

City of Cincinnati

801 Plum Street Cincinnati, OH 45202

Agenda - Final-revised

Public Safety & Governance

Councilmember Scotty Johnson, Chair Vice Mayor Jan-Michele Kearney, Vice Chair Councilmember Mark Jeffreys Councilmember Anna Albi

Tuesday, April 15, 2025

9:30 AM

Council Chambers, Room 300

PRESENTATIONS

Summer Safety Plan

Iris Roley

AGENDA

1. 202500705 ORDINANCE submitted by Sheryl M. M. Long, City Manager, on 4/9/2025,

MODIFYING Article XV, "Retirement System," of the Administrative Code of the City of Cincinnati by **AMENDING** Section 1, "Board of Trustees," to revise

the limitation on the terms of board members and to harmonize the Administrative Code with the provisions of the Collaborative Settlement

Administrative Code with the provisions of the Collaborative Settlement Agreement reached in Sunyak, et. Al. v. City of Cincinnati, et. Al., Case Number 1:11-cv-445 in the U.S. District Court, Southern District of Ohio,

Western Division.

Sponsors: City Manager

<u>Attachments:</u> Transmittal

<u>Ordinance</u>

Attachment

2. 202500719 ORDINANCE submitted by Sheryl M. M. Long, City Manager, on 4/9/2025,

MODIFYING the provisions of Title XVI, "Neighborhood Quality of Life Uniform

Code," and Title VX, "Code Compliance and Hearings," of the Cincinnati Municipal Code by **ORDAINING** new Section 1601-95, "Cost of Abating a Public Nuisance," and **AMENDING** Section 1501-27, "Civil Proceedings," to provide additional remedies to recover costs of abating public nuisances or

enforcement.

Sponsors: City Manager

<u>Attachments:</u> <u>Transmittal</u>

Ordinance

3. 202500786 **PRESENTATION**, submitted by Councilmember Johnson, dated 04/14/2025,

from Iris Roley, regarding a 30 Day Plan to A Safe & Productive Summer

2025.

Sponsors: Johnson

<u>Attachments:</u> <u>PRESENTATION</u>

ADJOURNMENT



April 9, 2025

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager 202500705

Subject: Ordinance - Amending Administrative Code to Amend Term

Limits

Attached is an Ordinance captioned:

MODIFYING Article XV, "Retirement System," of the Administrative Code of the City of Cincinnati by AMENDING Section 1, "Board of Trustees," to revise the limitation on the terms of board members and to harmonize the Administrative Code with the provisions of the Collaborative Settlement Agreement reached in Sunyak, et. Al. v. City of Cincinnati, et. Al., Case Number 1:11-cv-445 in the U.S. District Court, Southern District of Ohio, Western Division.

To help ensure a healthy Cincinnati Retirement System Board of Trustees, one with fresh members, institutional knowledge, and active participation.

Ordinance changes:

- a. Incumbents members may return to the CRS Board after taking a term off (4 years).
- b. Allow temporary appointments, up to 300 days, to fill vacancies on the Board until a new Board member is elected.
- c. If waiting for a successor, Board member can extend their term up to 180 days if the election process began at least 120 days before a board member's term expires to avoid delays.

Cc: Jon Salstrom, Retirement Director William "Billy" Weber, Assistant City Manager **MODIFYING** Article XV, "Retirement System," of the Administrative Code of the City of Cincinnati by **AMENDING** Section 1, "Board of Trustees," to revise the limitation on the terms of board members and to harmonize the Administrative Code with the provisions of the Collaborative Settlement Agreement reached in Sunyak, et. al. v. City of Cincinnati, et. al., Case Number 1:11-cv-445 in the U.S. District Court, Southern District of Ohio, Western Division.

WHEREAS, on May 7, 2015, the City entered into a Collaborative Settlement Agreement ("CSA") to resolve multiple consolidated court cases against the City that were pending in the U.S. District Court for the Southern District of Ohio, Western Division, Case Number 1:11-cv-445; and

WHEREAS, the terms of the CSA prevail over conflicting provisions of Article XV of the Administrative Code; and

WHEREAS, harmonizing the Administrative Code to the terms of the CSA and current policies and procedures of the Cincinnati Retirement System provides increased clarity and transparency; and

WHEREAS, the Cincinnati Retirement System Board ("Board") wants to amend the limitation on the number of terms which board members may serve to provide flexibility and continuity in Board membership and to maintain attendance of a sufficient number of Board members for quorum; and

WHEREAS, the Board has voted to amend the limitation on the number of terms that board members may serve to provide that members may serve a maximum of three consecutive terms, after which board members must wait at least four years before they are eligible to serve again; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio, with three-fourths of its members concurring:

Section 1. That Section 1, "Board of Trustees," of Article XV, "Retirement System," of the Administrative Code of the City of Cincinnati is amended as follows:

ARTICLE XV. – RETIREMENT SYSTEM

Sec. 1. Board of Trustees.

a) The general administration and responsibility for the proper operation of the retirement system shall be vested in a board of trustees. The board of trustees shall consist of nine members:

- i. Four members with qualifications specified in subsection (b) shall be appointed by the Mayor with the advice and consent of Council.
- ii. Two members, who shall be employee members of the system, shall be elected by deferred members and active members, as defined in Sections 203-1-D and 203-1-A2, who are not currently receiving a retirement benefit.
- iii. Three members, who shall be retired members of the system, shall be elected by persons who are receiving retirement allowances, optional benefits, or survivor benefits from the system.
- b) At least two of the appointed members who are appointed to of the board pursuant to Article XV, Section 1(a)(i) shall have the following qualifications:
 - i. Baccalaureate degree from an accredited college or university in finance, economics, business, or other field of study involving financial management; or
 - ii. A minimum of ten years of experience in pension administration, pension actuarial practice, institutional investment management, employee benefits/investment law, banking, asset/liability management for an insurance company, or university or college professor with a focus on fiduciary or trust fund law or quantitative background in financial theory or actuarial math.
 - iii. The appointed member shall not have any business, personal, or family interests related to the city or the retirement system that would constitute a conflict of interest, or that would create the appearance of a conflict of interest, with the duties of a trustee. Being a member of the Cincinnati Retirement System or a beneficiary of the Cincinnati Retirement System shall not constitute a conflict of interest.
 - iv. Residency shall not be considered as a qualification for any appointed member.
 - v. A current or former elected city official appointed as a member of the board pursuant to this section does not have to meet the requirements of subsection b)i and b)ii of this section. No more than two current or former elected city officials appointed as members of the board pursuant to this section shall be eligible to simultaneously serve as members of the board.
- c) Board members shall <u>have terms of the following lengths</u> serve four-year terms, except that:
 - i. Mayoral appointees: Members who are appointed to the board pursuant to Article XV, Section 1(a)(i) may have a term of any length of time not exceeding four years. when the Mayor makes initial appointments to the board under this Article, the Mayor shall appoint two members to serve

- four-year terms, and two members to serve two-year terms, so that the terms overlap to establish continuity in board membership from year to year.
- ii. Elected members: Members who are elected to the board pursuant to Article XV, Section 1(a)(ii) or (iii) shall serve a term of four years for the initial election of the board members elected pursuant to subsection a)ii of this section, the active employee candidate with the highest vote total shall serve a four year term and the active employee candidate with the next highest vote total shall serve a two year term.
- iii. for the initial election of the board members elected pursuant to subsection a)iii of this section, the two retiree candidates with the two highest vote totals shall serve four_year terms and the retiree candidate with the third highest vote total shall serve a two_year term.
- d) Term limits: Each No board member may serve up to three four-year terms either consecutive or non-consecutive, except that persons serving two-year terms upon their initial appointments to the board may serve the initial term and two subsequent four-year terms consecutive terms consisting of more than twelve years. Appointment to an unexpired term shall be counted against the term limitation except that an interim term of no more than 300 days as provided under Article XV, Section (1)(f) shall not be counted against the term limitation under this subsection. A board member shall not be eligible for appointment or election to a subsequent term if serving the full subsequent term will cause the board member to exceed the twelve-year limitation.
- e) Effect of break in service: Re-election or re-appointment to the board after a break in service of less than four years shall be treated as a consecutive term and will be counted against the term limitation under Article XV, Section (1)(d). A board member who reaches the term limit in Article XV, Section 1(d) becomes eligible to serve on the board again four years after the board member left the board. If elected or appointed after the four-year break in service, a new term limit of no more than twelve consecutive years shall apply.
- ef) Each board member shall hold office from the first date of the term until the end of the term for which the member was appointed or elected. Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall hold office for the remainder of the unexpired term. Any member shall continue in office after the expiration date of the member's term until the member's successor takes office, or until a period of thirty 180 days has elapsed, whichever occurs first. The election process shall begin at least 120 days prior to the end of an active board member's term.
 - i. Appointed members: A vacancy on the board shall be filled in the same manner as the original appointment. If a vacancy occurs in the middle of a term, the member appointed to fill the vacancy shall serve the remainder of the vacated term.

- ii. Elected members: If the remaining portion of the unexpired term is nine months or less, the position will remain vacant until the next regularly scheduled election. If the remaining portion of the unexpired term is more than nine months, an election to elect a new board member shall be held in accordance with the election rules promulgated by the board. If a vacancy occurs in the position of a board member and the remaining portion of the member's unexpired term is 300 days or less no election shall be held to fill the unexpired term. If a vacancy occurs in the position of a board member and the remaining portion of the member's unexpired term is more than 300 days, an election shall be held to fill the unexpired term.
- iii. If a vacancy occurs in the position of a board member elected pursuant to Article XV, Section 1(a)(ii) the remaining active member shall select an active member of the system as an interim replacement to serve until the term ends or until an active member is elected to fill the vacancy.
- iv. If a vacancy occurs in the position of a board member elected pursuant to Article XV, Section 1(a)(iii) the remaining retiree members shall select a retiree member of the system as an interim replacement to serve until the term ends or until a retiree member is elected to fill the vacancy.
- An entity authorized to appoint or elect a member under subsection a) shall remove its appointee or representative from the board for any act of misconduct involving the trustee's duties, including breach of fiduciary duty and failure to properly discharge the duties of the trustee, to the extent permitted by state law.
- <u>gh</u>) The board shall meet regularly and shall convene other meetings at the request of the chairperson or a majority of the members. A member who fails to attend at least two-thirds of the regular and special meetings of the board during any two-year period forfeits membership on the board.
- hi) The board shall report to council at least annually on the following issues:
 - i. Success at meeting the investment and funding objectives.
 - ii. Investment performance and attribution.
 - iii. Compliance with conflict of interest and ethics policies.
 - iv. Compliance with benefit delivery policies.
 - v. Results of external and internal audit findings and follow-up efforts.
 - vi. Board member attendance, travel, and educational efforts.
- The board shall vote to disqualify any candidate from seeking election to the board or any member from remaining as a board trustee for any of the following reasons:

- i. Finding of dishonesty in any civil proceeding or disciplinary decision.
- ii. Conviction of a felony for an act committed while the candidate or member was an adult.
- iii. Failure to comply with election requirements established by the board.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed:		, 2025		
			Aftab Pureval, Mayor	
Attest:	Clerk			
	Clerk			

Deletions are indicated by strikethrough; additions are indicated by underline.



March 6, 2025

Hon. Aftab Pureval Mayor City of Cincinnati 801 Plum St., Suite 150 Cincinnati, OH 45202

Members of City of Cincinnati City Council c/o Clerk of Council City of Cincinnati 801 Plum St., Suite 308 Cincinnati, OH 45200

Subject: Summary of Changes to Municipal Code on Term Limits – Article XV, "Cincinnati Retirement System"

Overview:

Article XV, Section 1 of the Administrative Code aligns the term limits and governance of the Cincinnati Retirement System (CRS) Board of Trustees with the provisions of the 2015 Collaborative Settlement Agreement (CSA). The Board of Trustees proposes amending Article XV, Section 1 to provide increased flexibility, continuity, and transparency in Board operations.

Key Changes:

- 1. Term Lengths:
 - o In the previous version, mayoral appointees served fixed four-year terms, with initial appointments staggered for continuity.
 - o The updated ordinance allows mayoral appointees to have terms of any length up to four years rather than a mandatory four-year term.
 - o Elected members continue to serve four-year terms.
- 2. Board Member Term Limits & Break in Service:
 - o Members may serve up to three consecutive four-year terms (12 years total).
 - After reaching the limit, members must wait at least four years before becoming eligible for reappointment or re-election.
- 3. Appointments and Elections:
 - Allow temporary appointments, up to 300 days, to fill vacancies on the Board until a new Board member is elected.
- 4. Holdover Period & Election Process
 - Previously, Board members could stay in office for up to 30 days after their term expired while awaiting a successor.
 - The revised ordinance extends this to 180 days and specifies that elections must begin at least 120 days before a board member's term expires to avoid delays.

{00416464-1}

5. Governance Enhancements:

Develop methods to increase potential candidate interest in elected CRS Board positions. CRS staff will add this to the education conducted with city employees, including new employee orientation, mid-career, and those entering retirement. An example of a pre-election communication to CRS members is attached. In addition, the number of required nomination signatures is reduced from 25 to 15.

Impact:

These amendments ensure compliance with the CSA, enhance board stability, and maintain a sufficient number of active board members for quorum. By implementing structured term limits and governance requirements, the CRS Board can effectively oversee the pension system while allowing fresh leadership over time.

Sincerely,

William E. Moller

Chair, Cincinnati Retirement System Board

cc:

Sheryl Long, City Manager

William Weber, Assistant City Manager Jon Salstrom, CRS Executive Director

Attachment (Memorandum – Trustee Roles, Responsibilities and Upcoming Elections)



MEMORANDUM

To: CRS Members

Subject: CRS Board of Trustees – Roles, Responsibilities, and Upcoming Election

Dear CRS Members,

To encourage participation in the next CRS Board of Trustees election, this brief description of roles and responsibilities is provided.

The CRS Board of Trustees plays a vital role in overseeing the financial health and governance of the Retirement System. As stewards of the CRS Trust, the Board has exclusive authority for approving the CRS budget, investment policy, asset allocation strategy, and investments to ensure the system's long-term sustainability. Committees of the CRS Board include the following: Investment Committee, Governance Committee, Benefits Committee, Performance Evaluation Committee, Elections Committee, and 115 Healthcare Trust Subcommittee.

Board Composition

The CRS Board consists of nine (9) members:

- 2 Active Employee Representatives
- 3 Retiree Representatives
- 4 Mayoral Appointees

Active and Retiree Trustees are elected by their respective peers and serve four-year terms. These elections are staggered, ensuring continuity and stability within the Board. The CRS Board holds meetings each month with time commitment averaging 5-10 hours per month.

Fiduciary Responsibility

All Board members are entrusted with a fiduciary duty to act in the best interest of the CRS active and retired membership. This includes making sound financial decisions and maintaining transparency in governance.

Upcoming Election

The next Active Trustee election is scheduled for **Spring 2026**. Members are encouraged to stay informed and participate in the electoral process to ensure strong representation on the Board.

For more information, please visit the CRS Board of Trustees website: https://www.cincinnati-oh.gov/retirement/crs-board-of-trustees/

Thank you for your attention and commitment to the success of the CRS.



April 9, 2025

To: Mayor and Members of City Council

202500719

From: Sheryl M. M. Long, City Manager

Subject: Ordinance - Recovery of Cost Related to Nusiances

Attached is an Ordinance captioned:

MODIFYING the provisions of Title XVI, "Neighborhood Quality of Life Uniform Code," and Title VX, "Code Compliance and Hearings," of the Cincinnati Municipal Code by **ORDAINING** new Section 1601-95, "Cost of Abating a Public Nuisance," and **AMENDING** Section 1501-27, "Civil Proceedings," to provide additional remedies to recover costs of abating public nuisances or enforcement.

The city departments enforcing ordinances to protect the public from nuisances work to have the people responsible for creating the nuisances abate them. These nuisances include demolition of unsafe buildings, weed cutting, litter clean up, graffiti removal and other nuisances harmful to communities. When a violator will not timely abate a nuisance having exhausted available enforcement remedies, the city must step in to abate the nuisance and face collecting the costs. This ordinance clarifies the methods and legal remedies the city may use to recover costs when the people responsible for nuisances refuse to pay for municipal abatement voluntarily.

It is important for the City of Cincinnati to summarily abate nuisances timely to minimize the harm to neighborhoods when owners fail to comply. This ordinance will give the city the options to more effectively hold the offenders responsible for the high costs of abatement. The ability to see that those individual violators rather than the public pay abatement costs will serve as a deterrent to repeat violations. And higher rates of recovery of abatement costs and associated expenses will help ensure resources are available to cover the rising costs of municipal nuisance abatement in the future.

The Administration recommends passage of this Ordinance.

CC: Art Dahlberg, Buildings and Inspections Director William "Billy" Weber, Assistant City Manager **MODIFYING** the provisions of Title XVI, "Neighborhood Quality of Life Uniform Code," and Title XV, "Code Compliance and Hearings," of the Cincinnati Municipal Code by **ORDAINING** new Section 1601-95, "Cost of Abating a Public Nuisance," and **AMENDING** Section 1501-27, "Civil Proceedings," to provide additional remedies to recover costs of abating public nuisances or enforcement.

WHEREAS, ensuring safe and clean communities and securing and maintaining the condition of City neighborhoods are core functions of the City; and

WHEREAS, the City expends significant public funds for direct action to abate hazards and threats to the public, as well as to enforce health and safety laws; and

WHEREAS, the City's enforcement efforts require disproportionate expenditure of time and resources achieving compliance for particular actors and Council desires to ensure the burden of enforcement falls on those who threaten public health, safety, and welfare; and

WHEREAS, Council finds it necessary to provide the City with all appropriate tools necessary to ensure flexibility to combat all threats to its communities; now, therefore,

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

Section 1. That new Section 1601-95, "Cost of Abating a Public Nuisance," of the Cincinnati Municipal Code is ordained as follows:

Sec. 1601-95. - Cost of Abating a Public Nuisance.

- (a) Whenever there exists a public nuisance; a condition or action that adversely affects the health, safety, or welfare of any person; a condition or activity lacking a required or necessary permit or license, the City may recover the total cost associated with obtaining compliance; abating the condition; or enforcement using any method authorized by law from the responsible party including but not limited to one or more of the following methods:
 - (1) Invoice the party responsible;
 - (2) Place a lien on the benefitted property in accordance with the process set forth in Ohio Revised Code Sections 715.26, 715.261, and 731.54 or any successor sections;

- Obtain a judgment from the responsible party, property owner, or person in control of the benefitted property at the time the costs were incurred through a civil action;
- (4) File a lien against and pursue a foreclosure of the benefitted property in accordance with the process set forth in Ohio Revised Code Sections 323.65 to 323.79, and 715.261(B)(3) or any successor sections; or
- (5) Invoice the property owner or person in control of the benefitted property pursuant to the quarterly fee schedule established under Section 1101-85 of the CMC.
- (b) For the purposes of this section, the following words and phrases shall have the following meaning:
 - (1) "Public nuisance" shall mean any premises, property, lot, structure, building, chattel, vehicle, animal, condition, or activity, which is dangerous, hazardous, diseased, dilapidated, decayed, unsafe, or unsanitary; detrimental to the public health, safety, and welfare, or well-being of the surrounding area; or otherwise not in compliance with any building, housing, zoning, fire, safety, air pollution, environmental, health, or sanitation ordinance or statute.
 - (2) "Responsible party" means any individual, firm, corporation, association, partnership, agent, operator, trust, estate, syndicate, cooperative, or any entity recognized by law, or anyone: (i) in charge or in control of land, a structure, or chattel where there is a public nuisance; (ii) responsible for the creation, existence, commission, and/or maintenance of a condition or action that adversely affects the health, safety, or welfare of any person; or (iii) responsible for the creation, existence, commission, and/or maintenance of a condition or activity lacking a required or necessary permit or license.
 - (3) "Total cost" means the sum of the following costs incurred or borne by the City: any costs related to the use of employees, materials, or equipment of the City; any accrued quarterly code enforcement monitoring fees resulting from abatement activities associated with Section 1101-64(2)(a)(iv); any costs related to contracts for labor, materials, or equipment; and any costs related to issuance or service of notice or publication required under this chapter. "Total cost" includes, but is not limited to, any attorney's fees, costs of inspection, administrative and support staff fees, property maintenance costs, court costs, title search fees, process server fees, and skip tracing expenses; any costs of police, fire, and medical services provided to respond, abate, prosecute, litigate, obtain compliance, or enforce; any costs of collection or prosecution, including discovery and deposition expenses; and any costs of providing emergency temporary housing authorized by this Code.

Section 2. That Section 1501-27, "Civil Proceedings," of the Cincinnati Municipal Code is amended as follows:

Sec. 1501-27. - Civil Proceedings.

- (a) Whenever an officer charged with the enforcement of the Cincinnati Municipal Code is satisfied that a provision that officer is charged to enforce, or that an order or direction made in pursuance of the enforcement of this Code has not been complied with, or is being disregarded, or a law in force in the City applicable to the same subject matter, has been violated or is about to be violated, or there exist conditions that adversely affect the health, safety, or welfare of the public, the City Solicitor is authorized to institute civil proceedings. Civil proceedings may be brought in the name of the City, and may include claims for injunction, mandatory relief, restraining orders, damages, the appointment of a receiver, recovery of any reasonable cost incurred by the City abating the condition or enforcement of this Code, and such other relief as may be allowed in law or equity.
- (b) Institution of civil proceedings does not exclude criminal proceedings as may be authorized by the Cincinnati Municipal Code or charging a person with a civil offense as authorized by this Title.
- (c) Any person found to have violated, attempted to violate, created the imminent threat of a violation, or committed chronic violations of this Code or other law or regulation the City or its officials are charged to enforce shall be enjoined from the violation.
- (d) Treble damages and costs as authorized under the CMC may be awarded to the City for any injury or damages suffered by the City if sustained as a consequence of a willful violation, failure, or omission.

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

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

Passed:	, 2025	
	Aftab Pureval, Mayor	
Attest:Clerk		
Deletions are indicated by strikethro	ough; additions are indicated by underline.	

30 Day Plan to A Safe & Productive Summer 2025

Collaborative Agreement Community Care

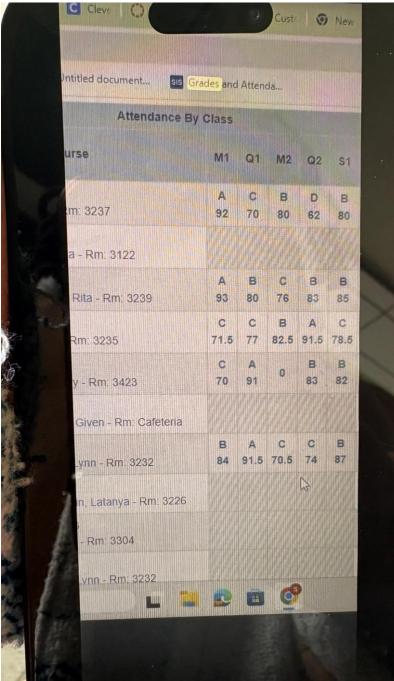
Initiative

Iris Roley, LLC

- In January 2024, City Manager Sheryl Long announced increased police patrols around Government Square to address rising youth violence. While relations between the community and police have improved through the S.A.R.A. (Scanning, Analysis, Response, and Assessment) problem-solving process, negative interactions between youth and law enforcement can undermine that progress.
- Small groups of teens have caused harm and instability in the area, signaling a need for a comprehensive, community-driven strategy. This initiative responds to that need by centering positive engagement, prevention, and opportunity.

• The Government Square Community Care Initiative is a collaborative effort to reduce youth violence and improve safety in downtown Cincinnati. By employing trained community advocates, we will provide de-escalation support, mentorship, and access to youth resources for hundreds of local students. This cost-effective model brings together community, city officials, businesses, and nonprofits to create long-term impact.











The 30 Days to a Safe & Productive Summer

Is design to help promote healthy ideas for a safe summer, with as much literature, food and presence of community that the youth can't do anything else.

We have reached out to community partners, non profits, other social services agencies, schools and police for information youth and their families can use.

We are asking 50 volunteers to join the teams already at the transit sites and 2 high schools.

Objectives

- Enhance safety and stability at Government Square through community engagement.
- Provide youth with access to employment, training, and supportive programs.
- Foster positive interactions between youth and community members, reducing negative outcomes.
- Establish a Youth Academy to support personal growth and development, particularly for justice-involved teens.

Conclusion

• The Government Square Community Care Initiative is a forward-thinking and fiscally responsible strategy for supporting our youth. Through targeted staffing, training, and collaboration, this proposal will lay the groundwork for a long-term, sustainable model that uplifts Cincinnati's next generation. We respectfully request your support in funding this impactful initiative.