



City of Cincinnati

801 Plum Street
Cincinnati, Ohio 45202

CALENDAR

Cincinnati City Council

Wednesday, May 5, 2021

2:00 PM

Council Chambers, Room 300

REVISED

ROLL CALL

PRAYER AND PLEDGE OF ALLEGIANCE

FILING OF THE JOURNAL

MAYOR CRANLEY

- [202002310](#) **STATEMENT, (DECLARATION OF EMERGENCY)** submitted by Mayor John Cranley, City Manager Paula Boggs Muething, and Commissioner Melba Moore, In response to the public danger arising from verified cases of contagion of SARS-CoV-2 and the COVID-19 pandemic, and based in part upon the declaration of a statewide emergency in Ohio by Governor DeWine, I declared a public emergency pursuant to Article III of the Cincinnati Charter and Article XVIII of the Administrative Code of the City of Cincinnati in March 2020. The March 2020 Declaration of Emergency was followed by emergency orders addressing public health concerns and related City operational needs that have arisen during the COVID-19 pandemic. After declaring a state of emergency and instituting severe measures to “flatten the curve” - including a broad stay-at-home order - rates of infection dropped. The State of Ohio began to reopen Ohio’s economy, sector by sector, in accordance with good hygiene and social distancing measures. In consultation with the City Manager and the Health Commissioner, I replaced the March 2020 declaration with a new Emergency Declaration that was consistent with the State’s reopening efforts. The June 2020 order was tailored to the State’s reopening phase of the pandemic response. Rates remained steady for much of the summer due to the diligence of our citizens and business in wearing masks and engaging in social distancing; we were optimistic that as a City we might have turned the corner on the pandemic. With the advent of cooler weather, the City of Cincinnati, the State of Ohio, and the country are all experiencing a new, pervasive, and more dangerous wave of the COVID-19 pandemic. The State of Ohio is breaking contagion records from the spring and summer on an almost daily basis, and the resulting cases threaten to overwhelm the health care system if not abated. Multiple states have issued new lockdown orders, and Governor DeWine has warned that extreme measures will be required in Ohio if the State doesn’t change its trajectory for the better. This rapidly worsening COVID-19 wave requires a new mayoral declaration of emergency to allow for a rapid response to increasing cases as the holidays and winter conditions will again test the City’s economic, social, and public health systems. By this Declaration the Mayor, in consultation with the City Manager and the Health

Commissioner, declares a public danger and emergency under Article III of the Cincinnati Charter and Article XVIII of the Administrative Code. In so doing, the Mayor has emergency authority to take such steps as may be necessary to help slow the spread of the COVID-19 pandemic in the City and to assist with the rapid delivery of vaccines that may become available in the coming months. This declaration is consistent with the statewide health emergency declared by Governor DeWine, the issuance of Ohio Department of Health's compulsory health orders and related guidelines, and the fundamental need to protect vulnerable populations during this pandemic. This Order supersedes the continuing June 29, 2020 emergency declaration as to any conflicts. All emergency orders issued under the June 29 declaration are hereby reissued. This declaration and related emergency orders shall continue in effect in accordance with the terms of Article XVIII of the Administrative Code. This amended and revised declaration shall be issued to the news media for the widest possible dissemination to the citizens of Cincinnati. DECLARED this 16th day of November 2020.

Recommendation CONSENT & FILE

Sponsors: Mayor and City Manager

MR. SEELBACH

2. [202101559](#) **RESOLUTION**, submitted by Councilmember Seelbach, from Andrew W. Garth, City Solicitor, **RECOGNIZING** and declaring the week of MAY 3 THROUGH May 9, 2021 as "Small Business Week" in Cincinnati and encouraging its observance by all citizens by supporting local small businesses during this week and throughout the year.

Recommendation PASS

Sponsors: Seelbach

3. [202101645](#) **RESOLUTION**, submitted by Councilmember Seelbach from Andrew W. Garth, City Solicitor, **RECOGNIZING** and honoring Paul Gallagher for his service to the City of Cincinnati and his contributions to the Cincinnati Parks for the beautification of Cincinnati.

Recommendation PASS

Sponsors: Seelbach

MR. YOUNG

4. [202101580](#) **MOTION**, submitted by Councilmember Young, **WE MOVE** for City Council to grant \$100,000 to the Cincinnati Music Festival for its virtual event in 2021 from the American Rescue Plan Act funding. **WE FURTHER MOVE** that City Council grant \$250,000 to the Cincinnati Music Festival for its 2022 live event from the American Rescue Plan Act funding. (STATEMENT ATTACHED)

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: Young

CITY MANAGER

5. [202101523](#) **REPORT**, dated 5/5/2021, submitted by Paula Boggs Muething, City Manager, regarding MARIJUANA-ONLY WARNINGS/CITATIONS/ARRESTS

MONTHLY REPORT, MARCH 2021.

Recommendation LAW AND PUBLIC SAFETY COMMITTEE**Sponsors:** City Manager

6. [202101581](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 5/5/2021, **MODIFYING** the salary range schedule for the classification of Water Works Construction Inspector by repealing existing Section 463, Division I, of Chapter 307 of the Cincinnati Municipal Code in order to ensure that the new salary range is consistent with the level of responsibility and competitive with similar positions across internal and external job markets.

Recommendation MAJOR PROJECTS & SMART GOVERNMENT COMMITTEE**Sponsors:** City Manager

7. [202101590](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 5/5/2021, **AUTHORIZING** the City Manager to accept with gratitude an in-kind donation from FC Cincinnati Soccer Club of the construction of a mini-pitch soccer facility at the North Avondale Recreation valued at approximately \$85,000 to enhance soccer-related programming.

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

8. [202101591](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 4/5/2021, **AUTHORIZING** payments totaling \$11,539.85 from various Recreation Department non-personnel operating budget accounts as detailed on the attached schedule, as moral obligations to Spectrum Cable for Cincinnati Recreation Commission purchase card transactions for fees owed for cable and wifi services and to the Cincinnati Bengals for the purchase of tickets for program participants, the cost of which was subsequently reimbursed by the Cincinnati Bengals.

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

9. [202101592](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 5/5/2021, **AUTHORIZING** the transfer of the sum of \$8,362,331 within the Restricted Funds from and to various operating accounts and **AUTHORIZING** the transfer and appropriation of \$1,181,726 from the unappropriated surplus of the respective Restricted Funds to various operating accounts for the purpose of realigning and providing funds for the ongoing needs of City departments in accordance with the attached Schedules of Transfer.

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

10. [202101595](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 5/5/2021, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant in the amount of up to \$171,325 from the United States Department of Homeland Security, Federal Emergency Management Agency for a grant from the FY 2021 FEMA Port Security Grant Program (CFDA 97.056), for the purpose of funding three separate equipment needs,

including Marine Rescue/Dive Team equipment and support and maintenance of the Ohio River Port Security Camera Network for the Cincinnati Police Department, and dry decon kits, a weighted rescue dummy, and ice suits for the Cincinnati Fire Department.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

11. [202101599](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 5/5/2021, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a Local Food Promotion Program (CFDA #10.177) grant in the amount of \$16,080 from the Regional Food System Partnerships ("RFSP"), which RFSP grant will be provided to Green Umbrella with the City as a subrecipient of the grant for the purpose of funding the building of a regional food system that serves all residents of Greater Cincinnati; and **AUTHORIZING** the Finance Director to deposit the grant funds into Public Health Research Fund 350.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

12. [202101600](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 5/5/2021, **AUTHORIZING** the transfer of the sum of \$18,919,722 within the General Fund, from and to various operating accounts of the General Fund according to the attached Schedule of Transfer, for the purpose of realigning and providing funds for the ongoing needs of City departments.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

13. [202101615](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 5/5/2021, **AUTHORIZING** the City Manager to take all necessary and proper actions to cooperate with the Director of the Ohio Department of Transportation to facilitate the implementation of various signage upgrades in the vicinity of Beechmont Circle in the Linwood neighborhood in the City of Cincinnati in connection with the Ohio Department of Transportation's project known as HAM-Eastern Corridor TSG.

Recommendation MAJOR PROJECTS & SMART GOVERNMENT COMMITTEE

Sponsors: City Manager

BUDGET AND FINANCE COMMITTEE

14. [202100679](#) **REPORT**, dated 4/28/2021, submitted by Paula Boggs Muething, City Manager, regarding City Paid-Leave Program for Live Organ and Bone Marrow Donors. (SEE REFERENCE DOCUMENT #202000807)

Recommendation APPROVE & FILE

Sponsors: City Manager

15. [202101521](#) **REPORT**, dated 4/28/2021, submitted by Paula Boggs Muething, City Manager, regarding Department of Finance Report for the Month Ended March 31, 2021

Recommendation APPROVE & FILE

Sponsors: City Manager

16. [202101579](#) **REPORT**, dated 4/28/2021, submitted by Paula Boggs Muething, City Manager, regarding Issue 3 Impact on the Cincinnati Retirement System (CRS). (SEE REFERENCE DOCUMENT #202101491)
Recommendation APPROVE & FILE
Sponsors: City Manager
17. [202101601](#) **REPORT**, dated 5/3/2021, submitted by Paula Boggs Muething, City Manager, regarding Report - Work from Home Impact on Earnings Tax. (SEE REFERENCE DOCUMENT #202101152)
Recommendation APPROVE & FILE
Sponsors: City Manager
18. [202101567](#) **MOTION**, submitted by Councilmember Mann and Kearney, **I MOVE** that the City Administration move expeditiously with payment/reimbursement of the Human Services agencies under contract with the City.
Recommendation ADOPT
Sponsors: Mann and Kearney
19. [202101461](#) **ORDINANCE (EMERGENCY)**, submitted by Mayor John Cranley from Andrew W. Garth, City Solicitor, **AUTHORIZING** the establishment of American Rescue Plan grant project account no. 469x101xARP004, "Performing Arts Support Grants," for the purpose of providing for a grant program to support various performing arts groups, including theaters and musical organizations, and which grants will also provide for public performances around the City; and **AUTHORIZING** the appropriation of the sum of \$7,000,000 from the unappropriated surplus of Local Fiscal Recovery Fund 469 to newly established American Rescue Plan grant project account no. 469x101xARP004, "Performing Arts Support Grants," for the purpose of providing for a grant program to support various performing arts groups, including theaters and musical organizations, and which grants will also provide for public performances around the City.
Recommendation PASS EMERGENCY
Sponsors: Mayor
20. [202101463](#) **ORDINANCE (EMERGENCY)**, submitted by Mayor John Cranley from Andrew W. Garth, City Solicitor, **AUTHORIZING** the establishment of American Rescue Plan grant project account no. 469x101xARP002, "Restaurant Grants Phase II," for the purpose of providing resources for a local economic stimulus plan to support dining and drinking establishments; and **AUTHORIZING** the appropriation of the sum of \$4,000,000 from the unappropriated surplus of Local Fiscal Recovery Fund 469 to newly established American Rescue Plan grant project account no. 469x101xARP002, "Restaurant Grants Phase II," to provide resources for a local economic stimulus plan to support dining and drinking establishments.
Recommendation PASS EMERGENCY
Sponsors: Mayor
21. [202101465](#) **ORDINANCE (EMERGENCY)**, submitted by Mayor John Cranley from Andrew W. Garth, City Solicitor, **AUTHORIZING** the establishment of American Rescue Plan grant project account no. 469x232xARP001, "Outdoor Dining &

Pedestrian Safety Improvements,” for the purpose of providing resources for the design and construction of right-of-way improvements including, but not limited to, sidewalks, streets, and parklets, that facilitate outdoor dining and enhance pedestrian safety in the urban core; AUTHORIZING the appropriation of the sum of \$2,000,000 from the unappropriated surplus of Local Fiscal Recovery Fund 469 to newly established American Rescue Plan grant project account no. 469x232xARP001, “Outdoor Dining & Pedestrian Safety Improvements,” to provide resources for the design and construction of right-of-way improvements including, but not limited to, sidewalks, streets and parklets, that facilitate outdoor dining and enhance pedestrian safety in the urban core; and further DECLARING that the “Outdoor Dining & Pedestrian Safety Improvements” capital improvement program project serves a public purpose as it will foster local improvements and investment, increase neighborhood vitality, and have an estimated life or period of usefulness of five years or more.

Recommendation PASS EMERGENCY

Sponsors: Mayor

22. [202101536](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 4/28/2021, **AUTHORIZING** the City Manager to execute a *Grant of Encroachment Easement* in favor of Vision Cincinnati, LLC, pursuant to which the City of Cincinnati will grant an encroachment easement to permit existing basement space to encroach upon the Seventh and Race Streets public rights-of-way in the Central Business District.

Recommendation PASS

Sponsors: City Manager

23. [202101539](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 4/28/2021, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant up to the amount of \$4,010 from the American Association for Retired Persons (“AARP”) and FitLot, Inc. for the purpose of funding and promoting AARP-sponsored outdoor fitness park programming; and AUTHORIZING the Finance Director to deposit the grant funds into Recreation Special Activities Fund 323, Revenue Account No. 323x8571.

Recommendation PASS

Sponsors: City Manager

24. [202101586](#) **ORDINANCE (EMERGENCY)**, dated 04/29/2021, submitted by Mayor John Cranley, from Andrew W. Garth, City Solicitor, **AUTHORIZING** the establishment of American Rescue Plan grant project account no. 469x101xARP015, “minority Business Accelerator/Ascend,” for the purpose of providing funds for Ascent*Cincy, a partnership among the City, the Urban League, the Greater Cincinnati African American Chamber of Commerce, and the Minority Business Accelerator, to provide staffing, accounting, human resources, financial coaching, and other assistance to Black-owned businesses; AUTHORIZING the appropriation of the sum of \$2,500,000 from the unappropriated surplus of Local Fiscal Recovery Fund 469 to newly established American Rescue Plan grant project account no. 469x101xARP015, “Minority Business Accelerator/Ascend,” for the purpose of providing funds for Ascent*Cincy, a partnership among the City, Urban

League, the Greater Cincinnati African American Chamber of Commerce, and the Minority Business Accelerator, to provide staffing, accounting, human resources, financial coaching and other assistance to Black-owned businesses; and DECLARING expenditures from American Rescue Plan grant project account no. 469x101xARP018, "Minority Business Accelerator/Ascend," to be for a public purpose.

Recommendation PASS EMERGENCY

Sponsors: Cranley

25. [202101587](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 5/3/2021, **AUTHORIZING** the establishment of American Rescue Plan grant project account no. 469x101xARP050, "FY 2021 COVID Expenses" for the purpose of providing fiscal stability funds to reimburse the General Fund for COVID related personnel expenses incurred by the Cincinnati Fire Department during FY 2021; **AUTHORIZING** the appropriation of the sum of \$18,700,000 from the unappropriated surplus of Local Fiscal Recovery Fund 469 to newly established American Rescue Plan grant project account no. 469x101xARP050, "FY 2021 COVID Expenses" for the purpose of providing fiscal stability funds to reimburse the General Fund for COVID related personnel expenses incurred by the Cincinnati Fire Department during FY 2021; and **DECLARING** expenditures from American Rescue Plan grant project account no. 469x101xARP050, "FY 2021 COVID Expenses," to be for a public purpose.

Recommendation PASS EMERGENCY

Sponsors: City Manager

26. [202101588](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 5/3/2021, **AUTHORIZING** the establishment of American Rescue Plan grant project account no. 469x101xARP051, "FY 2022 COVID Expenses," for the purpose of providing fiscal stability funds to reimburse the General Fund for COVID related expenses incurred by the various departments during FY 2021 and FY 2022; **AUTHORIZING** the appropriation of the sum of \$67,500,000 from the unappropriated surplus of Local Fiscal Recovery Fund 469 to newly established American Rescue Plan grant project account no. 469x101xARP051, "FY 2022 COVID Expenses," for the purpose of providing fiscal stability funds to reimburse the General Fund for COVID related expenses incurred by the various departments during FY 2021 and FY 2022; and **DECLARING** expenditures from American Rescue Plan grant project account no. 469x101xARP051, "FY 2022 COVID Expenses," to be for a public purpose.

Recommendation PASS EMERGENCY

Sponsors: City Manager

27. [202101606](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 5/3/2021, **ESTABLISHING** new Home Investment Trust Fund 411 project account no. 411x162x4112131, "HOME-American Rescue Plan (HOME-ARP)"; and further **AUTHORIZING** the City Manager to accept and appropriate the sum of \$9,923,076, to be received pursuant to an additional award from the U.S. Department of Housing and Urban Development under the HOME Investment Partnerships Program in order to help create housing and services for people experiencing or at risk of experiencing homelessness,

to the newly-created Home Investment Trust Fund 411 project account no. 411x162x4112131, "HOME-American Rescue Plan (HOME-ARP)."

Recommendation PASS EMERGENCY

Sponsors: City Manager

28. [202101607](#)

ORDINANCE (EMERGENCY), dated 04/29/2021, submitted by Mayor John Cranley, from Andrew W. Garth, City Solicitor, **AUTHORIZING** the establishment of American Rescue Plan grant project account no. 469x101xARP025, "Social Services Operational Grants," for the purpose of providing grant funds to human service and violence prevention funding recipients under the City's FY 2020 budget; **AUTHORIZING** the appropriation of the sum of \$2,000,000 from the unappropriated surplus of Local Fiscal Recovery Fund 469 to the newly established American Rescue Plan grant project account no. 469x101xARP025, "Social Services Operational Grants," for the purpose of providing grant funds to human service and violence prevention funding recipients under the City's FY 2020 budget; and further **DECLARING** expenditures from American Rescue Plan grant project account no. 469x101xARP025, "Social Services Operational Grants," to be for a public purpose.

Recommendation

PASS EMERGENCY

Sponsors: Cranley

29. [202101617](#)

ORDINANCE (EMERGENCY) submitted by Paula Boggs Muething, City Manager, on 5/3/2021, **AUTHORIZING** the establishment of American Rescue Plan grant project account no. 469x101xARP052, "FY 2021 Restricted Funds Revenue Replacement," for the purpose of providing fiscal stability funds to reimburse various Restricted Funds for lost revenue due to the COVID-19 pandemic; **AUTHORIZING** the appropriation of the sum of \$20,600,000 from the unappropriated surplus of Local Fiscal Recovery Fund 469 to newly established American Rescue Plan grant project account no. 469x101xARP052, "FY 2021 Restricted Funds Revenue Replacement," for the purpose of providing fiscal stability funds to reimburse various Restricted Funds for lost revenue due to the COVID-19 pandemic according to the attached schedule; and **DECLARING** expenditures from American Rescue Plan grant project account no. 469x101xARP052, "FY 2021 Restricted Funds Revenue Replacement," to be for a public purpose.

Recommendation PASS EMERGENCY

Sponsors: City Manager

30. [202101594](#)

ORDINANCE (EMERGENCY) submitted by Paula Boggs Muething, City Manager, on 5/3/2021, **AUTHORIZING** the City Manager to accept an American Rescue Plan Funding for Health Centers ("H8F") grant in the amount up to \$9,975,375 from the United States Department of the Treasury as part of the American Rescue Plan Act for the purpose of supporting health centers funded under the Health Center Program to prevent, mitigate, and respond to the Coronavirus Disease 2019 ("COVID-19") and to enhance health care services and infrastructure; **AUTHORIZING** the Finance Director to deposit the funds in Fund 469, "Local Fiscal Recovery," revenue account no. 469x8543; **AUTHORIZING** the establishment of H8F grant project account no.

469x101xARP100, "Funding for Health Centers," for the purpose of supporting health centers funded under the Health Center Program to prevent, mitigate, and respond to COVID-19 and to enhance health care services and infrastructure; AUTHORIZING the appropriation of the sum of \$9,975,375 from the unappropriated surplus of Local Fiscal Recovery Fund 469 to newly established H8F grant project account no. 469x101xARP100, "Funding for Health Centers," for the purpose of providing support for the Cincinnati Health Department in providing equitable access to COVID-19 vaccinations, testing, and treatment as well as other current and anticipated COVID-19 and primary health care needs within the most vulnerable communities; and further DECLARING expenditures from American Rescue Plan grant project account no. 469x101xARP100, "Funding for Health Centers," to be for a public purpose.

Recommendation PASS EMERGENCY

Sponsors: City Manager

ANNOUNCEMENTS

Adjournment