

City of Cincinnati



801 Plum Street, Suite 356
Cincinnati, Ohio 45202

Phone (513) 352-4610
Email david.mann@cincinnati-oh.gov
Web www.cincinnati-oh.gov

David S. Mann
Vice Mayor / Councilmember

We have a big problem in our beloved city, elected officials on the take. I grieve for the city which I have served on and off for over 40 years. And I ask myself what can be done to reduce the opportunity for the terrible, illegal shenanigans we have experienced. The following proposal will help.

MOTION

I move that Council change the way development agreements are negotiated. We must separate the negotiations from the final decisions. Without political interference, our civil servants should negotiate with developers pursuant to written policies adopted by Council and the Mayor.

Council would be involved only in reviewing and then approving, rejecting or modifying the proposed development. If our negotiators require guidance during negotiations, they would be expected to use a transparent process involving all elected officials.

New written Council policies should:

1. Clearly define the separate roles of the city's development and administrative officers and Members of Council; and
2. establish clear boundaries separating those roles.

David Mann

STATEMENT

Developers can make millions of dollars on developments involving tax abatements and other public incentives. Routinely, developers call on Council Members about their ideas long before the City Manager and our development officers are anywhere near a final proposal for presentation to Council. It is all too easy for the wrong participants to fall into an illegal path at this early juncture.

The Members of Council have no business negotiating the details of development agreements with developers. We rely on professional development officers and we expect them to follow the city policies we adopt.

Council does not decide what kind of fire hoses to buy for our fire trucks. Council does not negotiate contracts for asphalt. Council does not concern itself with the content of our civil service exams. The reality is that elected officials are not very good at these kinds of decisions. Nor are we qualified to be in the middle of negotiations for a new office building or a project to create more affordable housing.

We need detailed written development policies laying out when and under what circumstances it is proper in Cincinnati for a developer to approach Members of Council about a new development agreement with the city.

I propose these principles for consideration:

1. Council and the Mayor should determine development goals including jobs, tax revenues, repopulation, affordable housing, economic inclusion, neighborhood benefit and so on.
2. Council and the Mayor should identify available incentives for development and the parameters for their use.
3. The Mayor, City Manager and our development officers should be the exclusive representatives of the city in the negotiation of development agreements and the presentation to Council of an agreement for review and approval, modification or disapproval.

- 4. Until formal presentation of a development agreement to the Council, it is not appropriate for developers or their representatives to lobby or otherwise seek to involve Members of Council in the negotiation process.**
- 5. Nor is it appropriate for Members of Council to involve themselves in the details of ongoing negotiations.**
- 6. The rules in paragraphs 4 and 5 above should be defined as ethics violations with criminal penalties for developer and Council Member alike. Misconduct by a developer also should result in debarment from future city development projects.**

We can establish a framework to reduce the involvement of Members of Council in the negotiation process. Members of Council have plenty to do once negotiations are complete and a recommendation is presented for consideration. This is when and where Members of Council have their critical role to fill.

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Handwritten signature: *Charles R. Hocco*
C.H.L.