of up to \$8,000,000, and to apply for a grant in an amount of up to \$1,000,000 from the Transportation Alternatives Grant (ALN 20.205) awarded by the Ohio-Kentucky-Indiana Regional Council of Governments, all for the timely completion of several transportation projects managed by the City's Department of Transportation & Engineering.

Approval of this Ordinance authorizes the City Manager to apply for grants from the federal Surface Transportation Block Grant (STBG) and Congestion Mitigation and Air Quality (CMAQ) grant programs in an amount of up to \$8,000,000, and to apply for a grant in an amount of up to \$1,000,000 from the Transportation Alternatives Grant awarded by the Ohio-Kentucky-Indiana Regional Council of Governments (OKI), all for several transportation projects managed by the City's Department of Transportation & Engineering (DOTE).

DOTE identified a list of potential projects for grant funding, which is provided as an attachment. However, the list is subject to change, and DOTE may apply for resources to support projects not included in the attachment.

Grant applications are due on June 3, 2023, but no funds will be accepted without City Council approval. The grants require a 20% local match, which will be identified in future capital improvement program project funding if the grants are awarded. No new FTEs are required in association with these grants.

The rehabilitation and improvement of the City's transportation infrastructure is in accordance with the "Connect" goal to "[d]evelop an efficient multi-modal transportation system that supports neighborhood livability" and strategies to "[e]xpand options for non-automotive travel" and "[p]lan, design and implement a safe and sustainable transportation system," as described on pages 129-138 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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

Attachment



**AUTHORIZING** the City Manager to apply for grants from the federal Surface Transportation Block Grant and Congestion Mitigation and Air Quality (ALN 20.205) grant programs in an amount of up to \$8,000,000, and to apply for a grant in an amount of up to \$1,000,000 from the Transportation Alternatives Grant (ALN 20.205) awarded by the Ohio-Kentucky-Indiana Regional Council of Governments, all for the timely completion of several transportation projects managed by the City’s Department of Transportation & Engineering.

WHEREAS, the Department of Transportation & Engineering (“DOTE”) identified the attached list of projects for potential grant funding, although the list is subject to change and DOTE may apply for resources for projects not included in the attachment; and

WHEREAS, the grant applications are due on June 3, 2023, and no funds will be accepted without approval of Council; and

WHEREAS, the grants require a twenty percent local match, which will be identified in future capital project funding, if the grants are awarded; and

WHEREAS, no new FTEs/full time equivalents are required in association with these grants; and

WHEREAS, the rehabilitation and improvement of the City’s transportation infrastructure is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability,” and strategies to “[e]xpand options for non-automotive travel,” and “[p]lan, design and implement a safe and sustainable transportation system,” as described on pages 129-138 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is authorized to apply for grants from the federal Surface Transportation Block Grant and Congestion Mitigation and Air Quality (ALN 20.205) grant programs in an amount of up to \$8,000,000, and to apply for the Transportation Alternatives Grant (ALN 20.205) awarded by the Ohio-Kentucky-Indiana Regional Council of Governments in an amount of up to \$1,000,000, all for the timely completion of several transportation projects managed by the City’s Department of Transportation & Engineering.

Section 2. That the proper City officials are authorized to take all necessary actions to carry out the terms of the grants and Section 1.

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

Passed: \_\_\_\_\_, 2023

\_\_\_\_\_  
Aftab Pureval, Mayor

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

ATTACHMENT A



# **STBG/CMAQ Potential Grant Application Projects**

## **June 2023 Application**

- A. North Bend Road – Colerain to eastern Corp
  - a. Rehabilitation North Bend Road in College Hill and Mt Airy
  - b. Re-stripe the roadway for safety improvements
  - c. Potential bridge rehabilitation or removal at Kirby overpass
  - d. Total cost is to-be-determined
  - e. Design and local match would come from existing and future capital programs.
  
- B. Lick Run/Dunham/Rapid Run trail connection
  - a. Extend the Lick Run Trail along Queen City Boulevard to Dunham Recreation Center and Rapid Run Park in South Fairmount, West Price Hill, and Westwood
  - b. Sunset Avenue rehabilitation
  - c. Total cost is to-be-determined
  - d. Design and preliminary engineering already under funded by Council appropriation of ARPA funds, and design is underway
  - e. Local match will need to come from future capital budget allocations.
  
- C. West Eight Street – Nebraska to Elberon
  - a. Re-stripe the roadway for safety improvements in East Price Hill and West Price Hill
  - b. Pedestrian safety improvements with bump-outs
  - c. Traffic signals replaced
  - d. Total cost is to-be-determined
  - e. Design and local match would come from existing and future capital programs.
  
- D. Victory Parkway – McMillan to Reading Road
  - a. Re-stripe the roadway for safety improvements in Walnut Hills, East Walnut Hills, Evanston, Avondale, North Avondale, and Paddock Hills
  - b. Pedestrian safety improvements with bump-outs
  - c. Traffic signals replaced
  - d. Total cost is to-be-determined
  - e. Design and local match would come from existing and future capital programs.

# TA Potential Grant Application Projects June 2023

## Application

- A. Reading Road Sidewalk
  - a. Install missing sidewalk link between Asmann Avenue and Victory Parkway in Paddock Hills
  - b. Total cost is to-be-determined
  - c. Design and local match would come from existing and future capital programs.
  
- B. Murray Avenue Sidewalk
  - a. Construct sidewalk on Murray Avenue between Erie Avenue and the Murray Bike Path in Madisonville
  - b. *The project would be added to the rehabilitation of Murray Avenue.*
  - c. Total cost is to-be-determined
  - d. Design and local match would come from existing and future capital programs.
  
- C. Gilsey Road – Gellenbeck to Talbert
  - a. Install sidewalk to create a continuous path (370 feet of sidewalk) in West Price Hill
  - b. Total cost is to-be-determined
  - c. Design and local match would come from existing and future capital programs.
  
- D. North Fred Shuttlesworth – Edgehill Place to 704 North Fred Shuttlesworth
  - a. Install sidewalk to create a continuous path (520 feet of sidewalk) in North Avondale.
  - b. Total cost is to-be-determined
  - c. Design and local match would come from existing and future capital programs.
  
- E. Eggleston to Ohio River Trail (ORT) connection
  - a. New crosswalk on east side of intersection, connect Eggleston side path to ORT in Sawyer Point Park in Downtown neighborhood
  - b. Total cost is to-be-determined
  - c. Design and local match would come from existing and future capital programs.



**EMERGENCY**

**City of Cincinnati**

IMD

EESW

**An Ordinance No. \_\_\_\_\_ - 2023**

**AUTHORIZING** the City Manager and the employees of the Department of Economic Inclusion, along with the employees of the Office of Councilmember Harris, to solicit and accept donations of money, in-kind contributions, and other things of value from the Cincinnati business community, individual benefactors, and other available sources to support the 2023 Black Developers Conference; and **AUTHORIZING** the Director of Finance to deposit funds donated to the City of Cincinnati for the 2023 Black Developers Conference into Fund No. 314, “Special Events.”

**WHEREAS**, the 2023 Black Developers Conference (the “Conference”) will be held on September 7 and 8, 2023 and will be sponsored by the City of Cincinnati in coordination with the Port Authority, Realtist, the Cincinnati Development Fund, local affordable housing developers, and other partners (collectively, the “Partners”) for the purpose of providing resources and guidance to minority developers; and

**WHEREAS**, the Partners will solicit and/or make donations to the City to fund the cost of the Conference, and any donated resources not expended on the Conference will be utilized for future programming in support of minority developers; and

**WHEREAS**, the Conference is in accordance with the “Compete” goal to “[f]oster a climate conducive to growth, investment, stability, and opportunity,” as described on page 103 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager and the employees of the Department of Economic Inclusion, along with the employees of the Office of Councilmember Harris, are hereby authorized to solicit and accept donations of money, in-kind contributions, and other things of value to support the 2023 Black Developers Conference.

Section 2. That the Director of Finance is hereby authorized to deposit any funds donated to the City of Cincinnati for the 2023 Black Developers Conference into Fund No. 314, “Special Events.”

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

Section 4. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to accept donations and provide resources to prepare for the 2023 Black Developers Conference.

Passed: \_\_\_\_\_, 2023

\_\_\_\_\_  
Aftab Pureval, Mayor

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

**Date:** May 17, 2022

**To:** Councilmember Reggie Harris  
**From:** Emily Smart Woerner, City Solicitor *EESW*  
**Subject:** **Emergency Ordinance – Donations for 2023 Black Developers Conference**

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Transmitted herewith is an emergency ordinance captioned as follows:

**AUTHORIZING** the City Manager and the employees of the Department of Economic Inclusion, along with the employees of the Office of Councilmember Harris, to solicit and accept donations of money, in-kind contributions, and other things of value from the Cincinnati business community, individual benefactors, and other available sources to support the 2023 Black Developers Conference; and **AUTHORIZING** the Director of Finance to deposit funds donated to the City of Cincinnati for the 2023 Black Developers Conference into Fund No. 314, “Special Events.”

EESW/IMD(dmm)  
Attachment  
382525

**May 10, 2023**

202301361

**To:** Mayor and Members of City Council

**From:** Sheryl M. M. Long, City Manager

**Subject: Emergency Ordinance – Cincinnati Fire Department: Moral  
Obligation Payment to Specific Waste Industries, LLC**

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Attached is an Emergency Ordinance captioned:

**AUTHORIZING** a payment of \$5,184 from Cincinnati Fire Department General Fund non-personnel operating budget account no. 050x271x5000x7276 to Specific Waste Industries, LLC as a moral obligation of the City of Cincinnati for pharmaceutical waste removal services provided to the Cincinnati Fire Department.

Approval of this Emergency Ordinance will authorize the payment \$5,184 from Cincinnati Fire Department General Fund non-personnel operating budget account no. 050x271x5000x7276 to Specific Waste Industries, LLC as a moral obligation of the City of Cincinnati for pharmaceutical waste removal services provided to the Cincinnati Fire Department.

The Cincinnati Fire Department's contract with Specific Waste Industries, LLC expired July 31, 2022. Additional work was performed outside of a contract in August 2022, for which funds were not certified, necessitating a moral obligation payment. A new contract for waste removal services with Greenleaf Environmental Services, LLC is now in place.

To avoid moral obligations in the future, Fire Department staff have been notified of the proper financial and procurement processes.

The reason for the emergency is the immediate need to pay Specific Waste Industries, LLC in a timely manner for services provided to the Cincinnati Fire Department.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment

**EMERGENCY**

**CNS**

**- 2023**

**AUTHORIZING** a payment of \$5,184 from Cincinnati Fire Department General Fund non-personnel operating budget account no. 050x271x5000x7276 to Specific Waste Industries, LLC as a moral obligation of the City of Cincinnati for pharmaceutical waste removal services provided to the Cincinnati Fire Department.

WHEREAS, the Cincinnati Fire Department's ("CFD") contract with Specific Waste Industries, LLC ("SWI") for pharmaceutical waste removal services expired on July 31, 2022; and

WHEREAS, additional work was performed by SWI in August 2022, for which funds were not certified, necessitating a moral obligation payment; and

WHEREAS, sufficient resources are available in CFD General Fund non-personnel operating budget account no. 050x271x5000x7276 to pay for the services provided by SWI; and

WHEREAS, Council desires to provide payment of \$5,184 to SWI for services provided to CFD; now, therefore,

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

Section 1. That the Finance Director is authorized to make a payment of \$5,184 from Cincinnati Fire Department General Fund non-personnel operating budget account no. 050x271x5000x7276 to Specific Waste Industries, LLC as a moral obligation of the City for pharmaceutical waste removal services.

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

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is

the immediate need to pay Specific Waste Industries, LLC in a timely manner for services provided to the Cincinnati Fire Department.

Passed: \_\_\_\_\_, 2023

\_\_\_\_\_  
Aftab Pureval, Mayor

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



May 10, 2023

**To:** Mayor and Members of City Council

202301363

**From:** Sheryl M. M. Long, City Manager

**Subject:** Emergency Ordinance – OES: Amend Ordinance No. 0317-2022

Attached is an Emergency Ordinance captioned:

**AMENDING** Ordinance No. 317-2022 to authorize the City Manager to accept and appropriate grant resources in an amount up to \$35,000 from the United States Environmental Protection Agency, Region 5 (ALN 66.034) and to authorize the Director of Finance to deposit the grant resources into Environmental Studies Fund revenue account no. 436x8543.

This Emergency Ordinance amends Ordinance No. 0317-2022 to authorize the City Manager to accept and appropriate grant resources in an amount up to \$35,000 from the United States Environmental Protection Agency (EPA), Region 5 (ALN 66.034) and authorize the Director of Finance to deposit the grant resources into Environmental Studies Fund revenue account no. 436x8543.

Ordinance No. 0317-2022 authorized the City Manager to accept and appropriate a grant in the amount of up to \$35,000 from the EPA, Region 5 to the Office of Environment and Sustainability (OES) General Fund non-personnel operating budget account no. 050x104x7200 for the purpose of designing and implementing the Electrify Cincy Education Program. This Ordinance also authorized the Director of Finance to deposit grant resources into General Fund revenue account no. 050x8543. The Department of Finance has since received guidance from the Ohio Auditor of State that Federal grant resources should not be deposited into the General Fund.

Ordinance No. 0317-2022 must therefore be amended to not appropriate EPA grant resources to the OES General Fund non-personnel budget and to instead deposit grant resources into Environmental Studies Fund revenue account no. 436x8543.

The reason for the emergency is the immediate need to amend Ordinance No. 317-2022 to deposit the United States Environmental Protection Agency grant resources into Environmental Studies Fund revenue account no. 436x8543.

The Administration recommends passage of this Emergency Ordinance.

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



Attachment

**EMERGENCY**

**IMD**

**- 2023**

**AMENDING** Ordinance No. 317-2022 to authorize the City Manager to accept and appropriate grant resources in an amount up to \$35,000 from the United States Environmental Protection Agency, Region 5 (ALN 66.034) and to authorize the Director of Finance to deposit the grant resources into Environmental Studies Fund revenue account no. 436x8543.

WHEREAS, Ordinance No. 317-2022, passed on October 12, 2022, authorized the City Manager to accept and appropriate a grant in the amount of up to \$35,000 from the United States Environmental Protection Agency (“EPA”), Region 5 (ALN 66.034) to the Office of Environment and Sustainability (“OES”) General Fund non-personnel operating budget account no. 050x104x7200 for the purpose of designing and implementing the Electrify Cincy Education Program, and authorized the Director of Finance to deposit grant resources into General Fund revenue account no. 050x8543; and

WHEREAS, the Department of Finance has since received guidance from the Ohio Auditor of State that federal grant resources should not be deposited into the General Fund; and

WHEREAS, Ordinance No. 317-2022 must be amended to not appropriate EPA grant resources to the OES General Fund non-personnel budget and to instead deposit the grant resources into Environmental Studies Fund revenue account no. 436x8543; now, therefore,

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

Section 1. That Sections 1 and 2 of Ordinance No. 317-2022 are hereby amended to read as follows:

Section 1. That the City Manager is hereby authorized to accept and appropriate a grant in the amount of up to \$35,000 from the United States Environmental Protection Agency, Region 5 (ALN 66.034) ~~to the Office of Environment and Sustainability General Fund non-personnel operating budget account no. 050x104x7200~~ for the purpose of designing and implementing the Electrify Cincy Education Program, a training for residents and technical experts that supports residential electrification efforts, including weatherization, reduced energy consumption, and renewable energy upgrades.

Section 2. That the Director of Finance is hereby authorized to deposit the grant resources into ~~General Fund revenue account no. 050x8543~~ Environmental Studies Fund revenue account no. 436x8543.

Section 2. That all terms of Ordinance No. 317-2022 not amended by this ordinance remain in full force and effect.

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 amend Ordinance No. 317-2022 to deposit United States Environmental Protection Agency grant resources into Environmental Studies Fund revenue account no. 436x8543.

Passed: \_\_\_\_\_, 2023

\_\_\_\_\_  
Aftab Pureval, Mayor

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

\_\_\_\_\_  
New language underscored. Deleted language indicated by strikethrough.

May 10, 2023

202301366

**To:** Mayor and Members of City Council

**From:** Sheryl M. M. Long, City Manager

**Subject: Emergency Ordinance – FY 2023 Restricted Funds Operating Budget Final Adjustment Ordinance (FAO)**

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Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the transfer of the sum of \$4,395,307 within the Restricted Funds, from and to various operating accounts and the unappropriated surplus of the respective Restricted Funds according to the attached Schedules of Transfer, to realign and provide funds for the ongoing needs of City departments; and further **AUTHORIZING** the transfer and return to source of the sum of \$10,009,632 to the unappropriated surplus of various Restricted Funds in accordance with the attached Schedules of Transfer to realign funds for City departments.

The attached Emergency Ordinance balances the City's Restricted Fund accounts as required by state law and authorizes transfers for 12 appropriated restricted funds. These include transfers within appropriations, as well as increases to appropriations for two funds and the return of funds to the unappropriated surplus of two funds.

## **RESTRICTED FUND TRANSFERS WITHIN CURRENT APPROPRIATION**

The transfers within the current FY 2023 appropriation are for the following ten funds: Water Works Fund 101, Parking System Facilities Fund 102, Stormwater Management Fund 107, Street Construction, Maintenance and Repair Fund 301, Income Tax-Infrastructure Fund 302, Municipal Motor Vehicle License Tax Fund 306, Recreation Special Activities Fund 323, Community Health Center Activities Fund 395, Cincinnati Health District Fund 416, and Streetcar Operations Fund 455.

The information below summarizes the need and transfers for each fund.

### **Water Works Fund 101 – \$1,030,000**

#### **Department of Water Works – \$1,030,000**

A transfer in the amount of \$1,030,000 is needed for non-personnel items due to increased collection fees, utility costs, and critical material costs.

## **Parking System Facilities Fund 102 – \$300**

### **Non-Departmental Accounts – \$300**

A transfer in the amount of \$300 is needed for General Fund Overhead in the non-departmental accounts. Savings from the Department of Finance will offset this need.

## **Stormwater Management Fund 107 – \$339,134**

### **Department of Buildings and Inspections – \$50,000**

Buildings and Inspections will require a transfer within appropriations in the amount of \$50,000 for a need in contractual services related to the Private Lot Abatement Program (PLAP).

### **Department of Public Services – \$289,134**

Public Services will require a transfer within appropriations in the amount of \$289,134 related to unbudgeted Fleet Services expenses.

## **Street Construction, Maintenance, and Repair Fund 301 – \$288,270**

### **Department of Transportation and Engineering – \$20,000**

A transfer in the amount of \$20,000 will be necessary to account for a need in Traffic Services for additional streetlight parts.

### **Department of Public Services – \$268,270**

A transfer in the amount of \$268,270 will be necessary to account for a need in the Transportation and Road Operations Division (TROD) and the Neighborhood Operations Division (NOD) including pavement expenses, reflective safety clothing, and landscaping.

## **Income Tax-Infrastructure Fund 302 – \$726,368**

### **Department of Transportation & Engineering – \$642,000**

A transfer in the amount of \$642,000 is needed to account for a shortfall in personnel and benefits costs in the Office of the Director, Division of Transportation Planning, and Engineering. There is also a non-personnel need in the Office of the Director, Engineering, and Traffic Services for new computers, GPS equipment, and additional streetlight parts.

### **Department of Public Services – \$84,368**

A transfer in the amount of \$84,368 will be necessary to account for a need in the Transportation and Road Operations Division (TROD) and the City Facility Management Division (CFM) including unbudgeted personnel expenses and a Police facility energy audit. Savings from the non-departmental lump sum payments account will offset this need.

### **Municipal Motor Vehicle License Tax Fund 306 – \$171,930**

#### **Department of Transportation and Engineering – \$10,000**

A transfer in the amount of \$10,000 will be necessary to account for a need in Traffic Services for additional streetlight parts.

#### **Department of Public Services – \$161,930**

Public Services will require a transfer within appropriations in the amount of \$161,930 related to training and winter operations expenses.

### **Recreation Special Activities Fund 323 – \$428,305**

#### **Department of Recreation – \$428,305**

Recreation will require a transfer within appropriations in the amount of \$428,305 to cover various non-personnel needs in the West Region, East Region, and Central Region as well as a personnel need in Support Services.

### **Community Health Center Activities Fund 395 – \$282,000**

#### **Health Department – \$282,000**

A transfer in the amount of \$282,000 to the Division of Primary Health Care Programs, Division of Primary Health Care Centers, and Division of School and Adolescent Health is needed due to higher than budgeted personnel and benefits expenses as well as temporary staffing.

### **Cincinnati Health District Fund 416 – \$950,000**

#### **Health Department – \$950,000**

A transfer in the amount of \$950,000 to the Office of the Commissioner, Division of Technical Resources, Division of Community Health Centers, Division of Primary Health Care Programs, and Division of School and Adolescent Health is needed to cover higher than expected personnel costs, temporary personnel costs, and increased security costs.

### **Streetcar Operations Fund 455 – \$75,000**

#### **Department of Transportation and Engineering – \$75,000**

DOTe will require a transfer in the amount of \$75,000 due to higher than budgeted personnel expenses.

## **TRANSFERS RESULTING IN A SUPPLEMENTAL APPROPRIATION**

The following two funds require supplemental increases in appropriations in FY 2023 as described below:

**Stormwater Management Fund 107 – \$96,000**

Office of the City Manager – \$96,000

A need of \$96,000 exists in the Office of Environment and Sustainability (OES) for contractual services related to recycling.

**Employee Safety and Risk Management Fund 212 – \$8,000**

Office of the City Manager – \$8,000

A need of \$8,000 exists in the Office of Environment and Sustainability (OES) due to unbudgeted personnel and fringe benefit expenses.

**TRANSFERS TO UNAPPROPRIATED SURPLUS RESULTING FROM SAVINGS**

The following two funds have departmental savings that will be returned to the unappropriated surplus of each fund:

**Bond Retirement Fund 151 – \$9,594,000**

Department of Finance – \$9,594,000

The Department of Finance reports a total savings of \$9,594,000 in the Bond Retirement Fund primarily due to a reduction in debt service notes and issuance costs. There is also a personnel savings resulting from a position vacancy.

**Income Tax-Infrastructure Fund 302 – \$415,632**

Non-Departmental Accounts – \$415,632

The non-departmental accounts have a savings of \$415,632 due to lower than expected needs for Lump Sum Payments and Reserve for Contingencies.

The reason for the emergency is the immediate need to provide funds for the continuation of uninterrupted services through the end of the fiscal year.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment

**EMERGENCY**

**CMZ**

**-2023**

**AUTHORIZING** the transfer of the sum of \$4,395,307 within the Restricted Funds, from and to various operating accounts and the unappropriated surplus of the respective Restricted Funds according to the attached Schedules of Transfer, to realign and provide funds for the ongoing needs of City departments; and further **AUTHORIZING** the transfer and return to source of the sum of \$10,009,632 to the unappropriated surplus of various Restricted Funds in accordance with the attached Schedules of Transfer to realign funds for City departments.

WHEREAS, a need has arisen since the beginning of Fiscal Year 2023 to transfer various sums according to the attached Schedules of Transfer in order to realign and provide funds for the ongoing needs of City departments; now, therefore,

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

Section 1. That the sum of \$4,395,307 existing within various Restricted Funds and the unappropriated surplus of various Restricted Funds is hereby transferred from and to various operating accounts according to the Schedules of Transfer attached hereto and by reference made a part hereof, to realign certain accounts and provide funds for the ongoing needs of City departments until the end of fiscal year 2023.

Section 2. That the sum of \$10,009,632 is hereby transferred and returned to the unappropriated surplus of various Restricted Funds according to the Schedules of Transfer attached hereto and by reference made a part hereof to realign funds for City departments.

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

Section 4. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is



the immediate need to provide funds for the continuation of uninterrupted services through the end of the fiscal year.

Passed: \_\_\_\_\_, 2023

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Aftab Pureval, Mayor

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

SCHEDULE OF TRANSFER

FY 2023 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE  
Fund 101 Water Works

REDUCTIONS		INCREASES		Fund	Agency	Appropriation Unit	\$ Amount
<b>TRANSFERS WITHIN APPROPRIATIONS</b>							
<b>TRANSFERS WITHIN APPROPRIATIONS</b>							
<b>USE ACCOUNTS</b>							
<b>DEPARTMENT OF WATER WORKS</b>							
DEPARTMENT OF WATER WORKS	101	302	7100	101	302	7200	400,000
COMMERCIAL SERVICES	101	303	7100	101	303	7200	300,000
DIVISION OF WATER SUPPLY	101	304	7100	101	303	7300	300,000
DIVISION OF WATER DISTRIBUTION				101	304	7300	300,000
Subtotal Transfers Within Appropriations							1,030,000
<b>TOTAL FUND 101 REDUCTIONS</b>							<b>1,030,000</b>
<b>TOTAL FUND 101 INCREASES</b>							
<b>TOTAL FUND 101 INCREASES</b>							<b>1,030,000</b>

**SCHEDULE OF TRANSFER**

**FY 2023 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE**

Fund 102 Parking System Facilities

<i>REDUCTIONS</i>	<i>INCREASES</i>							
Fund	Agency	Appropriation Unit	\$ Amount	Fund	Agency	Appropriation Unit	\$ Amount	
<b>TRANSFERS WITHIN APPROPRIATIONS</b>								
<b>USE ACCOUNTS</b>								
DEPARTMENT OF FINANCE								
TREASURY	102	134	300					
			300					
Subtotal Transfers Within Appropriations			300					
<b>TRANSFERS WITHIN APPROPRIATIONS</b>								
<b>USE ACCOUNTS</b>								
NON-DEPARTMENTAL ACCOUNTS								
	102	944				7200		
GENERAL FUND OVERHEAD							300	
Subtotal Transfers Within Appropriations							300	
<b>TOTAL FUND 102 REDUCTIONS</b>			<b>300</b>	<b>TOTAL FUND 102 INCREASES</b>				<b>300</b>

**SCHEDULE OF TRANSFER**

**FY 2023 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE**

Fund 107 Stormwater Management

<i>REDUCTIONS</i>		<i>INCREASES</i>	
Fund	Agency	Appropriation Unit	\$ Amount
<b>TRANSFERS WITHIN APPROPRIATIONS</b>			
SOURCE ACCOUNTS			
107	212	7100	50,000
DEPARTMENT OF BUILDINGS AND INSPECTIONS			
	PROPERTY MAINTENANCE CODE ENFORCEMENT		
		212	50,000
DEPARTMENT OF PUBLIC SERVICES			
107	253	7100	180,018
NEIGHBORHOOD OPERATIONS			
107	253	7500	109,116
NEIGHBORHOOD OPERATIONS			
			<u>339,134</u>
<b>Subtotal Transfers Within Appropriations</b>			
<b>SUPPLEMENTAL APPROPRIATIONS</b>			
SOURCE ACCOUNTS			
107			96,000
UNAPPROPRIATED SURPLUS			
			<u>96,000</u>
<b>Subtotal Supplemental Appropriations</b>			
<b>TOTAL FUND 107 REDUCTIONS</b>			<b>435,134</b>
<b>TOTAL FUND 107 INCREASES</b>			<b>435,134</b>

**SCHEDULE OF TRANSFER**

**FY 2023 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE**

Fund 151 Bond Retirement

<i>REDUCTIONS</i>		<i>INCREASES</i>		<i>\$ Amount</i>		
Fund	Agency	Appropriation Unit	Fund	Agency	Appropriation Unit	\$ Amount
<b>SUPPLEMENTAL APPROPRIATIONS</b>						
<b>SOURCE ACCOUNTS</b>						
DEPARTMENT OF FINANCE						
TREASURY	151	134	7100			44,000
TREASURY	151	134	7200			1,315,000
TREASURY	151	134	7400			120,000
TREASURY	151	134	7500			15,000
TREASURY	151	134	7700			8,100,000
Subtotal Supplemental Appropriations						<b>9,594,000</b>
<b>SUPPLEMENTAL APPROPRIATIONS</b>						
<b>USE ACCOUNTS</b>						
			151			9,594,000
UNAPPROPRIATED SURPLUS						
Subtotal Supplemental Appropriations						<b>9,594,000</b>
<b>TOTAL FUND 151 REDUCTIONS</b>			<b>TOTAL FUND 151 INCREASES</b>			<b>9,594,000</b>

**SCHEDULE OF TRANSFER**

**FY 2023 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE**

Fund 212 Employee Safety and Risk Management

<i>REDUCTIONS</i>		<i>INCREASES</i>		Appropriation Unit		Appropriation Unit		\$ Amount	
	Fund Agency		Fund Agency						
<b>SUPPLEMENTAL APPROPRIATIONS</b>									
SOURCE ACCOUNTS									
UNAPPROPRIATED SURPLUS	212	8,000							
Subtotal Supplemental Appropriations		8,000							
<b>SUPPLEMENTAL APPROPRIATIONS</b>									
USE ACCOUNTS									
CITY MANAGER'S OFFICE									
OFFICE OF ENVIRONMENT AND SUSTAINABILITY	212		104	7100				2,000	
OFFICE OF ENVIRONMENT AND SUSTAINABILITY	212		104	7500				6,000	
Subtotal Supplemental Appropriations								8,000	
<b>TOTAL FUND 212 REDUCTIONS</b>		<b>8,000</b>		<b>TOTAL FUND 212 INCREASES</b>		<b>8,000</b>			

**SCHEDULE OF TRANSFER**

**FY 2023 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE**

Fund 301 Street Construction Maintenance & Repair

<i>REDUCTIONS</i>		<i>INCREASES</i>	
Fund	Agency	Appropriation Unit	\$ Amount
<b>TRANSFERS WITHIN APPROPRIATIONS</b>			
<b>SOURCE ACCOUNTS</b>			
DEPARTMENT OF TRANSPORTATION AND ENGINEERING			
301	238	7100	15,000
301	238	7500	5,000
TRAFFIC SERVICES			
DEPARTMENT OF PUBLIC SERVICES			
301	252	7500	30,981
TRAFFIC AND ROAD OPERATIONS			
301	253	7100	137,470
NEIGHBORHOOD OPERATIONS			
301	253	7500	99,819
NEIGHBORHOOD OPERATIONS			
Subtotal Transfers Within Appropriations			<u>288,270</u>
<b>TOTAL FUND 301 REDUCTIONS</b>			<b>288,270</b>
<b>TRANSFERS WITHIN APPROPRIATIONS</b>			
<b>USE ACCOUNTS</b>			
DEPARTMENT OF TRANSPORTATION AND ENGINEERING			
301	238	7300	20,000
TRAFFIC SERVICES			
DEPARTMENT OF PUBLIC SERVICES			
301	252	7200	20,981
TRAFFIC AND ROAD OPERATIONS			
301	252	7300	10,000
TRAFFIC AND ROAD OPERATIONS			
301	252	7600	75,000
NEIGHBORHOOD OPERATIONS			
301	253	7200	162,289
Subtotal Transfers Within Appropriations			<u>288,270</u>
<b>TOTAL FUND 301 INCREASES</b>			<b>288,270</b>

**SCHEDULE OF TRANSFER**

**FY 2023 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE**

Fund 302 Income Tax-Infrastructure

<i>REDUCTIONS</i>		<i>INCREASES</i>	
Fund	Agency	Appropriation Unit	\$ Amount
<b>TRANSFERS WITHIN APPROPRIATIONS</b>			
<b>SOURCE ACCOUNTS</b>			
DEPARTMENT OF TRANSPORTATION AND ENGINEERING			
302	233	7100	400,000
302	238	7100	160,000
302	238	7500	82,000
ENGINEERING			
302	231	7100	180,000
302	231	7300	25,000
302	231	7500	30,000
TRANSPORTATION PLANNING			
302	232	7100	60,000
302	232	7500	130,000
ENGINEERING			
302	233	7300	25,000
302	233	7500	50,000
302	238	7300	142,000
DEPARTMENT OF PUBLIC SERVICES			
302	252	7100	40,868
302	255	7100	13,500
302	255	7200	30,000
<b>Subtotal Transfers Within Appropriations</b>			<b>726,368</b>
<b>SUPPLEMENTAL APPROPRIATIONS</b>			
<b>SOURCE ACCOUNTS</b>			
UNAPPROPRIATED SURPLUS			
302	924	7100	115,632
302	990	7200	300,000
<b>Subtotal Supplemental Appropriations</b>			<b>415,632</b>
<b>TOTAL FUND 302 REDUCTIONS</b>			<b>1,142,000</b>
<b>TOTAL FUND 302 INCREASES</b>			<b>415,632</b>
<b>TOTAL FUND 302 INCREASES</b>			<b>1,142,000</b>



**SCHEDULE OF TRANSFER**

**FY 2023 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE**

Fund 306 Municipal Motor Vehicle License Tax

<i>REDUCTIONS</i>		<i>INCREASES</i>					
Fund	Agency	Appropriation Unit	\$ Amount	Fund	Agency	Appropriation Unit	\$ Amount
<b>TRANSFERS WITHIN APPROPRIATIONS</b>							
<b>SOURCE ACCOUNTS</b>							
	306	238	7100		306	238	7300
DEPARTMENT OF TRANSPORTATION AND ENGINEERING							
TRAFFIC SERVICES							
			10,000				10,000
<b>DEPARTMENT OF PUBLIC SERVICES</b>							
	306	252	7100		306	252	7200
TRAFFIC AND ROAD OPERATIONS							
	306	252	7500		306	252	7300
TRAFFIC AND ROAD OPERATIONS							
			91,530				65,000
			70,400				96,930
			<u>171,930</u>				<u>171,930</u>
<b>Subtotal Transfers Within Appropriations</b>				<b>Subtotal Transfers Within Appropriations</b>			
<b>TOTAL FUND 306 REDUCTIONS</b>				<b>TOTAL FUND 306 INCREASES</b>			
			<b>171,930</b>				<b>171,930</b>

**SCHEDULE OF TRANSFER**

**FY 2023 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE**

Fund 323 Recreation Special Activities

<i>REDUCTIONS</i>		<i>INCREASES</i>	
Fund	Agency	Appropriation Unit	\$ Amount
<b>TRANSFERS WITHIN APPROPRIATIONS</b>			
SOURCE ACCOUNTS			
CINCINNATI RECREATION COMMISSION			
323	191	7100	136,081
323	191	7500	7,114
323	192	7100	111,642
323	192	7500	6,843
323	193	7100	146,046
323	193	7500	5,579
323	199	7200	15,000
Subtotal Transfers Within Appropriations			<u>428,305</u>
<b>TOTAL FUND 323 REDUCTIONS</b>			<b>428,305</b>
<b>TRANSFERS WITHIN APPROPRIATIONS</b>			
USE ACCOUNTS			
CINCINNATI RECREATION COMMISSION			
323	191	7200	61,597
323	191	7300	81,598
323	192	7200	59,243
323	192	7300	59,242
323	193	7200	88,313
323	193	7300	63,312
323	199	7100	15,000
Subtotal Transfers Within Appropriations			<u>428,305</u>
<b>TOTAL FUND 323 INCREASES</b>			<b>428,305</b>

**SCHEDULE OF TRANSFER**

**FY 2023 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE**

Fund 395 Community Health Center Activities

<i>REDUCTIONS</i>		<i>INCREASES</i>					
Fund	Agency	Appropriation Unit	\$ Amount	Fund	Agency	Appropriation Unit	\$ Amount
<b>TRANSFERS WITHIN APPROPRIATIONS</b>							
SOURCE ACCOUNTS							
CINCINNATI HEALTH DEPARTMENT							
DIVISION OF PRIMARY HEALTH CARE - CENTERS	395	265	7100				
			282,000				
Subtotal Transfers Within Appropriations			282,000				
		<b>TOTAL FUND 395 REDUCTIONS</b>				<b>282,000</b>	
<b>TRANSFERS WITHIN APPROPRIATIONS</b>							
USE ACCOUNTS							
CINCINNATI HEALTH DEPARTMENT							
DIVISION OF PRIMARY HEALTH CARE - PROGRAMS	395	264	7100				
DIVISION OF PRIMARY HEALTH CARE - PROGRAMS	395	264	7200				
DIVISION OF PRIMARY HEALTH CARE - CENTERS	395	265	7200				
DIVISION OF SCHOOL & ADOLESCENT HEALTH	395	266	7200				
Subtotal Transfers Within Appropriations			282,000				
		<b>TOTAL FUND 395 INCREASES</b>				<b>282,000</b>	

**SCHEDULE OF TRANSFER**

**FY 2023 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE**

Fund 416 Cincinnati Health District

<i>REDUCTIONS</i>		<i>INCREASES</i>	
Fund	Agency	Appropriation Unit	\$ Amount
<b>TRANSFERS WITHIN APPROPRIATIONS</b>			
SOURCE ACCOUNTS			
416	261	7100	105,000
416	262	7100	200,000
416	264	7100	85,000
416	265	7100	480,000
416	266	7200	80,000
Subtotal Transfers Within Appropriations			950,000
<b>TOTAL FUND 416 REDUCTIONS</b>			<b>950,000</b>
<b>TRANSFERS WITHIN APPROPRIATIONS</b>			
USE ACCOUNTS			
416	261	7200	105,000
416	262	7200	200,000
416	263	7100	280,000
416	263	7200	200,000
416	264	7200	85,000
416	266	7100	80,000
Subtotal Transfers Within Appropriations			950,000
<b>TOTAL FUND 416 INCREASES</b>			<b>950,000</b>

**SCHEDULE OF TRANSFER**

**FY 2023 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE**  
Fund 455 Streetcar Operations

<i>REDUCTIONS</i>		<i>INCREASES</i>					
Fund	Agency	Appropriation Unit	\$ Amount	Fund	Agency	Appropriation Unit	\$ Amount
<b>TRANSFERS WITHIN APPROPRIATIONS</b>							
<b>SOURCE ACCOUNTS</b>							
	455	238	7100		455	236	7100
DEPARTMENT OF TRANSPORTATION AND ENGINEERING TRAFFIC SERVICES				DEPARTMENT OF TRANSPORTATION AND ENGINEERING STREETCAR OPERATIONS			
Subtotal Transfers Within Appropriations				Subtotal Transfers Within Appropriations			
75,000				75,000			
<b>TOTAL FUND 455 REDUCTIONS</b>				<b>TOTAL FUND 455 INCREASES</b>			
<b>75,000</b>				<b>75,000</b>			

May 10, 2023

202301380

**To:** Mayor and Members of City Council

**From:** Sheryl M. M. Long, City Manager

**Subject: Emergency Ordinance – FY 2023 General Fund Operating Budget Final Adjustment Ordinance (FAO)**

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Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the transfer of \$12,806,912 within the General Fund, from and to various operating accounts and the unappropriated surplus of the General Fund according to the attached Schedules of Transfer, for the purpose of realigning and providing funds for the ongoing needs of City departments; **AUTHORIZING** the transfer and return to source of the sum of \$70,000 from the Department of Human Resources General Fund non-personnel operating budget account no. 050x121x7200 to the unappropriated surplus of the General Fund; **AUTHORIZING** the transfer and return to source of the sum of \$26,000 from the non-departmental Lump Sum Payments personnel operating budget account no. 050x924x7100 to the unappropriated surplus of the General Fund; **AUTHORIZING** the transfer and appropriation of the sum of \$96,000 from the unappropriated surplus of the General Fund to existing capital improvement program project account no. 980x981x232505, "Fleet Replacements," for the purpose of providing resources for automotive and motorized equipment for City agencies supported by the General Fund with the intent of purchasing a truck for use by the Department of Human Resources for Commercial Driver's License training; **AUTHORIZING** the transfer and return to source of the sum of \$72,739 from the Department of City Planning and Engagement General Fund personnel operating budget account no. 050x171x7100 and \$19,261 from the Department of City Planning and Engagement General Fund fringe benefit operating budget account no. 050x171x7500 to the unappropriated surplus of the General Fund; **ESTABLISHING** new capital improvement program project account no. 980x255x232520, "Centennial II Office Renovation," for the purpose of providing resources for renovating space in Centennial II including, but not limited to, expansion of office space to accommodate additional staff in the Department of City Planning and Engagement; **AUTHORIZING** the transfer and appropriation of the sum of \$42,000 from the unappropriated surplus of the General Fund to capital improvement program project account no. 980x255x232520, "Centennial II Office Renovation," for the purpose of providing resources for renovating space in Centennial II including, but not limited to, expansion of office space

to accommodate additional staff in the Department of City Planning and Engagement; **AUTHORIZING** the transfer and appropriation of the sum of \$50,000 from the unappropriated surplus of the General Fund to capital improvement program project account no. 980x091x220920, "Video Conference Room Equipment," for the purpose of providing resources for the acquisition and installation of audio/visual equipment and other equipment necessary to support video conferencing capabilities in Centennial II with the intent to support the City Planning Commission; **AUTHORIZING** the transfer and return to source of the sum of \$15,000 from the balance sheet reserve account no. 050x2535, "Reserve for Operating Budget Contingencies," to the unappropriated surplus of the General Fund; **AUTHORIZING** the transfer and appropriation of the sum of \$15,000 from the unappropriated surplus of the General Fund to City Planning and Engagement General Fund non-personnel operating budget account no. 050x171x7200 for the purpose of providing resources to support the 2023 Cincinnati Housing Solutions Summit; **AUTHORIZING** the transfer and return to source of the sum of \$63,196 from the Cincinnati Parks Department General Fund non-personnel operating budget account no. 050x202x7200 to the unappropriated surplus of the General Fund; **ESTABLISHING** new capital improvement program project account no. 980x203x232038, "Parks Fleet Replacement – GF FAO," for the purpose of providing resources for automotive and motorized equipment including but not limited to mowers for the Cincinnati Parks Department; and **AUTHORIZING** the transfer and appropriation of the sum of \$63,196 from the unappropriated surplus of the General Fund to capital improvement program project account no. 980x203x232038, "Parks Fleet Replacement – GF FAO," for the purpose of providing resources for automotive and motorized equipment including, but not limited to, mowers for the Cincinnati Parks Department.

The attached Emergency Ordinance balances the City's General Fund operating budget accounts for FY 2023. The accounts are balanced by transferring appropriations within and between General Fund departments and relies on unappropriated surplus and the Reserve for Operating Budget Contingencies. The Emergency Ordinance also transfers resources from the General Fund unappropriated surplus to various capital improvement program project accounts.

## **GENERAL FUND TRANSFERS WITHIN CURRENT APPROPRIATIONS**

A total of \$8,942,240 will be transferred within current appropriations in order to offset various anticipated needs as outlined below.

### **City Manager's Office – \$718,875**

A total non-personnel need in the City Manager's office of \$718,875 is needed for various contractual services expenses. \$585,000 will be offset from savings within the

City Manager's Offset, and \$133,875 will be offset from various departmental and non-departmental savings.

The City Manager's Office requires \$90,000 for temporary personnel in the City Manager's Office, \$30,000 for an executive search contract, \$8,000 for the Talbert House for social services provided to citizens during City Council meetings, \$96,000 for a Cincinnati Police Department climate assessment, \$35,000 for a collaborative agreement consultant, \$50,000 towards the Mobile Crisis Response Team, and \$108,875 for the Women Helping Women training for the Cincinnati Fire Department.

The Emergency Communications Center (ECC) needs to transfer \$140,000 from personnel to non-personnel to properly account for expenses related to the Alternative Response to Crisis (ARC) program.

The Office of Environment and Sustainability (OES) requires \$161,000 to offset non-personnel needs related to recycling services, new recycling carts, and other contractual services.

**Department of Finance – \$25,000**

A total of \$25,000 in personnel savings will be transferred from the Treasury Division to offset an insurance need in Risk Management.

**Department of Community and Economic Development – \$140,000**

Personnel savings in an amount of \$140,000 will be transferred within the Economic Development Division to address a need in contractual services related to operating expenses for the Saks Fifth Avenue and Shillito's West buildings.

**Department of City Planning and Engagement – \$4,309**

A transfer of \$4,309 in personnel savings will be necessary to offset needs associated with telephone charges and office supplies for City Planning and Engagement staff.

**Citizen Complaint Authority – \$44,015**

An amount of \$44,015 of various department and non-department savings will be transferred to the Citizen Complaint Authority (CCA) to address various needs. \$40,000 is needed in personnel due to vacant positions that were filled at higher than anticipated salaries as well as merit increases and equity adjustments for investigation staff. An additional \$4,015 is needed for telephone services, sundry services, vehicle repairs, and equipment rental.

**Cincinnati Recreation Commission – \$589,570**

A transfer of \$589,570 in personnel, benefits, and properties savings will be necessary to cover various non-personnel needs related to automotive maintenance, utility expenses, childcare training, recreation center supplies, and information technology (IT) related needs.



### **Department of Buildings and Inspections – \$80,000**

Personnel savings in the amount of \$5,000 will be transferred within the Property Maintenance and Code Enforcement Division to offset various non-personnel needs related to postage, telephone charges, travel expenses, and fleet services.

An amount of \$75,000 in various department and non-departmental savings will be transferred to the Buildings and Inspections, Licenses and Permits Division to address a need for Accela portal devices used in the field to track licensing and permit information.

### **Cincinnati Police Department – \$3,524,129**

Personnel and benefits savings in the Administration Bureau in the amount of \$2,450,000 will be transferred primarily to offset personnel and benefits needs in the Investigations and Support Bureaus.

A transfer of \$1,074,129 from various department and non-departmental savings is also necessary to address needs related to the central warrant fees from Hamilton County, laptops for the Police Academy, and the Video Alliance contract.

### **Department of Transportation and Engineering – \$50,000**

Personnel and fringe benefits savings in the Engineering Division in the amount of \$50,000 will be transferred to offset a personnel need as well as a non-personnel need for computers for new staff members in the Office of the Director.

### **Department of Public Services – \$330,457**

A total of \$198,407 in personnel and benefits savings will be transferred within the Neighborhood Operations Division (NOD) to address various non-personnel needs including administration office renovations, garage door repairs, Rumpke services, and uniforms.

Various department and non-departmental savings in an amount of \$132,050 will be transferred to the Department of Public Services to address non-personnel needs resulting from increased Stormwater utility expenses.

### **Cincinnati Fire Department – \$3,234,885**

A total of \$3,114,454 in personnel and fringe benefits savings in the Support Services Division will be transferred to offset personnel and benefits needs in the Response Division primarily due to increased overtime.

An amount of \$120,431 in various department and non-departmental savings will be transferred to the Cincinnati Fire Department to address non-personnel needs related to fire recruit training, firefighting foam used for chemical burns, and female firefighting training.

### **Department of Economic Inclusion – \$201,000**

A total of \$201,000 in various departmental and non-departmental savings will be transferred to address a need in the Department of Economic Inclusion due to

personnel and fringe benefits costs resulting from the hiring of staff and the completion of the department's staffing plan.

## **GENERAL FUND SUPPLEMENTAL APPROPRIATIONS**

Two departments require supplemental appropriations totaling \$3,864,672. These needs will be addressed using General Fund unappropriated surplus.

### **Cincinnati Police Department – \$833,871**

Supplemental appropriations totaling \$833,871 are needed in the Cincinnati Police Department to address Police Visibility Overtime (PVO) and personnel and fringe benefits needs in the Support Division.

### **Cincinnati Fire Department – \$3,030,801**

The Cincinnati Fire Department requires a supplemental appropriation of \$3,030,801 primarily due to greater than anticipated overtime costs and associated wage-based fringe benefits costs resulting from the unexpected attrition of sworn personnel.

## **OPERATING BUDGET CONTINGENCIES BALANCE SHEET RESERVE ACCOUNT TRANSFER**

### **Department of City Planning and Engagement – \$15,000**

A sum of \$15,000 will be transferred from the Reserve for Operating Budget Contingencies balance sheet reserve account to the unappropriated surplus of the General Fund. The sum of \$15,000 will then be transferred from the unappropriated surplus of the General Fund to the Department of City Planning and Engagement to provide resources to support the 2023 Cincinnati Housing Solutions Summit pursuant to Council Motion #202201913.

## **GENERAL FUND TRANSFERS TO CAPITAL BUDGET**

Three departments require a transfer from the General Fund unappropriated surplus to various capital improvement program project accounts. A total of \$251,196 will be transferred as a result of General Fund departmental and non-departmental savings.

### **Human Resources – \$96,000**

A transfer in the amount of \$96,000 from the unappropriated surplus of the General Fund is required to the Department of Public Services' existing capital improvement program project account no. 980x981x232505, "Fleet Replacements" for the purpose of providing resources for automotive and motorized equipment for City agencies supported by the General Fund with the intent of purchasing a truck for use by the Department of Human Resources for Commercial Driver's License training. Of the \$96,000 needed, \$70,000 will be provided by contractual services savings in the Department of Human Resources and \$26,000 will be provided by personnel savings in the Lump Sum Payments non-departmental account.

**Department of City Planning and Engagement – \$92,000**

The Department of City Planning and Engagement has personnel savings of \$92,000, which will be returned to the General Fund unappropriated surplus and subsequently appropriated to two capital improvement program project accounts. \$42,000 will be appropriated to newly created capital improvement program project account no. 980x255x232520, “Centennial II Office Renovation,” for the purpose of renovating space in Centennial II including, but not limited to, expansion of office space to accommodate additional staff in the Department of City Planning and Engagement. \$50,000 will be appropriated to existing capital improvement program project account no. 980x091x220920, “Video Conference Room Equipment,” for the purpose of providing resources for the acquisition and installation of audio/visual equipment and other equipment necessary to support video conferencing capabilities in Centennial II with the intent to support the City Planning Commission.

**Cincinnati Parks Department – \$63,196**

The Cincinnati Parks Department has a non-personnel savings of \$63,196, which will be returned to the General Fund unappropriated surplus and appropriated to a newly established capital improvement program project account no. 980x203x232038, “Parks Fleet Replacement – GF FAO,” for the purpose of providing resources for automotive and motorized equipment including, but not limited to, mowers for the Cincinnati Parks Department.

The reason for the emergency is the immediate need to realign and provide funds for the ongoing needs of City departments.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment

## EMERGENCY

CNS

- 2023

**AUTHORIZING** the transfer of \$12,806,912 within the General Fund, from and to various operating accounts and the unappropriated surplus of the General Fund according to the attached Schedules of Transfer, for the purpose of realigning and providing funds for the ongoing needs of City departments; **AUTHORIZING** the transfer and return to source of the sum of \$70,000 from the Department of Human Resources General Fund non-personnel operating budget account no. 050x121x7200 to the unappropriated surplus of the General Fund; **AUTHORIZING** the transfer and return to source of the sum of \$26,000 from the non-departmental Lump Sum Payments personnel operating budget account no. 050x924x7100 to the unappropriated surplus of the General Fund; **AUTHORIZING** the transfer and appropriation of the sum of \$96,000 from the unappropriated surplus of the General Fund to existing capital improvement program project account no. 980x981x232505, “Fleet Replacements,” for the purpose of providing resources for automotive and motorized equipment for City agencies supported by the General Fund with the intent of purchasing a truck for use by the Department of Human Resources for Commercial Driver’s License training; **AUTHORIZING** the transfer and return to source of the sum of \$72,739 from the Department of City Planning and Engagement General Fund personnel operating budget account no. 050x171x7100 and \$19,261 from the Department of City Planning and Engagement General Fund fringe benefit operating budget account no. 050x171x7500 to the unappropriated surplus of the General Fund; **ESTABLISHING** new capital improvement program project account no. 980x255x232520, “Centennial II Office Renovation,” for the purpose of providing resources for renovating space in Centennial II including, but not limited to, expansion of office space to accommodate additional staff in the Department of City Planning and Engagement; **AUTHORIZING** the transfer and appropriation of the sum of \$42,000 from the unappropriated surplus of the General Fund to capital improvement program project account no. 980x255x232520, “Centennial II Office Renovation,” for the purpose of providing resources for renovating space in Centennial II including, but not limited to, expansion of office space to accommodate additional staff in the Department of City Planning and Engagement; **AUTHORIZING** the transfer and appropriation of the sum of \$50,000 from the unappropriated surplus of the General Fund to capital improvement program project account no. 980x091x220920, “Video Conference Room Equipment,” for the purpose of providing resources for the acquisition and installation of audio/visual equipment and other equipment necessary to support video conferencing capabilities in Centennial II with the intent to support the City Planning Commission; **AUTHORIZING** the transfer and return to source of the sum of \$15,000 from the balance sheet reserve account no. 050x2535, “Reserve for Operating Budget Contingencies,” to the unappropriated surplus of the General Fund; **AUTHORIZING** the transfer and appropriation of the sum of \$15,000 from the unappropriated surplus of the General Fund to City Planning and Engagement General Fund non-personnel operating budget account no. 050x171x7200 for the purpose of providing resources to support the 2023 Cincinnati Housing Solutions Summit; **AUTHORIZING** the transfer and return to source of the sum of \$63,196 from the Cincinnati Parks Department General Fund non-personnel operating budget account no. 050x202x7200 to the unappropriated surplus of the General Fund; **ESTABLISHING** new capital improvement program project account no. 980x203x232038, “Parks Fleet Replacement – GF FAO,” for the purpose of providing resources

for automotive and motorized equipment including, but not limited to, mowers for the Cincinnati Parks Department; and AUTHORIZING the transfer and appropriation of the sum of \$63,196 from the unappropriated surplus of the General Fund to capital improvement program project account no. 980x203x232038, “Parks Fleet Replacement – GF FAO,” for the purpose of providing resources for automotive and motorized equipment including, but not limited to, mowers for the Cincinnati Parks Department.

WHEREAS, a need has arisen since the beginning of the Fiscal Year 2023 to transfer various sums according to the attached Schedules of Transfer in order to realign and provide funds for the ongoing needs of City departments; and

WHEREAS, \$8,942,240 is being transferred within current Fiscal Year 2023 appropriations and \$3,864,672 is being transferred from the unappropriated surplus of the General Fund for these ongoing needs; and

WHEREAS, the Department of Human Resources needs to purchase a Commercial Driver’s License (“CDL”) training truck, which is estimated to cost \$96,000, for the purpose of training employees for the state CDL certification exam; and

WHEREAS, the Department of Human Resources has realized a General Fund savings of \$70,000 in its contractual services budget to partially offset the cost of this purchase; and

WHEREAS, the non-departmental Lump Sum Payments account has realized additional savings to be utilized for the remaining \$26,000 needed for the CDL training truck; and

WHEREAS, the Department of City of Planning and Engagement (“DCPE”) needs to renovate its office space in Centennial II to accommodate additional staff and upgrade the information technology infrastructure in the Griesel Conference Room to accommodate City Planning Commission meetings; and

WHEREAS, the estimated cost of the Centennial II Office Renovation project is \$42,000, and the cost of the Video Conference Room Equipment project is \$50,000; and

WHEREAS, DCPE has sufficient General Fund operating budget savings that can be utilized for the Centennial II Office Renovation and Video Conference Room Equipment projects; and

WHEREAS, pursuant to Council Motion #202201913 adopted by Council on October 19, 2022, \$15,000 can be allocated from the Reserve for Operating Budget Contingencies balance sheet reserve account to DCPE to support the 2023 Cincinnati Housing Solutions Summit; and

WHEREAS, the Cincinnati Parks Department needs to purchase two new mowers estimated to cost \$63,196 total to maintain green space across City parks; and

WHEREAS, Parks has sufficient General Fund operating budget savings that can be utilized for the Parks Fleet Replacement – GF FAO project; now, therefore,

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

Section 1. That a total of \$12,806,912 existing within the General Fund and the unappropriated surplus of the General Fund is transferred within said fund according to the attached Schedules of Transfer for the purpose of realigning certain operating accounts and for providing funds for the ongoing needs of City departments.

Section 2. That the sum of \$70,000 is hereby transferred and returned to source from the Department of Human Resources General Fund non-personnel operating budget account no. 050x121x7200 to the unappropriated surplus of the General Fund.

Section 3. That the sum of \$26,000 is hereby transferred and returned to source from the non-departmental Lump Sum Payments personnel operating budget account no. 050x924x7100 to the unappropriated surplus of the General Fund.

Section 4. That the sum of \$96,000 is hereby transferred and appropriated from the unappropriated surplus of the General Fund to existing capital improvement program project account no. 980x981x232505, "Fleet Replacements," for the purpose of providing resources for automotive and motorized equipment for City agencies supported by the General Fund with the intent of purchasing a truck for use by the Department of Human Resources for Commercial Driver's License training.

Section 5. That the sum of \$72,739 is hereby transferred and returned to source from the Department of City Planning and Engagement General Fund personnel operating budget account no. 050x171x7100 and the sum of \$19,261 is hereby transferred from the Department of City Planning and Engagement General Fund fringe benefit operating budget account no. 050x171x7500 to the unappropriated surplus of the General Fund.

Section 6. That the Director of Finance is hereby authorized to establish new capital improvement program project account no. 980x255x232520 "Centennial II Office Renovation,"

for the purpose of providing resources for renovating space in Centennial II including, but not limited to, expansion of office space to accommodate additional staff in the Department of City Planning and Engagement.

Section 7. That the sum of \$42,000 is hereby transferred and appropriated from the unappropriated surplus of the General Fund to capital improvement program project account no. 980x255x232520, “Centennial II Office Renovation,” for the purpose of providing resources for renovating space in Centennial II including, but not limited to, expansion of office space to accommodate additional staff in the Department of City Planning and Engagement.

Section 8. That the sum of \$50,000 is hereby transferred and appropriated from the unappropriated surplus of the General Fund to capital improvement program project account no. 980x091x220920, “Video Conference Room Equipment,” for the purpose of providing resources for the acquisition and installation of audio/visual equipment and other equipment necessary to support video conferencing capabilities in Centennial II with the intent to support the City Planning Commission.

Section 9. That the sum of \$15,000 is hereby transferred and returned to source from balance sheet reserve account no. 050x2535, “Reserve for Operating Budget Contingencies,” to the unappropriated surplus of the General Fund.

Section 10. That the sum of \$15,000 is hereby transferred and appropriated from the unappropriated surplus of the General Fund to the Department of City Planning and Engagement General Fund non-personnel operating budget account no. 050x171x7200 for the purpose of providing resources to support the 2023 Cincinnati Housing Solutions Summit.

Section 11. That the sum of \$63,196 is hereby transferred and returned to source from the Cincinnati Parks Department General Fund non-personnel operating budget account no. 050x202x7200 to the unappropriated surplus of the General Fund.

Section 12. That the Director of Finance is hereby authorized to establish new capital improvement program project account no. 980x203x232038, “Parks Fleet Replacement – GF FAO,” for the purpose of providing resources for automotive and motorized equipment including, but not limited to, mowers for the Cincinnati Parks Department.

Section 13. That the sum of \$63,196 is hereby transferred and appropriated from the unappropriated surplus of the General Fund to capital improvement program project account no. 980x203x232038, “Parks Fleet Replacements – GF FAO,” for the purpose of providing resources for automotive and motorized equipment including, but not limited to, mowers for the Cincinnati Parks Department.

Section 14. That the proper City officials are hereby authorized to do all things necessary and proper to carry out the terms of Sections 1 through 13 and the attached Schedules of Transfer.

Section 15. 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 realign and provide funds for the ongoing needs of City departments.

Passed: \_\_\_\_\_, 2023

\_\_\_\_\_  
Aftab Pureval, Mayor

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





**SCHEDULE OF TRANSFER**

**FY 2023 GENERAL FUND 050 FINAL ADJUSTMENT ORDINANCE**

Fund 050 General Fund

<i>REDUCTIONS</i>		<i>INCREASES</i>	
Fund	Agency	Appropriation Unit	\$ Amount
<b>TRANSFERS WITHIN APPROPRIATIONS</b>			
CINCINNATI POLICE DEPARTMENT	050	227	1,750,000
ADMINISTRATION	050	227	700,000
ADMINISTRATION	050	227	700,000
DEPARTMENT OF TRANSPORTATION AND ENGINEERING	050	233	40,000
ENGINEERING	050	233	10,000
DEPARTMENT OF PUBLIC SERVICES	050	253	105,310
NEIGHBORHOOD OPERATIONS	050	253	93,097
NEIGHBORHOOD OPERATIONS	050	253	93,097
CINCINNATI FIRE DEPARTMENT	050	272	1,840,231
SUPPORT SERVICES	050	272	1,274,223
SUPPORT SERVICES	050	272	1,274,223
NON-DEPARTMENTAL ACCOUNTS	050	921	1,015,000
WORKERS' COMPENSATION	050	924	500,000
LUMP SUM PAYMENTS	050	924	500,000
<b>TOTAL FUND 050 REDUCTIONS</b>			<b>8,942,240</b>
<b>TRANSFERS WITHIN APPROPRIATIONS</b>			
CINCINNATI POLICE DEPARTMENT	050	225	800,000
INVESTIGATIONS	050	225	800,000
SUPPORT	050	226	766,129
SUPPORT	050	226	200,000
SUPPORT	050	226	350,000
ADMINISTRATION	050	227	108,000
ADMINISTRATION	050	227	800,000
DEPARTMENT OF TRANSPORTATION AND ENGINEERING	050	231	30,000
OFFICE OF THE DIRECTOR	050	231	20,000
OFFICE OF THE DIRECTOR	050	231	20,000
DEPARTMENT OF PUBLIC SERVICES	050	253	161,111
NEIGHBORHOOD OPERATIONS	050	253	37,296
NEIGHBORHOOD OPERATIONS	050	253	37,296
CITY FACILITY MANAGEMENT	050	255	132,050
CINCINNATI FIRE DEPARTMENT	050	271	1,840,231
RESPONSE	050	271	96,197
RESPONSE	050	271	1,274,223
SUPPORT SERVICES	050	272	24,234
DEPARTMENT OF ECONOMIC INCLUSION	050	281	180,000
ECONOMIC INCLUSION	050	281	21,000
ECONOMIC INCLUSION	050	281	21,000
<b>TOTAL FUND 050 INCREASES</b>			<b>8,942,240</b>

**SCHEDULE OF TRANSFER**

**FY 2023 GENERAL FUND 050 FINAL ADJUSTMENT ORDINANCE**

Fund 050 General Fund

<i>REDUCTIONS</i>		<i>INCREASES</i>	
Fund	Agency	Appropriation Unit	\$ Amount
<b>SUPPLEMENTAL APPROPRIATIONS</b>			
			3,864,672
<b>SOURCE ACCOUNTS</b>			
			250,000
			333,871
			250,000
<b>SUPPLEMENTAL APPROPRIATIONS</b>			
			1,946,396
			1,084,405
<b>TOTAL FUND REDUCTIONS</b>		<b>TOTAL FUND INCREASES</b>	
		<b>3,864,672</b>	
		<b>3,864,672</b>	



202301379

**Jan-Michele Lemon Kearney**  
*Vice Mayor*

## MOTION

WE MOVE that Cincinnati City Council add an additional \$25,000.00 to the Safe & Clean Fund, managed by Keep Cincinnati Beautiful, from the FY23 Council Contingency Fund in order to provide an avenue to support gun violence reduction initiatives led by community-based organizations during the summer of 2023 and beyond. Priority should be given to those organizations or programs serving neighborhoods experiencing the most gun violence (shootings). The City should contract with Keep Cincinnati Beautiful to manage the Safe & Clean Fund with the understanding that the application process should be expedited so that funds are available by June 1, 2023.

*Jan-Michele Lemon Kearney*

_____	_____
_____	_____
_____	_____
_____	_____

CAL → Budget  
Jan-Michels

MICHIELS

Jan-Michels

Date: May 3, 2023

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

---

Attached is an ordinance captioned as follows:

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

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

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

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

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

The Administration recommends passage of the attached ordinance.

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

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

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

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

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

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

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

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

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

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

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

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

Tract I:

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

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

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

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

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

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

Containing 0.082 acres of land, more or less.

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

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

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

Tract II:

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



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

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

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

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

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

Containing 0.087 acres of land, more or less.

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

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

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

### Tract III

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

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

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

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

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

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

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

Containing 0.012 acres of land, more or less.

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

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

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

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

Tract I:

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

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

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

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

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

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

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

Containing 0.022 acres of land, more or less.

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

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

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

Tract II:

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

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

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

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

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

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

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

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

Tract III:

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

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

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

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

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

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

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

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

Tract IV:

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

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

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

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

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

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

Containing 0.128 acres of land, more or less.

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

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

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

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

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

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

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

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

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

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

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

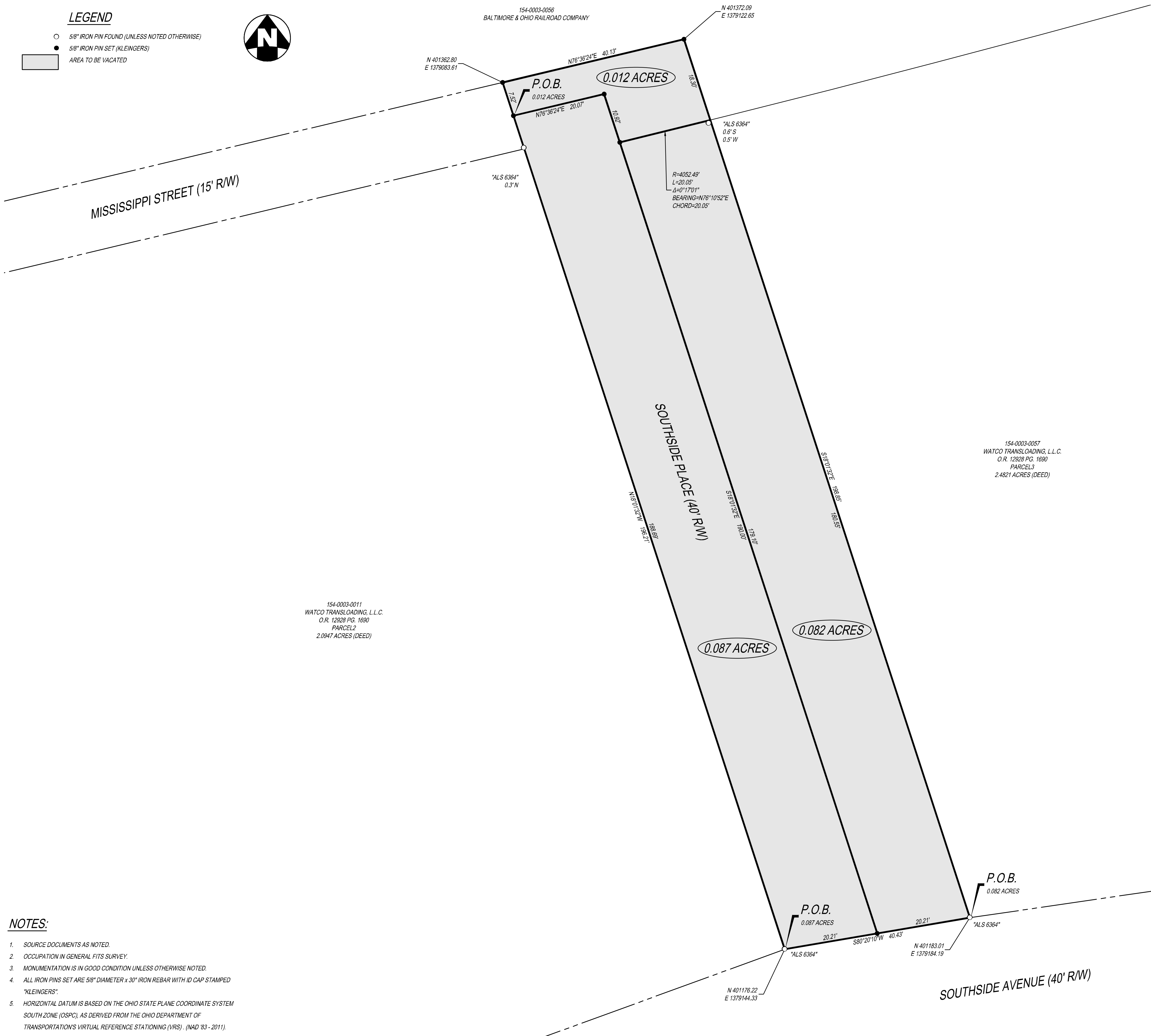
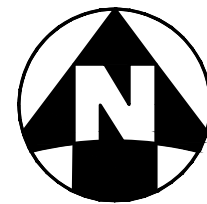
Passed: \_\_\_\_\_, 2023

\_\_\_\_\_  
Aftab Pureval, Mayor

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

**LEGEND**

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



**0.082 ACRES**

North: 400816.6134' East: 1379328.3110'

Segment #1 : Line  
Course: S80°20'10\"/>

**0.012 ACRES**

North: 400993.5122' East: 1379228.1724'

Segment #1 : Line  
Course: N18°01'32\"/>

**0.087 ACRES**

North: 400797.9874' East: 1379285.6113'

Segment #1 : Line  
Course: N18°01'32\"/>

154-0003-0057  
WATCO TRANSLADING, L.L.C.  
O.R. 12928 PG. 1690  
PARCEL3  
2.4821 ACRES (DEED)

154-0003-0011  
WATCO TRANSLADING, L.L.C.  
O.R. 12928 PG. 1690  
PARCEL2  
2.0947 ACRES (DEED)

**NOTES:**

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

**SURVEYOR'S CERTIFICATION**

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

MATTHEW D. HABEDANK  
OHIO PROFESSIONAL SURVEYOR NO. 8611



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

SEAL:

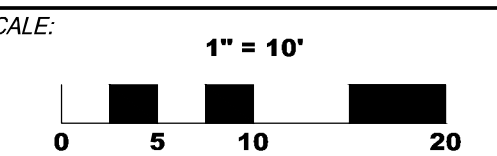


NO.	DATE	DESCRIPTION
1	11/03/22	VACATION PLAT - KLJ
2	12/06/22	CITY COMMENTS - MDH

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

PROJECT NO: 220291VSD000

DATE: 11/03/2022



SHEET NAME:

**HILLTOP CONCRETE**

SHEET NO.

**1 OF 1**



**0.128 ACRES**

North: 400537.4536' East: 1378396.6634'

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

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

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

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

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

**0.022 ACRES**

North: 400382.3222' East: 1377800.9412'

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

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

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

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

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

**0.047 ACRES**

North: 400446.9055' East: 1378072.8843'

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

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

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

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

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

**0.059 ACRES**

North: 400525.8796' East: 1378410.8321'

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

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

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

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

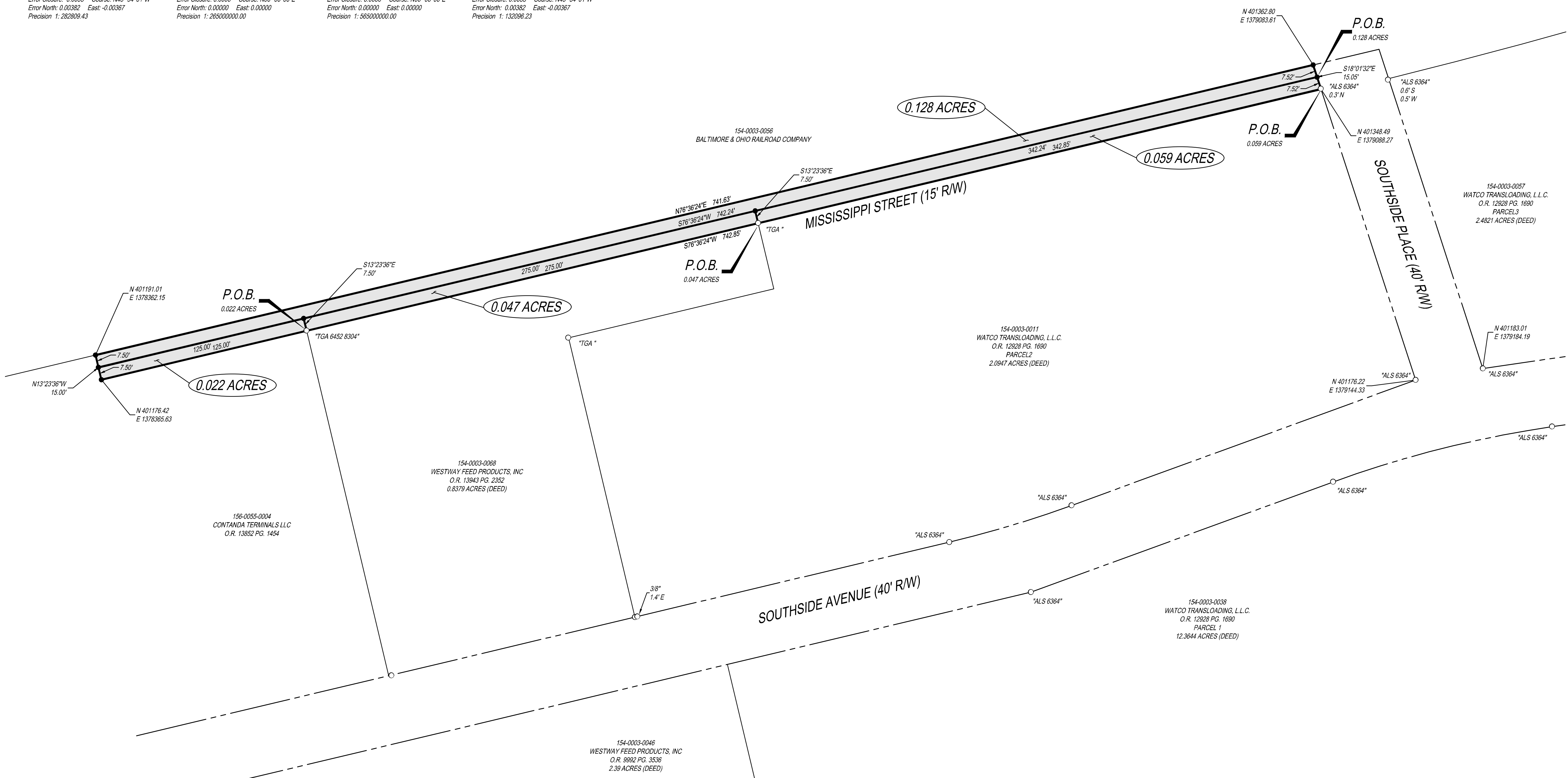
Perimeter: 700.12' Area: 0.059 acres  
Error Closure: 0.0053 Course: N43° 54' 01"W  
Error North: 0.00382 East: -0.00367  
Precision 1: 132096.23

**LEGEND**

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



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



**NOTES:**

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

**SURVEYOR'S CERTIFICATION**

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

\_\_\_\_\_  
MATTHEW D. HABEDANK  
OHIO PROFESSIONAL SURVEYOR NO. 8611

\_\_\_\_\_  
DATE

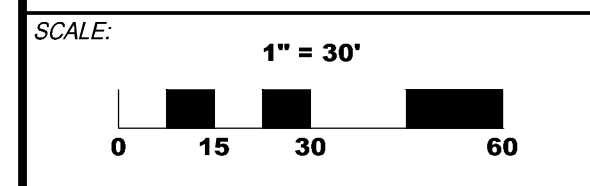
SEAL:



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

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

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



SHEET NAME:  
**HILLTOP CONCRETE**

SHEET NO.  
**1 OF 1**



**Legal Description**  
**0.012 Acres - Southside Place**  
**Baltimore and Ohio Railroad**

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

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

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

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

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

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

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

Containing 0.012 acres of land, more or less.

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

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

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



















copy

**Jan-Michele Lemon Kearney**  
*Vice Mayor*

May 1, 2023

### MOTION

WE MOVE that Glenwood Avenue, between Vine Street and Harvey Avenue, be given the honorary, Secondary street name of "Lincoln Ware Way" in honor of his 50 years in radio broadcasting, and in honor of "The Lincoln Ware Show" that began at WCIN Radio on Glenwood Avenue.

*Jan-Michele Lemon Kearney*  
Vice Mayor Jan-Michele Lemon Kearney

_____	_____
_____	_____
_____	_____
_____	_____

### STATEMENT

Lincoln Ware served in the U.S. Marine Corps as a member of the Armed Forces Radio and Television Service. He was a DJ aboard the aircraft carrier, the USS Midway. In 1973, after being discharged from the Marines, Mr. Ware applied for and was hired as a disc jockey at the WCIN-AM Radio Station, and "The Lincoln Ware Show" was born. WCIN was the second-oldest Black radio station in the country and was located on Glenwood Avenue in the Cincinnati neighborhood of Avondale.

Mr. Ware later left WCIN to join WDBZ-AM 1230 "The Buzz" where "The Lincoln Ware Show" continues to this day. This year, 2023, marks the 50<sup>th</sup> year for Mr. Ware's radio career, making him the longest-running local radio personality on the air today.

Mr. Ware also hosts the television program, "Cincinnati Issues" on WSTR 64 TV, and makes appearances on CNN, MSNBS, and SiriusXM.

He was honored with the award as one of America's Top 100 Talk Show Hosts for 10 consecutive years; one of America's Most Important Radio Talk Show Hosts by *Talker's Magazine*; Crime Stopper of the Year (Media) Award in 2016; Men of Honor Award; UC Health Humanitarian Award; and the Urban League of Greater Southwestern Ohio Glorifying the Lions Award.

Mr. Ware also established the Lincoln Ware Walking Club to promote health and wellness in the African American community.

CAL → Healthy Neighborhoods  
JMLK