



City of Cincinnati

801 Plum Street
Cincinnati, Ohio 45202

CALENDAR

Cincinnati City Council

Wednesday, April 13, 2022

2:00 PM

Council Chambers, Room 300

ROLL CALL

PRAYER AND PLEDGE OF ALLEGIANCE

FILING OF THE JOURNAL

MAYOR AFTAB

Cincinnati Arts Association

1. [202200961](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Marvel Gentry Harmon to the Cincinnati Arts Association for a term of three years, expiring January 31, 2025. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Female/African American)

Recommendation CONFIRM

Sponsors: Mayor

2. [202200962](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Laura A Carr to the Cincinnati Arts Association for a term of three years, expiring January 31, 2025. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Female/African American)

Recommendation CONFIRM

Sponsors: Mayor

3. [202200980](#) **ORDINANCE (EMERGENCY)**, submitted by Mayor Aftab Pureval, from Andrew W. Garth, City Solicitor, **AUTHORIZING** the transfer and return to source Local Fiscal Recovery Fund 469 of the sum of \$250,000 from American Rescue Plan grant project account no. 469x101xARP050, "FY 2021 COVID Expenses," for the purpose of realigning sources with actual uses; ESTABLISHING new Local Fiscal Recovery Fund 469 American Rescue Plan grant project account no. 469x101xARP207, "Summer Safety Initiative," for the purpose of providing funds to the Cincinnati Police Department for Police Visibility Overtime; AUTHORIZING the transfer and appropriation of the sum of \$250,000 from the unappropriated surplus of Local Fiscal Recovery Fund 469 to newly established American Rescue Plan grant project account no. 469x101xARP207, "Summer Safety Initiative," for the purpose of providing funds to the Cincinnati Police Department for Police Visibility Overtime to address an increase in violent crime by strategically deploying overtime to hot spots and event areas in the City; and DECLARING expenditures from American Rescue Plan grant project account no. 469x101xARP207, "Summer Safety Initiative," to be for a public purpose.

Recommendation BUDGET AND FINANCE COMMITTEESponsors: Mayor**MAYOR AFTAB****MR. JEFFREYS****MR. HARRIS****MS. PARKS****MS. OWENS**

4. [202200978](#) **RESOLUTION**, submitted by Mayor Aftab Pureval, Councilmembers Jeffreys, Harris, Parks, Owens and Landsman, from Andrew W. Garth, City Solicitor, **EXPRESSING** the wholehearted support of the Mayor and City Council for the Brent Spence Bridge project and its expedient completion; and further **EXPRESSING** the importance of maximizing the economic benefit of the Brent Spence Bridge project to our region.

Recommendation PASSSponsors: Mayor, Jeffreys, Harris, Parks, Owens and Landsman**MR. JOHNSON**

5. [202200995](#) **RESOLUTION**, submitted by Councilmember Johnson, from Andrew Garth, City Solicitor, **RECOGNIZING** Paul Dan McMillan IV for achieving excellent success in high school scholastics and sports.

Recommendation PASSSponsors: Johnson**MS. KEARNEY****MR. HARRIS****MR. LANDSMAN**

6. [202201010](#) **RESOLUTION**, submitted by Vice Mayor Kearney, Councilmembers Harris and Landsman, from Andrew W. Garth, City Solicitor, **EXPRESSING** the condemnation of the Mayor and City Council of Ohio House Bill No. 616, which prohibits and censors conversations about the experiences and families of LGBTQ+ Ohioans in our schools from grades K-12.

Recommendation PASSSponsors: Kearney, Harris and Landsman**CITY MANAGER**

7. [202200613](#) **ORDINANCE (EMERGENCY)** submitted by John P. Curp, Interim City Manager, on 4/6/2022, **APPROVING AND AUTHORIZING** the City Manager to execute a *Community Reinvestment Area Tax Exemption Agreement (LEED or*

Living Building Challenge) with Fourth and Pike Apartments, LLC, thereby authorizing a 15-year tax exemption for 100% of the value of improvements made to real property located at 516 E. 4th Street in the Central Business District of Cincinnati, in connection with the remodeling of an existing building into approximately 45,000 square feet of residential space, consisting of approximately 29 residential rental units, and approximately 1,700 square feet of commercial space, which remodeling shall be completed in compliance with Leadership in Energy and Environmental Design Silver, Gold or Platinum standards or Living Building Challenge standards, at a total remodeling cost of approximately \$18,000,000.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

8. [202200881](#) **REPORT**, dated 4/13/2022, submitted by John P. Curp, Interim City Manager, regarding Special Event Permit Application for Pan Ohio Hope Ride.

Recommendation FILE

Sponsors: City Manager

9. [202200937](#) **REPORT**, dated 4/13/2022, submitted by John P. Curp, Interim City Manager, regarding Special Event Permit Application for Taste of Cincinnati 2022.

Recommendation FILE

Sponsors: City Manager

10. [202200938](#) **REPORT**, dated 4/13/2022, submitted by John P. Curp, Interim City Manager, regarding Special Event Permit Application for Hyde Park Farmer's Market.

Recommendation FILE

Sponsors: City Manager

11. [202200939](#) **REPORT**, dated 4/13/2022, submitted by John P. Curp, Interim City Manager, regarding Special Event Permit Application for 2022 Concours d' Elegance.

Recommendation FILE

Sponsors: City Manager

12. [202200940](#) **REPORT**, dated 4/13/2022, submitted by John P. Curp, Interim City Manager, regarding Special Event Permit Application for FCC3 2022.

Recommendation FILE

Sponsors: City Manager

13. [202200964](#) **REPORT**, dated 4/13/2022 submitted by John P. Curp, Interim City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for JAYDADA 5 Inc, DBA 1 Stop Market, 3344 Glenmore Avenue. (#4246795, C1 C2, Transfer) [Objections: None]

Recommendation FILE

Sponsors: City Manager

14. [202200975](#) **ORDINANCE (EMERGENCY)** submitted by John P. Curp, Interim City Manager, on 4/13/2022, **AUTHORIZING** the City Manager to accept in-kind donations of rainbow flags from City Pride, the City of Cincinnati's LGBTQIA+ Employee Resource Group, and subsequent similar replacement flags, valued

at approximately \$260 each; and AUTHORIZING the City Manager to fly a rainbow flag from the flagpole at City Hall from June 1 to June 30 each year in recognition of Cincinnati's celebration of Pride Month and the Pride Month Parade as a symbol of support for the City's lesbian, gay, bisexual, transgender, queer, intersexual, and asexual employees and the LGBTQIA+ community in Cincinnati and the region.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

15. [202200977](#) **ORDINANCE (EMERGENCY)** submitted by John P. Curp, Interim City Manager, on 4/13/2022, **AUTHORIZING** the City Manager to accept a donation from the USS *Cincinnati* Commissioning Foundation of a framed lithograph, signed by the artist Peter K. Hsu, and valued at approximately \$95.00, of the original painting of the USS *Cincinnati* that was presented to the ship in 2019 during its commissioning ceremony.

Recommendation

BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

16. [202200979](#) **ORDINANCE (EMERGENCY)** submitted by John P. Curp, Interim City Manager, on 4/13/2022, **AUTHORIZING** the City Manager to accept and appropriate a donation totaling \$500,000 from the Cincinnati Park Board Commissioners' Fund for the purpose of providing resources for horticultural supplies, maintenance contracts, salary reimbursements, Krohn Conservatory's gift shop inventory, and other vital costs associated with running the City's parks; and AUTHORIZING the Finance Director to deposit the funds into Parks Private Endowment and Donations Fund 430.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

17. [202200981](#) **RESOLUTION (LEGISLATIVE)** submitted by John P. Curp, Interim City Manager, on 4/13/2022, **DECLARING** the necessity of assessing properties in Lighting Group 3 that benefit from special street lighting within the City of Cincinnati for the cost of such lighting for the three-year period beginning August 1, 2021.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

CLERK OF COUNCIL

18. [202200941](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Ali Trianfo, Government Strategies Group, Director of Operations, 700 Walnut Street, Suite 450, Cincinnati, Ohio 45202. (LITERACY LAB/LEADING MEN FELLOWSHIP)

Recommendation FILE

Sponsors: Clerk of Council

19. [202200948](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent James T. Benedict, Government Strategies Group, Vice President, 700 Walnut Street, Suite 450, Cincinnati, Ohio 45202. (LITERACY LAB/LEADING MEN

FELLOWSHIP)

Recommendation FILE

Sponsors: Clerk of Council

20. [202200954](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Charles H. Gerhardt, III, Government Strategies Group, President & CEO, 700 Walnut Street, Suite 450, Cincinnati, Ohio 45202. (LITERACY LAB/LEADING MEN FELLOWSHIP)

Recommendation FILE

Sponsors: Clerk of Council

21. [202200960](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent J. Douglas Moormann, Government Strategies Group, Vice President, 700 Walnut Street, Suite 450, Cincinnati, Ohio 45202. (CHARLES STREET)

Recommendation FILE

Sponsors: Clerk of Council

22. [202200965](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Emily Jo Sheckels Ahouse/City Planning & Engagement/Zoning Administrator.

Recommendation FILE

Sponsors: Clerk of Council

23. [202200967](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Jarrod Bolden/Superintendent/Public Services.

Recommendation FILE

Sponsors: Clerk of Council

24. [202200968](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Sarah Mostafa/OPDA/Deputy Director.

Recommendation FILE

Sponsors: Clerk of Council

25. [202200969](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Christian J. Rodriguez-Viera/Office of Performance & Data Analytics.

Recommendation FILE

Sponsors: Clerk of Council

26. [202200970](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Reginald Jarvis Harris/City Councilmember.

Recommendation FILE

Sponsors: Clerk of Council

27. [202200971](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Jason Cooper/Police Department/Division Manager.

Recommendation FILE

Sponsors: Clerk of Council

28. [202200972](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for James Jeffrey McCord/ETS Deputy Director.
Recommendation FILE
Sponsors: Clerk of Council
29. [202200973](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Tiffany Reece Stewart/Division Manager.
Recommendation FILE
Sponsors: Clerk of Council
30. [202200976](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Jeanette Shoecraft/CRC/Division Manager/CFO.
Recommendation FILE
Sponsors: Clerk of Council
31. [202200999](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Paul M. Booth/Division Manager/Office of Human Relations.
Recommendation FILE
Sponsors: Clerk of Council
32. [202201000](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Crystal Ann Courtney/Cincinnati Parks Division Manager of Natural Resources.
Recommendation FILE
Sponsors: Clerk of Council
33. [202201001](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Roshani D. Hardin/Chief of Staff.
Recommendation FILE
Sponsors: Clerk of Council

BUDGET AND FINANCE COMMITTEE

34. [202200818](#) **ORDINANCE (EMERGENCY)** submitted by John P. Curp, Interim City Manager, on 3/30/2022, **AUTHORIZING** the transfer and return to source, Fund No. 858, "Street Improvement," of the sum of \$1,790,000 from capital improvement program project account no. 980x232x222358, "Central Parkway Bicycle Facility Phase 2," for the purpose of realigning sources with uses; and **AUTHORIZING** the transfer and appropriation of the sum of \$1,790,000 from the unappropriated surplus of Fund No. 858, "Street Improvement," to existing capital improvement program project account no. 980x232x222357, "Bicycle Transportation Program."
Recommendation PASS EMERGENCY
Sponsors: City Manager
35. [202200883](#) **ORDINANCE** submitted by John P. Curp, Interim City Manager, on 4/6/2022, **ESTABLISHING** new capital improvement program project account no. 980x232x222363, "Wasson Way Federal STBG 2024," for the purpose of

providing grant resources for the Wasson Way Trail project and for the acquisition of property or easements across private property needed to construct the Wasson Way Trail project; AUTHORIZING the City Manager to accept and appropriate grant resources in an amount up to \$3,762,000 from the Surface Transportation Block Grant Program (ALN 20.205) awarded through the Ohio-Kentucky-Indiana Regional Council of Governments to newly established capital improvement program project account no. 980x232x222363, "Wasson Way Federal STBG 2024," for the purpose of providing grant resources for Phase 7 of the Wasson Way Trail project; AUTHORIZING the Director of Finance to deposit the grant resources into newly established capital improvement program project account no. 980x232x222363, "Wasson Way Federal STBG 2024," for the purpose of providing grant resources for Phase 7 of the Wasson Way Trail project; AUTHORIZING the City Manager to enter into a Local Public Agency agreement with the Director of the Ohio Department of Transportation to complete Phase 7 of the Wasson Way Trail project; and AUTHORIZING the City Manager to execute any agreements necessary for the receipt and administration of these grant resources.

Recommendation PASS

Sponsors: City Manager

36. [202200884](#) **ORDINANCE** submitted by John P. Curp, Interim City Manager, on 4/6/2022, **AUTHORIZING** the City Manager to accept and appropriate a donation in the amount of \$500 from the University of Cincinnati College of Nursing on behalf of Nicole DeGreg, RN; AUTHORIZING the Finance Director to deposit the donated funds into Fund No. 395, "Community Health Center Activities Fund"; and further AUTHORIZING the transfer and appropriation of \$500 from the unappropriated surplus of Fund No. 395, "Community Health Center Activities Fund," to the Cincinnati Health Department's non-personnel operating budget account no. 395x266x7300 for the purposes of purchasing equipment and supplies to support the Roberts Academy School-Based Health Center.

Recommendation PASS

Sponsors: City Manager

37. [202200885](#) **ORDINANCE (EMERGENCY)** submitted by John P. Curp, Interim City Manager, on 4/6/2022, **AUTHORIZING** the City Manager to apply for grant resources in an amount up to \$2,839,000 from the Ohio Department of Transportation under the Ohio Transit Partnership Program for the purpose of providing resources for preventative maintenance, equipment, and facility upgrades for the streetcar system.

Recommendation PASS EMERGENCY

Sponsors: City Manager

38. [202200886](#) **REPORT**, dated 4/6/2022, submitted by John P. Curp, Interim City Manager, regarding Finance and Budget Monitoring Report for the Period Ending January 31, 2022

Recommendation APPROVE & FILE

Sponsors: City Manager

39. [202200888](#) **ORDINANCE (EMERGENCY)** submitted by Mayor Aftab Pureval and Vice Mayor Kearney, from Andrew W. Garth, City Solicitor, **AUTHORIZING** the

transfer and return to source Local Fiscal Recovery Fund 469 of the sum of \$300,000 from American Rescue Plan grant project account no. 469x101xARP050, "FY 2021 COVID Expenses," for the purpose of realigning sources with actual uses; ESTABLISHING new Local Fiscal Recovery Fund 469 American Rescue Plan grant project account no. 469x101xARP204, "ADDI," for the purpose of providing funds to enhance the American Dream Down Payment Initiative program overseen by the Department of Community and Economic Development; AUTHORIZING the transfer and appropriation of the sum of \$300,000 from the unappropriated surplus of Local Fiscal Recovery Fund 469 to 469x101xARP204, "ADDI," for the purpose of providing funds to enhance the American Dream Down Payment Initiative program which assists low income first-time homebuyers by providing eligible applicants with down payment/closing costs in the form of a forgivable loan; and DECLARING expenditures from American Rescue Plan grant project account no. 469x101xARP204, "ADDI," to be for a public purpose.

Recommendation PASS EMERGENCY

Sponsors: Mayor and Kearney

40. [202200924](#) **ORDINANCE (EMERGENCY)**, submitted by Mayor Aftab Pureval and Councilmember Cramerding, from Andrew W. Garth, City Solicitor, **AUTHORIZING** the transfer and return to source Local Fiscal Recovery Fund 469 of the sum of \$400,000 from American Rescue Plan grant project account no. 469x101xARP050, "FY 2021 COVID Expenses," for the purpose of realigning sources with actual uses; ESTABLISHING new Local Fiscal Recovery Fund 469 American Rescue Plan grant project account no. 469x101xARP205, "Westside Recreational Connectivity Improvements," for the purpose of providing funds for the planning, engagement, design, and construction of pedestrian and bike improvements that would improve connectivity among Dunham Recreation Center, Rapid Run Park, and the Lick Run Greenway; AUTHORIZING the transfer and appropriation of the sum of \$400,000 from the unappropriated surplus of Local Fiscal Recovery Fund 469 to newly established American Rescue Plan grant project account no. 469x101xARP205, "Westside Recreational Connectivity Improvements," for the purpose of providing funds for the planning, engagement, design, and construction of pedestrian and bike improvements that would improve connectivity among Dunham Recreation Center, Rapid Run Park, and the Lick Run Greenway; and DECLARING expenditures from American Rescue Plan grant project account no. 469x101xARP205, "Westside Recreational Connectivity Improvements," to be for a public purpose.

Recommendation PASS EMERGENCY

Sponsors: Mayor and Cramerding

SUPPLEMENTAL ITEMS

CLIMATE, ENVIRONMENT & INFRASTRUCTURE COMMITTEE

41. [202200770](#) **MOTION**, submitted by Councilmembers Landsman, Harris and Owens, **WE HEREBY MOVE** that the Administration work with Cincinnati Public Schools (CPS) to detail the work currently being done to address childhood trauma and effectively support young people who have experienced Adverse Childhood Experience (ACEs); make clear any potential further efforts that could be

pursued on this issue; and, layout how City Council can better support this important work. (STATEMENT ATTACHED)

Recommendation ADOPT

Sponsors: Landsman, Harris and Owens

42. [202200848](#) **MOTION**, submitted by Councilmembers Landsman and Owens, **WE HEREBY MOVE** that the Administration report to Council on available data regarding the issue of lead poisoning. This report should cover existing data gathered on both of the main sources of lead poisoning in our region (lead paint and lead pipes), as well as relevant research and data collection initiatives planned for the future. The report should further include recommendations and a feasibility analysis for projects to address lead poisoning, particularly concentrating on ways in which the Health Department and WaterWorks can work together. (STATEMENT ATTACHED)

Recommendation ADOPT

Sponsors: Landsman and Owens

43. [202200895](#) **ORDINANCE (EMERGENCY)** submitted by John P. Curp, Interim City Manager, on 4/6/2022, **AUTHORIZING** the City Manager to design, install, and maintain artwork on the retaining wall located along Baltimore Avenue in the East Westwood neighborhood, notwithstanding any conflicting Department of Transportation and Engineering rules and regulations or any provision of the Cincinnati Municipal Code that would prohibit the installation and maintenance of the artwork.

Recommendation PASS EMERGENCY

Sponsors: City Manager

ANNOUNCEMENTS

Adjournment



202200961

Mayor Aftab Pureval

801 Plum Street, Suite 150
Cincinnati, Ohio 45202
Phone (513) 352-3250
Fax (513) 352-5201
Email: aftab.pureval@cincinnati-oh.gov

April 2022

APPOINTMENT

I hereby appoint Marvel Gentry Harmon to the Cincinnati Arts Association for a term of three years, expiring January 31, 2025. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



Mayor Aftab Pureval



202209162

Mayor Aftab Pureval

801 Plum Street, Suite 150
Cincinnati, Ohio 45202
Phone (513) 352-3250
Fax (513) 352-5201
Email: aftab.pureval@cincinnati-oh.gov

April 2022

APPOINTMENT

I hereby appoint Laura A Carr to the Cincinnati Arts Association for a term of three years, expiring January 31, 2025. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.

A large, stylized blue ink signature of Mayor Aftab Pureval, written over a horizontal line.

Mayor Aftab Pureval

202200920
Date: April 6, 2022

To: Mayor Aftab Pureval
From: Andrew W. Garth, City Solicitor *AWG*
Subject: **Emergency Ordinance – American Rescue Plan Funds for Summer Safety Initiative**

Transmitted herewith is an emergency ordinance captioned as follows:

AUTHORIZING the transfer and return to source Local Fiscal Recovery Fund 469 of the sum of \$250,000 from American Rescue Plan grant project account no. 469x101xARP050, “FY 2021 COVID Expenses,” for the purpose of realigning sources with actual uses; **ESTABLISHING** new Local Fiscal Recovery Fund 469 American Rescue Plan grant project account no. 469x101xARP207, “Summer Safety Initiative,” for the purpose of providing funds to the Cincinnati Police Department for Police Visibility Overtime; **AUTHORIZING** the transfer and appropriation of the sum of \$250,000 from the unappropriated surplus of Local Fiscal Recovery Fund 469 to newly established American Rescue Plan grant project account no. 469x101xARP207, “Summer Safety Initiative,” for the purpose of providing funds to the Cincinnati Police Department for Police Visibility Overtime to address an increase in violent crime by strategically deploying overtime to hot spots and event areas in the City; and **DECLARING** expenditures from American Rescue Plan grant project account no. 469x101xARP207, “Summer Safety Initiative,” to be for a public purpose.

AWG/CFG(ink)
Attachment
361569

EMERGENCY

City of Cincinnati

CFG

AWB

An Ordinance No. _____

- 2022

AUTHORIZING the transfer and return to source Local Fiscal Recovery Fund 469 of the sum of \$250,000 from American Rescue Plan grant project account no. 469x101xARP050, “FY 2021 COVID Expenses,” for the purpose of realigning sources with actual uses; **ESTABLISHING** new Local Fiscal Recovery Fund 469 American Rescue Plan grant project account no. 469x101xARP207, “Summer Safety Initiative,” for the purpose of providing funds to the Cincinnati Police Department for Police Visibility Overtime; **AUTHORIZING** the transfer and appropriation of the sum of \$250,000 from the unappropriated surplus of Local Fiscal Recovery Fund 469 to newly established American Rescue Plan grant project account no. 469x101xARP207, “Summer Safety Initiative,” for the purpose of providing funds to the Cincinnati Police Department for Police Visibility Overtime to address an increase in violent crime by strategically deploying overtime to hot spots and event areas in the City; and **DECLARING** expenditures from American Rescue Plan grant project account no. 469x101xARP207, “Summer Safety Initiative,” to be for a public purpose.

WHEREAS, the City received funding from the United States Department of the Treasury pursuant to the American Rescue Plan Act as part of the Coronavirus Local Fiscal Recovery Fund Act; and

WHEREAS, a portion of the funding was appropriated to American Rescue Plan grant project account no. 469x101xARP050, “FY 2021 COVID Expenses,” which was designated to provide fiscal stability for fiscal year 2021; and

WHEREAS, the City’s fiscal year 2021 budget is now closed, so remaining funds identified for fiscal year 2021 fiscal stability are available to be reallocated for other purposes; and

WHEREAS, the Cincinnati Police Department allocates Police Visibility Overtime (PVO) within the department to provide additional policing in criminal hot spots and event areas throughout the year based on crime data and projections; and

WHEREAS, a data-driven approach will be utilized to determine the best deployment of resources to improve safety within the City; and

WHEREAS, criminal activity has spiked during the COVID-19 pandemic including an increase in violent crime, and \$250,000 of American Rescue Plan funds are being made available for a Summer Safety Initiative to provide additional police patrols in criminal hot spots and event areas; now, therefore,

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

Section 1. That the sum of \$250,000 is hereby transferred and returned to source Local Fiscal Recovery Fund 469 from American Rescue Plan grant project account no. 469x101xARP050, "FY 2021 COVID Expenses," for the purpose of realigning sources with actual uses.

Section 2. That the Director of Finance is hereby authorized to establish new Local Fiscal Recovery Fund 469 American Rescue Plan grant project account no. 469x101xARP207, "Summer Safety Initiative," for the purpose of providing funds to the Cincinnati Police Department for Police Visibility Overtime.

Section 3. That the sum of \$250,000 is hereby transferred and appropriated from the unappropriated surplus of Local Fiscal Recovery Fund 469 to newly established American Rescue Plan grant project account no. 469x101xARP207, "Summer Safety Initiative," for the purpose of providing funds to the Cincinnati Police Department for Police Visibility Overtime to address an increase in violent crime by strategically deploying overtime to hot spots and event areas in the City.

Section 4. That expenditures from American Rescue Plan grant project account no. 469x101xARP207, "Summer Safety Initiative," are hereby declared to be for a public purpose because criminal activity has spiked during the COVID-19 pandemic and additional police overtime will enhance public safety.

Section 5. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Sections 1 through 4 hereof.

Section 6. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is

the immediate need to implement authorized American Rescue Plan-related support programs and projects.


Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

Date: April 13, 2022

To: Mayor Aftab Pureval and Councilmembers Mark Jeffreys,
Reggie Harris, Victoria Parks, Meeka Owens, and Greg Landsman

From: Andrew W. Garth, City Solicitor 

Subject: **Resolution – Expressing Support of the Brent Spence Bridge Project**

Transmitted herewith is a resolution captioned as follows:

EXPRESSING the wholehearted support of the Mayor and City Council for the Brent Spence Bridge project and its expedient completion; and further **EXPRESSING** the importance of maximizing the economic benefit of the Brent Spence Bridge project to our region.

AWG/AKS(Ink)
Attachment
361529

AWB

RESOLUTION NO. _____ - 2022

EXPRESSING the wholehearted support of the Mayor and City Council for the Brent Spence Bridge project and its expedient completion; and further **EXPRESSING** the importance of maximizing the economic benefit of the Brent Spence Bridge project to our region.

WHEREAS, 160,000 motor vehicles cross the Brent Spence Bridge daily, making it a major thoroughfare for both local and national traffic that moves freight valued at three percent of the nation's gross domestic product; and

WHEREAS, the City of Cincinnati is supportive of the construction of a companion bridge adjacent to the existing bridge because of the economic benefit it will bring to our region and the nation as a whole; and

WHEREAS, the existing footprint of the northern bridge approach utilizes a significant amount of valuable downtown real estate; now, therefore,

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

Section 1. That the Mayor and this Council support the application for federal dollars by the State of Ohio and the Commonwealth of Kentucky for funding from the Bipartisan Infrastructure Law to ensure this project comes to fruition in the immediate future.

Section 2. That the Mayor and this Council express the value of capturing developable urban real estate to the extent possible within the bridge design-build process and commit to working in partnership with the Ohio Department of Transportation ("ODOT") to achieve this goal within the existing preferred alternative, project timeline, and budget.

Section 3. That copies of this resolution be spread upon the minutes of Council and provided to ODOT, 1980 West Broad Street, Columbus, OH 43223; the U.S. Department of Transportation, 1200 New Jersey Ave, SE, Washington, DC 20590; Senator Rob Portman, 448 Russell Senate Office Building, Washington, DC 20510; Senator Sherrod Brown, 503 Hart Senate Office Building, Washington, DC 20510; Representative Steve Chabot, 2408 Rayburn House

Office Building, Washington, DC 20515; and Representative Brad Wenstrup, 2419 Rayburn
H.O.B., Washington, DC 20515.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

Submitted by Mayor Aftab Pureval and Councilmembers Mark Jeffreys, Reggie Harris, Victoria
Parks, Meeka Owens, and Greg Landsman

202200915
Date: April 8, 2022

To: Councilmember Scotty Johnson
From: Andrew Garth, City Solicitor *AWG*
Subject: Resolution – Recognizing Paul Dan McMillan

Transmitted herewith is a resolution captioned as follows:

RECOGNIZING Paul Dan McMillan IV for achieving excellent success in high school scholastics and sports.

AWG/CMZ(lnk)
Attachment
361698

RESOLUTION NO. _____ - 2022

RECOGNIZING Paul Dan McMillan IV for achieving excellent success in high school scholastics and sports.

WHEREAS, Paul Dan McMillan IV was born October 20, 2003, and is the son of Paul D. McMillan III and Amy McMillan, and

WHEREAS, before Paul was one year old, he would drag his toy basketball hoop across his parents' floor every day, he started playing basketball at three years old, and he went to his first basketball camp at five years old; and

WHEREAS, Paul a student at Woodward High School, has made straight A's from first through twelfth grade, will graduate with a GPA over 4.0, and has been declared valedictorian of his 2022 high school class; and

WHEREAS, Paul surpassed NBA great LeBron James on the Ohio High School Athletic Association all-time scoring list, scoring a record 2,658 points, and was named Ohio Player of the Year by Gatorade, and is the number six all-time leading scorer in the state; and

WHEREAS, Paul has been recognized by Ohio High School Athletic Association for All Ohio First Team Division 2 in 2020 and 2021 and Second Team Division 2 in 2019; District 16 four-time First Team (2019, 2020, 2021, 2022); All Southwest Ohio First Team three times; two time Triple Double Prospect Player of the Year; Cincinnati Metro Athletic Conference (CMAC) Player of the Year in 2019, 2021, and 2022; CMAC Player of the Year Runner-Up in 2020; CMAC Division Two First Team in 2019, 2020, 2021, 2022; and Paul was the Cincinnati Enquirer Division Two Player of the Year in 2021 and 2022; he averaged 25 points or more per game as a freshman, sophomore, junior, and senior; and he played on the Woodward basketball team when they were the three time CMAC League Champions in 2019, 2021, and 2022; and

WHEREAS, Paul has been named 2022 Player of the Year by The Greater Cincinnati Hall of Fame, he received a proclamation from the City of Cincinnati acknowledging his 2,000 points-scored accomplishment, he will finish number 1 for scoring in Cincinnati Public Schools' history, he was Cincinnati Public Schools Student Athlete of the Month Winter 2020-2021; and he is a Finalist for McDonald's All American, Top 3 Candidate for 2021-22 Mr. Basketball, named a Top 100 National Recruit and Top 20 Point Guard by 247Sports, named one of Top 22 Players in the State of Ohio for the 2021-22 season by Gannett Corp., and received a MaxPreps Junior All-American Honorable Mention 2020-21; and his team has won Sectional and District Championships for 2021-2022; and

WHEREAS, Paul has received offers from several power five programs, including Louisville, Dayton, Kansas State, Purdue, Penn State, Mississippi, Xavier, and Arizona State; now, therefore,

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

Section 1. That the Mayor and this Council hereby recognize Paul Dan McMillan IV for his achievements in scholastics and sports at Woodward High School.

Section 2. That this resolution be spread upon the minutes of Council and a copy be provided to Paul Dan McMillan IV by the Council Office of Councilmember Scotty Johnson.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

Submitted by Councilmember Scotty Johnson

202201010
Date: April 12, 2022

To: Vice Mayor Jan-Michele Lemon Kearney, Councilmembers Reggie Harris, and Greg Landsman

From: Andrew W. Garth, City Solicitor *AWG*

Subject: **Resolution – Expressing the condemnation of Ohio House Bill No. 616**

Transmitted herewith is a resolution captioned as follows:

EXPRESSING the condemnation of the Mayor and City Council of Ohio House Bill No. 616, which prohibits and censors conversations about the experiences and families of LGBTQ+ Ohioans in our schools from grades K-12.

AWG/CMZ(jdr)
Attachment
361901

010109805

Handwritten mark or signature

RESOLUTION NO. _____ - 2022

EXPRESSING the condemnation of the Mayor and City Council of Ohio House Bill No. 616, which prohibits and censors conversations about the experiences and families of LGBTQ+ Ohioans in our schools from grades K-12.

WHEREAS, House Bill No. 616 would prohibit grades kindergarten through three from teaching, using, or providing any curriculum or instruction materials on sexual orientation or gender identity, and grades four through twelve would be limited to certain instruction materials, lessons, and curriculum on sexual orientation and gender identity; and

WHEREAS, House Bill No. 616 not only censors critical race theory and the *New York Times* ' "1619 Project," but also censors "diversity, equity, and inclusion learning outcomes" and "any other concept that the state board of education defines as divisive or inherently racist," and this language is exceedingly vague and broad and will challenge free speech in schools, and House Bill No. 616 creates an opportunity to ban discussions about topics that a select few politicians decide are inappropriate or harmful; and

WHEREAS, this bill puts K-12 teachers and schools in an impossible position, making them choose between following state law or federal law; federal law, under Title IX, requires teachers and schools be inclusive of LGBTQ+ students and teachers, however, House Bill No. 616 threatens to revoke teacher licenses and state school funding, or reprimand in any way that the Ohio Department of Education deems appropriate for violations of House Bill No. 616, which will create an untenable conflict of law; and

WHEREAS, House Bill No. 616 is an attempt to erase LGBTQ+ people from the classroom and is exceptionally cruel to LGBTQ+ community members, their families, and anyone who loves them, and the broad, open-ended ban on race- and gender-related topics deprives all Ohio students of a well-rounded education and puts some of Ohio's most vulnerable students in unsafe and unwelcoming classrooms; and

WHEREAS, House Bill 616 goes several steps further than Florida's "Don't Say Gay" bill by extending censorship through the twelfth grade, and because this bill is so extreme, House Bill No. 616 will damage Ohio's reputation and make it less inviting to both industry investors and workforce talent; and

WHEREAS, every student deserves a quality education in a school community where they are safe and supported, and students learn best when they are able to focus on their lessons instead of worrying about being mistreated because of their gender, race, abilities, or where they come from, and education that represents the diverse world around us is critical to maintaining a functioning democracy where our young people grow up prepared to engage in civic activity; now, therefore,

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

Section 1. That the Mayor and this Council hereby condemn proposed Ohio House Bill No. 616, which attempts to censor the education of Ohio students.

Section 2. That this resolution be spread upon the minutes of Council and a copy be provided to the Ohio General Assembly by the Office of Councilmember Harris.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

Submitted by Vice Mayor Jan-Michele Lemon Kearney, Councilmember Reggie Harris, and Councilmember Greg Landsman

April 13, 2022

To: Mayor and Members of City Council 202200613
From: John P. Curp, Interim City Manager
Subject: **EMERGENCY ORDINANCE – LEED CRA AGREEMENT WITH FOURTH AND PIKE APARTMENTS, LLC**

Attached is an Emergency Ordinance captioned:

APPROVING AND AUTHORIZING the City Manager to execute a *Community Reinvestment Area Tax Exemption Agreement (LEED or Living Building Challenge)* with Fourth and Pike Apartments, LLC, thereby authorizing a 15-year tax exemption for 100% of the value of improvements made to real property located at 516 E. 4th Street in the Central Business District of Cincinnati, in connection with the remodeling of an existing building into approximately 45,000 square feet of residential space, consisting of approximately 29 residential rental units, and approximately 1,700 square feet of commercial space, which remodeling shall be completed in compliance with Leadership in Energy and Environmental Design Silver, Gold or Platinum standards or Living Building Challenge standards, at a total remodeling cost of approximately \$18,000,000.

BACKGROUND/CURRENT CONDITIONS

Fourth and Pike Apartments, LLC (the “Developer”) currently owns the 50-year-old multi-family building located at 516 E. 4th Street (aka 550 E. 4th Street) in the Central Business District. The property is located within the Lytle Park Historic District. Given the age of the property, it requires substantial reinvestment to bring it to market standards. The property was previously occupied but has been vacated in advance of the planned renovation.

DEVELOPER INFORMATION

Fourth and Pike Apartments, LLC is affiliated with Eagle Realty Group. Eagle Realty Group is the real estate subsidiary of Western & Southern Financial Group (“W&SFG”). Eagle Realty Group has decades of experience developing properties in downtown Cincinnati. Previous projects include the 30-unit Sixth & Race Apartments and the 1 million square foot Queen City Square. Eagle Realty Group is also active in dozens of multi-family developments throughout the nation.

W&SFG has a 30+ year history of supporting affordable housing and similarly important City initiatives, from Over-the-Rhine’s high-quality, low-income Bracket Village housing project of the 1990s to today’s Affordable Housing Trust Fund. W&SFG is the largest

private contributor (tied with the Greater Cincinnati Foundation) to the Affordable Housing Trust Fund, with their recent contribution of \$5 million (nearly 10% of the Fund). Further, W&SFG has publicly announced its plans to significantly help create affordable/workforce housing in Cincinnati. They are actively working with local developers to try to advance such projects, including a Walnut Hills workforce housing project (60-80% AMI) in partnership with Urban Sites.

PROJECT DESCRIPTION

The Developer plans to remodel the 50-year-old building into approximately 45,000 square feet of residential space, consisting of approximately 29 residential rental units, and approximately 1,700 square feet of ground-floor commercial space. Floor plans range from one to four-bedroom units. The total project cost is expected to be approximately \$18,000,000. The project will be constructed in compliance with LEED Silver, Gold or Platinum standards or Living Building Challenge standards. The project will support the creation of 70 temporary construction jobs with \$5,000,000 in annual payroll.

The Developer has agreed to use its best efforts and take affirmative steps to achieve (i) the City’s goal of voluntarily meeting thirty percent (30%) SBE participation., and (ii) a sub-goal, being the Company’s Project-specific voluntary commitment, of meeting the City’s economic inclusion program goals to achieve a standard of no less than: (x) five percent (5%) MBE participation; and (y) seven percent (7%) WBE participation. Further, the Developer has agreed to adopt hiring practices to ensure that at least twenty-five percent (25%) of the new employees shall be residents of the City of Cincinnati.

Although it is difficult to determine the exact value of new income tax revenue created by a residential project, we can assume that those living at the project site will contribute 1.8% of their income to the City annually. To measure that value, the below estimation was done. The annual income is calculated on the assumption that each resident will spend 30% of their income on rent and utilities (utilities estimated at \$75 per month). This project is anticipated to generate approximately \$82,494 per year in City income tax, and \$371,223 over the term of the incentive.

Unit Type	Number of Units	Total Housing Cost Including Utilities	Income Assumption (Rent = 30% of income)	Payroll	City Income Tax Annually	City income Tax over 15 years
1BR	6	\$2,875	\$115,000	\$690,000	\$12,420	\$186,300
2BR	6	\$3,575	\$143,000	\$858,000	\$15,444	\$231,660
3BR	15	\$4,275	\$171,000	\$2,565,000	\$46,170	\$692,550
4BR	2	\$5,875	\$235,000	\$470,000	\$8,460	\$126,900
				\$4,583,000	\$82,494	\$1,237,410

PROPOSED INCENTIVE

DCED is recommending a 100% (net 52%), 15-year CRA tax exemption for this property.

The exemption applies only to the increase in value of the building attributable to the project improvements. Pursuant to the LEED Commercial CRA policy established by City Council, this project is located within the Streetcar VTICA Area and is therefore eligible for a 100% (net 52%), 15-year tax exemption.

Although the current policy does not require projects within the Streetcar VTICA Area to be underwritten, the Developer provided a proforma for which DCED completed an underwriting analysis. Based on the analysis, it was determined that there is a gap in the market rate of return that is expected for this type of project in the CBD. While the incentive does slightly increase the rate of return, the rate of return is still lower than similar projects within the market area.

SUMMARY	
Forgone Public Benefit if Project Does not Proceed	
CPS PILOT (Forgone New Revenue)	(\$1,528,056)
VTICA (Forgone New Revenue)	(\$694,571)
Income Tax (Forgone New Revenue)	(\$180,000)
Total Public Benefit Lost	(\$2,402,628)
Incentive Value	
Annual Net Incentive to Developer	\$160,523
Total Term Incentive to Developer	\$2,407,847
City's Portion of Property Taxes Forgone	\$650,727
Public Benefit	
CPS PILOT	
Annual CPS Pilot	\$101,870
Total Term CPS PILOT	\$1,528,056
VTICA	
Annual VTICA	\$46,305
Total Term VTICA	\$694,571
Income Tax (Max)**	\$180,000
Total Public Benefit (CPS PILOT/VTICA /Income Tax)	\$2,402,628
Total Public Benefit ROI*	\$1.00
City's ROI*	\$3.69

*If the project were going to happen regardless of incentive, this is the return of real dollars for public benefits as potential future dollars are forgone

**This is a jobs-based estimate and does not include potential income tax from City residents. The standard incentive review is based on new jobs alone while there is benefit from resident incomes that are not captured in the table above

PROJECT TEAM & TIMELINE

The project team (listed below) will make themselves available at the request of the Councilmember(s).

- Assistant City Manager: Billy Weber (Ext. 3318)
- DCED Director: Markiea Carter (Ext. 1953)
- Project Attorney: Kaitlyn Geiger (Ext. 4544)

The anticipated Council timeline is as follows:

- April 13, 2022: Introduction to City Council
- April 18, 2022: Budget and Finance (1)
- April 25, 2022: Budget and Finance (2)
- April 27, 2022: City Council for Final Approval

RECOMMENDATION

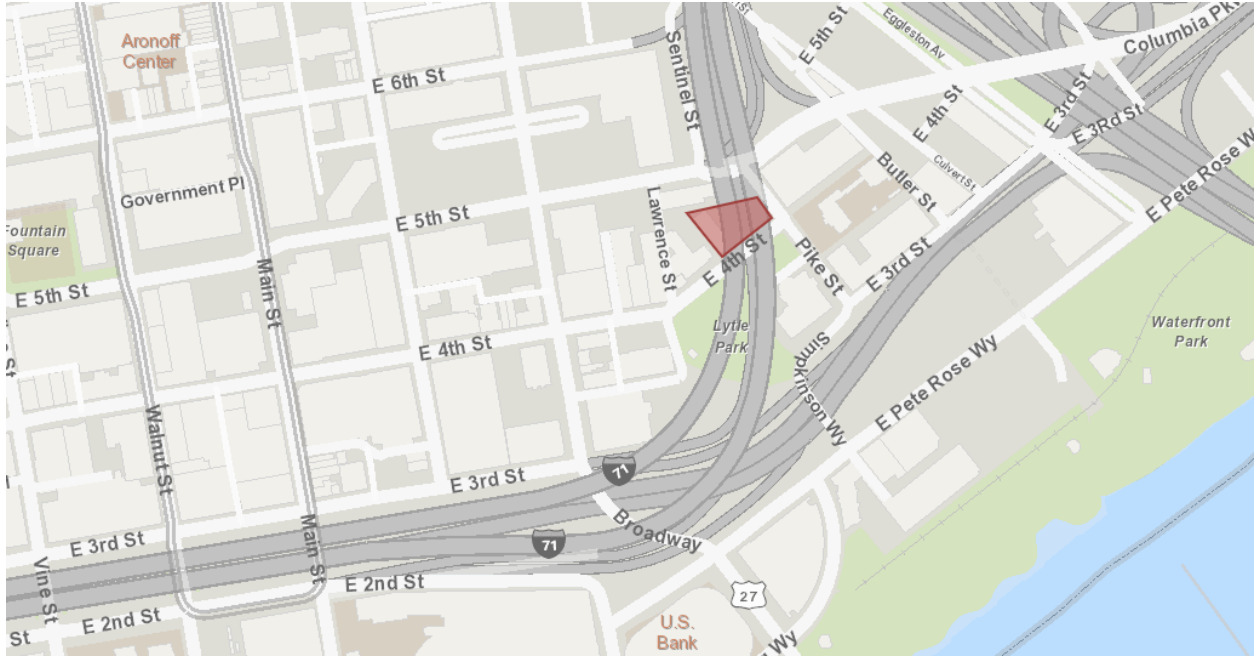
The Administration recommends approval of this Emergency Ordinance.

The project will enable an increase in the number of residents in the building and in the Lytle Park Historic District, further adding to the neighborhood's vibrancy. After 50 years, this property requires substantial reinvestment to bring it to market standards, to achieve LEED Silver certification, and to enable it to contribute positively in the forthcoming decades.

Attachment: A. Property location and photograph

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

Attachment A: Property Location and Photographs



Property Location



516 E. 4th Street (aka 550 E. 4th Street)

EMERGENCY

ZDS *MDK/CMZ*

City of Cincinnati

An Ordinance No. _____ - 2022

APPROVING AND AUTHORIZING the City Manager to execute a *Community Reinvestment Area Tax Exemption Agreement (LEED or Living Building Challenge)* with Fourth and Pike Apartments, LLC, thereby authorizing a 15-year tax exemption for 100% of the value of improvements made to real property located at 516 E. 4th Street in the Central Business District of Cincinnati, in connection with the remodeling of an existing building into approximately 45,000 square feet of residential space, consisting of approximately 29 residential rental units, and approximately 1,700 square feet of commercial space, which remodeling shall be completed in compliance with Leadership in Energy and Environmental Design Silver, Gold or Platinum standards or Living Building Challenge standards, at a total remodeling cost of approximately \$18,000,000.

WHEREAS, to encourage the development of real property and the acquisition of personal property, the Council of the City of Cincinnati 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 (“ORC”) Sections 3735.65 through 3735.70 (the “Statute”); and

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

WHEREAS, to encourage the development of real property in a more environmentally friendly manner, the Commercial Policy Ordinance incentivizes: (i) construction and remodeling to Leadership in Energy and Environmental Design (“LEED”) standards (as defined by the U.S. Green Building Council); and (ii) construction and remodeling that obtains (a) Living Building Challenge Net Zero certification, (b) Living Building Challenge Full certification, or (c) solely in circumstances where the construction or remodeling complies with the requirements of the “Energy Petal” of the Living Building Challenge, Living Building Challenge Petal certification, in each case as defined by the International Living Future Institute and the Cascadia Green Building Council (collectively, “LBC” standards), all pursuant to the Statute; and

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

WHEREAS, Fourth and Pike Apartments, LLC (the “Company”) desires to remodel an existing building into approximately 45,000 square feet of residential space, consisting of

approximately 29 residential rental units, and approximately 1,700 square feet of commercial space, on real property at 516 E. 4th Street located within the corporate boundaries of the City of Cincinnati, to LEED or LBC standards (the “Improvements”), provided that the appropriate development incentives are available to support the economic viability of the Improvements; and

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

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

WHEREAS, the Board of Education of the Cincinnati City School District (the “Board of Education”), pursuant to that certain *Tax Incentive Agreement* effective as of April 28, 2020 (as may be amended, the “Board of Education Agreement”), has approved exemptions of up to 100% of Community Reinvestment Area projects, waived advance notice and the right to review such projects, and waived sharing or allocation of municipal income taxes in connection with such projects; and

WHEREAS, pursuant to the Board of Education Agreement, the Company has entered into (or will enter into) an agreement with the Board of Education requiring the Company to pay the Board of Education amounts equal to 33% of the exempt real property taxes; 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 15 percent of the exempt real property taxes, which funds shall be committed by the third-party organization to support the streetcar that specially benefits the property; and

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

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

Section 1. That Council approves a *Community Reinvestment Area Tax Exemption Agreement (LEED or Living Building Challenge)* with Fourth and Pike Apartments, LLC (the “Agreement”), thereby authorizing a 15-year tax exemption for 100 percent of the assessed value of improvements to be made to real property located at 516 E. 4th Street in Cincinnati, as calculated by the Hamilton County Auditor, in connection with the remodeling of an existing building into approximately 45,000 square feet of residential space, consisting of approximately 29 residential rental units, and approximately 1,700 square feet of commercial space, to be constructed in

compliance with Leadership in Energy and Environmental Design Silver, Gold or Platinum standards (as defined by the U.S. Green Building Council) or Living Building Challenge standards (as described in the Agreement and as determined by the International Living Future Institute and the Cascadia Green Building Council, as applicable) at a total remodeling cost of approximately \$18,000,000.

Section 2. That Council authorizes the City Manager:

- (i) to execute the Agreement on behalf of the City in substantially the form of Attachment A to this ordinance; and
- (ii) to forward on behalf of Council a copy of the Agreement, within fifteen (15) days after execution, to the Director of the Ohio Development Services Agency in accordance with Ohio Revised Code Section 3735.671(F); and
- (iii) to submit on behalf of Council annual reports on the Agreement to the Director of the Ohio Development Services Agency and to the Board of Education of the Cincinnati City School District, in accordance with Ohio Revised Code Section 3735.672; and
- (iv) 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: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

ATTACHMENT A

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

This Community Reinvestment Area Tax Exemption Agreement (this "Agreement") is made and entered into as of the Effective Date (as defined on the signature page hereof) by and between the CITY OF CINCINNATI, an Ohio municipal corporation (the "City"), and FOURTH AND PIKE APARTMENTS, 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 (the "Commercial Policy Ordinance"), which sets forth certain additional policies, conditions and limitations regarding newly constructed or remodeled commercial and residential structures in the Community Reinvestment Area.
- D. Pursuant to the Commercial Policy Ordinance, a project that is constructed or remodeled to (1) Leadership in Energy and Environmental Design ("LEED") Silver, Gold or Platinum standards (as defined by the U.S. Green Building Council), or (2) receives a (a) Living Building Challenge Net Zero certification, (b) Living Building Challenge Full certification, or (c) solely in circumstances where the construction or remodeling complies with the requirements of the "Energy Petal" of the Living Building Challenge, Living Building Challenge Petal certification, in each case as defined by the International Living Future Institute and the Cascadia Green Building Council (such qualifying remodeling or construction is referred to, collectively, as "LBC" remodeling or construction), may qualify for a longer term and/or greater abatement.
- E. The Company is the sole owner of certain real property within the City, located at 516 E. 4th Street, Cincinnati, Ohio 45202 (the "Property"), as further described in Exhibit A (Legal Description of Property) hereto. Notwithstanding the foregoing, the Property shall not include any residential condominiums being developed in connection with the Project (as defined below) (the "Excluded Property"), and the Company acknowledges and agrees that the City's Community Reinvestment Area program entails separate applications by the owner of any residential condominium units included within the Project. For the avoidance of doubt, the Excluded Property shall not be exempt under this Agreement; however, this provision shall not be deemed to prohibit any owners from time to time of any Excluded Property from separately applying for a tax abatement in accordance with applicable law.
- F. The Company has proposed the remodeling of an existing building located on the Property to LBC standards or LEED Silver, Gold or Platinum standards, as defined by the U.S. Green Building Council, within the boundaries of the City of Cincinnati, as more fully described in Section 1 herein (the "Project"); provided that the appropriate development incentives are available to support the economic viability of the Project.
- G. The Statute provides that if any part of a project is to be used for commercial or industrial purposes, including projects containing five or more dwelling units, in order to be eligible for tax exemption

the City and the Company must enter into an agreement pursuant to Ohio Revised Code Section 3735.671 prior to commencement of construction or remodeling.

- H. The City, having appropriate authority under the Statute for this type of project, agrees (as provided herein and subject to all conditions herein) to provide the Company with the tax exemption incentives stated herein, available under the Statute, for development of the Project.
- I. The Company has submitted to the City an application for this tax exemption agreement (the "Application"), a copy of which is attached hereto as Exhibit B, has remitted with the Application (i) the City application fee of One Thousand Two Hundred Fifty Dollars (\$1,250) made payable to the City and (ii) in accordance with Ohio Revised Code Section 3735.672(C), the state application fee of Seven Hundred Fifty Dollars (\$750) made payable to the Ohio Development Services Agency ("ODSA"), to be forwarded to the ODSA with an executed copy of this Agreement.
- J. The Director of the City's Department of Community and Economic Development has recommended approval of the Application on the basis that the Company is qualified by financial responsibility and business experience to create and preserve employment opportunities and improve the economic climate of the City.
- K. The Board of Education of the Cincinnati City School District (the "Board of Education"), pursuant to that certain *Tax Incentive Agreement* effective as of April 28, 2020, has approved exemptions of up to one hundred percent (100%) of Community Reinvestment Area projects, waived advance notice and right to review such projects, and waived sharing or allocation of municipal income taxes in connection with such projects.
- L. The Company has entered into (or will enter into) an agreement with the Board of Education requiring the Company to pay the Board of Education amounts equal to thirty-three percent (33%) of the full amount of exempt real property taxes that would have been paid to Hamilton County if this Agreement were not in effect (the "Board of Education Agreement").
- M. The Company represents and warrants to the City that the Company and its major tenants, if any, do not intend to relocate part or all of their operations to the City from another county or municipal corporation in the State of Ohio (the "State").
- N. The Company represents that within the past five (5) years neither the Company, any related member of the Company, nor any entity to which the Company is a successor has discontinued operations at a project site in the State during the term of a property tax exemption agreement (under Ohio Revised Code Section 3735.671, 5709.62, 5709.63 or 5709.632) applicable to that site, and the Company acknowledges that misrepresentation hereunder will result in voiding of this Agreement.
- O. The Company represents and warrants to the City that the Company is not subject to an Enterprise Zone Agreement with the City of Cincinnati for the Property or the Project.
- P. City Council passed (i) Motion No. 201401368 on November 19, 2014, establishing a tax incentive policy that incentivizes each applicant for a real property tax abatement in the neighborhoods of Downtown and OTR to enter into a voluntary tax incentive contribution agreement with a third-party organization ("VTICA") for an amount equal to a percentage of the real property taxes that would have been payable on the abated property but for the City-authorized tax abatement (the "VTICA Contribution"), which funds shall be committed by a third-party organization to support the streetcar that specially benefits the abated property, and (ii) Motion No. 201501592 on December 16, 2015, which established that the VTICA Contribution to be recognized by the Director of the Department of Community and Economic Development is 15% of the real property taxes that would have been payable on the abated property but for the City-authorized tax abatement. The Commercial Policy Ordinance confirmed that such motions have not been superseded and remain the will of Council.

- Q. The Company acknowledges that the Streetcar will specially benefit the Project due to (a) the Streetcar's enhancement of public transit options in such neighborhoods and (b) the anticipated increase in property values attributable to public investment in Streetcar infrastructure.
- R. The Company represents and warrants to the City that the Company has entered or will enter into a VTICA and shall pay the VTICA Contribution each year for the full term of the abatement.
- S. This Agreement has been authorized by Ordinance No. _____-2022, passed by Cincinnati City Council on _____, 2022.
- T. In determining to recommend and authorize this Agreement, the Department of Community and Economic Development and City Council, respectively, have acted in material reliance on the Company's representations in the Application and herein regarding the Project including, but not limited to, representations relating to the number of jobs to be created and/or retained by the Company, the Board of Education Agreement, the VTICA Contribution, the Company's commitment to meet certain inclusion goals (as more particularly described in Section 11 below), 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 an existing building on the Property into approximately 45,000 square feet of residential space, consisting of approximately 29 residential rental units, and approximately 1,700 square feet of ground floor commercial space, albeit the commercial space could instead be another residential rental unit or, with the prior written approval of the Director of the Department of Community and Economic Development, the Property could be remodeled into hotel units instead of residential or commercial space (the "Improvements") at an estimated aggregate cost of \$18,000,000 to commence after the execution of this Agreement and to be completed no later than June 30, 2024; *provided*, however, that the Director of the Department of Community and Economic Development (the "Housing Officer") may, in his 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 and zoning regulations, as well as complying with LBC standards or LEED Silver, Gold or Platinum standards, as defined by the U.S. Green Building Council. The Company hereby represents that either or both of the following clauses (a) and (b) are true: (a) it has registered with the U.S. Green Building Council with intent to certify compliance with LEED Silver, Gold or Platinum standards, or (b) it has registered with the International Living Future Institute and/or the Cascadia Green Building Council with intent to certify compliance with LBC standards. In addition to the foregoing, (A) the Project shall comply with the Americans with Disabilities Act, together with any and all regulations or other binding directives promulgated pursuant thereto (collectively, the "**ADA**"), and (B) if (i) any building(s) within the Project is subject to the accessibility requirements of the ADA (e.g., by constituting a "place of public accommodation" or another category of structure to which the ADA is applicable) and (ii) such building(s) is not already required to meet the Contractual Minimum Accessibility Requirements (as defined below) pursuant to the ADA, applicable building code requirements, or by any other legal requirement, then the Company shall cause such building(s) to comply with the Contractual Minimum Accessibility Requirements in addition to any requirements pursuant to the ADA and the applicable building code or legal requirement. As used herein, "**Contractual Minimum Accessibility Requirements**" means that a building shall, at a minimum, include (1) at least one point of entry (as used in the ADA), accessible from a public right of way, with respect to which all architectural barriers (as used in the ADA) to entry have been eliminated, and (2) if such accessible point of entry is not a building's primary point of entry, conspicuous signage directing persons to such accessible point of entry.

Section 2. Real Property Tax Exemption. Subject to the satisfaction of the conditions set forth in this Agreement, the City approves exemption from real property taxation, pursuant to and to the fullest extent authorized by the Statute, of 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, (D) compliance with LBC standards or LEED Silver, Gold or Platinum standards, as defined by the U.S. Green Building Council, and (E) if a remodeled structure is a structure of historical or architectural significance as designated by the City, state or federal government, that the appropriateness of the remodeling has been certified in writing by the appropriate agency. If the required verification is made, the Housing Officer will forward the exemption application to the Hamilton County Auditor with the necessary certification by the Housing Officer. Subject to the conditions set forth in this Agreement, the exemption commences the first tax year for which the Improvements would first be taxable were the Improvements not exempted from taxation. The dates provided in this paragraph refer to tax years in which the subject property is assessed, as opposed to years in which taxes are billed. No exemption shall commence after tax year 2024 nor extend beyond the earlier of (i) tax year 2038 or (ii) the end of the fifteenth (15th) year of exemption.

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

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

Section 5. Duty of Company to Pay Taxes. As required by Ohio Revised Code Section 3735.671(C)(2), 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(C)(3), 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 5733, 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(C)(4), upon specific request from the Company, the City shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve and maintain exemptions from taxation granted under this Agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions.

Section 9. Continuation of Exemptions. As provided in Ohio Revised Code Section 3735.671(C)(5), 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. Business Enterprise Program.

A. Compliance with 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"), which includes SBEs owned by minorities and women ("MBEs" and "WBEs", respectively, as used within CMC Chapter 324, and collectively with SBEs, "Certified Firms"). 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 (i) the City's goal of voluntarily meeting thirty percent (30%) SBE participation, and (ii) a sub-goal, being the Company's Project-specific voluntary commitment, of meeting the City's economic inclusion program goals to achieve a standard of no less than: (x) five percent (5%) MBE participation; and (y) seven percent (7%) WBE participation. A list of SBEs, MBEs, and WBEs 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, MBE, or WBE. The Company shall comply with the provisions of CMC Chapters 323 and 324, including without limitation taking at least the following affirmative steps:

- (i) Including qualified Certified Firms on solicitation lists.
- (ii) Assuring that Certified Firms 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 Certified Firms 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 Certified Firm 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 Certified Firm participation goals by submitting such information as may be requested from time to time by the City.

B. Remedies for Noncompliance with 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 Certified Firms, or to provide technical assistance to Certified Firms as may be necessary to reach Certified Firm participation as set out in CMC Chapters 323 and 324 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 Sections 323-99 and 324-99 are hereby incorporated by reference into this Agreement.

Section 12. Jobs. The Company represents that, as of the date of the execution of this Agreement, the Company has no existing employment at the Property or in the State.

Section 13. Job Creation and Retention.

A. Jobs to be Created by Company. The Company agrees to use its best efforts to create, or cause to be created, 70 full-time equivalent temporary construction jobs at the Property in connection with the Project. In the case of the construction jobs, the job creation and retention period shall be concurrent with remodeling, and in the case of the other jobs described herein, the job creation period shall begin upon completion of remodeling and shall end three (3) years thereafter.

B. Company's Estimated Payroll Increase. The Company's increase in the number of employees will result in approximately \$5,000,000 of additional annual payroll prior to the completion of the Project with respect to the full-time equivalent temporary construction jobs.

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

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

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

Section 15. Compliance with Immigration and Nationality Act. In the performance of its obligations under this Agreement, the Company agrees to comply with the provisions of the Immigration and Nationality Act codified at 8 U.S.C. §§ 1324a(a)(1)(A) and (a)(2). Any noncompliance with such

provisions shall be solely determined by either the federal agencies authorized to enforce the Immigration and Nationality Act or the U.S. Attorney General, in accordance with Executive Order 12989 of the U.S. President dated February 13, 1996, and as amended by Executive Order 13465 of the U.S. President dated June 6, 2008.

Section 16. Default. As provided in Ohio Revised Code Section 3735.671(C)(6), 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 affect 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(C)(7) and 5709.85, the Company shall provide to the City's Tax Incentive Review Council (or to the City Manager if so requested by the City) any information reasonably required by the Council or the City Manager to evaluate the Company's compliance with this Agreement, including returns filed pursuant to Ohio Revised Code Section 5711.02 if requested by the Council or City Manager. The performance of the Company's obligations stated in this Agreement shall be subject to annual review by the City's Tax Incentive Review Council (the "Annual Review and Report"). The Company shall submit information for the Annual Review and Report to the City no later than March 1 of each year.

Section 18. Revocation.

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

B. Prior Statutory Violations. The Company represents and warrants to the City that it is not prohibited by Ohio Revised Code Section 3735.671(E) from entering into this Agreement.

As required by Ohio Revised Code Section 3735.671(C)(9), 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 (E) of Ohio Revised Code Section 3735.671) has violated the prohibition against entering into this Agreement under division (E) of Ohio Revised Code Section 3735.671 or under Ohio Revised Code Sections 5709.62 or 5709.63 prior to the time prescribed by that division or either of those sections.

Section 19. False Statements; Penalties; Material Representations.

A. Generally. As required in connection with Ohio Revised Code Section 9.66(C), the Company affirmatively covenants that it has made no false statements to the State or the City in the process of obtaining approval for this Agreement. If any representative of the Company has knowingly made a false statement to the State or the City to obtain approval for this Agreement, or if the Company fails to provide any information expressly required under the Application, the Company shall be required to immediately return all benefits received under this Agreement (by payment of the amount of taxes exempted hereunder, paid as directed by the City within thirty (30) days of written demand) and the Company shall be ineligible for any future economic development assistance from the State, any State agency or any political subdivision of the State pursuant to Ohio Revised Code Section 9.66(C)(1). Amounts due and not paid under this Section 19 shall bear interest at the rate of twelve percent (12%) per year. Any person who provides a false statement to secure economic development assistance (as defined in Ohio Revised Code Section 9.66) may be guilty of falsification, a misdemeanor of the first degree, pursuant to Ohio Revised Code Section 2921.13(F)(1), which is punishable by fine of not more than One Thousand Dollars (\$1,000) and/or a term of imprisonment of not more than six (6) months.

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

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

Section 21. Annual Fee. As authorized by Ohio Revised Code Section 3735.671(D), 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(E), 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 five (5) 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(E).

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:

Fourth and Pike Apartments, LLC
c/o: Eagle Realty Group, LLC
Attention: Strategic Investments
400 Broadway Avenue
Cincinnati, Ohio 45202

With a copy to:

The Western and Southern Life Insurance Company
Attn: General Counsel
400 Broadway
Cincinnati, Ohio 45202

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(C)(8), 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(C)(10), 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

By: _____
John P. Curp, Interim City Manager

Date: _____, 2022

FOURTH AND PIKE APARTMENTS, LLC,
an Ohio limited liability company

By: W&S Real Estate Holdings, LLC
an Ohio limited liability company,
its sole member

By: The Western and Southern Life
Insurance Company, an Ohio corporation
its sole member

By: _____
Printed Name: Charles L. Thomas
Title: Vice President

By: _____
Printed Name: Jeffrey L. Stainton
Title: Vice President

Date: _____, 2022

Authorized by resolution dated _____

Approved as to Form:

Assistant City Solicitor

Certified Date: _____

Fund/Code: _____

Amount: _____

By: _____
Karen Alder, City Finance Director

Exhibit A to CRA Agreement

LEGAL DESCRIPTION OF PROPERTY

Property Address: 516 E. 4th Street, Cincinnati, Ohio 45202
Parcel ID No.: 084-0003-0208-00

Situated in Sections 12 and 18, Town 4, Fractional Range 1, Miami Purchase, City of Cincinnati, Hamilton County, Ohio, being part of a tract of land conveyed to The Western and Southern Life Insurance Company in D.B. 3382 Pg. 205, all of a tract of land conveyed to The Western and Southern Life Insurance Company in D.B. 3765 Pg. 774, all of a tract of land conveyed to The Western and Southern Life Insurance Company in D.B. 3508 Pg. 492 and a portion of vacated Buchanan Street (Ord. No. 262-1969) as recorded in D.B. 3688 Pg. 164, the boundary of which being more particularly described as follows:

Beginning at the intersection of the east right of way line of Lawrence Avenue with the south right of way line of East Fifth Street, witness a cross notch found lying N09°43'06"W a distance of 3.00 feet;

Thence along said south right of way line, N80°13'28"E a distance of 199.24 feet to a cross notch set in the west subsurface limited access right of way line of Interstate 71;

Thence along said west limited access right of way line, along a curve to the right an arc distance of 75.16 feet to a cross notch set, said curve having a radius of 3003.07 feet, a central angle of 01°26'02" and a chord bearing S09°48'38"E a distance of 75.16 feet;

Thence continuing, along a curve to the right an arc distance of 9.57 feet to a cross notch set in the centerline of the aforementioned vacated Buchanan Street, said curve having a radius 2126.14 feet, a central angle of 00°15'28" and a chord bearing S08°55'37"E a distance of 9.57 feet;

Thence along said centerline, S79°27'03"W a distance of 51.11 feet to a cross notch set in a concrete light pole base;

Thence along the northeast line of the aforementioned The Western & Southern Life Insurance Company tract of land conveyed in D.B. 3508 Pg. 492, S38°05'54"E a distance of 100.55 feet to a point in the aforementioned west subsurface limited access right of way line, witness a 5/8" iron pin set (5/8" iron pin with a blue cap marked "Kleingers Reference") lying N06°33'01"W a distance of 12.00 feet along a curve with an arc length of 12.00 feet, a radius of 2126.14 feet and a central angle of 00°19'24", said witness pin also being in the west subsurface limited access right of way line;

Thence along said west limited access right of way line, along a curve to the right an arc distance of 65.86 feet to a 5/8" iron pin set, said curve having a radius of 1319.50 feet, a central angle of 02°51'35" and a chord bearing S04°50'36"E a distance of 65.85 feet;

Thence continuing, along a curve to the right an arc distance of 15.59 feet to a cross notch set in the north right of way line of East Fourth Street, said curve having a radius of 1282.36 feet, a central angle of 00°41'47" and a chord bearing S03°09'19"E a distance of 15.59 feet;

Thence along said north right of way line, S51°54'06"W a distance of 16.95 feet to a cross notch found at the southeasterly corner of a tract of land conveyed to 506 Phelps Holdings LLC in O.R. 11361 Pg. 1631;

Thence along the northeasterly line of said 506 Phelps Holdings LLC tract, N38°05'54"W a distance of 188.08 feet to a 5/8" iron pin found at the northerly corner of said 506 Phelps Holdings LLC tract;

Thence along the northerly line of said 506 Phelps Holdings LLC tract, S78°38'04"W a distance of 84.26 feet to a cross notch found in the aforementioned east right of way line of Lawrence Avenue;

Thence along said east right of way line, N09°43'06"W a distance of 99.84 feet to the Point of Beginning.

Containing 0.645 acres more or less, of which 0.474 acres lie within Section 12 and 0.171 acres lie within Section 18, and being subject to easements, restrictions and rights of way of record.

Bearings are based on Park Place at Lytle Condominium as recorded in P.B. 398 Pg. 34, with the south right of way line of East Fifth Street being N80°13'28"E.

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 2021 under the direct supervision of Matthew D. Habedank, Ohio Professional Surveyor No. 8611.

TOGETHER WITH an easement for air rights set forth in Deed Book 3568, Page 329 and referenced in Agreement No. 0891 in Miscellaneous Book 23, Page 116 of the Hamilton County, Ohio records.

0100319.0741227 4879-6704-2306v1

Exhibit B to CRA Agreement

APPLICATION FOR TAX EXEMPTION

TO BE ATTACHED TO EXECUTION VERSION

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

This Community Reinvestment Area Tax Exemption Agreement (this "Agreement") is made and entered into as of the Effective Date (as defined on the signature page hereof) by and between the CITY OF CINCINNATI, an Ohio municipal corporation (the "City"), and FOURTH AND PIKE APARTMENTS, 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 (the "Commercial Policy Ordinance"), which sets forth certain additional policies, conditions and limitations regarding newly constructed or remodeled commercial and residential structures in the Community Reinvestment Area.
- D. Pursuant to the Commercial Policy Ordinance, a project that is constructed or remodeled to (1) Leadership in Energy and Environmental Design ("LEED") Silver, Gold or Platinum standards (as defined by the U.S. Green Building Council), or (2) receives a (a) Living Building Challenge Net Zero certification, (b) Living Building Challenge Full certification, or (c) solely in circumstances where the construction or remodeling complies with the requirements of the "Energy Petal" of the Living Building Challenge, Living Building Challenge Petal certification, in each case as defined by the International Living Future Institute and the Cascadia Green Building Council (such qualifying remodeling or construction is referred to, collectively, as "LBC" remodeling or construction), may qualify for a longer term and/or greater abatement.
- E. The Company is the sole owner of certain real property within the City, located at 516 E. 4th Street, Cincinnati, Ohio 45202 (the "Property"), as further described in Exhibit A (Legal Description of Property) hereto. Notwithstanding the foregoing, the Property shall not include any residential condominiums being developed in connection with the Project (as defined below) (the "Excluded Property"), and the Company acknowledges and agrees that the City's Community Reinvestment Area program entails separate applications by the owner of any residential condominium units included within the Project. For the avoidance of doubt, the Excluded Property shall not be exempt under this Agreement; however, this provision shall not be deemed to prohibit any owners from time to time of any Excluded Property from separately applying for a tax abatement in accordance with applicable law.
- F. The Company has proposed the remodeling of an existing building located on the Property to LBC standards or LEED Silver, Gold or Platinum standards, as defined by the U.S. Green Building Council, within the boundaries of the City of Cincinnati, as more fully described in Section 1 herein (the "Project"); provided that the appropriate development incentives are available to support the economic viability of the Project.
- G. The Statute provides that if any part of a project is to be used for commercial or industrial purposes, including projects containing five or more dwelling units, in order to be eligible for tax exemption

the City and the Company must enter into an agreement pursuant to Ohio Revised Code Section 3735.671 prior to commencement of construction or remodeling.

- H. The City, having appropriate authority under the Statute for this type of project, agrees (as provided herein and subject to all conditions herein) to provide the Company with the tax exemption incentives stated herein, available under the Statute, for development of the Project.
- I. The Company has submitted to the City an application for this tax exemption agreement (the "Application"), a copy of which is attached hereto as Exhibit B, has remitted with the Application (i) the City application fee of One Thousand Two Hundred Fifty Dollars (\$1,250) made payable to the City and (ii) in accordance with Ohio Revised Code Section 3735.672(C), the state application fee of Seven Hundred Fifty Dollars (\$750) made payable to the Ohio Development Services Agency ("ODSA"), to be forwarded to the ODSA with an executed copy of this Agreement.
- J. The Director of the City's Department of Community and Economic Development has recommended approval of the Application on the basis that the Company is qualified by financial responsibility and business experience to create and preserve employment opportunities and improve the economic climate of the City.
- K. The Board of Education of the Cincinnati City School District (the "Board of Education"), pursuant to that certain *Tax Incentive Agreement* effective as of April 28, 2020, has approved exemptions of up to one hundred percent (100%) of Community Reinvestment Area projects, waived advance notice and right to review such projects, and waived sharing or allocation of municipal income taxes in connection with such projects.
- L. The Company has entered into (or will enter into) an agreement with the Board of Education requiring the Company to pay the Board of Education amounts equal to thirty-three percent (33%) of the full amount of exempt real property taxes that would have been paid to Hamilton County if this Agreement were not in effect (the "Board of Education Agreement").
- M. The Company represents and warrants to the City that the Company and its major tenants, if any, do not intend to relocate part or all of their operations to the City from another county or municipal corporation in the State of Ohio (the "State").
- N. The Company represents that within the past five (5) years neither the Company, any related member of the Company, nor any entity to which the Company is a successor has discontinued operations at a project site in the State during the term of a property tax exemption agreement (under Ohio Revised Code Section 3735.671, 5709.62, 5709.63 or 5709.632) applicable to that site, and the Company acknowledges that misrepresentation hereunder will result in voiding of this Agreement.
- O. The Company represents and warrants to the City that the Company is not subject to an Enterprise Zone Agreement with the City of Cincinnati for the Property or the Project.
- P. City Council passed (i) Motion No. 201401368 on November 19, 2014, establishing a tax incentive policy that incentivizes each applicant for a real property tax abatement in the neighborhoods of Downtown and OTR to enter into a voluntary tax incentive contribution agreement with a third-party organization ("VTICA") for an amount equal to a percentage of the real property taxes that would have been payable on the abated property but for the City-authorized tax abatement (the "VTICA Contribution"), which funds shall be committed by a third-party organization to support the streetcar that specially benefits the abated property, and (ii) Motion No. 201501592 on December 16, 2015, which established that the VTICA Contribution to be recognized by the Director of the Department of Community and Economic Development is 15% of the real property taxes that would have been payable on the abated property but for the City-authorized tax abatement. The Commercial Policy Ordinance confirmed that such motions have not been superseded and remain the will of Council.

- Q. The Company acknowledges that the Streetcar will specially benefit the Project due to (a) the Streetcar's enhancement of public transit options in such neighborhoods and (b) the anticipated increase in property values attributable to public investment in Streetcar infrastructure.
- R. The Company represents and warrants to the City that the Company has entered or will enter into a VTICA and shall pay the VTICA Contribution each year for the full term of the abatement.
- S. This Agreement has been authorized by Ordinance No. _____-2022, passed by Cincinnati City Council on _____, 2022.
- T. In determining to recommend and authorize this Agreement, the Department of Community and Economic Development and City Council, respectively, have acted in material reliance on the Company's representations in the Application and herein regarding the Project including, but not limited to, representations relating to the number of jobs to be created and/or retained by the Company, the Board of Education Agreement, the VTICA Contribution, the Company's commitment to meet certain inclusion goals (as more particularly described in Section 11 below), 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 an existing building on the Property into approximately 45,000 square feet of residential space, consisting of approximately 29 residential rental units, and approximately 1,700 square feet of ground floor commercial space, albeit the commercial space could instead be another residential rental unit or, with the prior written approval of the Director of the Department of Community and Economic Development, the Property could be remodeled into hotel units instead of residential or commercial space (the "Improvements") at an estimated aggregate cost of \$18,000,000 to commence after the execution of this Agreement and to be completed no later than June 30, 2024; *provided*, however, that the Director of the Department of Community and Economic Development (the "Housing Officer") may, in his 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 and zoning regulations, as well as complying with LBC standards or LEED Silver, Gold or Platinum standards, as defined by the U.S. Green Building Council. The Company hereby represents that either or both of the following clauses (a) and (b) are true: (a) it has registered with the U.S. Green Building Council with intent to certify compliance with LEED Silver, Gold or Platinum standards, or (b) it has registered with the International Living Future Institute and/or the Cascadia Green Building Council with intent to certify compliance with LBC standards. In addition to the foregoing, (A) the Project shall comply with the Americans with Disabilities Act, together with any and all regulations or other binding directives promulgated pursuant thereto (collectively, the "**ADA**"), and (B) if (i) any building(s) within the Project is subject to the accessibility requirements of the ADA (e.g., by constituting a "place of public accommodation" or another category of structure to which the ADA is applicable) and (ii) such building(s) is not already required to meet the Contractual Minimum Accessibility Requirements (as defined below) pursuant to the ADA, applicable building code requirements, or by any other legal requirement, then the Company shall cause such building(s) to comply with the Contractual Minimum Accessibility Requirements in addition to any requirements pursuant to the ADA and the applicable building code or legal requirement. As used herein, "**Contractual Minimum Accessibility Requirements**" means that a building shall, at a minimum, include (1) at least one point of entry (as used in the ADA), accessible from a public right of way, with respect to which all architectural barriers (as used in the ADA) to entry have been eliminated, and (2) if such accessible point of entry is not a building's primary point of entry, conspicuous signage directing persons to such accessible point of entry.

Section 2. Real Property Tax Exemption. Subject to the satisfaction of the conditions set forth in this Agreement, the City approves exemption from real property taxation, pursuant to and to the fullest extent authorized by the Statute, of 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, (D) compliance with LBC standards or LEED Silver, Gold or Platinum standards, as defined by the U.S. Green Building Council, and (E) if a remodeled structure is a structure of historical or architectural significance as designated by the City, state or federal government, that the appropriateness of the remodeling has been certified in writing by the appropriate agency. If the required verification is made, the Housing Officer will forward the exemption application to the Hamilton County Auditor with the necessary certification by the Housing Officer. Subject to the conditions set forth in this Agreement, the exemption commences the first tax year for which the Improvements would first be taxable were the Improvements not exempted from taxation. The dates provided in this paragraph refer to tax years in which the subject property is assessed, as opposed to years in which taxes are billed. No exemption shall commence after tax year 2024 nor extend beyond the earlier of (i) tax year 2038 or (ii) the end of the fifteenth (15th) year of exemption.

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

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

Section 5. Duty of Company to Pay Taxes. As required by Ohio Revised Code Section 3735.671(C)(2), 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(C)(3), 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 5733, 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(C)(4), upon specific request from the Company, the City shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve and maintain exemptions from taxation granted under this Agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions.

Section 9. Continuation of Exemptions. As provided in Ohio Revised Code Section 3735.671(C)(5), 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. Business Enterprise Program.

A. Compliance with 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"), which includes SBEs owned by minorities and women ("MBEs" and "WBEs", respectively, as used within CMC Chapter 324, and collectively with SBEs, "Certified Firms"). 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 (i) the City's goal of voluntarily meeting thirty percent (30%) SBE participation, and (ii) a sub-goal, being the Company's Project-specific voluntary commitment, of meeting the City's economic inclusion program goals to achieve a standard of no less than: (x) five percent (5%) MBE participation; and (y) seven percent (7%) WBE participation. A list of SBEs, MBEs, and WBEs 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, MBE, or WBE. The Company shall comply with the provisions of CMC Chapters 323 and 324, including without limitation taking at least the following affirmative steps:

- (i) Including qualified Certified Firms on solicitation lists.
- (ii) Assuring that Certified Firms 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 Certified Firms 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 Certified Firm 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 Certified Firm participation goals by submitting such information as may be requested from time to time by the City.

B. Remedies for Noncompliance with 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 Certified Firms, or to provide technical assistance to Certified Firms as may be necessary to reach Certified Firm participation as set out in CMC Chapters 323 and 324 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 Sections 323-99 and 324-99 are hereby incorporated by reference into this Agreement.

Section 12. Jobs. The Company represents that, as of the date of the execution of this Agreement, the Company has no existing employment at the Property or in the State.

Section 13. Job Creation and Retention.

A. Jobs to be Created by Company. The Company agrees to use its best efforts to create, or cause to be created, 70 full-time equivalent temporary construction jobs at the Property in connection with the Project. In the case of the construction jobs, the job creation and retention period shall be concurrent with remodeling, and in the case of the other jobs described herein, the job creation period shall begin upon completion of remodeling and shall end three (3) years thereafter.

B. Company's Estimated Payroll Increase. The Company's increase in the number of employees will result in approximately \$5,000,000 of additional annual payroll prior to the completion of the Project with respect to the full-time equivalent temporary construction jobs.

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

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

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

Section 15. Compliance with Immigration and Nationality Act. In the performance of its obligations under this Agreement, the Company agrees to comply with the provisions of the Immigration and Nationality Act codified at 8 U.S.C. §§ 1324a(a)(1)(A) and (a)(2). Any noncompliance with such

provisions shall be solely determined by either the federal agencies authorized to enforce the Immigration and Nationality Act or the U.S. Attorney General, in accordance with Executive Order 12989 of the U.S. President dated February 13, 1996, and as amended by Executive Order 13465 of the U.S. President dated June 6, 2008.

Section 16. Default. As provided in Ohio Revised Code Section 3735.671(C)(6), 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 affect 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(C)(7) and 5709.85, the Company shall provide to the City's Tax Incentive Review Council (or to the City Manager if so requested by the City) any information reasonably required by the Council or the City Manager to evaluate the Company's compliance with this Agreement, including returns filed pursuant to Ohio Revised Code Section 5711.02 if requested by the Council or City Manager. The performance of the Company's obligations stated in this Agreement shall be subject to annual review by the City's Tax Incentive Review Council (the "Annual Review and Report"). The Company shall submit information for the Annual Review and Report to the City no later than March 1 of each year.

Section 18. Revocation.

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

B. Prior Statutory Violations. The Company represents and warrants to the City that it is not prohibited by Ohio Revised Code Section 3735.671(E) from entering into this Agreement.

As required by Ohio Revised Code Section 3735.671(C)(9), 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 (E) of Ohio Revised Code Section 3735.671) has violated the prohibition against entering into this Agreement under division (E) of Ohio Revised Code Section 3735.671 or under Ohio Revised Code Sections 5709.62 or 5709.63 prior to the time prescribed by that division or either of those sections.

Section 19. False Statements; Penalties; Material Representations.

A. Generally. As required in connection with Ohio Revised Code Section 9.66(C), the Company affirmatively covenants that it has made no false statements to the State or the City in the process of obtaining approval for this Agreement. If any representative of the Company has knowingly made a false statement to the State or the City to obtain approval for this Agreement, or if the Company fails to provide any information expressly required under the Application, the Company shall be required to immediately return all benefits received under this Agreement (by payment of the amount of taxes exempted hereunder, paid as directed by the City within thirty (30) days of written demand) and the Company shall be ineligible for any future economic development assistance from the State, any State agency or any political subdivision of the State pursuant to Ohio Revised Code Section 9.66(C)(1). Amounts due and not paid under this Section 19 shall bear interest at the rate of twelve percent (12%) per year. Any person who provides a false statement to secure economic development assistance (as defined in Ohio Revised Code Section 9.66) may be guilty of falsification, a misdemeanor of the first degree, pursuant to Ohio Revised Code Section 2921.13(F)(1), which is punishable by fine of not more than One Thousand Dollars (\$1,000) and/or a term of imprisonment of not more than six (6) months.

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

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

Section 21. Annual Fee. As authorized by Ohio Revised Code Section 3735.671(D), 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(E), 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 five (5) 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(E).

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:

Fourth and Pike Apartments, LLC
c/o: Eagle Realty Group, LLC
Attention: Strategic Investments
400 Broadway Avenue
Cincinnati, Ohio 45202

With a copy to:

The Western and Southern Life Insurance Company
Attn: General Counsel
400 Broadway
Cincinnati, Ohio 45202

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(C)(8), 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(C)(10), 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

By: _____
John P. Curp, Interim City Manager

Date: _____, 2022

FOURTH AND PIKE APARTMENTS, LLC,
an Ohio limited liability company

By: W&S Real Estate Holdings, LLC
an Ohio limited liability company,
its sole member

By: The Western and Southern Life
Insurance Company, an Ohio corporation
its sole member

By: _____
Printed Name: Charles L. Thomas
Title: Vice President

By: _____
Printed Name: Jeffrey L. Stainton
Title: Vice President

Date: _____, 2022

Authorized by resolution dated _____

Approved as to Form:

Assistant City Solicitor

Certified Date: _____

Fund/Code: _____

Amount: _____

By: _____
Karen Alder, City Finance Director

Exhibit A to CRA Agreement

LEGAL DESCRIPTION OF PROPERTY

Property Address: 516 E. 4th Street, Cincinnati, Ohio 45202
Parcel ID No.: 084-0003-0208-00

Situated in Sections 12 and 18, Town 4, Fractional Range 1, Miami Purchase, City of Cincinnati, Hamilton County, Ohio, being part of a tract of land conveyed to The Western and Southern Life Insurance Company in D.B. 3382 Pg. 205, all of a tract of land conveyed to The Western and Southern Life Insurance Company in D.B. 3765 Pg. 774, all of a tract of land conveyed to The Western and Southern Life Insurance Company in D.B. 3508 Pg. 492 and a portion of vacated Buchanan Street (Ord. No. 262-1969) as recorded in D.B. 3688 Pg. 164, the boundary of which being more particularly described as follows:

Beginning at the intersection of the east right of way line of Lawrence Avenue with the south right of way line of East Fifth Street, witness a cross notch found lying N09°43'06"W a distance of 3.00 feet;

Thence along said south right of way line, N80°13'28"E a distance of 199.24 feet to a cross notch set in the west subsurface limited access right of way line of Interstate 71;

Thence along said west limited access right of way line, along a curve to the right an arc distance of 75.16 feet to a cross notch set, said curve having a radius of 3003.07 feet, a central angle of 01°26'02" and a chord bearing S09°48'38"E a distance of 75.16 feet;

Thence continuing, along a curve to the right an arc distance of 9.57 feet to a cross notch set in the centerline of the aforementioned vacated Buchanan Street, said curve having a radius 2126.14 feet, a central angle of 00°15'28" and a chord bearing S08°55'37"E a distance of 9.57 feet;

Thence along said centerline, S79°27'03"W a distance of 51.11 feet to a cross notch set in a concrete light pole base;

Thence along the northeast line of the aforementioned The Western & Southern Life Insurance Company tract of land conveyed in D.B. 3508 Pg. 492, S38°05'54"E a distance of 100.55 feet to a point in the aforementioned west subsurface limited access right of way line, witness a 5/8" iron pin set (5/8" iron pin with a blue cap marked "Kleingers Reference") lying N06°33'01"W a distance of 12.00 feet along a curve with an arc length of 12.00 feet, a radius of 2126.14 feet and a central angle of 00°19'24", said witness pin also being in the west subsurface limited access right of way line;

Thence along said west limited access right of way line, along a curve to the right an arc distance of 65.86 feet to a 5/8" iron pin set, said curve having a radius of 1319.50 feet, a central angle of 02°51'35" and a chord bearing S04°50'36"E a distance of 65.85 feet;

Thence continuing, along a curve to the right an arc distance of 15.59 feet to a cross notch set in the north right of way line of East Fourth Street, said curve having a radius of 1282.36 feet, a central angle of 00°41'47" and a chord bearing S03°09'19"E a distance of 15.59 feet;

Thence along said north right of way line, S51°54'06"W a distance of 16.95 feet to a cross notch found at the southeasterly corner of a tract of land conveyed to 506 Phelps Holdings LLC in O.R. 11361 Pg. 1631;

Thence along the northeasterly line of said 506 Phelps Holdings LLC tract, N38°05'54"W a distance of 188.08 feet to a 5/8" iron pin found at the northerly corner of said 506 Phelps Holdings LLC tract;

Thence along the northerly line of said 506 Phelps Holdings LLC tract, S78°38'04"W a distance of 84.26 feet to a cross notch found in the aforementioned east right of way line of Lawrence Avenue;

Thence along said east right of way line, N09°43'06"W a distance of 99.84 feet to the Point of Beginning.

Containing 0.645 acres more or less, of which 0.474 acres lie within Section 12 and 0.171 acres lie within Section 18, and being subject to easements, restrictions and rights of way of record.

Bearings are based on Park Place at Lytle Condominium as recorded in P.B. 398 Pg. 34, with the south right of way line of East Fifth Street being N80°13'28"E.

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 2021 under the direct supervision of Matthew D. Habedank, Ohio Professional Surveyor No. 8611.

TOGETHER WITH an easement for air rights set forth in Deed Book 3568, Page 329 and referenced in Agreement No. 0891 in Miscellaneous Book 23, Page 116 of the Hamilton County, Ohio records.

0100319.0741227 4879-6704-2306v1

Exhibit B to CRA Agreement

APPLICATION FOR TAX EXEMPTION

TO BE ATTACHED TO EXECUTION VERSION

Date: April 13, 2022

To: Mayor and Members of City Council 202200881
From: John P. Curp, Interim City Manager
Subject: **SPECIAL EVENT PERMIT APPLICATION: (Pan Ohio Hope Ride)**

In accordance with Cincinnati Municipal Code, Chapter 765; (American Cancer Society) 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): (TROD,B&I,CFD,Health Dept.,T&E, Right of Way, Parks, CPD. . There are no objections to issuing the Special Events Permit.

The particulars of the requested event are as indicated:

EVENT NAME/TITLE: Pan Ohio Hope Ride
EVENT SPONSOR/PRODUCER: American Cancer Society
CONTACT PERSON: Sarah Morris Chelsea Wilcox
LOCATION: Leblond Park / Sawyer Point
DATE(S) AND TIME(S): July 24, 2022 Noon-5pm
EVENT DESCRIPTION: Bicycle Ride / Party
ANTICIPATED ATTENDANCE: 750
ALCOHOL SALES: YES. NO.
TEMPORARY LIQUOR PERMIT HOLDER IS: (TBD)



cc: Lieutenant Colonel Teresa A. Theetge, Interim Police Chief

Date: 04/13/2022

To: Mayor and Members of City Council 202200937
From: John P. Curp, Interim City Manager
Subject: **SPECIAL EVENT PERMIT APPLICATION: (Taste of Cincinnati 2022)**

In accordance with Cincinnati Municipal Code, Chapter 765; (Cincinnati USA Regional Chamber) 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: Taste of Cincinnati 2022
EVENT SPONSOR/PRODUCER: Cincinnati USA Regional Chamber
CONTACT PERSON: Cynthia Oxley
LOCATION: E. 5th St. from Main St. to Columbia Parkway
DATE(S) AND TIME(S): 5/28/22 11:00AM to 12:00AM 5/29/22 11:00AM to 12:00AM
5/30/22 11:00AM to 9:00PM
EVENT DESCRIPTION: Food Festival featuring Cincinnati restaurants
ANTICIPATED ATTENDANCE: 500,000
ALCOHOL SALES: YES. NO.
TEMPORARY LIQUOR PERMIT HOLDER IS: T.B.D.



cc: Lieutenant Colonel Teresa A. Theetge, Interim Police Chief

Date: 04/13/2022

To: Mayor and Members of City Council 202200938
From: John P. Curp, Interim City Manager
Subject: **SPECIAL EVENT PERMIT APPLICATION: (Hyde Park Farmer's Market)**

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 Farmers Market L.L.C
CONTACT PERSON: Liz Stites
LOCATION: Hyde Park Square
DATE(S) AND TIME(S): Sunday's 5/15/2022 thru 10/30/2022 9:30am-1:00pm & Tuesday 11/22/2022 6:30pm-9:00pm
EVENT DESCRIPTION: Farmer's Market
ANTICIPATED ATTENDANCE: 1,000 each Sunday
ALCOHOL SALES: YES. NO.
TEMPORARY LIQUOR PERMIT HOLDER IS: N/A



cc: Lieutenant Colonel Teresa A. Theetge, Interim Police Chief

Date: 04/13/2022

To: Mayor and Members of City Council 202200939
From: John P. Curp, Interim City Manager
Subject: **SPECIAL EVENT PERMIT APPLICATION: (2022 Concours d' Elegance)**

In accordance with Cincinnati Municipal Code, Chapter 765; (Cincinnati Concours d'Elegance Foundation) 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: 2022 Concours d' Elegance
EVENT SPONSOR/PRODUCER: Cincinnati Concours d'Elegance Foundation
CONTACT PERSON: Sara Grammel
LOCATION: Ault Park - 5090 Observatory Av.
DATE(S) AND TIME(S): 06/12/2022 6:00AM to 5:00PM
EVENT DESCRIPTION: Weekend Event - car show
ANTICIPATED ATTENDANCE: 6,000 - 8,000
ALCOHOL SALES: YES. NO.
TEMPORARY LIQUOR PERMIT HOLDER IS: T.B.D.



cc: Lieutenant Colonel Teresa A. Theetge, Interim Police Chief

Date: 04/13/2022

To: Mayor and Members of City Council 202200940
From: John P. Curp, Interim City Manager
Subject: **SPECIAL EVENT PERMIT APPLICATION: (FCC3 2022)**

In accordance with Cincinnati Municipal Code, Chapter 765; (Pig Works) 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: FCC3 2022
EVENT SPONSOR/PRODUCER: Pig Works
CONTACT PERSON: Jeannette Kiely
LOCATION: West End - starting and finishing at TQL Stadium
DATE(S) AND TIME(S): 6/18/2022 6:00PM to 9:00PM
EVENT DESCRIPTION: 3 mile run through the the West End
ANTICIPATED ATTENDANCE: 3,500
ALCOHOL SALES: YES. NO.
TEMPORARY LIQUOR PERMIT HOLDER IS: TQL Stadium permit



cc: Lieutenant Colonel Teresa A. Theetge, Interim Police Chief

Date: April 13, 2022

To: Mayor and Members of City Council

202200964

From: John P. Curp, Interim City Manager

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

FINAL RECOMMENDATION REPORT

OBJECTIONS: None

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

APPLICATION: 4246795
PERMIT TYPE: TRFO
CLASS: C1 C2
NAME: JAYDADA 5 INC
DBA: 1 STOP MARKET
3344 GLENMORE AVE
CINCINNATI, OH 45211

On March 7, 2022, Westwood Civic Association was notified of this application and do 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: April 26, 2022

Date: March 14, 2022
To: Lieutenant Colonel Teresa Theetge, Interim Police Chief
From: Police Officer Richard Minella, District Three Neighborhood Liaison Unit
Copies to:
Subject: **RENEWAL, TRANSFER OR ISSUANCE OF LIQUOR LICENSES**

PATROL BUREAU MEMO #: 22-109
DISTRICT INVESTIGATING LIQUOR PERMIT PREMISE: District Three
PERMIT #: 4246795
TYPE OF PERMIT APPLIED FOR: Transfer of Ownership
PERMIT NAME & ADDRESS:

Name:	1 Stop Market
Address:	3344 Glenmore Avenue Cincinnati Ohio 45211

APPLICANTS NAME(S): Ritesh Patel President

INSPECTION / INVESTIGATION INFORMATION:

Officer:	Richard Minella P453 13270
Date:	3/14/2022
Findings:	The current establishment is in compliance and was inspected on 3/14/2022. The new owner is aware of the Liquor permit premise rules and regulations and will run the establishment accordingly. The phone number listed on the application is not correct the correct number is 513-237-4360.

COMMUNITY COUNCIL NOTIFIED:

Name 1: Thomas Sauter	Date: 3/14/2022	Notified by: email
Phone: 513-748-1507	E-mail: Tommy.Sauter@gmail.com	
Name 2:	Date:	Notified by: (select from menu)
Phone:	E-mail:	

DISPOSITION OF THE COMMUNITY COUNCIL:

NO OBJECTIONS
 OBJECTION: Attached Letter with Community Council Letterhead

DISPOSITION OF THE DISTRICT:

NO OBJECTIONS OBJECTION: If objection checked, a narrative is required below

REASON FOR OBJECTION:

The Community Council has not responded at time of report. District 3 has no objections to the transfer.

RAM

RAM

No objection.
Capt. D. Johnson, C8
3/16/22

No Objection
- mg/LTC4
3/19/22.

City of Cincinnati Council



Melissa Autry, CMC
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308
Cincinnati, Ohio 45202
Phone (513) 352-3246
Fax (513) 352-2578

March 2, 2022

OHIO DIVISION OF LIQUOR CONTROL
LICENSING SECTION
NEW PERMIT SECTION
6606 TUSSING ROAD
P O BOX 4005
REYNOLDSBURG, OH 43068-9005

Dear Ohio Division of Liquor Control:

The Council of the City of Cincinnati, State of Ohio, is requesting a 30 day extension on the below cited liquor permit application:

Application No.: 4246795
Permit Type: TRFO C1 C2
Name: JAYDADA 5 INC
DBA 1 STOP MARKET
3344 GLENMORE AVE
CINCINNATI, OHIO 45211

Pursuant to R.C. 4303.26(A), City of Cincinnati City Council, through its Clerk of Council (collectively, hereinafter "the City"), respectfully requests an additional 30 days in which to respond to the Ohio Division of Liquor Control regarding whether the City will request a hearing on the subject liquor permit application. The City makes such time extension request for good cause and not for unnecessary delay. Specifically, the City requires additional time for each of its various departments and the applicable community council to review and investigate the liquor application by performing all necessary inspections and research including, but not limited to, permit applicant interviews, site premises inspections, background investigations, and historical investigations regarding the history of the permit premises and the subject location. Moreover, such extension of time would provide the applicable community council an opportunity to meet, vote, and respond back to the City by the deadline. Therefore, the City requires such time extension in order to perform its due diligence in this matter. The City respectfully requests this time extension in good faith, for good cause, and not for unnecessary delay.

Please fax the confirmation back to us as soon as possible at (513)352-2578.

Thank you for your prompt attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Melissa Autry", is written over a horizontal line.

Melissa Autry, CMC
Clerk of Council

**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
8806 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43088-9005
(614)844-2960 FAX(614)844-3186

TO

4246795		TRFO	JAYDADA 5 INC
06 01 2020		PERMIT NUMBER	DBA 1 STOP MARKET
02 23 2022		ISSUE DATE	3344 GLENMORE AVE
C1 C2		FILING DATE	CINCINNATI OH 45211
31	066	A	F27150
TAX DISTRICT		RECEIPT NO.	

FROM 02/25/2022

5312809			LOUJANE INC
06 01 2020		PERMIT NUMBER	DBA 1 STOP MARKET
02 23 2022		ISSUE DATE	3344 GLENMORE AV
C1 C2		FILING DATE	CINCINNATI OH 45211
31	066		
TAX DISTRICT		RECEIPT NO.	



MAILED 02/25/2022

RESPONSES MUST BE POSTMARKED NO LATER THAN 03/28/2022

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
REFER TO THIS NUMBER IN ALL INQUIRIES A TRFO 4246795

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE

(Signature)

(Title) Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CINCINNATI CLERK OF COUNCIL
CITY HALL
801 PLUM ST ROOM 308
CINCINNATI OHIO 45202

City of Cincinnati Council



Melissa Antry, CMC
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308
Cincinnati, Ohio 45202
Phone (513) 352-3246
Fax (513) 352-2578

For City Bulletin

Liquor Permit Application

From the Department of Liquor Control advising of permit application for the following:

Application No.: 4246795
Permit Type: TRFO C1 C2
Name: JAYDADA 5 INC
DBA 1 STOP MARKET
3344 GLENMORE AVE
CINCINNATI OH 45211

Pursuant to Section 4303.261 of the Ohio Revised Code, Council must notify the Department of Liquor Control within thirty days if there is an objection to the above permit.

Notice of Application was received by the Clerk of Council's Office

03/02/2022

MELISSA AUTRY, CMC Clerk of Council

The last day for the State to receive an objection is

03/28/2022

April 13, 2022

To: Mayor and Members of City Council

202200975

From: John P. Curp, Interim City Manager

Subject: Emergency Ordinance – HR: Rainbow Pride Flag Donation

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager to accept in-kind donations of rainbow flags from City Pride, the City of Cincinnati’s LGBTQIA+ Employee Resource Group, and subsequent similar replacement flags, valued at approximately \$260 each; and **AUTHORIZING** the City Manager to fly a rainbow flag from the flagpole at City Hall from June 1 to June 30 each year in recognition of Cincinnati’s celebration of Pride Month and the Pride Month Parade as a symbol of support for the City’s lesbian, gay, bisexual, transgender, queer, intersexual, and asexual employees and the LGBTQIA+ community in Cincinnati and the region.

Approval of this Emergency Ordinance authorizes the City Manager to accept in-kind donations of rainbow flags from City Pride, the City of Cincinnati’s LGBTQIA+ Employee Resource Group, and subsequent similar replacement flags, valued at approximately \$260 each. Approval of this Emergency Ordinance further authorizes the City Manager to fly a rainbow flag from the flagpole at City Hall from June 1 to June 30 each year in recognition of Cincinnati’s celebration of the Pride Month and the Pride Month Parade as a symbol of support for the City’s lesbian, gay, bisexual, transgender, queer, intersexual, and asexual employees and the LGBTQIA+ community in Cincinnati and the region. The first rainbow flag is being donated by Human Resources Deputy Director Kelly Carr, Executive Sponsor of the City Pride LGBTQIA+ Employee Resource Group.

June is Pride Month, and the City Administration intends to fly a rainbow flag in recognition of Pride Month and the Pride Month Parade.

There are no new FTEs associated with this donation, and acceptance of this donation does not require any local matching resources.

The reason for the emergency is the immediate need to accept the donated flag in advance of Pride Month in June 2022.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment

EMERGENCY

KKF

- 2022

AUTHORIZING the City Manager to accept in-kind donations of rainbow flags from City Pride, the City of Cincinnati's LGBTQIA+ Employee Resource Group, and subsequent similar replacement flags, valued at approximately \$260 each; and **AUTHORIZING** the City Manager to fly a rainbow flag from the flagpole at City Hall from June 1 to June 30 each year in recognition of Cincinnati's celebration of Pride Month and the Pride Month Parade as a symbol of support for the City's lesbian, gay, bisexual, transgender, queer, intersexual, and asexual employees and the LGBTQIA+ community in Cincinnati and the region.

WHEREAS, June is Pride Month, and the City Administration intends to fly a rainbow flag in recognition of Pride Month and the Pride Month Parade; and

WHEREAS, Council supports flying the rainbow flag from the flagpole at City Hall during Pride Month each June as a symbol of support for the City's lesbian, gay, bisexual, transgender, queer, intersexual, and asexual employees and the LGBTQIA+ community in Cincinnati and the region; and

WHEREAS, Human Resources Deputy Director Kelly Carr, Executive Sponsor of the City Pride LGBTQIA+ Employee Resource Group, has personally purchased a rainbow flag and offered to donate it to the City, on behalf of City Pride, for this purpose; and

WHEREAS, the donated flags will be larger and more inclusive by incorporating the latest redesign of the rainbow flag; and

WHEREAS, each flag is valued at approximately \$260; and

WHEREAS, the City's installation and maintenance of the rainbow flag is the City's own expression, constitutes government speech, and does not signify the City's intent to create a free speech forum; and

WHEREAS, there are no new FTEs associated with this donation, and acceptance of this donation does not require any local matching resources; now, therefore,

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

Section 1. That Council hereby declares it is a matter of great public interest to support the celebration of lesbian, gay, bisexual, transgender, queer, intersexual, and asexual people in

Cincinnati and the region including through accepting the donation of and flying the rainbow flag during Pride Month in June of each year.

Section 2. That the City Manager is hereby authorized to accept an in-kind donation of a rainbow flag and subsequent similar replacement flags from Human Resources Deputy Director Kelly Carr, Executive Sponsor of the City Pride LGBTQIA+ Employee Resource Group (ERG), valued at approximately \$260 each and to display the flag in celebration of Pride Month each June.

Section 3. That the City's installation and maintenance of the rainbow flag is the City's own expression, constitutes government speech, and does not signify the City's intent to create a free speech forum.

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

Section 5. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to accept the donated flag in advance of Pride Month in June 2022.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

April 13, 2022

To: Mayor and Members of City Council 202200977
From: John P. Curp, Interim City Manager
Subject: Emergency Ordinance – USS *Cincinnati* Lithograph Donation

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager to accept a donation from the USS *Cincinnati* Commissioning Foundation of a framed lithograph, signed by the artist Peter K. Hsu, and valued at approximately \$95.00, of the original painting of the USS *Cincinnati* that was presented to the ship in 2019 during its commissioning ceremony.

This Emergency Ordinance authorizes the City Manager to accept a donation of a 23” x 31” framed lithograph, signed by artist Peter K. Hsu, of the original painting of the USS *Cincinnati* that was presented to the ship during its commissioning ceremony in 2019, valued at \$95 from the USS *Cincinnati* Commissioning Foundation.

The reason for the emergency is the need to accept the donated lithograph at the earliest possible time.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment

EMERGENCY

CFG

- 2022

AUTHORIZING the City Manager to accept a donation from the USS *Cincinnati* Commissioning Foundation of a framed lithograph, signed by the artist Peter K. Hsu and valued at approximately \$95.00, of the original painting of the USS *Cincinnati* that was presented to the ship in 2019 during its commissioning ceremony.

WHEREAS, the USS *Cincinnati* Commissioning Foundation has graciously offered to donate to the City a 23” x 31” framed lithograph, signed by the artist Peter K. Hsu and valued at approximately \$95.00, of the original painting of the USS *Cincinnati* that was presented to the ship in 2019 during its commissioning ceremony; and

WHEREAS, select crew of the USS *Cincinnati* visited the City from April 5 to April 10, 2022, to strengthen the bond between the ship and its namesake city; and

WHEREAS, there are no new FTEs associated with this donation, and acceptance of this donation does not require any local matching resources; now, therefore,

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

Section 1. That the City Manager is hereby authorized to accept the generous donation from the USS *Cincinnati* Commissioning Foundation of a 23” x 31” framed lithograph, signed by the artist Peter K. Hsu and valued at approximately \$95.00, of the original painting of the USS *Cincinnati* that was presented to the ship in 2019 during its commissioning ceremony.

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

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 need to accept the donated lithograph at the earliest possible time.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

April 13, 2022

To: Mayor and Members of City Council 202200979

From: John P. Curp, Interim City Manager

Subject: Emergency Ordinance – Parks: Cincinnati Park Board Commissioners’ Fund Donations

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager to accept and appropriate a donation totaling \$500,000 from the Cincinnati Park Board Commissioners’ Fund for the purpose of providing resources for horticultural supplies, maintenance contracts, salary reimbursements, Krohn Conservatory’s gift shop inventory, and other vital costs associated with running the City’s parks; and **AUTHORIZING** the Finance Director to deposit the funds into Parks Private Endowment and Donations Fund 430.

This Emergency Ordinance would authorize the City Manager to accept and appropriate a donation totaling \$500,000 from the Cincinnati Park Board Commissioners’ Fund. This Emergency Ordinance would also authorize the Finance Director to deposit the donated funds into Parks Private Endowment and Donations Fund 430.

The Cincinnati Park Board Commissioners’ Fund consists of funds received from endowments and donations from various entities to support the Cincinnati Park Board. This donation will provide resources for horticultural supplies, maintenance contracts, salary reimbursements, Krohn Conservatory’s gift shop inventory, and other vital costs associated with running the City’s parks.

No additional FTE are associated with this donation, and matching funds are not required.

This Emergency Ordinance is in accordance with the Sustain goal to “Preserve our natural and built environment” and strategy to “Protect our natural resources,” as described on pages 193 – 196 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to ensure the availability of necessary resources to avoid disruption of providing services in the City’s parks.

The Administration recommends passage of this Emergency Ordinance.

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



Attachment

EMERGENCY

KKF

- 2022

AUTHORIZING the City Manager to accept and appropriate a donation totaling \$500,000 from the Cincinnati Park Board Commissioners' Fund for the purpose of providing resources for horticultural supplies, maintenance contracts, salary reimbursements, Krohn Conservatory's gift shop inventory, and other vital costs associated with running the City's parks; and **AUTHORIZING** the Finance Director to deposit the funds into Parks Private Endowment and Donations Fund 430.

WHEREAS, the Park Board Commissioners' Fund consists of funds received from endowments and donations from various entities to support the Cincinnati Park Board; and

WHEREAS, acceptance of a donation totaling \$500,000 from the Cincinnati Park Board Commissioners' Fund will enable the Cincinnati Parks Department to purchase horticultural supplies, execute maintenance contracts, provide salary reimbursements, acquire Krohn Conservatory's gift shop inventory, and provide resources for other vital costs associated with running the City's parks; and

WHEREAS, the Cincinnati Board of Park Commissioners approved the use of \$500,000 and requested the distribution of the resources from the Park Board Commissioners' Fund; and

WHEREAS, there are no new FTEs or matching funds requirement associated with the acceptance of this donation; and

WHEREAS, the acceptance of the donation is in accordance with the "Sustain" goal to "[p]reserve our natural and built environment" and strategy to "[p]rotect our natural resources," as described on pages 193-196 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is hereby authorized to accept and appropriate a donation totaling \$500,000 from the Cincinnati Park Board Commissioners' Fund for the purpose of providing resources for horticultural supplies, maintenance contracts, salary reimbursements, Krohn Conservatory's gift shop inventory, and other vital costs associated with running the City's parks.

Section 2. That the Finance Director is hereby authorized to deposit the donated funds into Parks Private Endowment and Donations Fund 430.

Section 3. That the proper City officials are hereby authorized to do all things necessary and proper to comply with the terms of Sections 1 and 2 hereof.

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 ensure the availability of necessary resources to avoid disruption of providing services in the City's parks.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

Date: April 13, 2022
202200981

To: Mayor and Members of City Council
From: John P. Curp, Interim City Manager
Subject: RESOLUTION OF NECESSITY FOR GROUP 3 RESIDENTIAL STREET LIGHTING
(2021-2024)

Attached is a legislative resolution captioned as follows:

DECLARING the necessity of assessing properties in Lighting Group 3 that benefit from special street lighting within the City of Cincinnati for the cost of such lighting for the three-year period beginning August 1, 2021.

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

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

The lighting for Group 3 consists of 2263 streetlights of various types and wattage's installed on boulevard poles and Duke wood poles and various decorative lights within the Backstage District. The estimated total assessment for Group 3 is \$831,306 for the three-year assessment period. The City pays for a portion of the total street lighting costs that are relatively equivalent to what is normally provided from City funds on non-assessed streets. This lighting credit, the city's share of the cost of this lighting, for Group 3 varies from \$0.35 to \$1.04 per foot for the period and is determined by the street classification. On streets that have both standard lighting and special lighting, a 2% credit to the total operating and maintenance costs is applied instead. The City also pays the assessments associated with lighting intersections and city, federal, and state property contained within an assessment district.

The Department of Transportation and Engineering received petitions to establish new and/or upgrade existing assessment districts as shown below. The following assessment districts have been added to Group 3:

- Court Street
- Harrison, Montana, Epworth
- Madison & Whetsel
- Vine

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

1. A Resolution of Necessity is prepared by the Law Department and submitted for passage.
2. After Council passes the Resolution of Necessity, all property owners who will be assessed more than \$250.00 for the three-year period are notified and given an opportunity to object to the proposed assessment.
3. After all objections to the proposed assessment have been addressed, an Ordinance Determining to Proceed is prepared by the Law Department and submitted for passage.
4. Immediately following the Ordinance Determining to Proceed, an Assessing Ordinance is prepared and submitted.

The Administration recommends the passage of the attached legislative resolution.

Attachment I – Lighting Assessment Estimates

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

Legislative Resolution

JRS *AWB*

RESOLUTION NO. _____ - 2022

DECLARING the necessity of assessing properties in Lighting Group 3 that benefit from special street lighting within the City of Cincinnati for the cost of such lighting for the three-year period beginning August 1, 2021.

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

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

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

Section 1. That it is hereby declared necessary and conducive to the public health, safety, convenience, and general welfare to assess properties that benefit from special street lighting in Lighting Group 3 on the streets set forth in Exhibit A attached hereto, which assessments shall be for such properties' share of the cost of such lighting during the three-year period commencing on August 1, 2021.

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

Section 3. That the City of Cincinnati shall pay from \$0.35 to \$1.04 per front foot for the City's share of the cost of the special lighting subject to the proposed assessment, depending on the street classification, which is equivalent to the estimated cost of lighting the streets to

standard-level street lighting and is greater than two percent of the total cost of the special street lighting.

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

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

Section 6. That the assessments shall be paid in cash to the City Treasurer within 30 days after the passage of the assessing ordinance or, at the option of the property owner, in three annual installments with interest payable to the City; and that assessments not paid in cash within the 30-day period shall be certified to the County Auditor for collection by the County Treasurer in the same manner as real estate taxes are collected.

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

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

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

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

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

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

EXHIBIT A

<u>Dist #</u>	<u>Street</u>	<u>Limits</u>	<u>Number of Lights</u>	<u>Proposed Rate per Front Foot per Year</u>	<u>Total Assessment</u>
1	ARCADIA PLACE	from 40' southwest of the southwest line of Linwood Avenue; to its south- west terminus	8	\$0.64	\$4,791.57
2	AUBURN AVENUE	from the north line of Dorchester Avenue; to the south line of William Howard Taft Road	40	\$1.11	\$23,185.45
3	BACKSTAGE AREA	Walnut Street & Ruth Lyons Alley from Sixth Street to Seventh Street, Gano Alley from Vine Street to Walnut Street, Sixth Street from Walnut Street to Ruth Lyons Alley	579	\$2.01	\$13,079.05
4	BURNET AVENUE	from the north line of Erkenbrecher Avenue; to the south line of Forest Avenue	19	\$0.50	\$4,571.56
5	CALHOUN ST	on the N.S. of Calhoun from the west line of Scioto to the east line of Dennis and on the S.S. of Calhoun from the west line of Scioto to the east line of Kleine Al and Ohio from the north line of McMillan to the south line of Calhoun	16	\$2.07	\$6,957.68
6	CENTRAL AVENUE	from the north line of Ninth Street to the south line of Court Street	5	\$2.41	\$3,758.62
7	CHESTNUT STREET	from the east line of Mound Street to the west line of Central Avenue	11	\$1.54	\$5,493.03
8	CLARK STREET	from the east line of John Street to the west line of Central Avenue	8	\$1.65	\$4,013.70
9	MCMILLAN AVE	from the E line of Rohs St to E line of Hartshorn & on the E side of Clifton Ave from the S line of Clifton 212.88' N to the S line of Calhoun. On the SS of Calhoun from E line of Clifton 261.8' to the E line of Clifton and Clifton --McMillan to Calhoun	54	\$2.41	\$28,958.21
10	COLERAIN AVENUE	from the north line of Marshall Avenue ES to the south line of Stock Avenue, WS to 520.68' north of the north line of Elam Avenue on the W.S.	27	\$0.96	\$15,328.12
11	COLERAIN AVENUE	from the north line of North Bend Road to the south line of Kirby Avenue	16	\$1.47	\$8,477.60
12	COLUMBIA PARKWAY	the east line of Delta Avenue to the west line of Stanley Avenue	29	\$2.24	\$14,627.25
13	FOURTEENTH STREET	east line of Walnut Street west line of Sycamore Street	16	\$1.60	\$8,283.26
14	ELIZABETH STREET	from the east line of Mound Street to the west line of Central Avenue	12	\$1.39	\$5,948.59
15	ERIE AVENUE	from the east line of Edwards Road to the west line of Michigan Avenue	18	\$4.10	\$9,837.50
16	ERIE AVENUE	the west line of Edwards Road the east line of Zumstein Avenue	6	\$1.64	\$3,037.54

<u>Dist #</u>	<u>Street</u>	<u>Limits</u>	<u>Number of Lights</u>	<u>Proposed Rate per Front Foot per Year</u>	<u>Total Assessment</u>
17	THIRTEENTH STREET	east line of Walnut Street west line of Sycamore Street	16	\$1.56	\$8,011.11
18	GILBERT AVENUE	from the south line of William H. Taft to 66' north of the north line of Pana Alley on the W.S.; and to 115' south of the south line of Curtis Street on the E.S.	29	\$3.19	\$17,488.00
19	HAMILTON AVENUE	from the north line of Hoffner Street to the south line of Chase Avenue	57	\$2.90	\$29,646.08
20	HAMILTON AVENUE	from 670.68' south of the south line of Cedar Avenue on the east side from the north line of of Llanfair Street on the west side to the south line of North Bend Road	104	\$4.12	\$55,853.22
21	HIGHLAND AVENUE	from Stetson to Donohue, on E. Rochelle & Donohue from Bellevue to Highland	10	\$2.02	\$4,836.84
22	HOPKINS STREET	from the east line of John Street to its east terminus	6	\$1.55	\$2,997.38
23	JACKSON STREET	from the north line of East Central Parkway to the north line of Thirteenth Street and on 12th Street from approximately 59' east of Jackson St to the east line of Vine Street	25	\$2.23	\$12,901.87
24	JOHN STREET	from the south line of Ezzard Charles Drive to the north line of Court Street	19	\$1.47	\$9,455.93
25	KELLOGG AVE	100' north of Eldorado Avenue 236.8' south of Waits Avenue	12	\$2.14	\$6,358.20
26	KIPLINGWOOD DRIVE	from the south line of Kipling Av to its south terminus and from the east line of Kiplingwood Drive to their east termini of Timbercroft Ct and Hearthstead Ln	9	\$0.64	\$5,126.78
27	LUDLOW AVENUE	from the east line of Whitfield Avenue to the east line of Lot 21 of M.V.B. Weigell's Subdivision on the N.S. and to 198' east of the east line of Clifton Avenue on the S.S.	32	\$1.89	\$17,576.34
28	MADISON ROAD	from 291.37' west of the west line of Woodburn Avenue to the west line of Hackberry Street	33	\$4.82	\$24,786.64
29	MADISON ROAD	from 854.81' west of the west line of Cohoon Street on the N.S. and 199.64' east of the east line of Beechcrest Lane on the S.S. to 429' east of the east line of Grandin Road	26	\$1.15	\$13,344.71
30	MADISON ROAD	North Side: from the east line of Ebersole Avenue; to the east line of Glenshade Avenue South Side: from 80.70' west of the west line of Ebersole Avenue; to 62.5' east of the east line of Glenshade Avenue	47	\$1.78	\$26,303.35
31	MADISON RD	from the east line of Romana Place to the pedestrian bridge east of Brazee Street	126	\$2.42	\$40,751.27

Dist #	Street	Limits	Number of Lights	Proposed Rate per Front Foot per Year	Total Assessment
32	MADISON ROAD - O'BRYONVILLE PEDS	NORTH SIDE: 426.5' west of the west line of Cohoon Street to the west line of Lavinia Avenue SOUTH SIDE: 49.02' east of the east line of Elmhurst Avenue the east line of Grandin Road on the south side	27	\$2.05	\$14,305.96
33	MAIN STREET	from the north line of Central Parkway to the south line of Liberty Street	33	\$1.65	\$17,068.34
34	MC MILLAN STREET	from the east line of Chatham Street to the west line of Victory Parkway	34	\$1.14	\$13,901.84
35	MELINDY STREET	the east line of Clay Street the west line of Main Street	4	\$1.67	\$2,076.68
36	MONTANA AVENUE	from 30' north of the north east line of Harrison and 20' south of the south east line of Harrison and on Montana Avenue from the NW line of LaRue Ct. to the east line of Epworth.	17	\$1.59	\$7,940.65
37	MONTGOMERY ROAD	from 73' west of the west line of Lester Road; to 115' east of the east line of Woodmont Avenue	95	\$2.31	\$33,832.90
38	MONTGOMERY ROAD	from the north line of Brewster Avenue to the north line of parcel 57-2-8 on the east side to 233.06' north of the north line of Dana Ave	23	\$1.47	\$12,186.55
39	BEECHMONT AVENUE	from the north line Plaza Av to the south line of Campus Lane	34	\$2.03	\$14,914.51
40	DELTA AND LINWOOD AVENUE	from Delta Avenue at Alpine Terrace to 250' North of Linwood Avenue and on Linwood Avenue from 200' South of Delta Ave to 380' north of Delta Avenue	22	\$2.07	\$12,051.18
41	ORCHARD STREET	the east line of Main Street the west line of Sycamore Street	8	\$1.79	\$4,170.65
42	PENDLETON STREET	from the north line of Reading Road to the north terminus and 12th Street from Main Street to Pendleton Street and Sycamore Street from Central Pkwy to 13th Street and Reading Road from Sycamore to Spring St	71	\$1.58	\$33,127.91
43	PLEASANT ST	from the north line of W. 14th Street to the south line of W. 15th Street	6	\$1.30	\$2,947.42
44	SPRINGHOUSE LANE	the south line of Clinton Springs Avenue the south terminus	8	\$0.24	\$2,203.81
45	ST. GREGORY STREET	St Gregory from the N line of Jerome Street to the S line of Hatch Street, Pavilion N.S. from 76.9' east of the east line of Saint Paul Street to the east line of Belvedere Street + 28', Pavilion S.S. from the east line of Saint Paul Street to 200' east of the east line of St Gregory, Hatch from the east line of Warham NS: to 35' east of the east line of Louden Street, SS to 90' east of the east line of Saint Gregory	41	\$2.56	\$21,723.86

<u>Dist #</u>	<u>Street</u>	<u>Limits</u>	<u>Number of Lights</u>	<u>Proposed Rate per Front Foot per Year</u>	<u>Total Assessment</u>
46	TWELFTH STREET	the east line of Jackson Street the west line of Main Street	9	\$1.26	\$4,862.99
47	VENETIAN TERRACE	122.2' east of the east line of Sunridge Drive the south terminus	13	\$0.39	\$5,135.32
48	VINE STREET	from the north line of Central Parkway to the south line of Fourteenth Street	49	\$2.22	\$25,890.29
49	VINE STREET	from the north line of Daniels Street to the south line of University Avenue	27	\$5.37	\$12,893.47
50	WARSAW AVENUE	from 75' northwest of Carson Avenue to the east line of Wells Street	14	\$0.22	\$1,907.91
51	WARSAW AVE	from the west line of McPherson Avenue to the north line of parcels 174-7-79 on the east side and 174-7-86 on the west side and on ST LAWRENCE to the west line of parcels 174-7-86 on the north side and 174-7-46 on the south side	21	\$1.69	\$10,391.92
52	WILLOWCOVE AND INTERN COURT	the south line of Kipling Av the south terminus the west line of Willowcove Drive the west terminus and Intern Ct west of Willowcove Dr	7	\$0.57	\$3,912.05
53	WOODBURN AVENUE	West Side: from 180.39' south of the south line of William Howard Taft to the north line of Lincoln Avenue East Side: from the north line of Locust Street; to 45' south of the south line of DeSales Lane	54	\$2.05	\$26,365.89
54	WOODWARD STREET	the east line of Main Street the east terminus	3	\$1.08	\$1,504.12
55	DONOHUE ST	from Eden to Gerard, on Gerard Street from Donahue to E. Rochelle, on Eden avenue from Donohue to E. Rochelle and on E. Roshelle from Eden to Gerard St.	6	\$0.54	\$2,141.99
56	BROADWAY	FROM 13TH ST TO READING RD	9	\$1.17	\$3,978.46
57	WALNUT	from the south line of Fourteenth Street to the south line of Thirteenth Street, on Mercer from the west line of Walnut Street to the east line of Vine Street and on Fourteenth Street from the west line of Walnut Street to the east line of Vine Street	26	\$1.77	\$13,911.72
58	THIRTEENTH	from the east line of Vine Street to the west line of Walnut Street	7	\$1.45	\$3,478.63
59	VINE	from the N. line of Corry St. to the S. line of Daniels St. On Daniels from the W. line of Vine to the E. line of Jefferson and on W. Charlton from the W. line of Vine to the E. line of Jefferson NOTE: MAINT 2 IS AVG COST FOR POST BRACKET & SURFACE	84	\$4.04	\$41,421.64
60	SYCAMORE	From the northern ROW of 13th St. to the southern ROW of 14th St	12	\$2.02	\$5,610.08

<u>Dist #</u>	<u>Street</u>	<u>Limits</u>	<u>Number of Lights</u>	<u>Proposed Rate per Front Foot per Year</u>	<u>Total Assessment</u>
61	WOODBURN	West Side: north line of Lincoln Avenue to 190' south of the south line of Merrimac Street. East side: 45' south of the south line of Desales Lane to the south line of Dexter Avenue	12	\$0.96	\$5,034.07
62	HARRISON, MONTANA, EPWORTH	Northeast side of Harrison Avenue from Montana Avenue to Epworth Ave. The east side of Epworth Avenue from Harrison Avenue to Urwiler Avenue	6	\$0.35	\$1,666.50
63	MADISON & WHETSEL	North Side (Madison Rd) west line of Revanna St to the east line of Ward. SS (Madison Rd) west line of Revanna St to the east line of Ward St. WS (Whetsel Ave) north line of Prentice St to the south line of Sierra St. ES (Whetsel Ave) north line of Prentice St to the south line of Sierra St.	32	\$1.81	\$14,206.68
64	VINE	west side, south curb line of West 15th Street to the south curb line of Liberty Street. East side; 216.07 feet south of East 15th street to the south curb line of Liberty Street.	11	\$2.53	\$6,598.73
65	COURT STREEET	from Vine to Walnut	23	\$5.06	\$11,801.86
Count of Assemblies			<u>2263</u>	Total Assessment:	<u>\$830,953.08</u>

Dist #	Street	Limits	Number of Lights	Proposed Rate per Front Foot per Year	Total Assessment
1	ARCADIA PLACE	from 40' southwest of the southwest line of Linwood Avenue; to its south- west terminus	8	\$0.64	\$4,791.57
2	AUBURN AVENUE	from the north line of Dorchester Avenue; to the south line of William Howard Taft Road	40	\$1.11	\$23,185.45
3	BACKSTAGE AREA	Walnut Street & Ruth Lyons Alley from Sixth Street to Seventh Street, Gano Alley from Vine Street to Walnut Street, Sixth Street from Walnut Street to Ruth Lyons Alley	579	\$2.01	\$13,122.81
4	BURNET AVENUE	from the north line of Erkenbrecher Avenue; to the south line of Forest Avenue	19	\$0.50	\$4,571.56
5	CALHOUN ST	on the N.S. of Calhoun from the west line of Scioto to the east line of Dennis and on the S.S. of Calhoun from the west line of Scioto to the east line of Kleine Al and Ohio from the north line of McMillan to the south line of Calhoun	16	\$2.07	\$6,957.68
6	CENTRAL AVENUE	from the north line of Ninth Street to the south line of Court Street	5	\$2.41	\$3,758.62
7	CHESTNUT STREET	from the east line of Mound Street to the west line of Central Avenue	11	\$1.54	\$5,493.03
8	CLARK STREET	from the east line of John Street to the west line of Central Avenue	8	\$1.65	\$4,013.70
9	MCMILLAN AVE	from the E line of Rohs St to E line of Hartshorn & on the E side of Clifton Ave from the S line of Clifton 212.88' N to the S line of Calhoun. On the SS of Calhoun from E line of Clifton 261.8' to the E line of Clifton and Clifton --McMillan to Calhoun	54	\$2.41	\$28,958.21
10	COLERAIN AVENUE	from the north line of Marshall Avenue ES to the south line of Stock Avenue, WS to 520.68' north of the north line of Elam Avenue on the W.S.	27	\$0.96	\$15,328.12
11	COLERAIN AVENUE	from the north line of North Bend Road to the south line of Kirby Avenue	16	\$1.47	\$8,505.97
12	COLUMBIA PARKWAY	the east line of Delta Avenue to the west line of Stanley Avenue	29	\$2.24	\$14,627.25
13	FOURTEENTH STREET	east line of Walnut Street west line of Sycamore Street	16	\$1.60	\$8,283.26
14	ELIZABETH STREET	from the east line of Mound Street to the west line of Central Avenue	12	\$1.39	\$5,948.59
15	ERIE AVENUE	from the east line of Edwards Road to the west line of Michigan Avenue	18	\$4.10	\$9,837.50
16	ERIE AVENUE	the west line of Edwards Road the east line of Zumstein Avenue	6	\$1.64	\$3,037.54

Dist #	Street	Limits	Number of Lights	Proposed Rate per Front Foot per Year	Total Assessment
17	THIRTEENTH STREET	east line of Walnut Street west line of Sycamore Street	16	\$1.56	\$8,011.11
18	GILBERT AVENUE	from the south line of William H. Taft to 66' north of the north line of Pana Alley on the W.S.; and to 115' south of the south line of Curtis Street on the E.S.	29	\$3.19	\$17,488.00
19	HAMILTON AVENUE	from the north line of Hoffner Street to the south line of Chase Avenue	57	\$2.90	\$29,646.08
20	HAMILTON AVENUE	from 670.68' south of the south line of Cedar Avenue on the east side from the north line of of Llanfair Street on the west side to the south line of North Bend Road	104	\$4.12	\$55,853.22
21	HIGHLAND AVENUE	from Stetson to Donohue, on E. Rochelle & Donohue from Bellevue to Highland	10	\$2.02	\$4,836.84
22	HOPKINS STREET	from the east line of John Street to its east terminus	6	\$1.55	\$2,997.38
23	JACKSON STREET	from the north line of East Central Parkway to the north line of Thirteenth Street and on 12th Street from approximately 59' east of Jackson St to the east line of Vine Street	25	\$2.23	\$12,901.87
24	JOHN STREET	from the south line of Ezzard Charles Drive to the north line of Court Street	19	\$1.47	\$9,455.93
25	KELLOGG AVE	100' north of Eldorado Avenue 236.8' south of Waits Avenue	12	\$2.15	\$6,379.48
26	KIPLINGWOOD DRIVE	from the south line of Kipling Av to its south terminus and from the east line of Kiplingwood Drive to their east termini of Timbercroft Ct and Hearthstead Ln	9	\$0.64	\$5,126.78
27	LUDLOW AVENUE	from the east line of Whitfield Avenue to the east line of Lot 21 of M.V.B. Weigell's Subdivision on the N.S. and to 198' east of the east line of Clifton Avenue on the S.S.	32	\$1.89	\$17,635.14
28	MADISON ROAD	from 291.37' west of the west line of Woodburn Avenue to the west line of Hackberry Street	33	\$4.82	\$24,786.64
29	MADISON ROAD	from 854.81' west of the west line of Cohoon Street on the N.S. and 199.64' east of the east line of Beechcrest Lane on the S.S. to 429' east of the east line of Grandin Road	26	\$1.15	\$13,344.71
30	MADISON ROAD	North Side: from the east line of Ebersole Avenue; to the east line of Glenshade Avenue South Side: from 80.70' west of the west line of Ebersole Avenue; to 62.5' east of the east line of Glenshade Avenue	47	\$1.78	\$26,303.35
31	MADISON RD	from the east line of Romana Place to the pedestrian bridge east of Brazee Street	126	\$2.42	\$40,751.27

Dist #	Street	Limits	Number of Lights	Proposed Rate per Front Foot per Year	Total Assessment
32	MADISON ROAD - O'BRYONVILLE PEDS	NORTH SIDE: 426.5' west of the west line of Cohoon Street to the west line of Lavinia Avenue SOUTH SIDE: 49.02' east of the east line of Elmhurst Avenue the east line of Grandin Road on the south side	27	\$2.06	\$14,353.82
33	MAIN STREET	from the north line of Central Parkway to the south line of Liberty Street	33	\$1.65	\$17,068.34
34	MC MILLAN STREET	from the east line of Chatham Street to the west line of Victory Parkway	34	\$1.14	\$13,901.84
35	MELINDY STREET	the east line of Clay Street the west line of Main Street	4	\$1.67	\$2,076.68
36	MONTANA AVENUE	from 30' north of the north east line of Harrison and 20' south of the south east line of Harrison and on Montana Avenue from the NW line of LaRue Ct. to the east line of Epworth.	17	\$1.59	\$7,940.65
37	MONTGOMERY ROAD	from 73' west of the west line of Lester Road; to 115' east of the east line of Woodmont Avenue	95	\$2.31	\$33,832.90
38	MONTGOMERY ROAD	from the north line of Brewster Avenue to the north line of parcel 57-2-8 on the east side to 233.06' north of the north line of Dana Ave	23	\$1.47	\$12,227.33
39	BEECHMONT AVENUE	from the north line Plaza Av to the south line of Campus Lane	34	\$2.03	\$14,914.51
40	DELTA AND LINWOOD AVENUE	from Delta Avenue at Alpine Terrace to 250' North of Linwood Avenue and on Linwood Avenue from 200' South of Delta Ave to 380' north of Delta Avenue	22	\$2.08	\$12,091.51
41	ORCHARD STREET	the east line of Main Street the west line of Sycamore Street	8	\$1.79	\$4,170.65
42	PENDLETON STREET	from the north line of Reading Road to the north terminus and 12th Street from Main Street to Pendleton Street and Sycamore Street from Central Pkwy to 13th Street and Reading Road from Sycamore to Spring St	71	\$1.58	\$33,127.91
43	PLEASANT ST	from the north line of W. 14th Street to the south line of W. 15th Street	6	\$1.30	\$2,947.42
44	SPRINGHOUSE LANE	the south line of Clinton Springs Avenue the south terminus	8	\$0.24	\$2,203.81
45	ST. GREGORY STREET	St Gregory from the N line of Jerome Street to the S line of Hatch Street, Pavilion N.S. from 76.9' east of the east line of Saint Paul Street to the east line of Belvedere Street + 28', Pavilion S.S. from the east line of Saint Paul Street to 200' east of the east line of St Gregory, Hatch from the east line of Warham NS: to 35' east of the east line of Loudon Street, SS to 90' east of the east line of Saint Gregory	41	\$2.57	\$21,796.54

Dist #	Street	Limits	Number of Lights	Proposed Rate per Front Foot per Year	Total Assessment
46	TWELFTH STREET	the east line of Jackson Street the west line of Main Street	9	\$1.26	\$4,862.99
47	VENETIAN TERRACE	122.2' east of the east line of Sunridge Drive the south terminus	13	\$0.39	\$5,135.32
48	VINE STREET	from the north line of Central Parkway to the south line of Fourteenth Street	49	\$2.22	\$25,890.29
49	VINE STREET	from the north line of Daniels Street to the south line of University Avenue	27	\$5.37	\$12,893.47
50	WARSAW AVENUE	from 75' northwest of Carson Avenue to the east line of Wells Street	14	\$0.22	\$1,907.91
51	WARSAW AVE	from the west line of McPherson Avenue to the north line of parcels 174-7-79 on the east side and 174-7-86 on the west side and on ST LAWRENCE to the west line of parcels 174-7-86 on the north side and 174-7-46 on the south side	21	\$1.69	\$10,391.92
52	WILLOWCOVE AND INTERN COURT	the south line of Kipling Av the south terminus the west line of Willowcove Drive the west terminus and Intern Ct west of Willowcove Dr	7	\$0.57	\$3,912.05
53	WOODBURN AVENUE	West Side: from 180.39' south of the south line of William Howard Taft to the north line of Lincoln Avenue East Side: from the north line of Locust Street; to 45' south of the south line of DeSales Lane	54	\$2.05	\$26,365.89
54	WOODWARD STREET	the east line of Main Street the east terminus	3	\$1.08	\$1,504.12
55	DONOHUE ST	from Eden to Gerard, on Gerard Street from Donahue to E. Rochelle, on Eden avenue from Donohue to E. Rochelle and on E. Roshelle from Eden to Gerard St.	6	\$0.54	\$2,141.99
56	BROADWAY	FROM 13TH ST TO READING RD	9	\$1.17	\$3,978.46
57	WALNUT	from the south line of Fourteenth Street to the south line of Thirteenth Street, on Mercer from the west line of Walnut Street to the east line of Vine Street and on Fourteenth Street from the west line of Walnut Street to the east line of Vine Street	26	\$1.77	\$13,911.72
58	THIRTEENTH	from the east line of Vine Street to the west line of Walnut Street	7	\$1.45	\$3,478.63
59	VINE	from the N. line of Corry St. to the S. line of Daniels St. On Daniels from the W. line of Vine to the E. line of Jefferson and on W. Charlton from the W. line of Vine to the E. line of Jefferson NOTE: MAINT 2 IS AVG COST FOR POST BRACKET & SURFACE	84	\$4.04	\$41,421.64
60	SYCAMORE	From the northern ROW of 13th St. to the southern ROW of 14th St	12	\$2.02	\$5,610.08

<u>Dist #</u>	<u>Street</u>	<u>Limits</u>	<u>Number of Lights</u>	<u>Proposed Rate per Front Foot per Year</u>	<u>Total Assessment</u>
61	WOODBURN	West Side: north line of Lincoln Avenue to 190' south of the south line of Merrimac Street. East side: 45' south of the south line of Desales Lane to the south line of Dexter Avenue	12	\$0.96	\$5,034.07
62	HARRISON, MONTANA, EPWORTH	Northeast side of Harrison Avenue from Montana Avenue to Epworth Ave. The east side of Epworth Avenue from Harrison Avenue to Urwiler Avenue	6	\$0.35	\$1,666.50
63	MADISON & WHETSEL	North Side (Madison Rd) west line of Revanna St to the east line of Ward. SS (Madison Rd) west line of Revanna St to the east line of Ward St. WS (Whetsel Ave) north line of Prentice St to the south line of Sierra St. ES (Whetsel Ave) north line of Prentice St to the south line of Sierra St.	32	\$1.81	\$14,206.68
64	VINE	west side, south curb line of West 15th Street to the south curb line of Liberty Street. East side; 216.07 feet south of East 15th street to the south curb line of Liberty Street.	11	\$2.53	\$6,598.73
65	COURT STREEET	from Vine to Walnut	23	\$5.06	\$11,801.86
Count of Assemblies			<u>2263</u>	Total Assessment:	<u>\$831,306.92</u>

202200941

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 Ali Trianfo
- 2. Occupation Government Strategies Group
- 3. Title/Position Director of Operations
- 4. Business Address 700 Walnut Street Ste 450
Street Suite Number
Cincinnati OH 45202
City State Zip(+4)
- 5. Telephone Number (513) 651-4100
- 6. Date of Engagement as Legislative Agent March 29, 2022

B. EMPLOYER INFORMATION

- 1. Full name of company or organization The Literacy Lab / Leading Men Fellowship
- 2. Type of Industry Education and Workforce Development
- 3. Business Address 1400 16th St NW #410
Street Suite Number
Washington DC 20036
City State Zip(+4)

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

Activities related to early childhood education programming.

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

- | | | |
|---|--|---|
| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Environment | <input type="checkbox"/> Real Estate/Housing |
| <input type="checkbox"/> Alcohol/Tobacco | <input type="checkbox"/> Financial Institutions/Consumer Finance | <input type="checkbox"/> Retail and Commercial |
| <input type="checkbox"/> Arts/Entertainment | <input type="checkbox"/> Medical/Hospitals/Health Care | <input type="checkbox"/> Service Business |
| <input type="checkbox"/> Communications/Media | <input type="checkbox"/> Insurance | <input 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 checked="" 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.

Ali Trianfo
Type or Print Name of Legislative Agent


Signature of Legislative Agent

March 29, 2022
Date

Matthew Oclis
Type or Print Name of Person Signing for Employer

BY: 
Signature for Employer

Director, Government + Corp. Partnerships March 31, 2022
Title Date

202200948

\$25.00 FILING FEE

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

LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT

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A. LEGISLATIVE AGENT INFORMATION

- 1. Full Name James T. Benedict
- 2. Occupation Government Strategies Group
- 3. Title/Position Vice President
- 4. Business Address 700 Walnut Street Ste 450
Street Suite Number
Cincinnati OH 45202
City State Zip(+4)
- 5. Telephone Number (513) 651-4100
- 6. Date of Engagement as Legislative Agent March 29, 2022

B. EMPLOYER INFORMATION

- 1. Full name of company or organization The Literacy Lab / Leading Men Fellowship
- 2. Type of Industry Education and Workforce Development
- 3. Business Address 1400 16th St NW #410
Street Suite Number
Washington DC 20036
City State Zip(+4)

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

Activities related to early childhood education programming.

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

- | | | |
|---|--|---|
| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Environment | <input type="checkbox"/> Real Estate/Housing |
| <input type="checkbox"/> Alcohol/Tobacco | <input type="checkbox"/> Financial Institutions/Consumer Finance | <input type="checkbox"/> Retail and Commercial |
| <input type="checkbox"/> Arts/Entertainment | <input type="checkbox"/> Medical/Hospitals/Health Care | <input type="checkbox"/> Service Business |
| <input type="checkbox"/> Communications/Media | <input type="checkbox"/> Insurance | <input 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 checked="" type="checkbox"/> Education | <input type="checkbox"/> Manufacturer | <input type="checkbox"/> State Government |
| <input type="checkbox"/> Energy/Utilities | <input type="checkbox"/> Public Interest | <input type="checkbox"/> Transportation |

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

James T. Benedict
Type or Print Name of Legislative Agent


Signature of Legislative Agent

March 29, 2022
Date

Matthew Orlin
Type or Print Name of Persons Signing for Employer

BY: 
Signature for Employer

Director, Gov't + Corp. Partnerships
Title

March 31, 2022
Date

202200934

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

\$25.00 FILING FEE

LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT

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A. LEGISLATIVE AGENT INFORMATION

1. Full Name Charles H. Gerhardt, III
2. Occupation Government Strategies Group
3. Title/Position President & CEO
4. Business Address 700 Walnut Street Ste 450

<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>
5. Telephone Number (513) 651-4100
6. Date of Engagement as Legislative Agent March 29, 2022

B. EMPLOYER INFORMATION

1. Full name of company or organization The Literacy Lab / Leading Men Fellowship
2. Type of Industry Education and Workforce Development
3. Business Address 1400 16th St NW #410

<small>Street</small>		<small>Suite Number</small>
<u>Washington</u>	<u>DC</u>	<u>20036</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.

Activities related to early childhood education programming.

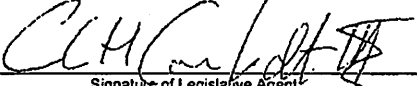
D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.

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| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Environment | <input type="checkbox"/> Real Estate/Housing |
| <input type="checkbox"/> Alcohol/Tobacco | <input type="checkbox"/> Financial Institutions/Consumer Finance | <input type="checkbox"/> Retail and Commercial |
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| <input type="checkbox"/> County/Local Government | <input type="checkbox"/> Legal | <input type="checkbox"/> State Employees |
| <input checked="" type="checkbox"/> Education | <input type="checkbox"/> Manufacturer | <input type="checkbox"/> State Government |
| <input type="checkbox"/> Energy/Utilities | <input type="checkbox"/> Public Interest | <input type="checkbox"/> Transportation |

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

Charles H. Gerhardt, III

 Type or Print Name of Legislative Agent


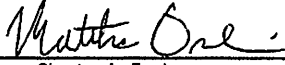
 Signature of Legislative Agent

March 29, 2022

 Date

Matthew Orline

 Type or Print Name of Persons Signing for Employer

BY: 

 Signature for Employer

Director, Gov't and Corp. Partnerships

 Title

March 31, 2022

 Date

202200960

\$25.00 FILING FEE

Clerk of Council

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

LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT

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

A. LEGISLATIVE AGENT INFORMATION

- 1. Full Name J. Douglas Moormann
- 2. Occupation Development Strategies Group
- 3. Title/Position Vice President
- 4. Business Address 700 Walnut Street Ste 450
Street Suite Number
Cincinnati OH 45202
City State Zip(+4)
- 5. Telephone Number (513) 651-4100
- 6. Date of Engagement as Legislative Agent March 1, 2022

B. EMPLOYER INFORMATION

- 1. Full name of company or organization Charles Street
- 2. Type of Industry Real Estate
- 3. Business Address 1225 17th Street, Suite 512
Street Suite Number
Denver CO 80202
City State Zip(+4)

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

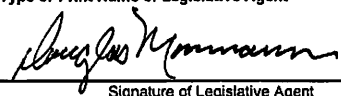
Activities related to neighborhood activities and 1118 Sycamore St.

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

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

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

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

J. Douglas Moormann
 Type or Print Name of Legislative Agent

 Signature of Legislative Agent

March 28, 2022
 Date

Jason Pollack
 Type or Print Name of Persons Signing for Employer
 BY: 
 Signature for Employer

Manager
 Title

03/29/2022
 Date

March 30, 2022

To: Mayor and Members of City Council 202200818

From: John P. Curp, Interim City Manager

Subject: Emergency Ordinance – DOTE: Central Parkway Phase 2 Protected Bike Lane Extension

Attached is an Emergency Ordinance captioned:

AUTHORIZING the transfer and return to source, Fund No. 858, “Street Improvement,” of the sum of \$1,790,000 from capital improvement program project account no. 980x232x222358, “Central Parkway Bicycle Facility Phase 2,” for the purpose of realigning sources with uses; and **AUTHORIZING** the transfer and appropriation of the sum of \$1,790,000 from the unappropriated surplus of Fund No. 858, “Street Improvement,” to existing capital improvement program project account no. 980x232x222357, “Bicycle Transportation Program.”

Councilmembers Jeffreys and Owens submitted Motion #202200116 in which the City Council moved that the administration pause work on the Central Parkway bike lane extension as a shared-use path from Marshall Avenue to Ludlow Avenue and provide a report within thirty days on the cost, design, and feasibility of continuing the Central Parkway bike lane north from its current northern terminus at Marshall Avenue with three options: (1) its current design structure as a protected bike lane; (2) a design as a protected bike lane along the entire extension with a tree and/or grass median; (3) a design as a protected bike lane with a tree and/or grass median along only portions of it. In response to the Motion, the Administration submitted report #202200400 to the City Council, dated February 16, 2022, in which the Department of Transportation of Engineering (DOTE) recommended the first option set out in the Motion.

Approval of this Emergency Ordinance will implement the first option recommended in the report and will authorize the return to source of \$1,790,000 from the “Central Parkway Bicycle Facility Phase 2” capital improvement program project account to a certain Street Improvement Bond Fund. This Emergency Ordinance will also authorize the appropriation of \$1,790,000 from the same Street Improvement Bond Fund to an existing “Bicycle Transportation Program” capital improvement program project account for the purpose of realigning sources with uses. The scope of work for the “Central Parkway Phase 2” capital project includes the design and construction of a shared-use path on the west side of Central Parkway beginning at Marshall Avenue in the south and ending at Ludlow Avenue in the north.

Returning to source \$1,790,000 from the “Central Parkway Bicycle Facility Phase 2” project would make this sum available to be appropriated to the “Bicycle Transportation Program” capital improvement program project account.

This Emergency Ordinance is in accordance with the “Connect” goal to “Develop an efficient multi-modal transportation system that supports neighborhood vitality,” and strategy to “expand options for non-automotive travel,” as described on pages 129 – 134 of Plan Cincinnati (2012).

The reason for the emergency is to the immediate need to make resources available in the “Bicycle Transportation Program” capital improvement program project to begin construction of the protected bike lane as soon as possible.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment



EMERGENCY

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- 2022

AUTHORIZING the transfer and return to source Fund No. 858, “Street Improvement,” of the sum of \$1,790,000 from capital improvement program project account no. 980x232x222358, “Central Parkway Bicycle Facility Phase 2,” for the purpose of realigning sources with uses; and **AUTHORIZING** the transfer and appropriation of the sum of \$1,790,000 from the unappropriated surplus of Fund No. 858, “Street Improvement,” to existing capital improvement program project account no. 980x232x222357, “Bicycle Transportation Program.”

WHEREAS, in Motion #202200116, Council moved that the Administration pause work on the Central Parkway bike lane extension as a shared-use path from Marshall Avenue to Ludlow Avenue and provide a report within thirty days on the cost, design, and feasibility of continuing the Central Parkway bike lane north from its current northern terminus at Marshall Avenue for three options: (1) its current design structure as a protected bike lane; (2) a design as a protected bike lane along the entire extension with a tree and/or grass median; and (3) a design as a protected bike lane with a tree and/or grass median along only portions of it; and

WHEREAS, the Administration agreed to pause work and submitted report #202200400 to Council, dated February 16, 2022, in which the Department of Transportation and Engineering recommended the first option set out in Council’s motion; and

WHEREAS, the scope of work for the “Central Parkway Phase 2” capital project includes the design and construction of a shared-use path on the west side of Central Parkway beginning at Marshall Avenue in the south and ending at Ludlow Avenue in the north; and

WHEREAS, to complete the scope of work requested by Council in option 1, resources available in the “Central Parkway Bicycle Facility Phase 2” project must be returned to source and appropriated to the “Bicycle Transportation Program” project; and

WHEREAS, constructing bike lanes is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood vitality,” and strategy to “[e]xpand options for non-automotive travel,” as described on pages 129-134 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the sum of \$1,790,000 is hereby transferred and returned to source Fund No. 858, “Street Improvement,” from capital improvement program project account no.

980x232x222358, “Central Parkway Bicycle Facility Phase 2,” for the purpose of realigning sources with uses.

Section 2. That the sum of \$1,790,000 is hereby transferred and appropriated from the unappropriated surplus of Fund No. 858, “Street Improvement,” to existing capital improvement program project account no. 980x232x222357, “Bicycle Transportation Program.”

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 to the immediate need to make resources available in the “Bicycle Transportation Program” capital improvement program project to begin construction of the protected bike lane as soon as possible.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

April 6, 2022

To: Mayor and Members of City Council 202200883

From: John P. Curp, Interim City Manager

Subject: Ordinance – DOTE: Wasson Way Phase 7 Grant

Attached is an Ordinance captioned:

ESTABLISHING new capital improvement program project account no. 980x232x222363, “Wasson Way Federal STBG 2024,” for the purpose of providing grant resources for the Wasson Way Trail project and for the acquisition of property or easements across private property needed to construct the Wasson Way Trail project; AUTHORIZING the City Manager to accept and appropriate grant resources in an amount up to \$3,762,000 from the Surface Transportation Block Grant Program (ALN 20.205) awarded through the Ohio-Kentucky-Indiana Regional Council of Governments to newly established capital improvement program project account no. 980x232x222363, “Wasson Way Federal STBG 2024,” for the purpose of providing grant resources for Phase 7 of the Wasson Way Trail project; AUTHORIZING the Director of Finance to deposit the grant resources into newly established capital improvement program project account no. 980x232x222363, “Wasson Way Federal STBG 2024,” for the purpose of providing grant resources for Phase 7 of the Wasson Way Trail project; AUTHORIZING the City Manager to enter into a Local Public Agency agreement with the Director of the Ohio Department of Transportation to complete Phase 7 of the Wasson Way Trail project; and AUTHORIZING the City Manager to execute any agreements necessary for the receipt and administration of these grant resources.

Approval of this Ordinance will enable the following:

1. Establishes capital improvement program project account no. 980x232x222363, “Wasson Way Federal STBG 2024,” for the purpose of providing grant resources for the Wasson Way Trail project and for the land acquisition or easement of private property needed to construct the Wasson Way Trail project.
2. Authorizes the City Manager to accept and appropriate grant resources in an amount up to \$3,762,000 from the Surface Transportation Block Grant (STBG) Program (ALN 20.205) awarded through the Ohio-Kentucky-Indiana Regional Council of Governments to newly established capital improvement program project account, “Wasson Way Federal STBG 2024.”
3. Authorizes the Director of Finance to deposit the grant resources into the newly established capital improvement program project account, “Wasson Way Federal STBG 2024,” for the purpose of providing grant resources for Phase 7 of the Wasson Way Trail project.

4. Authorizes the City Manager to enter into a Local Public Agency agreement with the Director of the Ohio Department of Transportation (ODOT) to complete Phase 7 of the Wasson Way Trail project.
5. Authorizes the City Manager to execute any agreements necessary for the receipt and administration of these grant resources.

On June 17, 2020, the City Council approved Ordinance No. 0185-2020, which authorized the City Manager to apply for Federal Surface Transportation program grants and Transportation Alternatives grants awarded through the Ohio-Kentucky-Indiana (OKI) Regional Council of Governments. The Department of Transportation and Engineering (DOTE) was awarded grant resources for eligible costs for Phase 7 of the Wasson Way Trail project in the Avondale neighborhood. City Council authorization is required to accept and appropriate the grant award.

This grant requires matching resources of up to \$940,500, which will be provided through a combination of anticipated future allocations in the FY 2023 and FY 2024 Capital Budgets as well as resources currently available in existing “Wasson Way Trail” capital improvement program project account nos. 980x232x202371, 980x232x212371, and 980x232x222371. No new FTEs are associated with this grant.

The Wasson Way Trail project is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability,” as well as the 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

ESTABLISHING new capital improvement program project account no. 980x232x222363, “Wasson Way Federal STBG 2024,” for the purpose of providing grant resources for the Wasson Way Trail project and for the acquisition of property or easements across private property needed to construct the Wasson Way Trail project; **AUTHORIZING** the City Manager to accept and appropriate grant resources in an amount up to \$3,762,000 from the Surface Transportation Block Grant Program (ALN 20.205) awarded through the Ohio-Kentucky-Indiana Regional Council of Governments to newly established capital improvement program project account no. 980x232x222363, “Wasson Way Federal STBG 2024,” for the purpose of providing grant resources for Phase 7 of the Wasson Way Trail project; **AUTHORIZING** the Director of Finance to deposit the grant resources into newly established capital improvement program project account no. 980x232x222363, “Wasson Way Federal STBG 2024,” for the purpose of providing grant resources for Phase 7 of the Wasson Way Trail project; **AUTHORIZING** the City Manager to enter into a Local Public Agency agreement with the Director of the Ohio Department of Transportation to complete Phase 7 of the Wasson Way Trail project; and **AUTHORIZING** the City Manager to execute any agreements necessary for the receipt and administration of these grant resources.

WHEREAS, City Council approved Ordinance No. 0185-2020 on June 17, 2020, authorizing the City Manager to apply for Federal Surface Transportation program grants and Transportation Alternatives grants awarded through the Ohio-Kentucky-Indiana Regional Council of Governments (OKI); and

WHEREAS, the Department of Transportation and Engineering was awarded grant resources for eligible costs for Phase 7 of the Wasson Way Trail project in the neighborhood of Avondale; and

WHEREAS, the grant requires matching resources of up to \$940,500, which will be provided through a combination of anticipated future allocations in the FY 2023 and FY 2024 capital budgets as well as resources currently available in existing “Wasson Way Trail” capital improvement program project account nos. 980x232x202371, 980x232x212371, and 980x232x222371; and

WHEREAS, there are no new FTEs associated with this grant; and

WHEREAS, the Wasson Way Trail project is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability” as well as the 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 Director of Finance is authorized to establish new capital improvement program project account no. 980x232x222363, “Wasson Way Federal STBG 2024,” for the purpose of providing grant resources for the Wasson Way Trail project and for the acquisition of property or easements across private property needed to construct the Wasson Way Trail project.

Section 2. That the City Manager is authorized to accept and appropriate grant resources in an amount up to \$3,762,000 from the Surface Transportation Block Grant Program (ALN 20.205) awarded through the Ohio-Kentucky-Indiana Regional Council of Governments to newly established capital improvement program project account no. 980x232x222363, “Wasson Way Federal STBG 2024,” for the purpose of providing grant resources for Phase 7 of the Wasson Way Trail project.

Section 3. That the Director of Finance is authorized to deposit the grant resources into newly established capital improvement program project account no. 980x232x222363, “Wasson Way Federal STBG 2024,” for the purpose of providing grant resources for Phase 7 of the Wasson Way Trail project.

Section 4. That the City Manager is hereby authorized to enter into a Local Public Agency agreement with the Director of the Ohio Department of Transportation to complete Phase 7 of the Wasson Way Trail project.

Section 5. That the City Manager is hereby authorized to execute any agreements necessary for the receipt and administration of these grant resources.

Section 6. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of the grant and Sections 1 through 5 hereof.

Section 7. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

April 6, 2022

To: Mayor and Members of City Council 202200884
From: John P. Curp, Interim City Manager
Subject: **Ordinance – Health: UC College of Nursing Torch of Excellence Award Donation**

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to accept and appropriate a donation in the amount of \$500 from the University of Cincinnati College of Nursing on behalf of Nicole DeGreg, RN; **AUTHORIZING** the Finance Director to deposit the donated funds into Fund No. 395, “Community Health Center Activities Fund”; and further **AUTHORIZING** the transfer and appropriation of \$500 from the unappropriated surplus of Fund No. 395, “Community Health Center Activities Fund,” to the Cincinnati Health Department’s non-personnel operating budget account no. 395x266x7300 for the purposes of purchasing equipment and supplies to support the Roberts Academy School-Based Health Center.

The University of Cincinnati (UC) College of Nursing annually presents the Torch of Excellence Nursing Award to outstanding nurses in the Greater Cincinnati region who are deemed to provide exceptional patient care. Earlier this calendar year, City of Cincinnati employee Nicole DeGreg, RN, a Family Nurse Practitioner in the Cincinnati Health Department who works at the Roberts Academy School-Based Health Center (SBHC) in the Price Hill neighborhood, was named as one of this year’s award winners. The award includes a \$500 cash gift to recipients. Nicole DeGreg has graciously offered to donate the cash award to the Cincinnati Health Department to purchase equipment and supplies for the Roberts Academy SBHC. This Ordinance would authorize the City Manager to accept and appropriate the \$500 donation. Additionally, the Finance Director would be authorized to deposit the donated funds into Community Health Center Activities Fund 395, and the \$500 would be appropriated to the Cincinnati Health Department’s non-personnel operating budget account no. 395x266x7300.

No new FTEs are associated with the donation, and the donated resources do not require matching local funds.

This Ordinance is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” as described on page 181 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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



Attachment

AUTHORIZING the City Manager to accept and appropriate a donation in the amount of \$500 from the University of Cincinnati College of Nursing on behalf of Nicole DeGreg, RN; **AUTHORIZING** the Finance Director to deposit the donated funds into Fund No. 395, “Community Health Center Activities Fund”; and further **AUTHORIZING** the transfer and appropriation of \$500 from the unappropriated surplus of Fund No. 395, “Community Health Center Activities Fund,” to the Cincinnati Health Department’s non-personnel operating budget account no. 395x266x7300 for the purposes of purchasing equipment and supplies to support the Roberts Academy School-Based Health Center.

WHEREAS, the University of Cincinnati College of Nursing (“UC”) annually presents the Torch of Excellence Nursing Award (the “Torch of Excellence”) to outstanding nurses in the Greater Cincinnati region who go above and beyond to provide exceptional patient care; and

WHEREAS, on February 2, 2022, UC awarded the Torch of Excellence to Nicole DeGreg, a Family Nurse Practitioner employed by the Cincinnati Health Department and working at the Roberts Academy School-Based Health Center in Cincinnati’s Price Hill neighborhood; and

WHEREAS, the Roberts Academy is a public school within the Cincinnati Public School District, serving students from pre-kindergarten through the eighth grade; and

WHEREAS, the Torch of Excellence includes a cash gift of \$500; and

WHEREAS, Nicole DeGreg wishes to donate her cash gift of \$500 to the City of Cincinnati to be used to purchase equipment and supplies to support the Roberts Academy School-Based Health Center; and

WHEREAS, there is no match requirement and no additional FTEs associated with the acceptance of this donation; and

WHEREAS, this ordinance is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati,” as described on page 181 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is hereby authorized to accept and appropriate a \$500 donation on behalf of Nicole DeGreg, RN from the University of Cincinnati College of Nursing

for the purposes of purchasing equipment and supplies to support the Roberts Academy School-Based Health Center.

Section 2. That the Finance Director is hereby authorized to deposit the donated funds into Fund No. 395, "Community Health Center Activities Fund."

Section 3. That the City Manager is authorized to transfer and appropriate \$500 from the unappropriated surplus of Fund No. 395, "Community Health Center Activities Fund," to the Cincinnati Health Department's non-personnel operating budget account no. 395x266x7300.

Section 4. That the proper City officials are hereby authorized to do all things necessary and proper to comply with the terms of Sections 1 through 3 hereof.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

April 6, 2022

To: Mayor and Members of City Council 202200885

From: John P. Curp, Interim City Manager

Subject: **Emergency Ordinance – DOTE: Ohio Transit Partnership (OTP2) Program Grant Application**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager to apply for grant resources in an amount up to \$2,839,000 from the Ohio Department of Transportation under the Ohio Transit Partnership Program for the purpose of providing resources for preventative maintenance, equipment, and facility upgrades for the streetcar system.

This Emergency Ordinance authorizes the City Manager to apply for grant resources in an amount up to \$2,839,000 from the Ohio Department of Transportation (ODOT) under the Ohio Transit Partnership Program (OTP2) for the purpose of providing resources for preventative maintenance, equipment, and facility upgrades for the streetcar system.

The City intends to apply for the OTP2 grant by the application deadline. If the authorization to apply is not approved, the grant application will be withdrawn.

This grant does not require a local match or new FTEs.

Applying for grant resources to support preventative maintenance, equipment, and facility upgrades for the City’s streetcar system is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability” and strategy to “[p]lan, design, and implement a safe and sustainable transportation system,” as described on pages 129-138 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to apply for OTP2 grant resources by the applicable program deadlines.

The Administration recommends passage of this Emergency Ordinance.

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



Attachment

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AUTHORIZING the City Manager to apply for grant resources in an amount up to \$2,839,000 from the Ohio Department of Transportation under the Ohio Transit Partnership Program for the purpose of providing resources for preventative maintenance, equipment, and facility upgrades for the streetcar system.

WHEREAS, grant resources in an amount up to \$2,839,000 are available from the Ohio Department of Transportation’s Ohio Transit Partnership Program (“OTP2”), which, if awarded, will be used to provide resources for preventative maintenance, equipment, and facility upgrades for the streetcar system; and

WHEREAS, the City intends to apply for the OTP2 grant by the application deadline, but if authorization to apply is not approved, the application will be withdrawn; and

WHEREAS, there is no local match required, and acceptance of the grant resources will not require the addition of any FTEs; and

WHEREAS, applying for grant resources to support preventative maintenance, equipment, and facility upgrades for the City’s streetcar system is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability,” and strategy to “[p]lan, design, and implement a safe and sustainable transportation system,” as described on pages 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 grant resources in an amount up to \$2,839,000 from the Ohio Department of Transportation under the Ohio Transit Partnership Program for the purpose of providing resources for preventative maintenance, equipment, and facility upgrades for the streetcar system.

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

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 apply for OTP2 grant resources by the applicable program deadlines.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

April 6, 2022

To: Mayor and Members of City Council 202200886

From: John P. Curp, Interim City Manager

Subject: **Finance and Budget Monitoring Report for the Period Ending January 31, 2022**

The purpose of this report is to provide the City Council with the status of the City's Fiscal Year (FY) 2022 financial and operating budget conditions as of January 31, 2022, to note any significant variances, identify potential budget issues, and provide recommendations. The report is divided in two sections: revenues and expenditures. Various supplemental reports are attached to reflect forecasted revenue, actual revenue, expenditures, and commitments through January 31, 2022.

The following Citywide issues may impact the General Fund 050, Special Revenue Funds, and Enterprise Funds.

1. General Fund revenues are greater than projected by \$17.9 million through the end of January. However, this report highlights increased potential expenditure needs in the amount of \$14.9 million.
2. Cincinnati Fire Department attrition through January 2022 was four times higher than expected, which necessitated the use of overtime to backfill sworn positions. Additionally, Fire overtime usage has been further exacerbated by the use of sick leave as a result of the COVID-19 pandemic. The additional overtime need for Fire is currently projected at up to \$10.0 million. However, the rapid spread of COVID-19 and scheduled holiday leave necessitated the Mayor's Declaration of Emergency Regarding Staffing Levels for the Cincinnati Fire Department on December 29, 2021. The Declaration lasts 60 days and authorizes the City Manager to take necessary actions to ensure staffing of City fire stations. This may result in an additional overtime need beyond the \$10.0 million projected for the January 31, 2022 reporting period.
3. Due to the unanticipated separation of several long-time sworn public safety employees, combined with actual attrition outpacing projections, Police and Fire lump sum payments have already exceeded budgeted amounts and will require an additional appropriation. Police's additional lump sum payment

needs are currently estimated at \$2.6 million for FY 2022. Fire's additional lump sum payment needs are currently estimated at \$1.0 million for FY 2022.

4. The Approved FY 2022 Budget included a 2.0% cost of living adjustment (COLA) for non-sworn employees (i.e., Non-Represented, American Federation of State, County and Municipal Employees (AFSCME), American Federation of State, County and Municipal Employees Municipal Workers (AFSCME MWs), Buildings Trades, Teamsters, and Cincinnati Organized and Dedicated Employees (CODE)). A new AFSCME labor agreement was passed by the City Council on November 10, 2021, through Ordinance No. 0430-2021. Lastly, the collective bargaining agreement with CODE will expire during FY 2022. Negotiations on an updated agreement have commenced with CODE at this time. Any agreements that exceed budgeted COLA amounts and provide additional wage item increases may result in a budget deficit for departments. If necessary, a supplemental appropriation may be required.
5. The new AFSCME labor agreement through a Letter of Agreement (LOA) included a one-time premium, also called hazard, payment in the amount of \$1,000 per employee to be paid in December 2021. Some of the payments to employees are eligible for reimbursement under the American Rescue Plan (ARP) Act based on guidance from the United States Department of the Treasury. The non-reimbursable payments may result in a personnel shortfall and may require a supplemental appropriation for certain departments. Eligible non-AFSCME employees also received a one-time hazard payment per Ordinance No. 0453-2021, but these expenses will be fully reimbursed from ARP funds and will not result in a personnel shortfall. Reimbursements to a majority of departments for ARP Act eligible Hazard Pay will be processed in February 2022. The utilities are continuing to work through catch-up payments and appeals, so the reimbursements are not expected to be fully processed for the Greater Cincinnati Water Works or the Stormwater Management Utility in February. No reimbursements will be processed for the Metropolitan Sewer District in February. The final reimbursements to these departments will be processed as part of the Final Adjustment Ordinance.
6. Due to the surge in community spread of the COVID-19 Omicron variant starting in December 2021, Cincinnati Health Department expenses have increased. Additional resources will likely be required for COVID-19 testing and overtime. American Rescue Plan Act reimbursements and Federal Emergency Management Agency (FEMA) reimbursements will be pursued for eligible COVID-19 related expenses. These needs will be monitored closely and will be reflected in future budget monitoring periods.
7. Community Health Center Activities Fund 395 revenues continue to be negatively impacted by COVID-19. Healthcare workers remain in high

demand, which has resulted in a staffing shortage in nurses and medical assistants working in health centers. These staffing issues have impacted appointment availability and related revenue. The Cincinnati Health Department is continuing the hiring of temporary staff to alleviate staffing needs until the department can fill the permanent position vacancies. Revenue trends will continue to be closely monitored. American Rescue Plan Act reimbursements and Federal Emergency Management Agency (FEMA) reimbursements are being pursued for eligible COVID-19 related expenses.

8. Parking meter usage has not fully returned to pre-pandemic levels, which has negatively impacted revenue in Parking Meter Fund 303. However, many contractual service expenditures are based on revenue, so less revenue results in lower expenses in some cases. This will partially offset the reduction in revenue. The fund will be monitored closely to ensure expenditures do not outpace revenues.
9. The COVID-19 pandemic continues to impact supply chains and the costs of various goods and services. Departments report several areas of concern, including energy costs, water treatment chemical costs, vehicle repair and maintenance costs, and the supply of new vehicles. Trends in the energy sector show an increase in costs for natural gas, petroleum, etc. Water treatment chemical costs have also increased as supply is impacted by transportation logistics issues. Supply chain issues have also resulted in the shortage of vehicle parts and semiconductor chips. Fleet repairs are becoming more difficult and more expensive in certain cases. The acquisition of new vehicles has also been affected by these issues. Fleet Services anticipates that new vehicles will be significantly delayed which may result in an operating budget need for vehicle leases until new vehicles become available and increased repair costs as older vehicles will remain in service for a longer than anticipated period of time. The supply chain issues are not expected to subside until at least the summer of 2022. These issues will be monitored closely for budgetary and operational impacts.
10. As noted above, the Greater Cincinnati Water Works has experienced unexpected increases in utility costs and water treatment costs as a result of COVID-19 pandemic related supply chain issues. These unanticipated costs, along with an emergency watermain break at Lick Run, have resulted in an estimated non-personnel need of \$2.5 million. A mid-year budget adjustment ordinance will likely be required to address these needs.

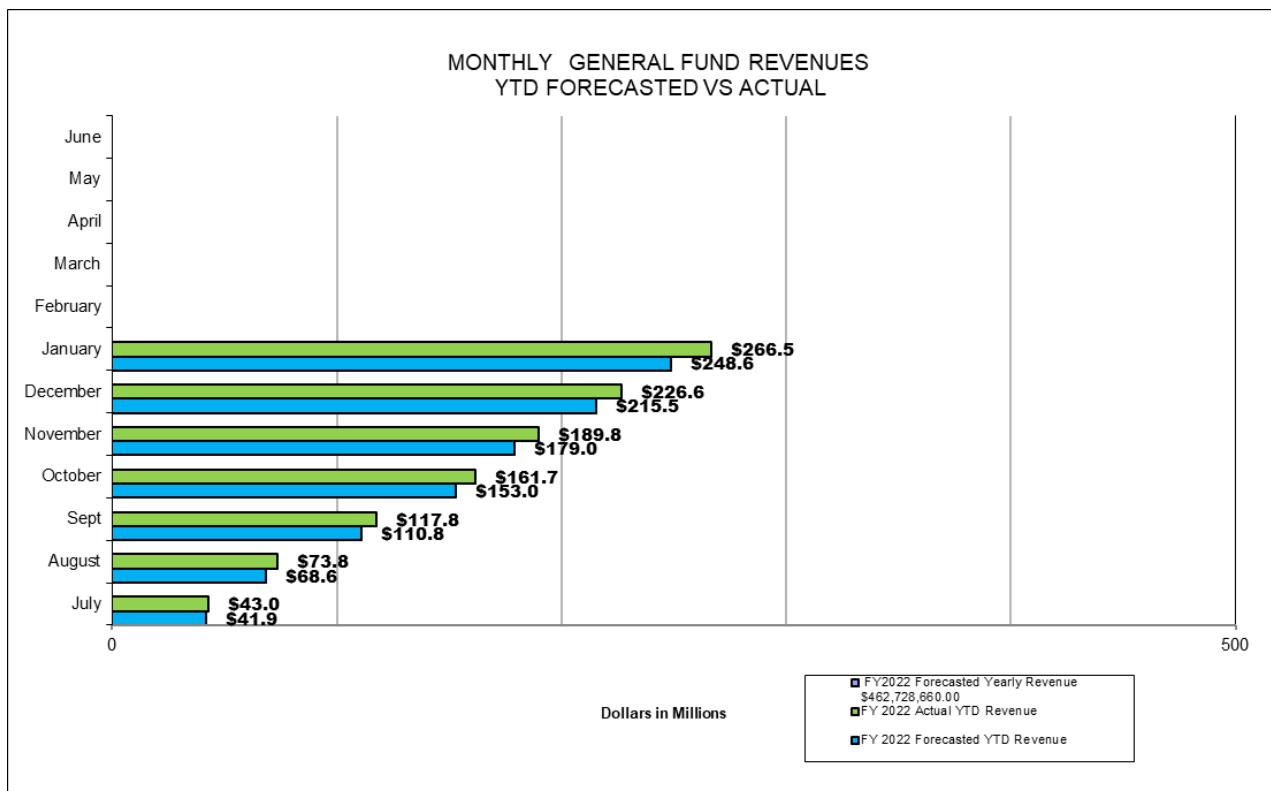
REVENUE

The information below provides an update on the City of Cincinnati's financial condition as it relates to revenue projections as of the month ending January 31, 2022. Variances are based on current year estimates and prior year activity in attached schedules.

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

I. GENERAL FUND 050

The chart below portrays the performance of actual revenue collected against the forecasted revenue collected through January 31, 2022 and shows that actual revenue of \$266.5 million was above forecasted revenue of \$248.6 million by \$17.9 million.



The major revenue components of the General Fund are listed in the table below. This table highlights the year to date variance (favorable and unfavorable) in General Fund revenue collections as compared to forecasted revenue collections. Each major

category that differs significantly from forecasted collections will be discussed in further detail.

GENERAL FUND REVENUE SOURCES		
	FAVORABLE VARIANCE	(UNFAVORABLE) VARIANCE
General Property Tax	1,860,461	
City Income Tax	9,772,982	
Admissions Tax	2,057,288	
Short Term Rental Excise Tax	376,693	
Licenses & Permits	1,608,519	
Fines, Forfeitures, & Penalties	24,284	
Investment Income	561,507	
Local Government	1,791,663	
Casino	1,477,752	
Police		(\$310,849)
Buildings and Inspections	186,921	
Fire	380,631	
Parking Meter	350	
Other		(\$1,871,452)
	20,099,049	(\$2,182,301)
Difference	17,916,749	

General Fund (favorable variance) is \$17.9 million above the amount forecasted through January in the FY 2022 Budget. What follows is an explanation of significant variances of individual General Fund revenue components.

- 1. General Property Tax (favorable variance) is up \$1.9 million.** Revenue is currently greater than projected as a result of higher assessed property values utilized by the County Auditor. However, since the millage rate is lower starting in CY 2022, property tax revenue is expected to be at or near the estimate at year end.
- 2. Income Tax (favorable variance) is \$9.8 million** above the forecasted amount. The amount of withholding refunds due in the spring of CY 2022 are still unknown, which could affect the variance. Administration is still watching income tax trends very closely due to the shift to remote work.
- 3. Admissions Tax (favorable variance) is up \$2.1 million.** The FY 2022 estimates are conservative due to the unknown level of response to the ongoing

pandemic. The return of events since the pandemic and new entertainment venues have both contributed to the favorable variance.

4. **Licenses & Permits (favorable variance) is \$1.6 million above the forecasted amount.** Building permits are trending toward pre-pandemic levels along with Heating & Ventilating permits. The FY 2022 estimate was conservative due to the lingering effects of the pandemic. Administration will continue to monitor the activity.
5. **Investment Income (favorable variance) is up \$562k.** The favorable variance is due to many investments maturing in December. It is anticipated that investment income will exceed the revenue projections for the fiscal year. Investment income is recognized quarterly in September, December, March and June of each fiscal year.
6. **Local Government Fund (favorable variance) is up \$1.8 million.** The favorable variance is the result of increased revenue collection from the State of Ohio General Revenue tax sources.
7. **Casino (favorable variance) is \$1.5 million above the forecasted amount.** The casino revenue is outperforming current estimates, which have been set at pre-pandemic levels.
8. **Other (unfavorable variance) is \$1.9 million below forecast.** This category is made up of many small sources of revenue that fluctuate from time to time. Finance will continue to monitor these various revenue sources.

II. RESTRICTED FUNDS

- A. **Municipal Golf (favorable variance) is up \$931k.** The Cincinnati Recreation Commission continues to experience an increase in the utilization of the golf courses as people are looking for outside activities during the pandemic.
- B. **Recreation Special Activities (unfavorable variance) is down \$641k.** The Cincinnati Recreation Commission is still seeing a reduction in revenue due to lower attendance of recreation center programs as a result of the lingering pandemic. Cancellations of some team sports have also occurred due to a shortage of game officials.
- C. **Hazard Abatement (unfavorable variance) is down \$635k.** Even though the foreclosure ban has been lifted, there has not been an increase in foreclosures. Therefore, the number of Vacant Foreclosure Licenses is still down. The Vacant Buildings Maintenance License revenue has not started to rebound either. A driver could be that homes are staying occupied and development plans are being

instituted. This will lead to lower revenue in this fund but there may be more revenue in the General Fund as permits for improvements increase.

Variances in other restricted funds are due mostly to timing of billing and collections. By year end they will come more in line with the estimate. Finance will continue to monitor these funds.

EXPENDITURES

The following provides an update on the City of Cincinnati's operating budget position as of the month ending January 31, 2022. The attached Fund Summary Report provides the current budget, expenditures, and commitments of each appropriated fund. This report is presented on a year to date basis.

I. GENERAL FUND 050

As shown on the attached report, total expenditures are 53.5% of budget, and commitments are 58.5% of budget in the General Fund 050 as compared to the estimated period ending January 31, 2022, or 58.3% of the fiscal year. "Non-personnel expenses" are trending higher at 72.6% committed year to date due to encumbering twelve months of expenditures for certain commodities such as gas and electric costs, contractual services, and materials and supplies. This is not unusual for this reporting period.

The majority of departments have indicated their FY 2022 General Fund 050 appropriation will meet their budgetary needs through the end of the fiscal year. However, budget transfers may be necessary to move funds from divisions and programs with savings to others within the respective departments that have budget needs. These transfers will be included in the Final Adjustment Ordinance (FAO), which will be presented to the City Council in May 2022.

A. Budget Savings Identified

At this time, no General Fund 050 departments are projecting a savings at the end of FY 2022. Any savings identified will be available to support budget needs in other departments and programs as necessary. Interdepartmental transfers of funds from one department to another will be included in the FAO as appropriate.

B. Budget Needs Identified

Based on current expenditure projections, the following General Fund 050 departments are forecasting a budget need in FY 2022. The departments have been

advised to manage their appropriated resources so that supplemental appropriations will not be required. However, the Administration will continue to closely monitor these budgets in the coming months and work with the respective departments to mitigate the need for supplemental appropriations. As appropriate, any remaining budget needs will be addressed in the FAO.

1. Cincinnati Fire Department (\$11.0 million)

Through January 31, 2022, attrition has trended four times higher than expected due to unanticipated sworn separations. Increased attrition has necessitated the use of overtime to backfill vacant positions. Additionally, the COVID-19 pandemic continues to impact sick leave usage. Sick leave pay has increased nearly 35% compared to pre-pandemic levels. This is due to COVID-19 diagnoses, exposure, and mandatory quarantine periods required while waiting for test results. COVID-19 related sick leave has been further exacerbated by the close living and working conditions of sworn staff in fire houses. The graduation of Recruit Class #118 was expected to reduce overtime usage starting in December 2021. However, the rapid spread of COVID-19 and scheduled holiday leave necessitated the Mayor's Declaration of Emergency Regarding Staffing Levels for the Cincinnati Fire Department on December 29, 2021. The Declaration lasts 60 days and authorizes the City Manager to take necessary actions to ensure staffing of City fire stations. This is expected to result in additional overtime, which will continue to be monitored. If overtime trends do not curtail, the Cincinnati Fire Department projects a need of up to \$11.0 million by fiscal year end due to higher than anticipated lump sum payments and increased overtime. These items have also impacted wage-based fringe benefit expenses. Both the department and the Office of Budget and Evaluation will continue to closely monitor staffing trends and overtime needs. Lastly, the department also indicated a potential non-personnel need related to COVID-19 related supply chain issues, which have impacted the cost of materials and supplies.

2. Cincinnati Police Department (\$3.5 million)

The Cincinnati Police Department (CPD) projects an overall need of approximately \$3.5 million due to a combination of personnel and non-personnel expense overages. Personnel overages are attributable to lump sum payments having exceeded expectations due to higher levels of retirements. Due to the increased vacancy rate, higher levels of overtime are expected for the remainder of the fiscal year. It is anticipated that increased position vacancy savings will partially mitigate these increased costs. Additionally, the City Council passed Ordinance No. 0466-2021 on December 8, 2021, which transferred \$700,000 within the General Fund to the Police Department for additional Police Visibility Overtime (PVO), which may further mitigate increased overtime costs. Non-personnel needs are attributable to anticipated overages related to the central warrants contract with Hamilton County. The Office of Internal Audit evaluated the current central warrants contract and associated invoice review process and

noted several opportunities for improvement. CPD has since started the process of renegotiating this contract. In the interim, CPD will continue to ensure compliance with the existing contract regarding workload volume and billing procedures. Personnel and non-personnel expenditures will be closely monitored over the next few months as the final adjustment ordinance (FAO) is developed.

3. Non-Departmental Accounts (\$0.3 million)

The Law Department projects a potential need of up to \$300,000 in the Non-Departmental Judgments Against the City Account for pending settlements. The timing of the settlements may also impact the potential need. The Law Department will monitor this need closely.

4. City Manager’s Office: Office of Environment and Sustainability (\$0.1 million)

The Office of Environment and Sustainability projects a potential budget need of \$138,000 related to recycling fees. Personnel savings in the City Manager’s Office may partially offset this need.

C. Within Budget, Intradepartmental Budget Transfers May Be Needed

Numerous General Fund 050 departments have indicated the ability to manage their resources within their appropriation. However, budget adjustments within their departments may be required. These transfers are referred to as Intradepartmental Budget Transfers. Unless noted otherwise, these Intradepartmental Budget Transfers will be included in the FAO, which will be presented to the City Council for approval in May 2022.

1. Clerk of Council

The Clerk of Council's Office projects no budget savings or need at this time.

2. Enterprise Technology Solutions

The Department of Enterprise Technology Solutions projects a potential personnel need depending on when vacant positions are filled. The Office of Budget and Evaluation will closely monitor personnel expenses and staffing trends over the next several months.

3. City Manager’s Office

The Cincinnati Initiative to Reduce Violence (CIRV) program projects a potential non-personnel need related to the Collaborative Agreement Sustainability Manager consultant expense. However, this expense will be offset by savings in personnel.

- 4. City Manager's Office: Office of Communications**
The Office of Communications projects no budget savings or need at this time.
- 5. City Manager's Office: Office of Human Relations**
The Office of Human Relations projects a \$14,000 need related to the final pension obligation payment to the United Way for Community Outreach Advocates. This is a one-time need; it is expected that this need can be offset by vacancy savings in the City Manager's Office.
- 6. City Manager's Office: Office of Budget and Evaluation**
The Office of Budget and Evaluation does not project a savings or need at this time, pending reimbursement processing.
- 7. City Manager's Office: Emergency Communications Center (ECC)**
The Emergency Communications Center projects no budget savings or need at this time.
- 8. City Manager's Office: Office of Procurement**
The Office of Procurement projects a possible contractual services need due to the Law Department billing for collection fees, which was not budgeted. This need will be monitored.
- 9. City Manager's Office: Office of Performance and Data Analytics (OPDA)**
The Office of Performance and Data Analytics projects no budget savings or need at this time.
- 10. City Manager's Office: Internal Audit**
Internal Audit projects no budget savings or need at this time.
- 11. Department of Law**
The Department of Law incurred some unplanned non-personnel expenses related to outside counsel on various cases. Council passed Ordinance No. 0466-2021 on December 8, 2021, which transferred \$35,000 within the General Fund to the Department of Law to address this need. At this time, the Department of Law projects no budget savings or need for FY 2022.
- 12. Department of Human Resources**
The Department of Human Resources projects no budget savings or need at this time. However, as the HR centralization process is implemented, there may be some non-personnel needs that will need to be addressed.
- 13. Department of Finance**
The Department of Finance projects no budget savings or need at this time.

14. Department of Community and Economic Development (DCED)

The Department of Community and Economic Development projects no budget savings or need at this time. However, transfers between agencies may be required as part of the FAO.

15. Department of City Planning and Engagement

The Department of City Planning and Engagement projects a potential non-personnel need due to unexpected increases in telephone, membership fees, postage, and office supplies. These needs may be offset with position vacancy savings achieved earlier in the fiscal year. The department is currently fully staffed and should be able to achieve budgeted reimbursements.

On August 4, 2021, the City Council passed Ordinance No. 0331-2021 to transfer the Zoning Administration Division from the Department of Buildings and Inspections to the Department of City Planning and Engagement. The division transfer was effective October 3, 2021. The Zoning Administration Division will physically move to City Planning and Engagement in February 2022. This may result in increased office supply usage. The General Fund resources associated with this division will be monitored closely for the remainder of FY 2022.

16. Citizen Complaint Authority

The Citizen Complaint Authority projects personnel savings due to unexpected position vacancies. The savings is planned to offset the cost of office renovations to accommodate new staff.

17. Cincinnati Recreation Commission

The Cincinnati Recreation Commission projects no budget savings or need at this time. However, internal transfers may be required as part of the FAO.

18. Cincinnati Parks Department

The Parks Department projects no budget savings or need at this time. However, transfers between agencies may be required as part of the FAO.

19. Department of Buildings and Inspections

The Department of Buildings and Inspections projects no budget savings or need at this time. The department has several reimbursements that will be processed in the coming months. Overtime has increased due to position vacancies and related hiring timelines. The department will continue to monitor overtime trends and position vacancy allowance.

20. Department of Transportation and Engineering

The Department of Transportation and Engineering projects no personnel budget savings or needs, pending reimbursement processing. However, transfers within the department may be required as part of the FAO.

21. Department of Public Services

The Department of Public Services reports neither a need nor a savings in the General Fund. Although the department anticipates personnel savings due to position vacancies, these savings may be partially offset by increased utility costs due to stormwater rate increases. Over the previous three calendar years, stormwater rate increases have resulted in expenses outpacing budgeted resources for utility expenses at city-owned buildings. Based on current billings, utility expenses could create a budget need of approximately \$45,500. These savings and needs will be monitored closely as the fiscal year continues.

22. Department of Economic Inclusion

The Department of Economic Inclusion previously projected a non-personnel need related to a prior year leveraged support obligation that required the use of the majority of their FY 2022 non-personnel appropriation. However, the department has realized position vacancy savings to partially offset this need. Council passed Ordinance No. 0466-2021 on December 8, 2021, which transferred personnel savings to non-personnel to partially address the prior year leveraged support obligation. Any remaining needs will be addressed in the FAO.

II. ENTERPRISE FUNDS

Enterprise Funds account for any activity for which a fee is charged to external users for goods or services. If an activity's principal revenue source meets any one of the following criteria, it is required to be reported as an enterprise fund: (1) an activity financed with debt that is secured solely by pledge of the net revenues from fees and charges for the activity; (2) laws or regulations which require that the activity's costs of providing services, including capital costs, be recovered with fees and charges, rather than with taxes or similar revenues; or (3) pricing policies which establish fees and charges designed to recover the activity's costs.

A. Water Works Fund 101

Water Works Fund 101 is 48.3% expended year to date. The Greater Cincinnati Water Works (GCWW) projects a total need of up to \$2.5 million primarily due to higher than expected utility costs. The total need also reflects anticipated cost increases for laboratory chemicals and supplies due to COVID-19 related supply chain issues as well as unexpected costs associated with the Lick Run emergency watermain repair. A mid-year budget adjustment ordinance is required to address these needs.

B. Parking System Facilities Fund 102

Parking System Facilities Fund 102 includes the budget for off-street parking enterprises (including garages). Fund 102 is currently 40.8% expended year to date. The Division of Parking Facilities within the Department of Community and Economic Development experienced an increase in rent expenses starting in

December due to the sharp rise in employee parking at the Seventh Street Garage and the Hennegan Lot. The division is responsible for covering the difference between what City employees pay and the contracted monthly rate. While the division currently projects a net savings of \$30,000 due to lower than expected contractual services expenses, they will continue to monitor rent needs related to employee parking trends.

C. Duke Energy Convention Center Fund 103

Duke Energy Convention Center Fund 103 is 43.1% expended year to date. The Finance Department projects an approximate need of \$32,000 in personnel for reimbursements to the City Manager's Office.

D. General Aviation Fund 104

General Aviation Fund 104 is 44.2% expended year to date. The Department of Transportation and Engineering may have personnel and fringe benefits savings in Fund 104 due to position vacancies, which will be monitored. Possible non-personnel savings will also be monitored closely.

E. Municipal Golf Fund 105

Municipal Golf Fund 105 is 52.0% expended year to date, which reflects expenses for the calendar year (CY) 2021 golf season and meets expectations. The Cincinnati Recreation Commission projects no budget savings or need.

F. Stormwater Management Fund 107

Stormwater Management Fund 107 provides resources to various City departments. The major recipient of resources from this fund is the Stormwater Management Utility (SMU). The Department of Public Services, the Parks Department, and the Department of Buildings and Inspections also receive appropriations from this fund. The Stormwater Management Fund is 46.7% expended year to date. SMU, the Parks Department, Department of Public Services, and the Department of Buildings and Inspections project no budget savings or need at this time.

III. DEBT SERVICE FUND

Debt Service Funds account for the accumulation of resources for, and the payment of, principal and interest on the City's bonds issued in support of governmental activities.

A. Bond Retirement Fund 151

Bond Retirement Fund 151 is 37.2% expended year to date. The Finance Department projects no budget savings or need for FY 2022.

IV. APPROPRIATED SPECIAL REVENUE FUNDS

Special Revenue Funds account for the proceeds of specific revenue sources (other than trusts for individuals, private organizations, or other governments, or for major capital projects) that are legally restricted to expenditures for specific purposes.

The Office of Budget and Evaluation, in cooperation with various City departments, reviewed appropriated special revenue funds to ensure the Approved FY 2022 Budget remains in balance. Based on expenditures and revenues through January 31, 2022, most special revenue funds are on target with regards to their budget and require no additional appropriations at this time. Any identified issues are highlighted in the narrative summaries provided below. If warranted, budget adjustments will be addressed in the FAO later in the fiscal year.

A. Street Construction, Maintenance & Repair Fund 301

Street Construction, Maintenance & Repair Fund 301 is 36.4% expended year to date. The Department of Transportation and Engineering projects no budget savings or need in FY 2022. The Department of Public Services anticipates personnel and fringe benefit savings in Fund 301; however, these savings are anticipated to be partially offset by increased winter emergency operations expenses due to the inclement weather events in the beginning of February.

B. Income Tax-Infrastructure Fund 302

Income Tax-Infrastructure Fund 302 provides resources to several City departments. The Department of Transportation and Engineering is the largest recipient of resources from this fund. The Department of Public Services also receives Income Tax-Infrastructure resources. Fund 302 is 47.4% expended year to date. The Department of Transportation and Engineering does not anticipate significant savings or needs. The Department of Public Services projects a possible personnel need, which can be offset by savings in other agencies.

C. Parking Meter Fund 303

Parking Meter Fund 303 includes the budget for on-street parking enterprises (including parking meters). Fund 303 is currently 47.3% expended year to date. The Division of Parking Facilities within the Department of Community and Economic Development previously projected a savings of \$50,000 due to lower than expected traffic control supplies expenses. However, due to a change in the residential parking permit process, that savings will be applied to a permit system and other related expenses.

D. Municipal Motor Vehicle License Tax Fund 306

Municipal Motor Vehicle License Tax Fund 306 is 32.9% expended year to date. The Department of Public Services currently projects a budget savings; however,

these savings are anticipated to be partially offset by increased winter emergency operations expenses due to the inclement weather events in the beginning of February.

E. Sawyer Point Fund 318

Sawyer Point Fund 318 is 25.3% expended year to date. The Parks Department projects no budget savings or need in Fund 318.

F. Recreation Special Activities Fund 323

Fund 323 is currently 34.9% expended year to date. The Cincinnati Recreation Commission projects no budget savings or need in Fund 323.

G. Cincinnati Riverfront Park Fund 329

Cincinnati Riverfront Park Fund 329 is the appropriated fund that is for Smale Park. Fund 329 is currently 11.1% expended year to date. The Parks Department projects no budget savings or need in Fund 329.

H. Hazard Abatement Fund 347

Hazard Abatement Fund 347 is 17.4% expended year to date. The Department of Buildings and Inspections projects no budget savings or need at this time.

I. Bond Hill Roselawn Stabilization & Revitalization Operations Fund 358

Bond Hill Roselawn Stabilization & Revitalization Operations Fund 358 was established in FY 2016 as a \$1.0 million contract over five years for the Bond Hill Roselawn neighborhood. The full remaining fund balance of \$250,000 was appropriated in FY 2022. Once the funds are exhausted, the fund will be eliminated. This fund is 100.00% committed for FY 2022.

J. 9-1-1 Cell Phone Fees Fund 364

9-1-1 Cell Phone Fees Fund 364 is the appropriated fund that governs the City portion of state collected revenue from mobile device fees. Fund 364 is currently 11.5% expended year to date. The Emergency Communications Center projects no budget savings or need in Fund 364.

K. Safe and Clean Fund 377

Safe and Clean Fund 377 is the appropriated fund that collects revenue associated with billboard leases. These resources are allocated to Keep Cincinnati Beautiful (KCB) expenditures. This fund is currently 5.3% expended year to date. The Department of Public Services projects no budget savings or need.

L. Community Health Center Activities Fund 395

Community Health Center Activities Fund 395 is 52.4% expended year to date. The Cincinnati Health Department (CHD) projects a total need of \$284,000, including a personnel and fringe benefit need in health centers. However, CHD

anticipates these needs will be offset by a personnel and fringe benefit savings anticipated from school-based services. The department has several staff members assigned to COVID-19 related tasks; therefore, the department will pursue American Rescue Plan (ARP) Act reimbursements and Federal Emergency Management Agency (FEMA) reimbursements for eligible expenses as well. The department also reports an increase in contractual service costs for security services. Transfers may be required as part of the FAO.

M. Cincinnati Health District Fund 416

General operational support to the Cincinnati Health Department is provided by Cincinnati Health District Fund 416. This fund is 49.1% expended year to date. The Cincinnati Health Department (CHD) projects a net need of \$150,000 primarily due to COVID-19 related expenditures and an increase in contractual service costs for security services. CHD also anticipates a need in personnel and fringe benefits due to COVID-19 related overtime. Eligible COVID-19 expenses will be reimbursed by the American Rescue Plan (ARP) Act and Federal Emergency Management Agency (FEMA) funding. The Department also identified position vacancy savings that will be used to partially offset expected needs. Transfers may be required as part of the FAO.

N. Cincinnati Area Geographic Information System (CAGIS) Fund 449

Cincinnati Area Geographic Information System Fund 449 is 43.9% expended year to date. Enterprise Technology Solutions projects no budget savings or need at this time.

O. Streetcar Operations Fund 455

Streetcar Operations Fund 455 is 16.7% expended year to date. The Department of Transportation and Engineering may have personnel and fringe benefits savings in Fund 455 due to position vacancies. DOTE also projects a savings in contractual services due to receiving a grant. Other possible non-personnel savings will be monitored.

P. County Law Enforcement Applied Regionally (CLEAR) Fund 457

The CLEAR Fund is 31.4% expended year to date. Enterprise Technology Solutions projects no budget savings or need for FY 2022.

Summary

Through January 31, 2022, major budget issues include the Fire Department's staffing and overtime needs, Police and Fire lump sum payments, revenue decline in Community Health Center Activities Fund 395 and Parking Meter Fund 303, unbudgeted wage items resulting from collective bargaining agreements, and COVID-19 related impacts to the supply chain and the costs of various goods and

services. Departments have identified possible savings and shortfalls, which will continue to be monitored and updated monthly.

Submitted herewith are the following Office of Budget & Evaluation reports:

1. Fund Summary Report for the month ended January 31, 2022.

Submitted herewith are the following Department of Finance reports:

2. Comparative Statement of Revenue (Actuals, Forecast and Prior Year) as of January 31, 2022.
3. Audit of the City Treasurer's Report for the month ended December 31, 2021.
4. Statement of Balances in the various funds as of January 31, 2022.

By approval of this report, City Council appropriates the revenues received in the various restricted funds on the attached Statement of Balances and as stated in greater detail on the records maintained by the Department of Finance, Division of Accounts & Audits. Such revenues are to be expended in accordance with the purposes for which the funds were established.

cc: William "Billy" Weber, Assistant City Manager
Karen Alder, Finance Director
Andrew M. Dudas, Budget Director

**CITY OF CINCINNATI
FUND SUMMARY
FOR FISCAL YEAR 2022
AS OF 1/31/2022**

FUND	FUND NAME	EXPENDITURE CATEGORY	CURRENT BUDGET	PERCENT EXPENDED	EXPENDED	ENCUMBERED	TOTAL COMMITTED	PERCENT COMMITTED	REMAINING BALANCE
050	General	PERSONNEL SERVICES	262,493,310.00	54.6%	143,302,691.98	.00	143,302,691.98	54.6%	119,190,618.02
		EMPLOYEE BENEFITS	106,357,362.00	57.8%	61,503,751.25	384,506.00	61,888,257.25	58.2%	44,469,104.75
		NON-PERSONNEL EXPENSES	76,764,656.00	43.6%	33,468,776.84	22,256,782.71	55,725,559.55	72.6%	21,039,096.45
		PROPERTIES	47,600.00	0.0%	.00	.00	.00	0.0%	47,600.00
		*TOTAL FUND_CD 050	445,662,928.00	53.5%	238,275,220.07	22,641,288.71	260,916,508.78	58.5%	184,746,419.22
101	Water Works	PERSONNEL SERVICES	41,340,370.00	44.9%	18,542,265.38	.00	18,542,265.38	44.9%	22,798,104.62
		EMPLOYEE BENEFITS	17,618,190.00	49.2%	8,667,128.67	.00	8,667,128.67	49.2%	8,951,061.33
		NON-PERSONNEL EXPENSES	44,541,240.00	44.1%	19,636,816.95	13,077,537.72	32,714,354.67	73.4%	11,826,885.33
		DEBT SERVICE	45,232,610.00	55.1%	24,934,435.98	2,753,991.78	27,688,427.76	61.2%	17,544,182.24
		*TOTAL FUND_CD 101	148,732,410.00	48.3%	71,780,646.98	15,831,529.50	87,612,176.48	58.9%	61,120,233.52
102	Parking System Facilities	PERSONNEL SERVICES	367,860.00	50.0%	183,942.49	.00	183,942.49	50.0%	183,917.51
		EMPLOYEE BENEFITS	139,830.00	69.5%	97,236.71	.00	97,236.71	69.5%	42,593.29
		NON-PERSONNEL EXPENSES	4,991,900.00	41.0%	2,046,779.17	1,809,332.32	3,856,111.49	77.2%	1,135,788.51
		DEBT SERVICE	2,218,940.00	37.0%	822,047.52	.00	822,047.52	37.0%	1,396,892.48
		*TOTAL FUND_CD 102	7,718,530.00	40.8%	3,150,005.89	1,809,332.32	4,959,338.21	64.3%	2,759,191.79
103	Convention-Exposition Center	PERSONNEL SERVICES	69,420.00	58.8%	40,807.65	.00	40,807.65	58.8%	28,612.35
		EMPLOYEE BENEFITS	40,340.00	35.5%	14,317.48	.00	14,317.48	35.5%	26,022.52
		NON-PERSONNEL EXPENSES	9,559,090.00	41.7%	3,981,363.95	4,789,085.00	8,770,448.95	91.7%	788,641.05
		DEBT SERVICE	306,320.00	84.3%	258,126.69	.00	258,126.69	84.3%	48,193.31
		*TOTAL FUND_CD 103	9,975,170.00	43.1%	4,294,615.77	4,789,085.00	9,083,700.77	91.1%	891,469.23
104	General Aviation	PERSONNEL SERVICES	1,017,140.00	39.1%	397,951.07	.00	397,951.07	39.1%	619,188.93
		EMPLOYEE BENEFITS	379,360.00	46.7%	177,279.35	.00	177,279.35	46.7%	202,080.65
		NON-PERSONNEL EXPENSES	926,430.00	46.3%	428,931.73	136,711.72	565,643.45	61.1%	360,786.55
		DEBT SERVICE	51,270.00	90.4%	46,372.23	.00	46,372.23	90.4%	4,897.77
		*TOTAL FUND_CD 104	2,374,200.00	44.2%	1,050,534.38	136,711.72	1,187,246.10	50.0%	1,186,953.90

**CITY OF CINCINNATI
FUND SUMMARY
FOR FISCAL YEAR 2022
AS OF 1/31/2022**

FUND	FUND NAME	EXPENDITURE CATEGORY	CURRENT BUDGET	EXPENDED	PERCENT EXPENDED	ENCUMBERED	TOTAL COMMITTED	PERCENT COMMITTED	REMAINING BALANCE
105	Municipal Golf	PERSONNEL SERVICES	219,950.00	45,674.87	20.8%	.00	45,674.87	20.8%	174,275.13
		EMPLOYEE BENEFITS	78,610.00	15,452.57	19.7%	.00	15,452.57	19.7%	63,157.43
		NON-PERSONNEL EXPENSES	4,917,610.00	2,641,934.71	53.7%	743,208.26	3,385,142.97	68.8%	1,532,467.03
		DEBT SERVICE	325,630.00	178,187.50	54.7%	.00	178,187.50	54.7%	147,442.50
		*TOTAL FUND_CD 105	5,541,800.00	2,881,249.65	52.0%	743,208.26	3,624,457.91	65.4%	1,917,342.09
107	Stormwater Management	PERSONNEL SERVICES	9,162,390.00	4,113,966.51	44.9%	.00	4,113,966.51	44.9%	5,048,423.49
		EMPLOYEE BENEFITS	3,985,700.00	1,766,793.99	44.3%	.00	1,766,793.99	44.3%	2,218,906.01
		NON-PERSONNEL EXPENSES	11,263,455.00	4,990,215.20	44.3%	2,109,916.90	7,100,132.10	63.0%	4,163,322.90
		PROPERTIES	190,000.00	44,612.00	23.5%	.00	44,612.00	23.5%	145,388.00
		DEBT SERVICE	1,699,480.00	1,369,099.32	80.6%	.00	1,369,099.32	80.6%	330,380.68
		*TOTAL FUND_CD 107	26,301,025.00	12,284,687.02	46.7%	2,109,916.90	14,394,603.92	54.7%	11,906,421.08
151	Bond Retirement - City	PERSONNEL SERVICES	300,200.00	71,020.94	23.7%	.00	71,020.94	23.7%	229,179.06
		EMPLOYEE BENEFITS	125,620.00	25,359.33	20.2%	.00	25,359.33	20.2%	100,260.67
		NON-PERSONNEL EXPENSES	3,436,380.00	895,599.46	26.1%	138,865.51	1,034,464.97	30.1%	2,401,915.03
		DEBT SERVICE	180,341,590.00	67,559,812.08	37.5%	.00	67,559,812.08	37.5%	112,781,777.92
		*TOTAL FUND_CD 151	184,203,790.00	68,551,791.81	37.2%	138,865.51	68,690,657.32	37.3%	115,513,132.68
301	Street Construction Maintenance & Repair	PERSONNEL SERVICES	6,477,260.00	2,681,022.67	41.4%	.00	2,681,022.67	41.4%	3,796,237.33
		EMPLOYEE BENEFITS	3,022,210.00	1,344,690.25	44.5%	.00	1,344,690.25	44.5%	1,677,519.75
		NON-PERSONNEL EXPENSES	6,781,730.00	1,893,949.31	27.9%	1,142,105.99	3,036,055.30	44.8%	3,745,674.70
		PROPERTIES	.00	.00		.00	.00		.00
		*TOTAL FUND_CD 301	16,281,200.00	5,919,662.23	36.4%	1,142,105.99	7,061,768.22	43.4%	9,219,431.78
302	Income Tax-Infrastructure	PERSONNEL SERVICES	12,567,540.00	5,547,838.78	44.1%	.00	5,547,838.78	44.1%	7,019,701.22
		EMPLOYEE BENEFITS	4,710,640.00	2,508,361.93	53.2%	.00	2,508,361.93	53.2%	2,202,278.07
		NON-PERSONNEL EXPENSES	5,171,670.00	2,578,220.37	49.9%	942,188.15	3,520,408.52	68.1%	1,651,261.48
		*TOTAL FUND_CD 302	22,449,850.00	10,634,421.08	47.4%	942,188.15	11,576,609.23	51.6%	10,873,240.77

**CITY OF CINCINNATI
FUND SUMMARY
FOR FISCAL YEAR 2022
AS OF 1/31/2022**

FUND	FUND NAME	EXPENDITURE CATEGORY	CURRENT BUDGET	EXPENDED	PERCENT EXPENDED	ENCUMBERED	TOTAL COMMITTED	PERCENT COMMITTED	REMAINING BALANCE
303	Parking Meter	PERSONNEL SERVICES	1,744,870.00	778,196.33	44.6%	.00	778,196.33	44.6%	966,673.67
		EMPLOYEE BENEFITS	729,570.00	407,334.64	55.8%	.00	407,334.64	55.8%	322,235.36
		NON-PERSONNEL EXPENSES	2,299,210.00	1,073,752.78	46.7%	764,723.48	1,838,476.26	80.0%	460,733.74
		*TOTAL FUND_CD 303	4,773,650.00	2,259,283.75	47.3%	764,723.48	3,024,007.23	63.3%	1,749,642.77
306	Municipal Motor Vehicle License Tax	PERSONNEL SERVICES	1,479,640.00	662,658.87	44.8%	.00	662,658.87	44.8%	816,981.13
		EMPLOYEE BENEFITS	707,360.00	345,149.80	48.8%	.00	345,149.80	48.8%	362,210.20
		NON-PERSONNEL EXPENSES	1,594,820.00	237,195.60	14.9%	105,240.97	342,436.57	21.5%	1,252,383.43
		*TOTAL FUND_CD 306	3,781,820.00	1,245,004.27	32.9%	105,240.97	1,350,245.24	35.7%	2,431,574.76
318	Sawyer Point	PERSONNEL SERVICES	401,850.00	70,444.38	17.5%	.00	70,444.38	17.5%	331,405.62
		EMPLOYEE BENEFITS	58,780.00	29,436.11	50.1%	.00	29,436.11	50.1%	29,343.89
		NON-PERSONNEL EXPENSES	713,830.00	197,265.73	27.6%	164,261.30	361,527.03	50.6%	352,302.97
		*TOTAL FUND_CD 318	1,174,460.00	297,146.22	25.3%	164,261.30	461,407.52	39.3%	713,052.48
323	Recreation Special Activities	PERSONNEL SERVICES	3,569,460.00	1,173,768.84	32.9%	.00	1,173,768.84	32.9%	2,395,691.16
		EMPLOYEE BENEFITS	267,180.00	109,534.50	41.0%	.00	109,534.50	41.0%	157,645.50
		NON-PERSONNEL EXPENSES	1,822,690.00	697,655.28	38.3%	121,982.75	819,638.03	45.0%	1,003,051.97
		PROPERTIES	13,580.00	.00	0.0%	.00	.00	0.0%	13,580.00
		*TOTAL FUND_CD 323	5,672,910.00	1,980,958.62	34.9%	121,982.75	2,102,941.37	37.1%	3,569,968.63
329	Cincinnati Riverfront Park	PERSONNEL SERVICES	779,920.00	36,271.91	4.7%	.00	36,271.91	4.7%	743,648.09
		EMPLOYEE BENEFITS	365,450.00	27,346.11	7.5%	.00	27,346.11	7.5%	338,103.89
		NON-PERSONNEL EXPENSES	436,810.00	111,519.43	25.5%	84,214.54	195,733.97	44.8%	241,076.03
		*TOTAL FUND_CD 329	1,582,180.00	175,137.45	11.1%	84,214.54	259,351.99	16.4%	1,322,828.01
347	Hazard Abatement Fund	PERSONNEL SERVICES	444,680.00	154,273.94	34.7%	.00	154,273.94	34.7%	290,406.06
		EMPLOYEE BENEFITS	218,590.00	75,857.39	34.7%	.00	75,857.39	34.7%	142,732.61
		NON-PERSONNEL EXPENSES	911,570.00	43,719.91	4.8%	566.00	44,285.91	4.9%	867,284.09
		*TOTAL FUND_CD 347	1,574,840.00	273,851.24	17.4%	566.00	274,417.24	17.4%	1,300,422.76

**CITY OF CINCINNATI
FUND SUMMARY
FOR FISCAL YEAR 2022
AS OF 1/31/2022**

FUND	FUND NAME	EXPENDITURE CATEGORY	CURRENT BUDGET	EXPENDED	PERCENT EXPENDED	ENCUMBERED	TOTAL COMMITTED	PERCENT COMMITTED	REMAINING BALANCE
358	Bond Hill Roselawn Stabilization & Revitalization Operations	NON-PERSONNEL EXPENSES	250,000.00	161,845.18	64.7%	88,154.82	250,000.00	100.0%	.00
	*TOTAL FUND_CD 358		250,000.00	161,845.18	64.7%	88,154.82	250,000.00	100.0%	.00
364	9-1-1 Cell Phone Fees	PERSONNEL SERVICES	970,010.00	.00	0.0%	.00	.00	0.0%	970,010.00
		EMPLOYEE BENEFITS	.00	.00		.00	.00		.00
		NON-PERSONNEL EXPENSES	639,760.00	184,926.44	28.9%	183,440.63	368,367.07	57.6%	271,392.93
	*TOTAL FUND_CD 364		1,609,770.00	184,926.44	11.5%	183,440.63	368,367.07	22.9%	1,241,402.93
377	Safe & Clean	NON-PERSONNEL EXPENSES	.00	.00		.00	.00		.00
		NON-PERSONNEL EXPENSES	51,520.00	2,740.80	5.3%	48,779.20	51,520.00	100.0%	.00
	*TOTAL FUND_CD 377		51,520.00	2,740.80	5.3%	48,779.20	51,520.00	100.0%	.00
395	Community Health Center	PERSONNEL SERVICES	12,281,009.00	6,316,850.50	51.4%	.00	6,316,850.50	51.4%	5,964,158.50
		EMPLOYEE BENEFITS	5,096,791.00	2,983,150.62	58.5%	.00	2,983,150.62	58.5%	2,113,640.38
		NON-PERSONNEL EXPENSES	8,447,920.00	4,245,011.54	50.2%	3,544,093.00	7,789,104.54	92.2%	658,815.46
	*TOTAL FUND_CD 395		25,825,720.00	13,545,012.66	52.4%	3,544,093.00	17,089,105.66	66.2%	8,736,614.34
416	Cincinnati Health District	PERSONNEL SERVICES	11,971,330.00	5,962,861.58	49.8%	.00	5,962,861.58	49.8%	6,008,468.42
		EMPLOYEE BENEFITS	4,881,800.00	2,356,836.18	48.3%	.00	2,356,836.18	48.3%	2,524,963.82
		NON-PERSONNEL EXPENSES	1,327,030.00	611,338.80	46.1%	425,896.39	1,037,235.19	78.2%	289,794.81
		PROPERTIES	2,950.00	.00	0.0%	.00	.00	0.0%	2,950.00
	*TOTAL FUND_CD 416		18,183,110.00	8,931,036.56	49.1%	425,896.39	9,356,932.95	51.5%	8,826,177.05
449	Cincinnati Area Geographic Information Systems (CAGIS)	PERSONNEL SERVICES	1,845,320.00	851,876.14	46.2%	.00	851,876.14	46.2%	993,443.86
		EMPLOYEE BENEFITS	694,580.00	363,060.60	52.3%	.00	363,060.60	52.3%	331,519.40
		NON-PERSONNEL EXPENSES	2,156,530.00	844,931.26	39.2%	129,500.48	974,431.74	45.2%	1,182,098.26
	*TOTAL FUND_CD 449		4,696,430.00	2,059,868.00	43.9%	129,500.48	2,189,368.48	46.6%	2,507,061.52

**CITY OF CINCINNATI
FUND SUMMARY
FOR FISCAL YEAR 2022
AS OF 1/31/2022**

FUND	FUND NAME	EXPENDITURE CATEGORY	CURRENT BUDGET	EXPENDED	PERCENT EXPENDED	ENCUMBERED	TOTAL COMMITTED	PERCENT COMMITTED	REMAINING BALANCE
455	Streetcar Operations	PERSONNEL SERVICES	819,604.00	292,978.00	35.7%	.00	292,978.00	35.7%	526,626.00
		EMPLOYEE BENEFITS	188,830.00	12,717.49	6.7%	.00	12,717.49	6.7%	176,112.51
		NON-PERSONNEL EXPENSES	5,027,038.00	702,540.24	14.0%	2,788,308.35	3,490,848.59	69.4%	1,536,189.41
		*TOTAL FUND_CD 455	6,035,472.00	1,008,235.73	16.7%	2,788,308.35	3,796,544.08	62.9%	2,238,927.92
	County Law Enforcement Applied								
457	Regionally (CLEAR)	PERSONNEL SERVICES	1,488,680.00	415,150.06	27.9%	.00	415,150.06	27.9%	1,073,529.94
		EMPLOYEE BENEFITS	490,610.00	161,223.52	32.9%	.00	161,223.52	32.9%	329,386.48
		NON-PERSONNEL EXPENSES	3,458,880.00	1,130,643.62	32.7%	358,721.74	1,489,365.36	43.1%	1,969,514.64
		*TOTAL FUND_CD 457	5,438,170.00	1,707,017.20	31.4%	358,721.74	2,065,738.94	38.0%	3,372,431.06
TOTAL			949,890,955.00	452,654,899.00	47.7%	59,092,115.71	511,747,014.71	53.9%	438,143,940.29

202200888
Date: March 30, 2022

To: Mayor Aftab Pureval and Vice Mayor Jan-Michele Lemon Kearney
From: Andrew W. Garth, City Solicitor *AWG/PAK*
Subject: **Emergency Ordinance – American Rescue Plan Funds for ADDI Program**

Transmitted herewith is an emergency ordinance captioned as follows:

AUTHORIZING the transfer and return to source Local Fiscal Recovery Fund 469 of the sum of \$300,000 from American Rescue Plan grant project account no. 469x101xARP050, “FY 2021 COVID Expenses,” for the purpose of realigning sources with actual uses; **ESTABLISHING** new Local Fiscal Recovery Fund 469 American Rescue Plan grant project account no. 469x101xARP204, “ADDI,” for the purpose of providing funds to enhance the American Dream Down Payment Initiative program overseen by the Department of Community and Economic Development; **AUTHORIZING** the transfer and appropriation of the sum of \$300,000 from the unappropriated surplus of Local Fiscal Recovery Fund 469 to newly established American Rescue Plan grant project account no. 469x101xARP204, “ADDI,” for the purpose of providing funds to enhance the American Dream Down Payment Initiative program which assists low income first-time homebuyers by providing eligible applicants with down payment/closing costs in the form of a forgivable loan; and **DECLARING** expenditures from American Rescue Plan grant project account no. 469x101xARP204, “ADDI,” to be for a public purpose.

AWG/AKS(ink)
Attachment
360863

EMERGENCY

City of Cincinnati

AKS *AKS/ROA*

An Ordinance No. _____

- 2022

AUTHORIZING the transfer and return to source Local Fiscal Recovery Fund 469 of the sum of \$300,000 from American Rescue Plan grant project account no. 469x101xARP050, “FY 2021 COVID Expenses,” for the purpose of realigning sources with actual uses; **ESTABLISHING** new Local Fiscal Recovery Fund 469 American Rescue Plan grant project account no. 469x101xARP204, “ADDI,” for the purpose of providing funds to enhance the American Dream Down Payment Initiative program overseen by the Department of Community and Economic Development; **AUTHORIZING** the transfer and appropriation of the sum of \$300,000 from the unappropriated surplus of Local Fiscal Recovery Fund 469 to newly established American Rescue Plan grant project account no. 469x101xARP204, “ADDI,” for the purpose of providing funds to enhance the American Dream Down Payment Initiative program which assists low income first-time homebuyers by providing eligible applicants with down payment/closing costs in the form of a forgivable loan; and **DECLARING** expenditures from American Rescue Plan grant project account no. 469x101xARP204, “ADDI,” to be for a public purpose.

WHEREAS, the City received funding from the United States Department of the Treasury pursuant to the American Rescue Plan Act as part of the Coronavirus Local Fiscal Recovery Fund Act; and

WHEREAS, a portion of the funding was appropriated to American Rescue Plan grant project account no. 469x101xARP050, “FY 2021 COVID Expenses,” which was designated to provide fiscal stability for fiscal year 2021; and

WHEREAS, the City’s fiscal year 2021 budget is now closed, so remaining funds identified for fiscal year 2021 fiscal stability are available to be reallocated for other purposes; and

WHEREAS, the Department of Community and Economic Development oversees the American Dream Down Payment Initiative (“ADDI”) program which assists low-income first-time homebuyers by providing eligible applicants with down payment/closing costs in the form of a forgivable loan; and

WHEREAS, the COVID-19 pandemic negatively impacted potential first-time homebuyers within disproportionately impacted low-income communities in the City, and \$300,000 of American Rescue Plan funds is being made available to enhance the ADDI program; now, therefore,

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

Section 1. That the sum of \$300,000 is hereby transferred and returned to source Local Fiscal Recovery Fund 469 from American Rescue Plan grant project account no. 469x101xARP050, "FY 2021 COVID Expenses," for the purpose of realigning sources with actual uses.

Section 2. That the Director of Finance is hereby authorized to establish new Local Fiscal Recovery Fund 469 American Rescue Plan grant project account no. 469x101xARP204, "ADDI," for the purpose of providing funds to enhance the American Dream Down Payment Initiative program overseen by the Department of Community and Economic Development.

Section 3. That the sum of \$300,000 is hereby transferred and appropriated from the unappropriated surplus of Local Fiscal Recovery Fund 469 to newly established American Rescue Plan grant project account no. 469x101xARP204, "ADDI," for the purpose of providing funds to enhance the American Dream Down Payment Initiative program which assists low-income first-time homebuyers by providing eligible applicants with down payment/closing costs in the form of a forgivable loan.

Section 4. That expenditures from American Rescue Plan grant project account no. 469x101xARP204, "ADDI," are hereby declared to be for a public purpose because the COVID-19 pandemic negatively impacted potential first-time homebuyers within disproportionately impacted low-income communities in the City.

Section 5. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Sections 1 through 4 hereof.

Section 6. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is

the immediate need to implement authorized American Rescue Plan-related support programs and projects.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

202200924
Date: March 31, 2022

To: Mayor Aftab Pureval and Councilmember Jeff Cramerding
From: Andrew W. Garth, City Solicitor *AWG/PAH*
Subject: **Emergency Ordinance – American Rescue Plan Funds for Rapid Run Park Pedestrian and Bike Improvements**

Transmitted herewith is an emergency ordinance captioned as follows:

AUTHORIZING the transfer and return to source Local Fiscal Recovery Fund 469 of the sum of \$400,000 from American Rescue Plan grant project account no. 469x101xARP050, “FY 2021 COVID Expenses,” for the purpose of realigning sources with actual uses; **ESTABLISHING** new Local Fiscal Recovery Fund 469 American Rescue Plan grant project account no. 469x101xARP205, “Westside Recreational Connectivity Improvements,” for the purpose of providing funds for the purpose of providing funds for the planning, engagement, design, and construction of pedestrian and bike improvements that would improve connectivity among Dunham Recreation Center, Rapid Run Park, and the Lick Run Greenway; **AUTHORIZING** the transfer and appropriation of the sum of \$400,000 from the unappropriated surplus of Local Fiscal Recovery Fund 469 to newly established American Rescue Plan grant project account no. 469x101xARP205, “Westside Recreational Connectivity Improvements,” for the purpose of providing funds for the planning, engagement, design, and construction of pedestrian and bike improvements that would improve connectivity among Dunham Recreation Center, Rapid Run Park, and the Lick Run Greenway; and **DECLARING** expenditures from American Rescue Plan grant project account no. 469x101xARP205, “Westside Recreational Connectivity Improvements,” to be for a public purpose.

AWG/CMZ(lnk)
Attachment
360966



EMERGENCY

City of Cincinnati

CMZ
Aug/2021

An Ordinance No. _____

- 2022

AUTHORIZING the transfer and return to source Local Fiscal Recovery Fund 469 of the sum of \$400,000 from American Rescue Plan grant project account no. 469x101xARP050, "FY 2021 COVID Expenses," for the purpose of realigning sources with actual uses; **ESTABLISHING** new Local Fiscal Recovery Fund 469 American Rescue Plan grant project account no. 469x101xARP205, "Westside Recreational Connectivity Improvements," for the purpose of providing funds for the planning, engagement, design, and construction of pedestrian and bike improvements that would improve connectivity among Dunham Recreation Center, Rapid Run Park, and the Lick Run Greenway; **AUTHORIZING** the transfer and appropriation of the sum of \$400,000 from the unappropriated surplus of Local Fiscal Recovery Fund 469 to newly established American Rescue Plan grant project account no. 469x101xARP205, "Westside Recreational Connectivity Improvements," for the purpose of providing funds for the planning, engagement, design, and construction of pedestrian and bike improvements that would improve connectivity among Dunham Recreation Center, Rapid Run Park, and the Lick Run Greenway; and **DECLARING** expenditures from American Rescue Plan grant project account no. 469x101xARP205, "Westside Recreational Connectivity Improvements," to be for a public purpose.

WHEREAS, the City received funding from the United States Department of the Treasury pursuant to the American Rescue Plan Act as part of the Coronavirus Local Fiscal Recovery Fund Act; and

WHEREAS, a portion of the funding was appropriated to American Rescue Plan grant project account no. 469x101xARP050, "FY 2021 COVID Expenses," which was designated to provide fiscal stability for fiscal year 2021; and

WHEREAS, the City's fiscal year 2021 budget is now closed, so remaining funds identified for fiscal year 2021 fiscal stability are available to be reallocated for other purposes; and

WHEREAS, improvements to pedestrian and bike infrastructure are necessary to connect Rapid Run Park in the Price Hill neighborhood of the City with the Dunham Recreation Center and the Lick Run Greenway; and

WHEREAS, \$400,000 of American Rescue Plan funds is required to improve pedestrian and bike infrastructure, and direct expenditure of these funds can be used to address negative health and safety outcomes within disproportionately impacted communities in the City due to the COVID-19 pandemic, and revenue replacement can be used to enhance pedestrian safety efforts in other areas of the City; now, therefore,

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

Section 1. That the sum of \$400,000 is hereby transferred and returned to source Local Fiscal Recovery Fund 469 from American Rescue Plan grant project account no. 469x101xARP050, “FY 2021 COVID Expenses,” for the purpose of realigning sources with actual uses.

Section 2. That the Director of Finance is hereby authorized to establish new Local Fiscal Recovery Fund 469 American Rescue Plan grant project account no. 469x101xARP205, “Westside Recreational Connectivity Improvements,” for the purpose of providing funds for the planning, engagement, design, and construction of pedestrian and bike improvements that would improve connectivity among Dunham Recreation Center, Rapid Run Park, and the Lick Run Greenway.

Section 3. That the sum of \$400,000 is hereby transferred and appropriated from the unappropriated surplus of Local Fiscal Recovery Fund 469 to newly established American Rescue Plan grant project account no. 469x101xARP205, “Westside Recreational Connectivity Improvements,” for the purpose of providing funds for the planning, engagement, design, and construction of pedestrian and bike improvements that would improve connectivity among Dunham Recreation Center, Rapid Run Park, and the Lick Run Greenway.

Section 4. That expenditures from American Rescue Plan grant project account no. 469x101xARP205, “Westside Recreational Connectivity Improvements,” are hereby declared to be for a public purpose because pedestrian and bike safety improvement efforts promote improved health and safety outcomes within disproportionately impacted communities in the City and alleviate adverse impacts caused by the COVID-19 pandemic and promote improved health and safety outcomes in other areas of the City.

Section 5. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Sections 1 through 4 hereof.

Section 6. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to implement authorized American Rescue Plan-related support programs and projects.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk



202200770

Greg Landsman
Councilmember

March 21, 2022

MOTION

Tackling ACES, Together

We hereby move that the Administration work with Cincinnati Public Schools (CPS) to detail the work currently being done to address childhood trauma and effectively support young people who have experienced Adverse Childhood Experience (ACEs); make clear any potential further efforts that could be pursued on this issue; and, layout how City Council can better support this important work.

STATEMENT

On average, children in Cincinnati are statistically more likely to have an Adverse Childhood Experience (ACE) compared to the national average.¹ Breaking cycles of trauma in our youth is necessary for improving education outcomes and making Cincinnati a safer place to raise children. Research clearly shows an intimate connection between communities that have high rates of children experiencing trauma and communities with high levels of violence and crime. We need to tackle this issue, together.

Councilmember Greg Landsman

Councilmember Meeka Owens

Councilmember Reggie Harris

¹ Data Resource Center for Child & Adolescent Health

(https://publichealth.wvu.edu/sites/default/files/downloads/Rockstone-Center/ACEs%20Data%20Sheets_2014%20Data.pdf)

017009902

[Handwritten signature]
M. B. ...



202200848

Greg Landsman
Councilmember

March 28, 2022

MOTION

Lead Poisoning Data and Action

We hereby move that the Administration report to Council on available data regarding the issue of lead poisoning. This report should cover existing data gathered on both of the main sources of lead poisoning in our region (lead paint and lead pipes), as well as relevant research and data collection initiatives planned for the future. The report should further include recommendations and a feasibility analysis for projects to address lead poisoning, particularly concentrating on ways in which the Health Department and WaterWorks can work together.

STATEMENT

Lead poisoning can cause severe issues for children, including developmental problems, behavioral problems, and physical ailments. In our region, lead poisoning is spread in two ways, primarily: lead paint and lead pipes. As the Cincinnati Health Department has made us all aware, every neighborhood in Cincinnati is at risk for lead poisoning due to the age of our housing stock; our city ranks fourth in the country for oldest housing stock,¹ with over 75% of homes within the City of Cincinnati at least 40 years old.² In addition, Ohio is the second-worst state in the nation for the number of lead pipes used in water systems (behind only Illinois), as of 2021.

There is a lot of important and meaningful work happening to address this issue — including robust lead paint remediation and abatements through our Health Department, lead pipe replacement programs at WaterWorks, and ‘on the ground’ work by grassroots community organizations. The key to getting closer to our goal of eliminating lead poisoning in Cincinnati and making every neighborhood is lead-safe for all residents will be keeping up on data collection, bolstering internal communication, and ensuring leaders and all parties involved are briefed on the latest updates and progress.

Bringing this report to Council lets us stay informed as we strategize around uplifting and supporting this work, and enables us to integrate key pieces of accurate, up-to-date information into related discussions on issues (like ‘problem properties’ + more).


Councilmember Greg Landsman


Councilmember Meeka D. Owens

¹ <https://www.cincinnati.com/story/news/2021/05/20/cincinnati-ranks-no-4-oldest-housing-inventory-new-study-shows/5162745001/>

² https://www.lisc.org/medial/filer_public/6e/af/6eaf0bc11-fc3a-4a07-baac-52f73172c26e/strategy_guide_-_5-26-2020.pdf

Date: April 6, 2022

202200895

To: Mayor and Members of City Council
From: John P. Curp, Interim City Manager
Subject: BALTIMORE AVENUE MURAL

Attached is an emergency ordinance captioned as follows:

AUTHORIZING the City Manager to design, install, and maintain artwork on the retaining wall located along Baltimore Avenue in the East Westwood neighborhood, notwithstanding any conflicting Department of Transportation and Engineering rules and regulations or any provision of the Cincinnati Municipal Code that would prohibit the installation and maintenance of the artwork.

The East Westwood Improvement Association would like to work with community volunteers to paint the Baltimore Street Mural on **4/23/2022** as part of their 2022 East Westwood Springfest activities. This is one of several projects that will be featured during the first annual East Westwood Springfest event, a three-day series of events designed to foster community pride and connectivity, which has been greatly impacted by the pandemic over the past two years. The mural design process had a great deal of community input from members across East Westwood through a series of focus group. The mural artist is Kira Loertscher, an art teacher at Roll Hill School. The project also looks to employ and provide stipends for up to five youth team members from the local youth council and schools to participate in the preparation and painting of the mural. Additional Community Partners include: the City of Cincinnati (Neighborhood Activation Fund), Westwood Works, Keep Cincinnati Beautiful, Cincinnati Toolbank, Roll Hill School, Third Presbyterian Church, East Westwood HOPE Center.

The reason for the emergency is the immediate need to allow the public art project described in this ordinance to proceed to allow the corresponding benefits to the City and the East Westwood neighborhood to be realized at the earliest possible time.

The Administration recommends passage of the attached emergency ordinance.

Attachment I –

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

EMERGENCY

DBS

- 2022

AUTHORIZING the City Manager to design, install, and maintain artwork on the retaining wall located along Baltimore Avenue in the East Westwood neighborhood, notwithstanding any conflicting Department of Transportation and Engineering rules and regulations or any provision of the Cincinnati Municipal Code that would prohibit the installation and maintenance of the artwork.

WHEREAS, the City of Cincinnati wishes to install a series of murals (“Artwork”), beginning with the murals depicted in Exhibit A to this ordinance, on the retaining wall located along Baltimore Avenue in the East Westwood neighborhood to beautify the space and assist with wayfinding at a community entry point; and

WHEREAS, the City may designate one or more agents or contractors, including East Westwood Improvement Association (“EWIA”), to carry out all or a portion of the work required to design, install, and maintain the Artwork; and

WHEREAS, the City may also accept donations from one or more persons, including EWIA, in order to offset the cost and expense associated with the design, installation, and maintenance of the Artwork and to ensure the design, installation, and maintenance of the Artwork shall have little or no impact on the General Fund of the City of Cincinnati; and

WHEREAS, the design, installation, and maintenance of the Artwork shall be performed under the management of the City Manager or his designee, and any agents or contractors of the City, including EWIA, shall comply with rules and regulations established by the City Manager and the City’s Department of Transportation and Engineering (“DOTE”) regarding the design, installation, and maintenance of the Artwork, including rules and regulations concerning its location, size, materials, means of installation, and maintenance as necessary to ensure public safety; and

WHEREAS, the City’s design, installation, and maintenance of the Artwork is the City’s own expression, constitutes government speech, and does not signify the City’s intent to create a free speech forum; and

WHEREAS, the City will own the Artwork created under this project, will maintain complete control over the surrounding public rights-of-way as necessary for public safety, and will require the artists who design, install, and maintain the Artwork to waive their rights in and to the Artwork, including waiving all applicable rights under the federal Visual Artists Rights Act of 1990, 17 U.S.C. §§ 106A and 113(d), so as to ensure that expression made through the Artwork constitutes government speech; and

WHEREAS, the extent of maintenance and repair of the Artwork shall remain within the City's discretion, and the Artwork shall remain subject to removal by the City, in part or in whole, at any time; and

WHEREAS, prior to installation, DOTE will review the final design and placement of the Artwork to ensure it will not detract from, interfere with, or obscure official traffic control devices, will be safe, and will not unreasonably interfere with the use of the stairway by pedestrians; and

WHEREAS, the City has an interest in promoting the arts, including within the public right-of-way, notwithstanding the provisions of the Cincinnati Municipal Code that would normally prohibit such displays, when the proposed display will not negatively impact the health, safety, or welfare of residents and users of the public right-of-way; and

WHEREAS, the City Planning Commission, at its regularly scheduled meeting on March 4, 2022, recommended that the City install the Artwork on the retaining wall located along Baltimore Avenue in the East Westwood neighborhood; and

WHEREAS, Council finds that the design, installation, and maintenance of the Artwork in the East Westwood neighborhood will beautify the public right-of-way, enhance civic pride, and advance public health and wellness goals; and

WHEREAS, the design, installation, and maintenance of this Artwork is consistent with the "Live" goal to "[c]reate a more livable community" as described on page 156 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That Council hereby declares the design, installation, and maintenance of murals ("Artwork") on the retaining wall located along Baltimore Avenue in the East Westwood neighborhood, including the murals depicted on the attached Exhibit A, incorporated herein by reference, to be a matter of public interest, and it hereby resolves to raise public awareness of the arts through the design, installation, and maintenance of this conspicuous visual art; further that, notwithstanding the provisions of the Cincinnati Municipal Code that would normally restrict such displays within the public right-of-way, Council has determined that the design, installation, and maintenance of the Artwork is in the interest of the public health, safety, morals, and general welfare and will not negatively impact the health, safety, morals, or welfare of residents and users of the public right-of-way.

Section 2. That the City's design, installation, and maintenance of the Artwork is the City's own expression, constitutes government speech, and does not signify the City's intent to create a free speech forum.

Section 3. That the City Manager is hereby authorized to design, install, and maintain the Artwork on the retaining wall located along Baltimore Avenue in the East Westwood neighborhood, which Artwork shall be substantially consistent with the design depicted on the attached Exhibit A, incorporated herein by reference, and shall be located in the area depicted on the same, notwithstanding any conflicting Department of Transportation and Engineering ("DOTE") rules and regulations and any applicable provisions of the Cincinnati Municipal Code.

Section 4. That the design, installation, and maintenance of the Artwork shall be performed under the management of the City Manager or his designee, and any agents or contractors of the City, including East Westwood Improvement Association, shall comply with rules and regulations established by the City Manager and DOTE regarding the design, installation, and maintenance of the Artwork, including rules and regulations concerning its colors, symbols, styles, location, size, materials, and means of installation and maintenance as necessary to ensure public safety.

Section 5. That the City Manager is authorized to engage one or more agents or contractors to assist with the City's design, installation, and maintenance of the Artwork on such terms and conditions that the City Manager determines are in the best interests of the City, and any work performed by the agents and contractors so engaged by the City Manager shall be performed under the management of the City Manager or his designee, who shall have the sole authority to approve the design, location, size, materials, and means of installation and maintenance of the Artwork and to establish rules and regulations for the same as necessary to ensure public safety.

Section 6. That the extent of maintenance and repair of the Artwork shall remain within the City's discretion, and the Artwork shall remain subject to removal by the City, in whole or in part, at any time.

Section 7. That the City will own the Artwork created under this project, will maintain complete control over the right of way as necessary for public safety, and will require the artists who design, install, and maintain the Artwork to waive their rights in and to the Artwork, including waiving all applicable rights to the Artwork under the federal Visual Artists Rights Act of 1990, 17 U.S.C. §§ 106A and 113(d), so as to ensure that expression made through the Artwork constitutes government speech.

Section 8. That the City Manager is authorized to accept donations, including materials, labor, money, and in-kind services, on such terms and conditions that the City Manager determines are in the best interests of the City, to offset the cost and expense associated with the design, installation, and maintenance of the Artwork, so that the design, installation, and maintenance of the Artwork shall have minimal impact on the General Fund of the City of Cincinnati.

Section 9. That the proper City officials are hereby authorized to do all things necessary and proper to comply with the terms of Sections 1 through Section 8 hereof.

Section 10. 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 public art project described in this ordinance to proceed to allow

the corresponding benefits to the City and the East Westwood neighborhood to be realized at the earliest possible time.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

Mural A: Welcome to East Westwood



Mural B: Honeycomb

