



# City of Cincinnati

801 Plum Street  
Cincinnati, Ohio 45202

## CALENDAR

### Cincinnati City Council

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Wednesday, September 18, 2024

2:00 PM

Council Chambers, Room 300

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#### ROLL CALL

#### PRAYER AND PLEDGE OF ALLEGIANCE

#### FILING OF THE JOURNAL

**MAYOR AFTAB**

**MS. ALBI**

**MS. KEARNEY**

**MS. PARKS**

**MR. CRAMERDING**

**MR. HARRIS**

**MR. JEFFREYS**

**MR. JOHNSON**

**MS. OWENS**

**MR. WALSH**

1. [202402044](#) **RESOLUTION**, submitted by Mayor Aftab Pureval, Councilmember Albi, Vice Mayor Kearney, Councilmembers Parks, Cramerding, Harris, Jeffreys, Johnson, Owens and Walsh, from Emily Smart Woerner, City Solicitor, **RECOGNIZING** September as National Suicide Prevention Month in the City of Cincinnati; and **EXPRESSING** the appreciation of the Mayor and Council to the Hamilton County Suicide Prevention Coalition for all their hard work in the community.

**Recommendation** FILE

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

**MAYOR AFTAB**

**MR. WALSH**

**MS. KEARNEY**

**MS. PARKS**

**MS. ALBI**

**MR. CRAMERDING**

**MR. HARRIS**

**MR. JEFFREYS**

**MR. JOHNSON**

**MS. OWENS**

2. [202402051](#) **RESOLUTION**, submitted by Mayor Aftab Pureval, Councilmember Walsh, Vice Mayor Kearney, Councilmember Parks, Albi, Cramerding, Harris, Jeffreys, Johnson and Owens, from Emily Smart Woerner, City Solicitor, **RECOGNIZING** Matt Alter and **EXPRESSING** the appreciation of the Mayor and the Council of the City of Cincinnati for his service as President of Cincinnati Fire Fighters Union Local 48.

**Recommendation** PASS

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

**MR. JEFFREYS**

**MR. HARRIS**

**MR. CRAMERDING**

**MR. WALSH**

**MS. OWENS**

3. [202402025](#) **MOTION**, submitted by Councilmembers Jeffrey, Harris, Cramerding, Walsh and Owens, In response to a City Manager report on the Futures Commission, **WE MOVE** that, the attached be adopted as a consolidated written statement of City Council's strategic objectives for economic development. (STATEMENT ATTACHED)

**Recommendation** EQUITABLE GROWTH & HOUSING COMMITTEE

**Sponsors:** Jeffreys, Harris, Cramerding, Walsh and Owens

**CITY MANAGER**

4. [202402012](#) **REPORT**, dated 9/18/2024, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for Pink Ribbon 2024 - Brady Music Center.

**Recommendation** FILE**Sponsors:** City Manager

5. [202402017](#) **REPORT**, dated 9/18/2024, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for The Mastermind.

**Recommendation** FILE**Sponsors:** City Manager

6. [202402018](#) **REPORT**, dated 9/18/2024, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for Straight Street Hill Climb.

**Recommendation** FILE**Sponsors:** City Manager

7. [202402032](#) **REPORT**, dated 9/18/2024, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for 34th Annual Reindog Parade.

**Recommendation** FILE**Sponsors:** City Manager

8. [202402034](#) **REPORT**, dated 9/18/2024, submitted Sheryl M. M. Long, City Manager, regarding Communication response re Councilmember motion for report on the composition of the workforce engaged in City projects. (See Doc. #202401327)

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

9. [202402046](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 9/18/2024, **AUTHORIZING** the payment of \$9,158 to Bound Tree Medical, LLC, of which \$8,778 is to be paid from Cincinnati Fire Department General Fund non-personnel operating budget account no. 050x272x2000x7418 for outstanding licensing fees and \$380 is to be paid from Cincinnati Fire Department General Fund non-personnel operating budget account no. 050x272x2000x7215 for training services, for the time period of April 2023 through March 2024, pursuant to the attached then and now certificate from the Director of Finance.

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

10. [202402052](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 9/18/2024, **AUTHORIZING** the City Manager to accept an in-kind donation of fire safety educational supplies, food, and drink from the Cincinnati Fire Foundation, valued at approximately \$10,000, to be used by the Cincinnati Fire Department during National Fire Prevention Week.

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

11. [202402054](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 9/18/2024, **AUTHORIZING** the City Manager and employees of the Office of the City Manager to solicit and accept donations of money, in-kind contributions, and other things of value from the Cincinnati business community, individual benefactors, and other available sources to support the Large Cities Executive Forum (“LCEF”) to be held from October 17, 2024 to October 19, 2024; and **AUTHORIZING** the Director of Finance to deposit any funds donated to the City of Cincinnati for the LCEF into Fund No. 314x8571, “Special Events Fund.”
- Recommendation** BUDGET AND FINANCE COMMITTEE
- Sponsors:** City Manager
12. [202402055](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 9/18/2024, **AUTHORIZING** the City Manager to apply for a grant of up to \$300,000 from the Ohio Public Works Commission Clean Ohio Fund Green Space Conservation Program to provide resources for the Mt. Adams Greenspace Land Acquisition Project.
- Recommendation** BUDGET AND FINANCE COMMITTEE
- Sponsors:** City Manager
13. [202402056](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 9/18/2024, **AUTHORIZING** a payment of \$331,050.79 to Kronos (US) Inc. for outstanding charges related to Telestaff maintenance and support services provided to the City from January 2021 through June 2024, to be paid from General Fund Enterprise Software and Licenses non-departmental account non-personnel operating budget account no. 050x952x0000x7418 pursuant to the attached certificate from the Director of Finance.
- Recommendation** BUDGET AND FINANCE COMMITTEE
- Sponsors:** City Manager
14. [202402057](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 9/18/2024, **AUTHORIZING** the City Manager or her designee to apply for, accept, and appropriate Water Supply Revolving Loan Account loan funding in the amount of up to \$30,000,000 from the Ohio Environmental Protection Agency and the Ohio Water Development Authority to reimburse costs incurred by the Greater Cincinnati Water Works to replace aging water mains and service lines; and **AUTHORIZING** the Finance Director to receive and deposit loan funds into Fund No. 756x8569.
- Recommendation** BUDGET AND FINANCE COMMITTEE
- Sponsors:** City Manager
15. [202402058](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 9/18/2024, **AUTHORIZING** the City Manager or her designee to apply for, accept, and appropriate Water Supply Revolving Loan Account loan funding in the amount of up to \$15,000,000, comprised of \$7,950,000 in principal forgiveness and \$7,050,000 in zero-interest loan funding, from the Ohio Environmental Protection Agency and the Ohio Water Development Authority to assist with the cost of replacing all public and private lead service lines within the utility’s service area; and **AUTHORIZING** the Finance Director to

receive and deposit loan funds into Fund Numbers 756x8569, 756x8527, 312x8569, and 312x8527.

**Recommendation** BUDGET AND FINANCE COMMITTEE

**Sponsors:** City Manager

## CLERK OF COUNCIL

16. [202402070](#) **COMMUNICATION**, submitted by the Clerk of Council from Roger K. Smith, Executive Director of Woodward Trust providing their 2024 Annual Report.

**Recommendation** FILE

**Sponsors:** Clerk of Council

## BUDGET AND FINANCE COMMITTEE

17. [202401988](#) **ORDINANCE**, submitted by Councilmember Harris, from Emily Smart Woerner, City Solicitor, **AUTHORIZING** the disbursement of \$400,000 of Major Events Funding included in the Approved FY 2025 General Fund Operating Budget Update for the Forbes 30 Under 30 Summit.

**Recommendation** PASS

**Sponsors:** Harris

18. [202401990](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 9/11/2024, **AUTHORIZING** the transfer and return to source of \$15,000 from capital improvement program project account no. 980x104x231029, "Green Cincinnati Sustainability Initiatives - GF," to source Fund No. 050, "General Fund," to realign sources with uses; and **AUTHORIZING** the transfer and appropriation of \$15,000 from the unappropriated surplus of Fund No. 050, "General Fund," to Office of Environment and Sustainability General Fund non-personnel operating budget account no. 050x104x7200 to provide local matching resources to Co-op Cincy for a United States Department of Labor grant awarded to Co-op Cincy.

**Recommendation** PASS EMERGENCY

**Sponsors:** City Manager

19. [202401992](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 9/11/2024, **ACCEPTING AND CONFIRMING** the grant of a public utility easement in favor of the City of Cincinnati for water mains and related fixtures, equipment, and appurtenances through certain real property in the City of Cincinnati, Hamilton County, Ohio in accordance with the plat entitled Waterline Easement Plat Cin 341 Dix St Easement E-1127, as recorded in Plat Book 503, Pages 100 and 101, Hamilton County, Ohio Recorder's Office.

**Recommendation** PASS

**Sponsors:** City Manager

20. [202402013](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 9/11/2024, **AUTHORIZING** the City Manager to execute a Lease Agreement with The East Walnut Hills Assembly, Inc., pursuant to which the City will lease a portion of certain real property located between Madison Road on the north and Myrtle Avenue on the south in the East Walnut Hills neighborhood of Cincinnati, for continued use as a public parking lot for the benefit of the general public.

**Recommendation** PASS

**Sponsors:** City Manager

21. [202402053](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 9/16/2024, **AUTHORIZING** the transfer and appropriation of \$450,000 from the unappropriated surplus of Avondale Equivalent Fund 468 to Department of Community and Economic Development (“DCED”) non-personnel operating budget account no. 468x162x7200 to provide resources to finance the acquisition of real property located at 803 Windham Avenue in the Avondale neighborhood of Cincinnati and associated acquisition-related costs; **AUTHORIZING** the transfer and appropriation of \$25,000 from the unappropriated surplus of Avondale Equivalent Fund 468 to DCED personnel operating budget account no. 468x162x7100 to provide staffing resources to support the acquisition of real property located at 803 Windham Avenue in the Avondale neighborhood; and **DECLARING** that expenditures from DCED non-personnel operating budget account no. 468x162x7200 and from DCED personnel operating account no. 468x162x7100 related to the acquisition of real property located at 803 Windham Avenue in the Avondale neighborhood of Cincinnati and associated acquisition-related costs to be for a public purpose and constitute a “Public Infrastructure Improvement” (as defined in Ohio Revised Code Section 5709.40(A)(8)) that will benefit and/or serve the District 21-Avondale Incentive District, subject to compliance with Ohio Revised Code Sections 5709.40 through 5709.43. (Subject to the Temporary Prohibition List <<<https://www.cincinnati-oh.gov/law/ethics/city-business>>>).

**Recommendation** PASS EMERGENCY

**Sponsors:** City Manager

22. [202402000](#) **MOTION, (AMENDED)** submitted by Councilmembers Cramerding, Harris, Jeffreys and Albi, WE MOVE that the funds from the potential tax credit refund from the Mercy Health Bon Secours office building in Bond Hill be redirected to housing, economic development, and other Capital projects. These funds should be allocated to projects in the neighborhoods who were affected by the closure of this and other Mercy Health facilities, \*\*\*with priority going to Bond Hill first, followed by Mt Airy, and Westwood. (STATEMENT ATTACHED).

**Recommendation** ADOPT

**Sponsors:** Cramerding, Harris, Jeffreys and Albi

23. [202401941](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 9/5/2024, **AUTHORIZING** the City Manager to execute and implement the Fire Fighters and Assistant Chiefs labor management agreements between the City of Cincinnati and the International Association of Fire Fighters, Local 48, the updated terms of which are reflected in the attached summary.

**Recommendation** PASS EMERGENCY

**Sponsors:** City Manager

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**SUPPLEMENTAL ITEMS****PUBLIC SAFETY & GOVERNANCE COMMITTEE**

24. [202401951](#) **ORDINANCE (B VERSION)** submitted by Sheryl M. M. Long, City Manager, on 9/5/2024, **MODIFYING** Chapter 112, "Council Lobbying," of the Cincinnati Municipal Code, by **ORDAINING** Sections 112-1-C, "Clerk," 112-1-C2, "Client," and 112-1-R, "Regulated Official"; **AMENDING** Sections 112-1-A, "Actively Advocate," 112-1-C, "Compensation," 112-1-E1, "Engage," 112-1-F, "Financial Transaction," 112-1-L, "Legislation," 112-1-L1, "Legislative Agent," 112-1-P, "Person," 112-1-S, "Staff," 112-3, "Prohibitions," 112-5, "Registration of Legislative Agent and Employer," 112-7, "Statements of Financial Transactions," 112-11, "Exceptions," 112-15, "Lobbying Duties of the Clerk of Council," 112-17, "Powers of Office of Contract Compliance and Investigations," and 112-99, "Penalty"; and **REPEALING** Sections 112-1-E, "Employer," and 112-9, "Complaints; Liability for False Statement," all to streamline, update, and modernize the City's process for registering lobbyists.

**Recommendation** PASS

**Sponsors:** City Manager

25. [202401939](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 9/5/2024, **ESTABLISHING** the classification and salary range schedule for the three new employment classifications of Plumbing Inspector 1, Plumbing Inspector 2 and Plumbing Inspector 3; and **ORDAINING** Sections 414, 415, and 416 of Division 1, Chapter 307, "Classified Compensation Schedules," of the Cincinnati Municipal Code to reflect these new employment classifications.

**Recommendation** PASS EMERGENCY

**Sponsors:** City Manager

26. [202401942](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 9/5/2024, **MODIFYING** the salary schedule for the classification of Director of Communications by amending existing Section 012 of Division D5, Chapter 307, of the Cincinnati Municipal Code.

**Recommendation** PASS EMERGENCY

**Sponsors:** City Planning

27. [202401945](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 9/5/2024, **ESTABLISHING**, the classification and salary range schedule for the new employment classification of Director of Grant Administration and Government Affairs; and **ORDAINING** Section 229 of Division 5, Chapter 307 of the Cincinnati Municipal Code to establish a new salary schedule for the classification title of Director of Grant Administration and Government Affairs, consistent with the organizational changes described herein.

**Recommendation**

PASS EMERGENCY

**Sponsors:** City Manager

**ANNOUNCEMENTS**



Adjournment



20240918  
**Date:** September 18, 2024

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

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

**Subject:** **Resolution – Suicide Prevention Month**

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Transmitted herewith is a resolution captioned as follows:

**RECOGNIZING** September as National Suicide Prevention Month in the City of Cincinnati; and **EXPRESSING** the appreciation of the Mayor and Council to the Hamilton County Suicide Prevention Coalition for all their hard work in the community.

EESW/KKF(dmm)  
Attachment  
407944

EESW

**RESOLUTION NO. \_\_\_\_\_ - 2024**

**RECOGNIZING** September as National Suicide Prevention Month in the City of Cincinnati; and **EXPRESSING** the appreciation of the Mayor and Council to the Hamilton County Suicide Prevention Coalition for all their hard work in the community.

WHEREAS, mental health is part of overall health, and one in five adults experience a mental health problem in any given year; and

WHEREAS, National Suicide Prevention Week is celebrated September 8 to September 14; and

WHEREAS, approximately one-half of chronic mental illness begins by the age of fourteen and three-quarters of chronic mental illness begins by age 24, and long delays often occur between the time symptoms first appear and when individuals get help; and

WHEREAS, suicide is the eleventh leading cause of death in the United States and the second leading cause among young adults; and

WHEREAS, the United States' gun suicide rate is nearly twelve times that of other high-income countries, and nearly six out of every ten gun deaths in the United States are suicides; and

WHEREAS, ninety percent of people who die by suicide had shown symptoms of a mental health condition, according to interviews with family, friends, and medical professionals; and

WHEREAS, early identification and treatment can make a difference in successful management of mental illness and recovery and it is important to maintain mental health and learn the symptoms of mental illness in order to get help when it is needed; and

WHEREAS, every citizen and community can make a difference in helping end the silence and stigma that for far too long has surrounded mental illness and discouraged people from getting help, and public education and civic activities can encourage mental health and help improve the lives of individuals and families affected by mental illness; and

WHEREAS, we want to shine a light on suicide prevention and mental illness and fight stigma, provide support, educate the public, and place our full support behind those who work in the mental health field, including the Hamilton County Suicide Prevention Coalition; now, therefore,

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

Section 1. That the Mayor and Council recognize September as National Suicide Prevention Month in the City of Cincinnati.

Section 2. That this resolution be spread upon the minutes of Council and that a copy be provided to the Hamilton County Suicide Prevention Coalition through the office of Councilmember Anna Albi.

Passed: \_\_\_\_\_, 2024

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

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

Submitted by Mayor Aftab Pureval, Councilmember Anna Albi, Vice Mayor Jan-Michele Lemon Kearney, Councilmembers Victoria Parks, Jeff Cramerding, Reggie Harris, Mark Jeffreys, Scotty Johnson, Meeka Owens, and Seth Walsh

202409051

**Date:** September 18, 2024

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

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

**Subject:** **Resolution – Recognizing Matt Alter**

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Transmitted herewith is a resolution captioned as follows:

**RECOGNIZING** Matt Alter and **EXPRESSING** the appreciation of the Mayor and the Council of the City of Cincinnati for his service as President of Cincinnati Fire Fighters Union Local 48.

EESW/KKF(dmm)  
Attachment  
408122

EESW

**RESOLUTION NO. \_\_\_\_\_ - 2024**

**RECOGNIZING** Matt Alter and **EXPRESSING** the appreciation of the Mayor and the Council of the City of Cincinnati for his service as President of Cincinnati Fire Fighters Union Local 48.

WHEREAS, Matt Alter dedicated over twelve years serving as the Cincinnati Fire Fighters Union Local 48's President, representing the brave fire fighters of the Cincinnati Fire Department; and

WHEREAS, Mr. Alter is a graduate of the first paramedic class offered by Cincinnati State in 2001; and

WHEREAS, in December of 2004, Mr. Alter joined the Cincinnati Fire Department where he spent time on T19, Rescue 14, and M29; and

WHEREAS, Mr. Alter's journey into the leadership of Cincinnati Fire Fighters Union Local 48 began in 2010 when he was elected as Vice President; and

WHEREAS, in 2012 Mr. Alter was elected to serve as Cincinnati Fire Fighters Union Local 48 President where he represents over 800 men and women of the Cincinnati Fire Department; and

WHEREAS, as President, Mr. Alter has worked to listen to all voices in the room to facilitate reunification during a period of division; and

WHEREAS, Mr. Alter is a champion for inclusion and always strives for diversification among the executive board and union committees; and

WHEREAS, Mr. Alter worked tirelessly to represent the men and women of the Cincinnati Fire Department and will continue to provide the best quality service to the citizens of Cincinnati; 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 Matt Alter for his service as President of Cincinnati Fire Fighters Union Local 48.

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

Passed: \_\_\_\_\_, 2024

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

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

Submitted by Mayor Aftab Pureval, Councilmember Seth Walsh, Vice Mayor Jan-Michele Lemon Kearney, Councilmembers Victoria Parks, Anna Albi, Jeff Cramerding, Reggie Harris, Mark Jeffreys, Scotty Johnson, and Meeka Owens



**Mark Jeffreys**  
Councilmember

September 10, 2024

## MOTION

### *Economic Development Policy*

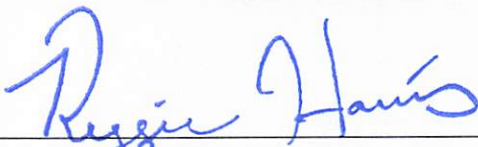
In response to a City Manager report on the Futures Commission, WE MOVE that, the attached be adopted as a consolidated written statement of City Council's strategic objectives for economic development.

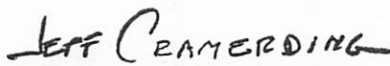
## STATEMENT

The Futures Commission made multiple recommendations around economic development. In response to those recommendations, the City Manager in Reference Document #202401283 recommended that City Council articulate its strategic objectives for economic development as a first step.

The attached is meant to be a response to that request with clear goals, objectives and strategies. It is not meant at the "be all end all" but rather that first step of alignment to those goals, objectives and strategies. Based on adoption of this policy, additional conversations and specifics on *how* we go about achieving these goals will be needed. But the first step is alignment around this broad policy statement.

  
\_\_\_\_\_  
Councilmember Mark Jeffreys

  
\_\_\_\_\_  
Councilmember Reggie Harris

  
\_\_\_\_\_  
Councilmember Jeff Cramerding

  
\_\_\_\_\_  
Councilmember Seth Walsh

  
\_\_\_\_\_  
Councilmember Meeka Owens



## Writing the Next Chapter of Cincinnati's Future & Growth

Starting in the early 2000s, Cincinnati reversed a decades long decline in population and started growing albeit slowly and started building many of the building blocks for a more vibrant city. We now stand at ~310K residents with the core of our city in downtown and OTR returning to growth and vibrancy, and some neighborhoods thriving. But many of our neighborhoods and citizens have been left behind with a shortage of housing that's affordable and growth that is inimic. The status quo cannot be our future.

We have the opportunity to shape a vision and plan for how to return Cincinnati to robust growth in the next 10+ years whose benefits are spread across neighborhoods while preserving what we all love about our city. We want to build a **city that is sustainably growing – a city where communities are safe and clean, where neighborhoods and business districts are thriving, housing is affordable, citizens have opportunity and access to good-paying jobs with a transportation network that connects people – all in a uniquely Cincinnati way!**

That means stretching but realistic goals in the next 10 years:

- Build 40,000+ net new units of housing (an average of ~4,000/year)
- Add 25,000-30,000+ new residents (up to 3,000/year), which would add up to \$95M/year in household income & up to \$1.7M+/year in earnings tax revenue, enabling our city to support that growth with best-in-class service\*.
- Increase per capita income consistent with Futures Commission recommendation (\$21,500)

But goals are just numbers. We need to clear **objectives** for how we get there:

- More even growth across neighborhoods – ensuring that many of our historically disinvested communities and LIFT neighborhoods see catalytic projects and market rate housing that is necessary for a vibrant and healthy business district;
- Meeting the need for attainable housing in neighborhoods where that is increasingly scarce;
- Building a multi-modal transportation network that leads to growth – unlike many of our peer cities where they grew ahead of that infrastructure e.g. Austin, Nashville;
- Growing earnings tax revenue faster than city expenses to ensure fiscal sustainability long-term.

And the **strategies** for achieving those objectives need to be clear and embedded in the revamped Plan Cincinnati shaped with robust community engagement. It means:

- Growth must support *best-in-class public safety and services* – a safe and clean Cincinnati;
- Building ~20,000 of *new housing units* downtown over the next ten years; it's our most dense neighborhood with a transportation network to support growth.
- Adding another ~20,000 of new housing to be supported by a growing robust transportation network with special attention to converting vacant and blighted properties to new housing, infill housing, and historic adoptive reuse.
- Growing *LIFT neighborhoods* – ones historically disinvested in – at a faster rate than the growth in the balance of the city with accompanying investments in people and infrastructure.
- Fueling a *diverse jobs base* across the city:

\*Assumes an avg median income per individual in Cincinnati: \$31,869 (2022 actuals) yielding \$591.64 in avg earnings tax per person based on 1.8% rate

- Growing existing job centers in Downtown and Uptown
- Building a new job center anchored in advanced manufacturing in the Mill Creek Valley/Queensgate while building more residential housing with vibrant communities
- Advocating for our residents to have convenient access via public transportation to other regional job centers e.g. CVG, Blue Ash, Mason, etc.
- Strengthen support of the small businesses ecosystem, especially minority businesses, and workers throughout neighborhoods and neighborhood business districts.
- *Leverage federal investments* and other external investments to enable sustainable growth and communities designed for people:
  - Supporting SORTA in building Bus Rapid Transit across the planned four routes & expanded, reliable Metro service;
  - Creating a regional multimodal transportation vision and plan beyond Reinventing Metro and completing the CROWN, inclusive of buses, bikes and exploring rail to spur growth in job and population centers;
  - Investing in The Green Cincinnati Plan, including electrification, transportation making Cincinnati the greenest city in America.
  - Leveraging a new Green Bank to reduce household energy expenses and reduce those who are energy burdened significantly.
  - Design our neighborhoods around Complete Streets built for people and community.
- Remove the *barriers to growth*:
  - Strengthen best-in-class permitting and development support.
  - Strong City/CPS partnership to strengthen schools in the city.
  - Eliminate structural barriers to individuals reaching their potential including making sure all children have access to broadband at home and making strives toward eliminating lead exposure among children in our city.
  - Invest in workforce development including the Building Future's program, Green jobs, etc.

This vision and plan for a sustainably growing Cincinnati whose benefits are enjoyed by all Cincinnatians is a Cincinnati where our kids and grandkids will thrive. It's a blueprint for uniquely Cincinnati growth story that we can write.

Date: 9/18/2024

To: Mayor and Members of City Council 202402012  
From: Sheryl M. M. Long, City Manager  
Subject: **SPECIAL EVENT PERMIT APPLICATION: Pink Ribbon 2024 - Brady Music Center**

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In accordance with Cincinnati Municipal Code, Chapter 765; MEMI 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: Pink Ribbon 2024 - Brady Music Center  
EVENT SPONSOR/PRODUCER: MEMI  
CONTACT PERSON: David Armstrong  
LOCATION: 25 Race St.  
DATE(S) AND TIME(S): 10/23/2024 6:00pm—10/23/2024 10:30pm  
  
EVENT DESCRIPTION: Outdoor Concert on the Event Lawn.  
ANTICIPATED ATTENDANCE: 1,500  
ALCOHOL SALES:  YES.  NO.  
TEMPORARY LIQUOR PERMIT HOLDER IS: MEMI

cc: Colonel Teresa A. Theetge, Police Chief

Date: 09/18/2024

To: Mayor and Members of City Council 202402017  
From: Sheryl M. M. Long, City Manager  
Subject: **SPECIAL EVENT PERMIT APPLICATION: The Mastermind**

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In accordance with Cincinnati Municipal Code, Chapter 765; Jane Streeter 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: The Mastermind  
EVENT SPONSOR/PRODUCER: Mastermind Movie, INC  
CONTACT PERSON: Jane Streeter  
LOCATION: 35 West Fifth Street  
139 East Fourth Street  
232 East Sixth Street  
DATE(S) AND TIME(S): 11/04/2024 12:00am—11/22/2024 12:00am  
EVENT DESCRIPTION: Filming the for major motion picture called The Mastermind  
ANTICIPATED ATTENDANCE: 150  
ALCOHOL SALES:  YES.  NO.  
TEMPORARY LIQUOR PERMIT HOLDER IS:

cc: Colonel Teresa A. Theetge, Police Chief

Date: 9/18/2024

To: Mayor and Members of City Council 202402018  
From: Sheryl M. M. Long, City Manager  
Subject: **SPECIAL EVENT PERMIT APPLICATION: Straight Street Hill Climb**

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In accordance with Cincinnati Municipal Code, Chapter 765; Greg McCormick 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: Straight Street Hill Climb  
EVENT SPONSOR/PRODUCER: Running Time, LLC  
CONTACT PERSON: Greg McCormick  
LOCATION: Straight Street (Between West McMicken & University Court)  
DATE(S) AND TIME(S): 11/24/2024 9:00am—11/24/2024 10:30pm  
EVENT DESCRIPTION: Annual Run and Bike up Straight Street from McMicken to University. Benefits the Cincinnati Soap Box Derby.  
ANTICIPATED ATTENDANCE: 150  
ALCOHOL SALES:  YES.  NO.  
TEMPORARY LIQUOR PERMIT HOLDER IS:

cc: Colonel Teresa A. Theetge, Police Chief

Date: 9/18/2024

To: Mayor and Members of City Council 202402032  
 From: Sheryl M. M. Long, City Manager  
 Subject: **SPECIAL EVENT PERMIT APPLICATION: 35th Annual Reindog Parade**

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In accordance with Cincinnati Municipal Code, Chapter 765; Mount Adams Business Guild 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:** 35th Annual Reindog Parade  
**EVENT SPONSOR/PRODUCER:** Mount Adams Business Guild  
**CONTACT PERSON:** Daniel Vale  
**LOCATION:** 1111 St Gregory St. Cincinnati Oh 45202  
**DATE(S) AND TIME(S):** 12/14/2024 12:00pm—12/14/2024 5:00pm  
**EVENT DESCRIPTION:** The Annual Reindog Parade is an event that allows people to bring their dogs to Mt Adams and dress them up for a friendly competition. They are able to compete for best costume in the “over” and “under twenty five pound class plus Dog-Master look-a-like and Group awards. We will hold a raffle for a chance to win prizes donated by local businesses and sponsors. The raffle will help raise money for a donation to a local Non-Profit.k  
**ANTICIPATED ATTENDANCE:** 500  
**ALCOHOL SALES:**  YES.  NO.  
**TEMPORARY LIQUOR PERMIT HOLDER IS:**

cc: Colonel Teresa A. Theetge, Police Chief

September 18, 2024

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

**From:** Sheryl M.M. Long, City Manager **202402024**

**Subject:** **Communication Response re Councilmember Motion Report on the Composition of the Workforce Engaged in City Projects**

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**Document No. 202401327**

The City Council at its session May 6, 2024, referred the following item for report:

MOTION, submitted by Councilmembers Jeffreys, Parks, Walsh and Albi, To understand the make-up of the "boots on the ground" workforce in City projects, WE MOVE that, the Administration use aggregated certified payroll data over the past few years to report back to Council within sixty (60) days.

**Introduction**

On May 6, 2024, the City Council introduced Motion No. 202401327 (the "Motion"), directing the City Administration to prepare a report within sixty (60) days to analyze the composition of the workforce engaged in City projects. The Motion specifically requested that the Administration use aggregated certified payroll data to provide insights on the following:

- The overall percentage of minority workers across all trades and projects.
- The overall percentage of women workers across all trades and projects.
- A breakdown of workers residing within the City of Cincinnati, the Greater Cincinnati area, and outside the region (e.g., another state beyond the Tri-State).
- The overall percentage of union versus non-union workers, with a comparison of these metrics for minorities and women.
- Recommendations on how best to track and report progress on these metrics over time, including suggestions for workforce inclusion goals.

**Certified Payroll Data**

The data presented in this report is drawn from City projects subject to prevailing wage requirements, with information collected and monitored via the LCP Tracker system. Certified payroll reports capture demographic details such as race, gender, and home address. However, it is important to note that this data is self-reported by employers and is not independently verified by the City. In particular, the accuracy of employee home addresses is questionable due to potential typos and errors, which may affect the reliability of related data points.

The following chart, created with the assistance of the Office of Performance and Data Analytics (OPDA) using Power BI, utilizes data from LCP Tracker. The percentages presented are calculated based on the hours reported in certified payrolls.



Minority and Women All Trades and Projects vs Total Counts					
Minority Workers	Minority Hours	Female Workers	Female Hours	Database Total Workers	Database Total Hours
3,773	1,569,056.03	743	324,062.69	20,780	9,573,338.31
Cincinnati Worker Totals			All Cities Workers Totals		
Employee City	Count of Employee City		Employee City	Count of Employee City	
CICINNATI	2		3120 Watergate Turn	1	
			Aberdeen	10	
<b>Total</b>	<b>5312</b>		<b>Total</b>	<b>22752</b>	

**Minority Worker Hours:** Within the LCP Tracker system, the term "Minority" encompasses African American, Asian American, Native-American, and Hispanic workers.

According to the data, there were a total of 20,780 workers on City funded prevailing wage projects. Of those 20,780 workers, 3,773 were minorities, meaning that 18.16% of all workers on City-funded prevailing wage projects were classified as minorities. Additionally, there were 9,573,338.31 total hours worked across all City funded prevailing wage projects. Minority employees contributed 1,569,056.03 hours worked, which is 16.39% of the total hours worked on these projects. This means that minority workers were utilized on 16.39% of the available hours while making up 18.16% of the available workforce on City funded prevailing wage projects.

**Female Worker Hours:** Female workers represented 743 workers out of the total 20,780 workers, or 3.58% of the available workforce on City-funded prevailing wage projects. Female workers accounted for 324,062.69 of the 9,573,338.31 total hours worked across all City funded prevailing wage projects, which is 3.39% of the total hours worked on these projects. This means that female workers were utilized on 3.39% of the available hours while making up 3.58% of the available workforce on City funded prevailing wage projects.

**Cincinnati Worker Totals:** The data on workers residing within Cincinnati should be interpreted with caution due to the potential for inaccuracies. Employer-entered addresses are prone to errors, and variations in how "Cincinnati" is inputted (e.g., typos, abbreviations) further complicate the data. For this report, any variant of "Cincinnati" was included in the "Cincinnati Worker Totals," while all other addresses were assumed to be outside of Cincinnati. If the Council wishes to regularly report on this metric, we recommend exploring more reliable data collection methods. According to the current data, 23.35% of workers on City-funded prevailing wage projects resided within Cincinnati. Adjustments to the reporting system are being made to also capture the percentage of workers from outside the tri-state area involved in these projects.

**Union Status:** Unfortunately, LCP Tracker's Power BI does not currently capture data on union status, making it impossible to report on this metric. If the Council wishes to monitor union status regularly, we recommend investigating alternative methods to collect and report this information.

**Conclusion and Recommendation**

To effectively monitor and improve workforce diversity on City projects, the Department of Economic Inclusion recommends the following:

- **Enhance Data Collection:** Work with the LCP tracker team and OPDA to make alterations in systems or processes that ensure the accuracy and reliability of data, particularly regarding worker residence.
- **Regular Reporting:** Implement a standardized reporting schedule to consistently track workforce diversity metrics, allowing for continuous assessment and refinement of inclusion strategies. The DEI team will begin reporting on workforce demographics quarterly and is

currently developing a Workforce Demographics dashboard in collaboration with the OPDA team.

- Reevaluate Construction Workforce Goals: Based on recent findings, reassess the aspirational inclusion goals at the workforce level, including specific targets for minority and female participation. Cincinnati Municipal Code 325 (CMC 325) and City Council Resolution 21 (R-21) govern EEO requirements for City contractors. R-21 sets a standard that 11.8% of labor hours be performed by minority males, 6.9% by females, with 3.45% of those hours being minority females, across all craft trades on City construction projects within Hamilton County.

By implementing these recommendations and allowing time for the changes to take effect, DEI anticipates having a more accurate depiction of workforce demographics by fiscal year 2026

cc:     Natasha S. Hampton, Assistant City Manager  
       Laura Castillo, Director, Department of Economic Inclusion  
       Jonah James, Development Manager, Department of Economic Inclusion

September 18, 2024

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

202402046

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

**Subject: Emergency Ordinance – Cincinnati Fire Department: Then and Now Payment to Bound Tree Medical, LLC**

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Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the payment of \$9,158 to Bound Tree Medical, LLC, of which \$8,778 is to be paid from Cincinnati Fire Department General Fund non-personnel operating budget account no. 050x272x2000x7418 for outstanding licensing fees and \$380 is to be paid from Cincinnati Fire Department General Fund non-personnel operating budget account no. 050x272x2000x7215 for training services, for the time period of April 2023 through March 2024, pursuant to the attached then and now certificate from the Director of Finance.

Approval of this Emergency Ordinance would authorize the payment of \$9,158 to Bound Tree Medical, LLC, of which \$8,778 is to be paid from Cincinnati Fire Department General Fund non-personnel operating budget account no. 050x272x2000x7418 for outstanding licensing fees and \$380 is to be paid from Cincinnati Fire Department General Fund non-personnel operating budget account no. 050x272x2000x7215 for training services, for the time period of April 2023 through March 2024, pursuant to the then and now certificate from the Director of Finance.

The City entered into a contract with Bound Tree Medical, LLC effective April 1, 2023, for the licensing of and related training for a medical supplies inventory system, Operative IQ, and for pharmaceutical supplies necessary to render emergency medical services to the public. The outstanding obligation resulted from a failure to reach the minimum spending threshold to receive a rebate included in the contract's pricing structure. Resources were certified at the time of contract execution for the purchase of medical supplies, but not encumbered for the licensing fees or related training.

Pursuant to Ohio Revised Code Section 5705.41(D)(1), the Director of Finance has issued a Then and Now Certificate, verifying that a sufficient sum was appropriated and in the City Treasury for the purpose of paying such charges under the contract both at the time the contract began and at the time the attached certificate was issued.

The reason for the emergency is the immediate need to pay Bound Tree Medical, LLC for the outstanding charges in a timely manner.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment

**EMERGENCY**

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- 2024

**AUTHORIZING** the payment of \$9,158 to Bound Tree Medical, LLC, of which \$8,778 is to be paid from Cincinnati Fire Department General Fund non-personnel operating budget account no. 050x272x2000x7418 for outstanding licensing fees and \$380 is to be paid from Cincinnati Fire Department General Fund non-personnel operating budget account no. 050x272x2000x7215 for training services, for the time period of April 2023 through March 2024, pursuant to the attached then and now certificate from the Director of Finance.

WHEREAS, the City entered into a contract (contract no. 35x0001) with Bound Tree Medical, LLC (“Contractor”) effective April 1, 2023 for the licensing of and related training for a medical supplies inventory system, Operative IQ, and for pharmaceutical supplies necessary to render emergency medical services to the public; and

WHEREAS, the outstanding obligation resulted from a failure to reach the minimum spending threshold to receive a licensing fee rebate included in the contract’s pricing structure; and

WHEREAS, resources were certified for the purchase of medical supplies, but not encumbered for the licensing fees or related training; and

WHEREAS, during the period preceding the approval, and pursuant to the terms of the contract, Contractor provided the Cincinnati Fire Department with licensing and training services amounting to \$9,158; and

WHEREAS, pursuant to Ohio Revised Code Section 5705.41(D)(1), the Director of Finance has issued a certificate, attached to this ordinance, verifying that a sufficient sum was appropriated and in the City Treasury for the purpose of paying such charges under the contract both at the time the contract began and at the time the attached certificate was issued; and

WHEREAS, Council desires to provide payment to Contractor for the City’s outstanding obligation of \$9,158 for charges related to outstanding licensing fees and training services used by the Cincinnati Fire Department from April 2023 through March 2024; 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 pay \$9,158 to Bound Tree Medical, LLC, of which \$8,778 is to be paid from Cincinnati Fire Department General Fund non-personnel operating budget account no. 050x272x2000x7418 for outstanding licensing fees and \$380 is to

be paid from Cincinnati Fire Department General Fund non-personnel operating budget account no. 050x272x2000x7215 for training services, for the time period of April 2023 through March 2024.

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

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to pay Bound Tree Medical, LLC for the outstanding charges in a timely manner.

Passed: \_\_\_\_\_, 2024

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

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

**CITY OF CINCINNATI**  
**DIRECTOR OF FINANCE**  
**THEN AND NOW CERTIFICATE**

I, Karen Alder, Director of Finance for the City of Cincinnati, state the following:

WHEREAS, the City entered into a contract beginning on April 1, 2023 with Bound Tree Medical, LLC (“Contractor”) for the licensing of and related training for a medical supplies inventory system, Operative IQ, and for pharmaceutical supplies necessary to render emergency medical services to the public; and

WHEREAS, the outstanding obligation resulted from a failure to reach the minimum spending threshold to receive a licensing fee rebate included in the contract’s pricing structure; and

WHEREAS, resources were certified for the purchase of medical supplies, but not encumbered for the licensing fees or related training; and

WHEREAS, during the period preceding the encumbrance, and pursuant to the terms of the contract, Contractor provided the Cincinnati Fire Department with licensing and training services amounting to \$9,158; and

WHEREAS, Contractor has not been compensated for the services provided, for the time period of April 2023 through March 2024, in an amount of \$9,158;

NOW, THEREFORE,

1. As of April 1, 2023 and as of the date this certificate was executed, I verify that the City Treasury held a sufficient sum that was appropriated and available for the purpose of paying for goods and services rendered under the City’s contract with Bound Tree Medical, LLC. This verification is conditioned upon and subject to Council’s approval of an ordinance authorizing the drawing of a warrant in payment of amount due to Bound Tree Medical, LLC during this time period.

Signed,



Karen Alder, Director of Finance  
City of Cincinnati

Date: 9/4/24

{00407826-1}

September 18, 2024

**To:** Mayor and Members of City Council  
**From:** Sheryl M. M. Long, City Manager  
**Subject:** **Emergency Ordinance – Cincinnati Fire Department: Fire Prevention Week In-Kind Donation**

202402052

Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the City Manager to accept an in-kind donation of fire safety educational supplies, food, and drink from the Cincinnati Fire Foundation, valued at approximately \$10,000, to be used by the Cincinnati Fire Department during National Fire Prevention Week.

Approval of this Emergency Ordinance will authorize the City Manager to accept an in-kind donation of fire safety educational supplies, food, and drink from the Cincinnati Fire Foundation valued at approximately \$10,000 to be used by the Cincinnati Fire Department during National Fire Prevention Week.

National Fire Prevention Week is observed every year during the week of October 9th, in commemoration of the Great Chicago Fire which began on October 8, 1871. This year, the event will take place between Sunday, October 6 and Saturday, October 12, 2024. The Cincinnati Fire Department will once again participate and engage with the community in various outreach and educational events.

The Cincinnati Fire Foundation has agreed to continue its partnership for this event by donating educational supplies, food, and drink for the Fire Department's use during its planned events.

There are no new FTEs/full time equivalents or matching funds associated with the acceptance of this in-kind donation.

Acceptance of this in-kind donation is in accordance with the "Collaborate" goal to "[w]ork in synergy with the Cincinnati community" and the strategy to "[u]nite our communities" as described on pages 209-212 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to accept the in-kind donation in time to observe National Fire Prevention Week.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment





**EMERGENCY**

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- 2024

**AUTHORIZING** the City Manager to accept an in-kind donation of fire safety educational supplies, food, and drink from the Cincinnati Fire Foundation, valued at approximately \$10,000, to be used by the Cincinnati Fire Department during National Fire Prevention Week.

WHEREAS, National Fire Prevention Week is observed every year during the week of October 9th, in commemoration of the Great Chicago Fire that began on October 8, 1871; and

WHEREAS, this year the event will take place between Sunday, October 6th, and Saturday, October 12th; and

WHEREAS, the Cincinnati Fire Department (“CFD”) will once again participate and engage with the community through various outreach and educational events; and

WHEREAS, the Cincinnati Fire Foundation generously has agreed to continue its partnership for this event by donating educational supplies, food, and drink for CFD’s use during its planned events; and

WHEREAS, acceptance of this in-kind donation requires no matching funds, and no FTEs/full time equivalents are associated with its acceptance; and

WHEREAS, acceptance of this in-kind donation is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” and strategy to “[u]nite our communities” as described on pages 209-212 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 accept an in-kind donation of fire safety educational supplies, food, and drink from the Cincinnati Fire Foundation, valued at approximately \$10,000, for the Cincinnati Fire Department’s use during National Fire Prevention Week.

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

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms

of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to accept the in-kind donations in time to observe National Fire Prevention Week.

Passed: \_\_\_\_\_, 2024

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

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

September 18, 2024

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

202402054

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

**Subject: Emergency Ordinance – CMO: Solicit and Accept Donations for Large Cities Executive Forum (LCEF)**

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Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the City Manager and employees of the Office of the City Manager to solicit and accept donations of money, in-kind contributions, and other things of value from the Cincinnati business community, individual benefactors, and other available sources to support the Large Cities Executive Forum (“LCEF”) to be held from October 17, 2024 to October 19, 2024; and **AUTHORIZING** the Director of Finance to deposit any funds donated to the City of Cincinnati for the LCEF into Fund No. 314x8571, “Special Events Fund.”

This Emergency Ordinance authorizes the City Manager and employees of the Office of the City Manager to solicit and accept donations of money, in-kind contributions, and other things of value from the Cincinnati business community, individual benefactors, and other available sources to support the Large Cities Executive Forum (“LCEF”) to be held from October 17, 2024 to October 19, 2024. This Emergency Ordinance also authorizes the Director of Finance to deposit any funds donated to the City of Cincinnati for the LCEF into Fund No. 314x8571, “Special Events Fund.”

The LCEF is held semi-annually and provides an opportunity for chief appointed executives from cities with populations of 200,000 or more to meet and discuss key issues affecting large cities across the county. The City of Cincinnati will host the LCEF from October 17, 2024 to October 19, 2024 at the 21c Museum Hotel in downtown Cincinnati. The Office of the City Manager must solicit donations of money, in-kind contributions, and other things of value from the Cincinnati business community, individual benefactors, and other available sources to cover the costs of the event.

Hosting the LCEF is in accordance with the “Live” goals to “[b]uild a robust public life” and “[c]reate a more livable community” as described on pages 147-163 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to accept donations and secure sponsorships prior to the Large Cities Executive Forum.

The Administration recommends passage of this Emergency Ordinance.

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



Attachment

**EMERGENCY**

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**- 2024**

**AUTHORIZING** the City Manager and employees of the Office of the City Manager to solicit and accept donations of money, in-kind contributions, and other things of value from the Cincinnati business community, individual benefactors, and other available sources to support the Large Cities Executive Forum (“LCEF”) to be held from October 17, 2024 to October 19, 2024; and **AUTHORIZING** the Director of Finance to deposit any funds donated to the City of Cincinnati for the LCEF into Fund No. 314x8571, “Special Events Fund.”

WHEREAS, the Large Cities Executive Forum (“LCEF”) is held semi-annually and provides an opportunity for chief appointed executives from cities with populations of 200,000 or more to meet and discuss key issues affecting large cities across the county; and

WHEREAS, the City of Cincinnati will host the LCEF from October 17, 2024 to October 19, 2024 at the 21c Museum Hotel in downtown Cincinnati; and

WHEREAS, the Office of the City Manager must solicit donations of money, in-kind contributions, and other things of value from the Cincinnati business community, individual benefactors, and other available sources to cover the costs of the event; and

WHEREAS, hosting the LCEF is in accordance with the “Live” goals to “[b]uild a robust public life” and “[c]reate a more livable community” as described on pages 147-163 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager and employees of the Office of the City Manager are authorized to solicit and accept donations of money, in-kind contributions, and other things of value to host the Large Cities Executive Forum (“LCEF”) to be held from October 17, 2024 to October 19, 2024.

Section 2. That the Finance Director is hereby authorized to deposit any funds donated to the City of Cincinnati for the LCEF into Fund No. 314x8571, “Special Events Fund.”

Section 3. That following completion of fundraising for the LCEF, the Administration shall submit a report to Council advising of the total dollar amount raised by the fundraising effort

as well as a list of persons or entities making donations and the dollar amount donated per individual or entity.

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 donations and secure sponsorships prior to the Large Cities Executive Forum.

Passed: \_\_\_\_\_, 2024

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

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

September 18, 2024

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

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

202402055

**Subject: Emergency Ordinance – Parks: Clean Ohio Fund Green Space Conservation Program Grant**

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Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the City Manager to apply for a grant of up to \$300,000 from the Ohio Public Works Commission Clean Ohio Fund Green Space Conservation Program to provide resources for the Mt. Adams Greenspace Land Acquisition Project.

A grant of up to \$300,000 is available from the Ohio Public Works Commission (OPWC) Clean Ohio Fund Green Space Conservation Program to provide resources for the preservation and restoration of open spaces. The grant funds would allow the City to fund the Mt. Adams Greenspace Land Acquisition Project, which would preserve approximately one third of an acre of green space at the corner of Parkside Place and Martin Drive in the Mt. Adams neighborhood.

The grant requires the City to provide local matching funds of 25 percent of the project cost, up to approximately \$75,000, which the City anticipates will be provided through non-City funding sources, including donations from the Cincinnati Parks Foundation. The Clean Ohio Fund Green Space Conservation Program grant deadline is September 20, 2024, and the City intends to apply for the grant prior to the effective date of this ordinance, but no grant funds will be accepted without the City Council's approval, which will only be sought if matching funds are available. There are no new FTEs/full time equivalents associated with this grant.

Applying for grant resources for the Mt. Adams Greenspace Land Acquisition Project 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).

The reason for the emergency is the immediate need to comply with grant application deadline.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment



## EMERGENCY

MSS

- 2024

**AUTHORIZING** the City Manager to apply for a grant of up to \$300,000 from the Ohio Public Works Commission Clean Ohio Fund Green Space Conservation Program to provide resources for the Mt. Adams Greenspace Land Acquisition Project.

WHEREAS, a grant of up to \$300,000 is available from the Ohio Public Works Commission (“OPWC”) Clean Ohio Fund Green Space Conservation Program to provide resources for the preservation and restoration of open spaces; and

WHEREAS, the grant resources would allow the City to fund the Mt. Adams Greenspace Land Acquisition Project, which would preserve approximately one third of an acre of green space at the corner of Parkside Place and Martin Drive in the Mt. Adams neighborhood; and

WHEREAS, the grant would require the City to provide local matching funds of 25 percent of the project cost, up to approximately \$75,000, which the City anticipates will be provided through non-City funding sources, including donations from the Cincinnati Parks Foundation; and

WHEREAS, the OPWC Clean Ohio Fund Green Space Conservation Program grant deadline is September 20, 2024, and the City intends to apply for the grant prior to the effective date of this ordinance, but no grant funds will be accepted without further approval by Council, which will only be sought if matching funds are available; and

WHEREAS, there are no new FTEs/full time equivalents associated with this grant; and

WHEREAS, applying for grant resources for the Mt. Adams Greenspace Land Acquisition Project 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 authorized to apply for a grant of up to \$300,000 from the Ohio Public Works Commission Clean Ohio Fund Green Space Conservation Program to provide resources for the Mt. Adams Greenspace Land Acquisition Project.

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



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 comply with grant application deadline.

Passed: \_\_\_\_\_, 2024

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Aftab Pureval, Mayor

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

September 18, 2024

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

202402056

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

**Subject: Emergency Ordinance – ETS: Then and Now Payment to Kronos (US) Inc.**

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Attached is an Emergency Ordinance captioned:

**AUTHORIZING** a payment of \$331,050.79 to Kronos (US) Inc. for outstanding charges related to Telestaff maintenance and support services provided to the City from January 2021 through June 2024, to be paid from General Fund Enterprise Software and Licenses non-departmental account non-personnel operating budget account no. 050x952x0000x7418 pursuant to the attached certificate from the Director of Finance.

Approval of this Emergency Ordinance will authorize the payment of \$331,050.79 to Kronos (US) Inc. for outstanding charges related to Telestaff maintenance and support services provided to the City from January 2021 through June 2024, to be paid from General Fund Enterprise Software and Licenses non-departmental account non-personnel operating budget account no. 050x952x0000x7418 pursuant to the attached then and now certificate from the Director of Finance.

Kronos (US) Inc. provided Telestaff maintenance and support services to various City departments from January 2021 through June 2024, pursuant to a duly executed contract. A misunderstanding regarding the timing of the Office of Procurement's service quote process and subsequent encumbrance approval requirements resulted in a delay in payment and an outstanding obligation of \$331,050.79.

Pursuant to Ohio Revised Code Section 5705.41(D)(1), the Director of Finance has issued a Then and Now Certificate, verifying that a sufficient sum was appropriated and in the City Treasury for the purpose of paying such charges under the contract at the time the services were provided and the quote was issued and at the time this certificate was issued.

The reason for the emergency is the immediate need to make payment to Kronos (US) Inc. in a timely manner.

The Administration recommends passage of this Emergency Ordinance.

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

Attachments

**EMERGENCY**

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**- 2024**

**AUTHORIZING** a payment of \$331,050.79 to Kronos (US) Inc. for outstanding charges related to Telestaff maintenance and support services provided to the City from January 2021 through June 2024, to be paid from General Fund Enterprise Software and Licenses non-departmental account non-personnel operating budget account no. 050x952x0000x7418 pursuant to the attached certificate from the Director of Finance.

WHEREAS, Kronos (US) Inc. provided Telestaff maintenance and support services to various City departments from January 2021 through June 2024, pursuant to a duly executed contract; and

WHEREAS, a misunderstanding regarding the timing of the Office of Procurement’s service quote process and subsequent encumbrance approval requirements resulted in a delay in payment and an outstanding obligation of \$331,050.79; and

WHEREAS, pursuant to Ohio Revised Code 5705.41(D)(1), the Director of Finance has issued a certificate, attached to this ordinance, verifying that a sufficient sum was appropriated and in the City treasury for the purpose of paying such charges under the contract at the time the services were provided and the quote was issued and at the time the attached certificate was issued; and

WHEREAS, Council desires to pay \$331,050.79 to Kronos (US) Inc. for the maintenance and support services; now, therefore,

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

Section 1. That the Director of Finance is hereby authorized to make a payment of \$331,050.79 to Kronos (US) Inc. for outstanding charges related to Telestaff maintenance and support services provided to the City from January 2021 through June 2024, to be paid from General Fund Enterprise Software and Licenses non-departmental account non-personnel operating budget account no. 050x952x0000x7418 pursuant to the attached certificate from the Director of Finance.

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

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to make payment to Kronos (US) Inc. in a timely manner.

Passed: \_\_\_\_\_, 2024

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

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

**CITY OF CINCINNATI**  
**DIRECTOR OF FINANCE**  
**THEN AND NOW CERTIFICATE**

I, Karen Alder, Director of Finance for the City of Cincinnati, state the following:

WHEREAS, the City of Cincinnati (“City”) and Kronos (US) Inc. (“Kronos”) entered into a Master Agreement (“Agreement”) on April 12, 2019, for the provision of Telestaff maintenance and support services for various City departments.

WHEREAS, Kronos provided a quote for its services dated June 12, 2024, covering the period January 2021, to June 2024, pursuant to the Agreement; and

WHEREAS, Kronos provided Telestaff maintenance and support services to various City departments from January 2021, through June 2024, pursuant to the Agreement and as reflected in the quote; and

WHEREAS, a misunderstanding regarding the timing of the Office of Procurement’s service quote process and subsequent encumbrance approval requirements resulted in the delay and an outstanding obligation of \$331,050.79; and

WHEREAS, Kronos has not been compensated for the services provided in the amount of \$331,050.79;

NOW, THEREFORE,

1. As of January 2021, and as of the date this certificate was executed, I hereby verify that the City Treasury held a sufficient sum that was appropriated and available for the purpose of paying for services rendered under the Agreement and all orders thereunder, including but not limited to the order reflected in the June 12, 2024 quote. This verification is conditioned upon and subject to Council’s approval of an ordinance authorizing the drawing of a warrant in payment of amount due to Kronos (US) Inc. under the Agreement and order.

Signed,

  
\_\_\_\_\_

Karen Alder, Director of Finance  
City of Cincinnati

Date: 9/10/24

September 18, 2024

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

202402057

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

**Subject: Emergency Ordinance – GCWW: Water Supply Revolving Loan Account (WSRLA) Funding for Water Main Replacement Projects**

Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the City Manager or her designee to apply for, accept, and appropriate Water Supply Revolving Loan Account loan funding in the amount of up to \$30,000,000 from the Ohio Environmental Protection Agency and the Ohio Water Development Authority to reimburse costs incurred by the Greater Cincinnati Water Works to replace aging water mains and service lines; and **AUTHORIZING** the Finance Director to receive and deposit loan funds into Fund No. 756x8569.

This Emergency Ordinance authorizes the City Manager to apply for, accept, and appropriate Water Supply Revolving Loan Account (WSRLA) loan funding in the amount of up to \$30,000,000 from the Ohio Environmental Protection Agency (OEPA) and the Ohio Water Development Authority (OWDA) for the purpose of reimbursing costs incurred by the Greater Cincinnati Water Works (GCWW) to replace aging water mains and service lines. This Emergency Ordinance further authorizes the Finance Director to receive and deposit the loan funds into Water Works Capital Fund revenue account no. 756x8569.

The funding will reimburse costs incurred to replace aging water mains and service lines, which may include: McMillan/Taft/Calhoun; Burch/East Hill/Shaw; Erie Burch; Branch only – Beech/Eighth; Branch only – Jonathan/Ruth; MLK/Bishop/Lakewood; Southern/Hawthorne; Fire Flow 23; McHenry/Sunshine/Wooster; Baker/Bedford/Beechcrest; Lyon/Moerlein/Wheeler; Monastery/St Gregory – Mt Adams; and Budd Street. To meet the loan application deadline of September 1, 2024, the City has applied for the loan, but no loan funds will be accepted without approval by the City Council.

Assisting with the cost of aging water main and service line replacement projects is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” and strategy to “[c]reate a healthy environment and reduce energy consumption” as described on pages 181-186 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to apply for and obtain loan funding approval in compliance with loan application deadlines.

The Administration recommends passage of this Emergency Ordinance.

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



Attachment

**EMERGENCY**

**HWS**

**-2024**

**AUTHORIZING** the City Manager or her designee to apply for, accept, and appropriate Water Supply Revolving Loan Account loan funding in the amount of up to \$30,000,000 from the Ohio Environmental Protection Agency and the Ohio Water Development Authority to reimburse costs incurred by the Greater Cincinnati Water Works to replace aging water mains and service lines; and **AUTHORIZING** the Finance Director to receive and deposit loan funds into Fund No. 756x8569.

WHEREAS, Water Supply Revolving Loan Account (“WSRLA”) funding in the amount of up to \$30,000,000 is available from the Ohio Environmental Protection Agency and the Ohio Water Development Authority; and

WHEREAS, the City of Cincinnati Greater Cincinnati Water Works (“GCWW”) currently operates a program that aims to replace aging water mains and service lines within the utility’s service area to reduce leaks and breaks; and

WHEREAS, GCWW desires to apply for up to \$30,000,000 in WSRLA funding for the replacement of aging water mains and service lines; and

WHEREAS, the loan funds do not require matching funds, and there are no new FTEs/full time equivalents associated with acceptance of these loan funds; and

WHEREAS, this funding will reimburse costs incurred to replace aging water mains as part of GCWW’s water main replacement program, which may include: McMillan/Taft/Calhoun; Burch/East Hill/Shaw; Erie Burch; Branch only – Beech/Eighth; Branch only – Jonathan/Ruth; MLK/Bishop/Lakewood; Southern/Hawthorne; Fire Flow 23; McHenry/Sunshine/Wooster; Baker/Bedford/Beechcrest; Lyon/Moerlein/Wheeler; Monastery/St. Gregory – Mt. Adams; and Budd Street; and

WHEREAS, the loan application deadline was September 1, 2024, and the City has applied for the loan, but no loan funds will be accepted without approval by Council; and

WHEREAS, assisting with the cost of aging water main and service line replacement projects is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” and strategy to “[c]reate a healthy environment and reduce energy consumption” as described on pages 181-186 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 or her designee is hereby authorized to apply for, accept, and appropriate Water Supply Revolving Loan Account loan funding in the amount of up to \$30,000,000 from the Ohio Environmental Protection Agency and the Ohio Water Development

Authority to reimburse costs incurred by the Greater Cincinnati Water Works to replace aging water mains and service lines.

Section 2. That the Finance Director is hereby authorized to receive and deposit loan funds into Fund No. 756x8569.

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

Section 4. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to apply for and obtain loan funding approval in compliance with loan application deadlines.

Passed: \_\_\_\_\_, 2024

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Aftab Pureval, Mayor

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



September 18, 2024

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

202402058

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

**Subject: Emergency Ordinance – GCWW: Water Supply Revolving Loan Account (WSRLA) Funding for Replacement of Public and Private Lead Service Lines**

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Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the City Manager or her designee to apply for, accept, and appropriate Water Supply Revolving Loan Account loan funding in the amount of up to \$15,000,000, comprised of \$7,950,000 in principal forgiveness and \$7,050,000 in zero-interest loan funding, from the Ohio Environmental Protection Agency and the Ohio Water Development Authority to assist with the cost of replacing all public and private lead service lines within the utility’s service area; and **AUTHORIZING** the Finance Director to receive and deposit loan funds into Fund Numbers 756x8569, 756x8527, 312x8569, and 312x8527.

This Emergency Ordinance authorizes the City Manager to apply for, accept, and appropriate Water Supply Revolving Loan Account (WSRLA) loan funding in the amount of up to \$15,000,000, comprised of \$7,950,000 in principal forgiveness and \$7,050,000 in zero-interest loan funding, from the Ohio Environmental Protection Agency (OEPA) and the Ohio Water Development Authority (OWDA) for the purpose of assisting with the cost of replacing public and private lead service lines. This Emergency Ordinance further authorizes the Finance Director to receive and deposit loan funds into revenue account nos. 756x8569, 756x8527, 312x8569, and 312x8527.

The Greater Cincinnati Water Works (GCWW) currently operates a program that aims to replace all public and private lead service lines within the utility’s service area to reduce the risk of lead in water. This funding will reimburse costs incurred to replace public and private lead service lines as part of GCWW’s lead line replacement program, which may include: McMillan/Taft/Calhoun; Burch/East Hill/Shaw; Erie Burch; Branch only – Beech/Eighth; Branch only – Jonathan/Ruth; MLK/Bishop/Lakewood; Southern/Hawthorne; Fire Flow 23; McHenry/Sunshine/Wooster; Baker/Bedford/Beechcrest; Lyon/Moerlein/Wheeler; Monastery/St. Gregory – Mt Adams; and Budd Street. To meet the loan application deadline of September 1, 2024, the City has applied for the loan funding, but no loan funds will be accepted without approval by the City Council.

Assisting with the cost of public and private lead service line replacement projects is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” and strategy to “[c]reate a healthy environment and reduce energy consumption” as described on pages 181-186 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to apply for and obtain loan funding approval in compliance with loan application deadlines.

The Administration recommends passage of this Emergency Ordinance.

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



Attachment

**EMERGENCY**

**HWS**

**-2024**

**AUTHORIZING** the City Manager or her designee to apply for, accept, and appropriate Water Supply Revolving Loan Account loan funding in the amount of up to \$15,000,000, comprised of \$7,950,000 in principal forgiveness and \$7,050,000 in zero-interest loan funding, from the Ohio Environmental Protection Agency and the Ohio Water Development Authority to assist with the cost of replacing all public and private lead service lines within the utility’s service area; and **AUTHORIZING** the Finance Director to receive and deposit loan funds into Fund Numbers 756x8569, 756x8527, 312x8569, and 312x8527.

WHEREAS, Water Supply Revolving Loan Account (“WSRLA”) funding in the amount of up to \$15,000,000 is available from the Ohio Environmental Protection Agency and the Ohio Water Development Authority in the form of grant-like principal forgiveness and zero-interest loan funding to public water systems for private lead service line replacement projects; and

WHEREAS, the City of Cincinnati Greater Cincinnati Water Works (“GCWW”) currently operates a program that aims to replace all public and private lead service lines within the utility’s service area to reduce the risk of lead in water; and

WHEREAS, GCWW desires to apply for up to \$15,000,000 in WSRLA funding for the replacement of public and private lead service lines in the form of up to \$7,950,000 in principal forgiveness and \$7,050,000 in zero-interest loan funding; and

WHEREAS, this grant does not require matching funds, and there are no new FTEs/full time equivalents associated with this grant; and

WHEREAS, the loan application deadline was September 1, 2024, and the City has applied for the loan, but no loan funds will be accepted without approval by Council; and

WHEREAS, this funding will reimburse costs incurred to replace all public and private lead service lines as part of GCWW’s lead line replacement program, which may include: McMillan/Taft/Calhoun; Burch/East Hill/Shaw; Erie Burch; Branch only – Beech/Eighth; Branch only – Jonathan/Ruth; MLK/Bishop/Lakewood; Southern/Hawthorne; Fire Flow 23; McHenry/Sunshine/Wooster; Baker/Bedford/Beechcrest; Lyon/Moerlein/Wheeler; Monastery/ St. Gregory – Mt. Adams; and Budd Street; and

WHEREAS, assisting with the cost of public and private lead service line replacement projects is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” and strategy to “[c]reate a healthy environment and reduce energy consumption” as described on pages 181-186 of Plan Cincinnati (2012); now, therefore,

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

{00408254-1}

Section 1. That the City Manager or her designee is hereby authorized to apply for, accept, and appropriate Water Supply Revolving Loan Account loan funding in the amount of up to \$15,000,000, comprised of \$7,950,000 in principal forgiveness and \$7,050,000 in zero-interest loan funding, from the Ohio Environmental Protection Agency and the Ohio Water Development Authority to assist with the cost of replacing public and private lead service lines within the utility’s service area.

Section 2. That the Finance Director is hereby authorized to receive and deposit loan funds into Fund Numbers 756x8569, 756x8527, 312x8569, and 312x8527.

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

Section 4. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to apply for and obtain loan funding approval in compliance with loan application deadlines.

Passed: \_\_\_\_\_, 2024

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

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



**The Board of Trustees of  
the Woodward High School of the City of Cincinnati**

A trust established in 1827 for the educational benefit  
of financially-needy students residing within the City of Cincinnati

P.O. Box 42 8541  
Cincinnati, OH 45242

e-mail: WoodwardTrust@hotmail.com  
Website: www.WoodwardTrust.org

Roger K. Smith  
Executive Director  
Phone (513) 293-4621

20240910

September 16, 2024

Melissa Autry, Clerk of Council  
City Hall  
801 Plum Street, Room 380  
Cincinnati, OH 45202

Dear Ms. Autry,

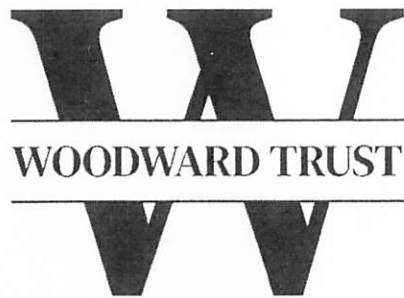
The Woodward Trust was created in 1827 and has, during the 197 years since, provided immeasurable benefit and advantage to countless Cincinnati students and families. Our underlying trust agreement requires us to provide an annual report to City Council. Attached is our "**2024 Annual Report**" for City Council.

Please coordinate the appropriate distribution of this Annual Report to the Council members and the Mayor, and ensure that their receipt is appropriately "of record" in order that we may properly document compliance with our trust requirements. We can, if you or the City Council wish, meet with any member of Council or appear at a Council session to present or discuss our report.

If you have any questions, please feel free to contact us.

Sincerely,

Roger K. Smith



**The Board of Trustees of the Woodward High School of the City of Cincinnati**

A trust established in 1827 for the educational benefit  
of financially-needy students residing within the City of Cincinnati

**2024 ANNUAL REPORT**

(for the fiscal year ended July 31, 2024)

**to Cincinnati City Council**

BOARD OF TRUSTEES

Larry E. Kissel, Esq., President  
Jeanne M. Golliher, Secretary/Treasurer  
Darielle Daniels, Trustee  
Margaret A. Hilvert, Esq., Trustee  
Sandra D. Mosley, Trustee

Roger K. Smith, C.P.A., Executive Director

*This report is made pursuant to Section 6 of the trust agreement formally known as "The Woodward High School of the city of Cincinnati" (Woodward Trust). The Board of Trustees respectfully submits the following as the Annual Report of the Trust for the period.*

## **Background**

The **Woodward Trust** was established in 1827 when William Woodward and his wife, Abigail Cutter, donated 4 acres of land in the Over-the-Rhine neighborhood of Cincinnati. The income from this property was to provide money to benefit underprivileged children residing in the City of Cincinnati – specifically to allow children whose parents were unable to pay to attend school. Woodward’s vision was to offer a primary education to all children of Cincinnati regardless of the financial means available to a child’s family. His vision of education pre-dated the Ohio public school system and, to further his goals, he established Woodward Free Grammar School and, later, Woodward High School and Woodward College (now part of the University of Cincinnati), each originally located on the site at 13<sup>th</sup> and Sycamore Streets.

Mr. Woodward’s vision and legacy continue today through the work of the Woodward Trust. While Cincinnati Public Schools (CPS) no longer charge students to attend, Woodward Trust remains exclusively for the educational benefit of needy Cincinnati students. The Trust provides grants to assist the underprivileged children of Cincinnati in ways such as purchasing school supplies, supporting educational field trips and providing scholarships to CPS graduates attending the University of Cincinnati.

The **Board of Trustees of the Woodward High School of the City of Cincinnati** is a non-profit organization created and maintained to administer donated and endowed funds for the benefit of Cincinnati children. The Trust is exempt from taxes under section 501c(3) of the Internal Revenue Code. The Trust is managed by a five-member Board of Trustees who serve without compensation. Under the terms of the original Woodward Trust document, three of the trustees are appointed by the Cincinnati City Council (3-year term) and two trustees are appointed by the Hamilton County Court of Common Pleas (7-year term).

Woodward Trust has an investment portfolio comprised of donated and accumulated funds (arising from the original Woodward Trust as well as other, subsequent trusts, estates, bequests and gifts) and also owns land (mostly that originally donated by William Woodward) in the Over-the-Rhine neighborhood of Cincinnati which it leases to third parties.

We have an informational website at [www.WoodwardTrust.org](http://www.WoodwardTrust.org).

## Grants

Woodward Trust made \$122,500 in grants for the educational benefit of needy children in Cincinnati. The Trustees identify and support a variety of worthy and effective programs encompassing three need components – 1. Immediate Need, 2. Educational Benefit, and 3. Systemic Change (efforts aimed at eliminating the need for 1. and 2.). All grant requests are considered and approved annually; new grant opportunities are always welcomed.

The following are brief descriptions of our major grants for this period.

- **Assistance League**  
The Operation School Bell Program of the Assistance League of Greater Cincinnati provides uniform clothes, shoes, jackets and hygiene supplies for needy Cincinnati students.
- **Project Connect**  
A CPS-coordinated program providing year-round direct and collaborative support and programming for CPS students experiencing homelessness.
- **Extra-Curricular Enhancement Programs**  
Adventure Crew, Cincinnati Shakespeare Company, iSPACE and others provide hands-on extra-curricular activities designed to enhance development of “at risk” and other needy Cincinnati students.
- **Collaborative & Academic Enhancement Programs**  
Breakthrough Cincinnati, Cincinnati Urban Promise, Elementz, UC Gen-1 Theme House, UpSpring and others provide hands-on tutoring, classroom support and other direct academic enhancements for “at risk” and other needy Cincinnati students.
- **Student Assistance Programs**  
Woodward Trust provides funding for needy Cincinnati Public School (CPS) K-12 students to obtain school supplies, clothing, calculators and other similar items as well as educational field trips and fees for college applications and testing.



## Assets

### **Securities Portfolio**

As of July 31, 2024, Woodward Trust has \$2.76 million in a well-diversified, conservative portfolio of marketable securities and funds on which it earned \$67,000 in interest and dividends during the period. The portfolio realized \$392,000 in net gain on sales during the year, excluding \$132,000 in unrealized losses during the year, holding \$422,000 in net unrealized gains in its investment portfolio at year-end.

The Trust employs Park National Bank to manage and maintain our investments. Park National Bank charges a fee of 50 BPs (0.50%) of assets under their management.

### **Real Estate**

Woodward Trust owns, without lien or liability, real estate valued at \$6.28 million (as of 7/31/24) by the Hamilton County Auditor. This property, roughly four acres in the Over-the-Rhine neighborhood of Cincinnati, is currently leased to 19 tenants for \$124,000 per year. Under the terms of the original trust, the properties may not be sold, gifted or otherwise disposed of by the Trust. Most of the properties are under 99-year, renewable ground leases. The vast majority of our tenants pay their rent timely.

Routine billing, collection and other property management functions are performed by our Executive Director. We utilize the services of Beckman Weil & Shepardson LLC for legal matters, including seriously delinquent tenants.

In addition to coverages required of its tenants, Woodward Trust also maintains liability insurance coverage of \$1 million on its properties through J.R. Schiff & Co.

## Income & Expenses

The trustees' primary responsibility is to effectively balance the ability to maximize grants while simultaneously preserving the assets of the trust in perpetuity. The trustees also understand that the Trust's function has a counter-cyclical component, with a larger need arising when the economy is weaker. Accordingly, no set formula or proportion is utilized. Each giving year is assessed individually in the context of recent history, current opportunities and prospects for the foreseeable future.

Our portfolio has produced aggregate positive returns across recent years, but these have varied widely between years:

<u>Net Investment Income</u>	
\$ 314,000 [12.6%]	fye 7/31/24
\$ 144,000 [ 6.0%]	fye 7/31/23
\$(143,000) [-5.4%]	fye 7/31/22
\$ 525,000 [24.0%]	fye 7/31/21
\$ 124,000 [ 5.8%]	fye 7/31/20

This variability caused the trustees to continue to temper the Trust's giving when 2023-2024 grants were approved, but the market subsequently produced significantly more than the anticipated return for the year. Given the continued uncertainties in the market, and the at-times wide market swings, the trustees remain cautiously optimistic about the next year.

For this 2023-2024 school year, the trustees approved operating grants of \$122,500, or 4.8% of monetary assets at the beginning of this year. The Trust actually spent \$126,000 in beneficence during the year ended July 31, 2024 and ended the year with \$187,000 more in net investment income than beneficence expenses. This operation is buffered by the significant net excess for 2020-2024 (detailed above) and by the \$422,000 in market gain currently retained, unrealized, in the investment portfolio, which supports the Trust's counter-cyclical role to meet a *larger* need in a *weaker* economy.

For the upcoming 2024-2025 school year, the trustees were cautiously optimistic, but cognizant of the possibility of a significant market downturn. They approved operating grants of \$132,000, or 4.7% of monetary assets at the beginning of this school year.

The Trust operates on a school year basis, with most grants drawn and used well prior to the July 31 fiscal year end. Unused grants would usually expire at that date, except those which had properly utilized funds, but not yet requested draw, accruing for payment after that date.

Management & General Expenses are comprised of both Revenue Support costs and Overhead costs. Revenue Support costs (those needed to generate income, such as investment advisor fees, 990-PF excise tax and legal support on property management) were \$26,000, or 12.6% of total expenses. Overhead costs (those not directly related to grants or income; including the costs of our part-time Executive Director, audit and website) were \$55,000, or 26.6% of total expenses – elevated this year due to branding & website renovations.

## Administration

### ➤ **Trustees**

The appointed trustees continue to serve without exception.

During this fiscal year, Cincinnati City Council reappointed **Jeanne Gollither** to her ninth term as trustee, which will expire 3/31/27.

### ➤ **Meetings**

The trustees formally met four times during the period, supplemented by monthly financial and administrative reporting from the Executive Director. Resolution of significant matters arising between meetings is often handled by e-mail or conference call.

### ➤ **Audit & Form 990**

The Trust's financials are audited biennially, with this being an "off" year. The audit for the fiscal years ended 7/31/24 and 7/31/25 will commence in late 2025.

Our most recently completed examination was a routine audit of the Trust's finances for the fiscal years ended 7/31/22 and 7/31/23 conducted by Flynn & Company CPAs Inc., resulting in a clean\* opinion.

*\* The audit opinion is qualified due to carrying our land at the current Hamilton County Auditor's Land Value rather than its historical value at the time of its donation (which is unknown since this occurred in 1827.)*

Woodward Trust files IRS Form 990-PF (Return of Private Foundation) on an annual basis. That form is available at [www.Guidestar.org](http://www.Guidestar.org) and upon request.

**Woodward Trust  
Balance Sheets**

	<u>7/31/2024</u> (Biennial Audit Pending)	<u>7/31/2023</u> (Audited)
<b><u>ASSETS</u></b>		
Cash and Equivalents	\$ 45,712	\$ 67,653
Savings	\$ 382,180	\$ 28,336
Rents Receivable	\$ 6,190	\$ 5,824
Investments (at Fair Market Value)	\$ 2,373,778	\$ 2,463,668
Prepaid Assets	\$ 1,388	\$ 1,179
Land (Restricted Asset at FMV)	\$ 6,275,820	\$ 5,576,860
<b>Total Assets</b>	<b><u>\$ 9,085,068</u></b>	<b><u>\$ 8,143,520</u></b>
<b><u>Memorandum Amounts:</u></b>		
Marketable Securities (at Cost)	\$ 2,333,481	\$ 1,909,915
Net Appreciation in Investments	\$ 422,477	\$ 553,752
Funds Drawn from Investments	\$ 50,000	\$ 60,000
 <b><u>LIABILITIES</u></b>		
Accounts Payable & Accrued Expenses	\$ 12,600	\$ 16,000
Prepaid Rent	\$ 16,881	\$ 11,076
Custodial Funds	\$ 1,042	\$ 1,042
<b>Total Liabilities</b>	<b><u>\$ 30,523</u></b>	<b><u>\$ 28,118</u></b>
 <b><u>TRUST EQUITY</u></b>		
Unrestricted Trust Equity	\$ 511,453	\$ 442,321
Board-Designated Trust Equity	\$ 2,124,608	\$ 1,953,556
Donor-Restricted Trust Equity	\$ 6,418,484	\$ 5,719,524
<b>Total Trust Equity</b>	<b><u>\$ 9,054,545</u></b>	<b><u>\$ 8,115,401</u></b>
<b>Total Liabilities &amp; Trust Equity</b>	<b><u>\$ 9,085,068</u></b>	<b><u>\$ 8,143,520</u></b>

## Woodward Trust Income Statements

	<u>2024</u> (Year ended 7/31/24) (Biennial Audit Pending)	<u>2022</u> (Year ended 7/31/23) (Audited)
<b><u>REVENUE</u></b>		
Dividends & Interest	\$ 66,752	\$ 55,542
Gain (Loss) on Sale of Investments	\$ 391,753	\$ 278,836
<b>Investment Income</b>	<b>\$ 458,505</b>	<b>\$ 334,378</b>
Contributions	\$ --	\$ --
Rental Income	\$ 121,775	\$ 117,141
<b>Realized Revenue</b>	<b>\$ 580,280</b>	<b>\$ 451,519</b>
Change in Unrealized Gains & Losses on Investments	\$ (132,100)	\$ (178,968)
Change in Value of Land	\$ 698,960	\$ --
<b>Total Revenue</b>	<b>\$ 1,147,140</b>	<b>\$ 272,551</b>
<b><u>EXPENSES</u></b>		
<i>Beneficence</i>		
Direct Grants	\$ 122,500	\$ 132,500
Beneficence Support	\$ 3,960	\$ 3,901
<b>Total Beneficence</b>	<b>\$ 126,460</b>	<b>\$ 136,401</b>
<i>Property Costs</i>		
Legal & Insurance	\$ 5,599	\$ 5,115
Other Property Costs	\$ --	\$ --
	<b>\$ 5,599</b>	<b>\$ 5,115</b>
<i>Investment Costs</i>		
Advisor Fees	\$ 12,450	\$ 11,593
	<b>\$ 12,450</b>	<b>\$ 11,593</b>
<i>Trust &amp; Overhead</i>		
Contracted Services:		
Executive Director	\$ 30,000	\$ 30,000
Branding & Website	\$ 15,000	\$ 5,000
Audit	\$ 4,100	\$ 5,000
Taxes	\$ 7,455	\$ 6,083
Other (Trust & Overhead)	\$ 6,932	\$ 6,786
	<b>\$ 63,487</b>	<b>\$ 52,869</b>
<b>Total Expenses</b>	<b>\$ 207,996</b>	<b>\$ 205,978</b>
<b>Change in Net Assets</b>	<b>\$ 939,144</b>	<b>\$ 66,573</b>
Net Assets – Start of Year	\$ 8,115,401	\$ 8,048,828
Net Assets – End of Year	<b>\$ 9,054,545</b>	<b>\$ 8,115,401</b>

202401928

**Date:** September 11, 2024

**To:** Councilmember Reggie Harris  
**From:** Emily Smart Woerner, City Solicitor *EESW*  
**Subject:** **Ordinance – Forbes 30 Under 30 Funding**

---

Transmitted herewith is an emergency ordinance captioned as follows:

**AUTHORIZING** the disbursement of \$400,000 of Major Events Funding included in the Approved FY 2025 General Fund Operating Budget Update for the Forbes 30 Under 30 Summit.

ESW/AKS(dmm)  
Attachment  
407889

**EMERGENCY**

**City of Cincinnati**

AKS

EESW

**An Ordinance No. \_\_\_\_\_**

- 2024

**AUTHORIZING** the disbursement of \$400,000 of Major Events Funding included in the Approved FY 2025 General Fund Operating Budget Update for the Forbes 30 Under 30 Summit.

WHEREAS, Ordinance No. 211-2024, passed June 12, 2024, authorized various omnibus changes to the Approved FY 2025 Budget Update, including funding for one-time Major Events with an allocation of up to \$400,000 for the Forbes 30 Under 30 Summit in the Approved FY 2025 General Fund Operating Budget Update; and

WHEREAS, funding for the one-time Major Events was contingent upon Council's passage of an ordinance approving the disbursements following presentations by the organizations demonstrating how City funds will be leveraged and expended; and

WHEREAS, the disbursed funds must also be utilized in accordance with the approved purpose within one year of the disbursement; and

WHEREAS, at the Budget and Finance Committee meeting on September 3, 2024, Forbes 30 Under 30 presented and outlined how City funds would be leveraged and expended regarding the Forbes 30 Under 30 Summit to be held on September 22 through 25, 2024; now, therefore,

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

Section 1. That the disbursement of \$400,000 of Major Events Funding included in the Approved FY 2025 General Fund Operating Budget Update for the Forbes 30 Under 30 Summit is authorized.

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

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is

the immediate need to disburse funding for the Forbes 30 Under 30 Summit scheduled for September 22 through 25, 2024.

Passed: \_\_\_\_\_, 2024

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

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



September 11, 2024

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

202401990

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

**Subject:** **Emergency Ordinance – OES: Provide Grant Match to Co-Op Cincy**

Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the transfer and return to source of \$15,000 from capital improvement program project account no. 980x104x231029, “Green Cincinnati Sustainability Initiatives – GF,” to source Fund No. 050, “General Fund,” to realign sources with uses; and **AUTHORIZING** the transfer and appropriation of \$15,000 from the unappropriated surplus of Fund No. 050, “General Fund,” to Office of Environment and Sustainability General Fund non-personnel operating budget account no. 050x104x7200 to provide local matching resources to Co-op Cincy for a United States Department of Labor grant awarded to Co-op Cincy.

This Emergency Ordinance authorizes the transfer and return to source of \$15,000 from the “Green Cincinnati Sustainability Initiatives – GF” capital improvement program project account to the General Fund. This Emergency Ordinance also authorizes the transfer and appropriation of \$15,000 from the unappropriated surplus of the General Fund to the Office of Environment and Sustainability (“OES”) General Fund non-personnel operating budget to provide local matching resources to Co-op Cincy for a United States Department of Labor (DOL) grant awarded to Co-op Cincy.

On June 23, 2022, the City Council approved and adopted its Capital Improvement Program (CIP) and Budget for Fiscal Year 2023, which included \$4,000,000 for the “Green Cincinnati Sustainability Initiatives – GF” capital project. OES will utilize \$15,000 of these resources to provide a local grant match to Co-op Cincy. With these resources, the City and Co-op Cincy will collaborate on a green workforce analysis to build an equitable workforce strategy. Co-op Cincy will also procure a consultant to analyze and report steps to achieve the 2023 Green Cincinnati Plan goal to train 4,000 individuals for green economy jobs by 2028.

Performing a green workforce analysis and developing a green economy training plan is in accordance with the “Compete” goal to “[f]oster a climate conducive to growth, investment, stability, and opportunity” and strategy to “[g]row our own’ by focusing on retention, expansion, and relocation of existing businesses” as described on pages 103–107 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to provide grant matching resources to Co-op Cincy to meet established grant deadlines.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment



## EMERGENCY

CNS

-2024

**AUTHORIZING** the transfer and return to source of \$15,000 from capital improvement program project account no. 980x104x231029, “Green Cincinnati Sustainability Initiatives – GF,” to source Fund No. 050, “General Fund,” to realign sources with uses; and **AUTHORIZING** the transfer and appropriation of \$15,000 from the unappropriated surplus of Fund No. 050, “General Fund,” to Office of Environment and Sustainability General Fund non-personnel operating budget account no. 050x104x7200 to provide local matching resources to Co-op Cincy for a United States Department of Labor grant awarded to Co-op Cincy.

WHEREAS, on June 23, 2022, Council approved and adopted its Capital Improvement Program and Budget for Fiscal Year 2023, which included \$4,000,000 for capital improvement program project account no. 980x104x231029, “Green Cincinnati Sustainability Initiatives – GF,” to provide resources for the implementation of permanent improvements that advance the goals of the Green Cincinnati Plan; and

WHEREAS, the Green Cincinnati Plan includes a focus area on community activation and goals related to community education, including green economy job training; and

WHEREAS, the Office of Environment and Sustainability (“OES”) intends to utilize \$15,000 currently available in capital improvement program project account no. 980x104x231029, “Green Cincinnati Sustainability Initiatives - GF,” to provide resources to Co-op Cincy to serve as a local match for a United States Department of Labor grant awarded to Co-op Cincy; and

WHEREAS, providing local match resources to Co-op Cincy requires \$15,000 be returned to the unappropriated surplus of the General Fund and then transferred and appropriated to the OES operating budget; and

WHEREAS, using these resources, the City and Co-op Cincy will collaborate on a green workforce analysis to help build an equitable, data-informed workforce strategy, and Co-op Cincy will procure a consultant to perform an analysis and prepare a public report to guide the achievement of the 2023 Green Cincinnati Plan goal of training 4,000 individuals for green economy jobs by 2028; and

WHEREAS, performing a green workforce analysis and developing a green economy training plan is in accordance with the “Compete” goal to “[f]oster a climate conducive to growth, investment, stability, and opportunity” and strategy to “[g]row our own’ by focusing on retention, expansion, and relocation of existing businesses” as described on pages 103–107 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the transfer and return to source of \$15,000 from capital improvement program project account no. 980x104x231029, “Green Cincinnati Sustainability Initiatives – GF,” to source Fund No. 050, “General Fund,” is authorized to realign sources with uses.

Section 2. That the transfer and appropriation of \$15,000 from the unappropriated surplus of Fund No. 050, “General Fund,” to Office of Environment and Sustainability General Fund non-personnel operating budget account no. 050x104x7200 is authorized to provide local matching resources to Co-op Cincy for a United States Department of Labor grant awarded to Co-op Cincy.

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

Section 4. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to provide grant matching resources to Co-op Cincy to meet established grant deadlines.

Passed: \_\_\_\_\_, 2024

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

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

September 11, 2024

To: Mayor and Members of City Council

202401992

From: Sheryl M.M. Long, City Manager

Subject: Grant of a Public Utility Easement Dix St Water Main

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Attached is an Ordinance captioned:

ACCEPTING AND CONFIRMING the grant of a public utility easement in favor of the City of Cincinnati for water mains and related fixtures, equipment, and appurtenances through certain real property in the City of Cincinnati, Hamilton County, Ohio in accordance with the plat entitled Waterline Easement Plat Cin 341 Dix St Easement E-1127, as recorded in Plat Book 503, Pages 100 and 101, Hamilton County, Ohio Recorder's Office.

The above easement is being granted to the City of Cincinnati by Calpac May Sq, LLC, an Ohio limited liability company, for water mains and related fixtures, equipment and appurtenances through certain real property located in the City of Cincinnati, Hamilton County, Ohio. The easement has been examined and approved as to its technical features by the Greater Cincinnati Water Works Chief Engineer.

The Administration recommends passage of this Ordinance.

cc: Cathy B. Bailey, Executive Director, Greater Cincinnati Water Works 

**ACCEPTING AND CONFIRMING** the grant of a public utility easement in favor of the City of Cincinnati for water mains and related fixtures, equipment, and appurtenances through certain real property in the City of Cincinnati, Hamilton County, Ohio in accordance with the plat entitled Waterline Easement Plat Cin 341 Dix St Easement E-1127, as recorded in Plat Book 503, Pages 100 and 101, Hamilton County, Ohio Recorder's Office.

WHEREAS, Calpac May Sq, LLC an Ohio Limited Liability Company, and OE May Square, LLC, an Ohio Limited Liability Company, have granted and dedicated a public utility easement in favor of the City of Cincinnati for water mains and related fixtures, equipment, and appurtenances through certain real property located in the City of Cincinnati, Hamilton County, Ohio, as more particularly depicted and described on the plat entitled Waterline Easement Plat Cin 341 Dix St Easement E-1127, as recorded in Plat Book 503, Pages 100 and 101, Hamilton County, Ohio Recorder's Office ("Easement Plat"); and

WHEREAS, the Greater Cincinnati Water Works Chief Engineer has examined and approved the Easement Plat as to its technical features and found it to be correct; and

WHEREAS, based on the foregoing, the City Manager, upon consultation with the Greater Cincinnati Water Works, recommends that Council accept and confirm the acceptance of the aforementioned public utility easement; now, therefore,

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

Section 1. That the public utility easement granted by Calpac May Sq, LLC an Ohio Limited Liability Company, and OE May Square, LLC, an Ohio Limited Liability Company, to the City of Cincinnati for the construction, installation, reconstruction, operation, maintenance, repair, replacement, modification, and removal of water mains and related fixtures, equipment, and appurtenances through certain real property in the City of Cincinnati, Hamilton County, Ohio, as more particularly depicted and described on the plat entitled Waterline Easement Plat Cin 341 Dix St Easement E-1127, as recorded in Plat Book 503, Pages 100 and 101, Hamilton County, Ohio Recorder's Office, and incorporated herein by reference, is hereby accepted and confirmed.

The real property encumbered by the public utility easement is more particularly described as follows:

See Attachment A

Section 2. That the City Solicitor shall cause an authenticated copy of this ordinance to be recorded in the Hamilton County, Ohio Recorder's Office.

Section 3. That the proper City officers and officials are authorized to take all necessary and proper actions to carry out the provisions of this ordinance.

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

Passed: \_\_\_\_\_, 2024

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

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

ATTACHMENT A

Situated in Section 8, Town 3, Fractional Range 2, Miami Purchase, City of Cincinnati, Hamilton County, Ohio, Part of block 1 of Peter H. Kemper's Subdivision of Cottage Farm as recorded in W.B. 14 Pg. 460, lying west of May Street and south of Crown Street, more particularly described as follows:

BEGINNING at a recovered mag nail at the intersection of the south right of way line of Crown Street and the east right of way line of Dix Street;

Thence along said south right of way line, South 83°56'07" East 81.04 feet to a set 5/8" steel rebar with plastic identification cap stamped "JGK S-8227";

Thence through the lands of Investing for Good, LLC (Official Record 15055, Page 1688) along a new division line for the following two (2) calls:

South 06°03'53" West 72.00 feet to a set 5/8" steel rebar with plastic identification cap stamped "JGK S-8227";

South 83°56'07" East 99.20 feet to a set 5/8" steel rebar with plastic identification cap stamped "JGK S-8227" in the west right of way line of May Street;

Thence with said west right of way line, South 05°52'16" West 110.00 feet to a set 5/8" steel rebar with plastic identification cap stamped "JGK S-8227";

Thence through the lands of said Investing for Good, LLC along a new division line, North 83°56'08" West 109.50 feet to a set 5/8" steel rebar with plastic identification cap stamped "JGK S-8227" in the line of The Eddy Cincinnati, LLC (Official Record 13701, Page 1810, Tract II);

Thence with the line of said The Eddy Cincinnati, LLC for the following two (2) calls:

North 05°52'16" East 32.02 feet to a recovered mag nail;

North 83°56'58" West 70.50 feet to a recovered mag nail in the east right of way line of Dix Street;

Thence with said east right of way line, North 05°52'16" East 150.00 feet to the POINT OF BEGINNING.

Said parcel contains 0.5364 acres of land, more or less.

September 11, 2024

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

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

202402013

**Subject: Ordinance – Authorizing Lease Agreement with East Walnut Hills Assembly, Inc.**

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Attached is an Ordinance captioned:

**AUTHORIZING** the City Manager to execute a Lease Agreement with The East Walnut Hills Assembly, Inc., pursuant to which the City will lease a portion of certain real property located between Madison Road on the north and Myrtle Avenue on the south in the East Walnut Hills neighborhood of Cincinnati, for continued use as a public parking lot for the benefit of the general public.

### **BACKGROUND/CURRENT CONDITIONS**

The City owns approximately 0.794 acres of real property located between Madison Road on the north and Myrtle Avenue on the south, as depicted on the attached Site Map (the “Property”). The Property is under the management of the Department of Community and Economic Development (“DCED”).

The City has leased the Property to the East Walnut Hills Assembly, Inc. (the “Lessee”) as a public parking lot for the benefit of the general public pursuant to the terms and conditions of a Lease Agreement dated December 2, 2013 (the “Prior Lease”). The Prior Lease expired on December 1, 2021, and Lessee has continued to Lease the Property on a month-to-month basis since that time.

The parties desire to enter into a new lease and the City is agreeable to lease the Property to Lessee on the terms and conditions updated and standardized to a uniform document consistent with City agreements. The initial term of this Lessee is 5 years and grants the Lessee the right to (2) 5-year renewal options provided the Lessee is not in default under the Lease beyond any applicable notice or cure period provided. The City has determined that the Property is not needed for any municipal purpose during the term of this Lease.

The estimated fair market rental value of the Property, as determined by the City’s Real Estate Services Division, is approximately \$30,000/year; however, the City is agreeable to lease the Property to Lessee for less than its fair market rental value, namely, \$0.00, because (i) the City will receive benefits from the Lease that equal or exceed the estimated fair market rental value of the Property in that the City will be relieved of the expense and administrative burden of the management, operation, and maintenance of the Property through the term of this Lease; (ii) Lessee shall use all revenue generated from the Property to pay operating expenses, and City-approved ordinary and capital



maintenance expenses associated with the Property; and (iii) any excess parking revenue shall be used to pay for the promotion and improvement of the East Walnut Hill neighborhood business district, for the benefit of the neighborhood and the City, as approved in advance by the City.

**DEVELOPER INFORMATION**

The East Walnut Hills Assembly, Inc., an Ohio nonprofit corporation and the recognized Community Council for the East Walnut Hills neighborhood.

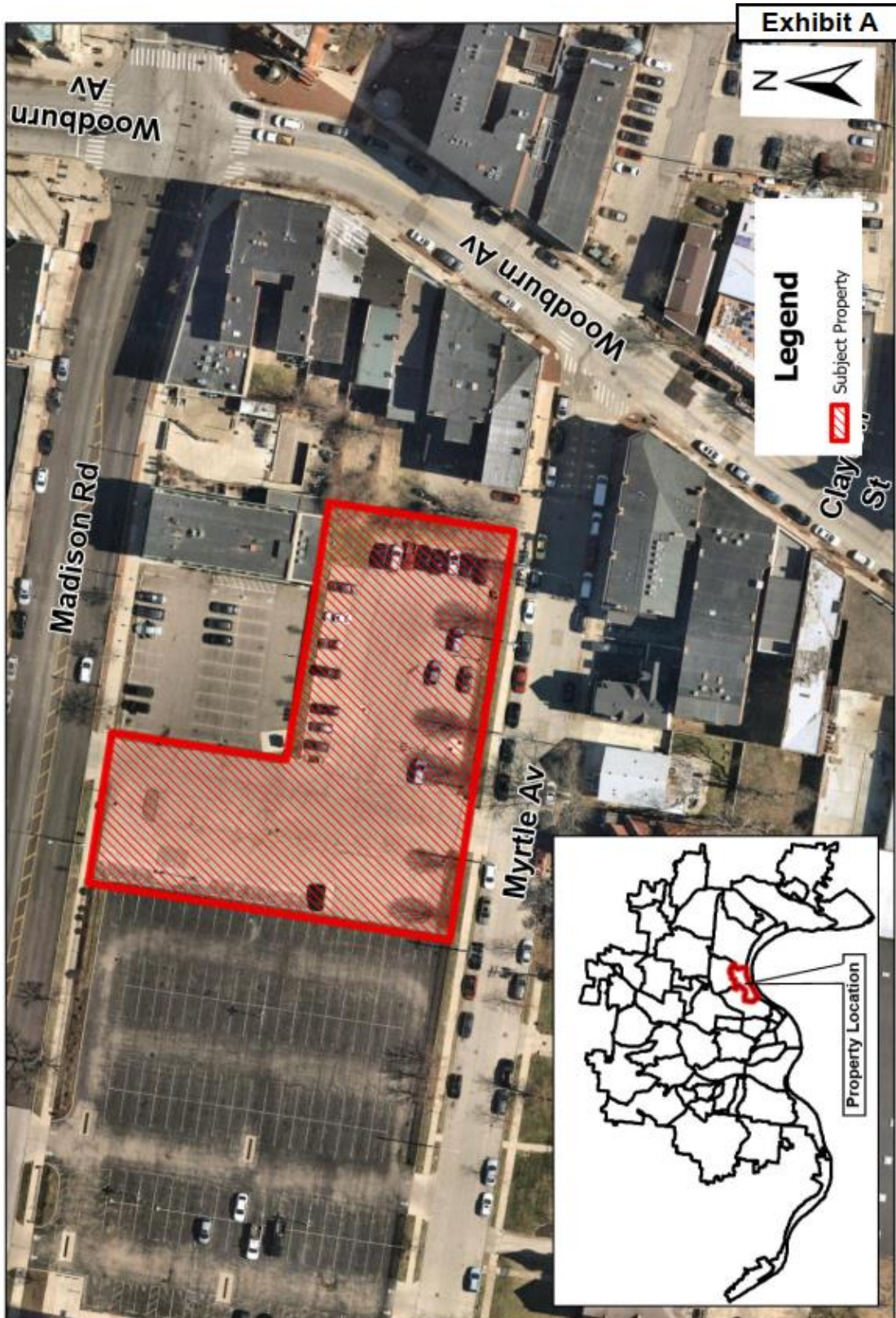
**RECOMMENDATION**

The Administration recommends approval of this Ordinance.

Attachment: Site Map

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

Site Map



**AUTHORIZING** the City Manager to execute a Lease Agreement with The East Walnut Hills Assembly, Inc., pursuant to which the City will lease a portion of certain real property located between Madison Road on the north and Myrtle Avenue on the south in the East Walnut Hills neighborhood of Cincinnati, for continued use as a public parking lot for the benefit of the general public.

WHEREAS, the City of Cincinnati owns certain real property consisting of approximately .794 acres of land located between Madison Road on the north and Myrtle Avenue on the south, in the East Walnut Hills neighborhood, (“Property”), which is under the management and control of the City’s Department of Community and Economic Development (“DCED”); and

WHEREAS, the City leased the Property to The East Walnut Hills Assembly, Inc. (“Lessee”) as a public parking lot for the benefit of the general public pursuant to the terms and conditions of a Lease Agreement dated December 2, 2013 (“Prior Lease”); and

WHEREAS, the Prior Lease expired on December 1, 2021, but Lessee has continued to Lease the Property on a month-to-month basis since that time; and

WHEREAS, Lessee desires to enter into a new lease and the City is agreeable to lease the Property to Lessee on the terms and conditions as more particularly described in the lease agreement (“Lease”) attached as Attachment A to this ordinance and incorporated by reference; and

WHEREAS, the City Manager, in consultation with DCED, has determined that (i) the Property is not needed for any municipal purpose for the duration of the Lease; and (ii) leasing the Property to Lessee is not adverse to the City’s retained interest in the Property; and

WHEREAS, pursuant to Section 331-1, Cincinnati Municipal Code, the City’s Real Estate Services Division has determined, by professional appraisal, that the approximate fair market rental value of the Property is \$30,000 per year, however the City is agreeable to leasing the Property to Lessee for less than fair market rental value; namely, for \$0.00 per year, because (i) the City will receive benefits from the Lease that equal or exceed the estimated fair market rental value of the Property in that the City will be relieved of the expense and administrative burden of the management, operation, and maintenance of the Property through the term of this Lease; (ii) Lessee shall use all revenue generated from the Property to pay operating expenses, and City-approved ordinary and capital maintenance expenses associated with the Property; and (iii) any excess parking revenue shall be used to pay for the promotion and improvement of the East Walnut Hills neighborhood business district, for the benefit of the neighborhood and the City, as approved in advance by the City; and

WHEREAS, pursuant to Section 331-5, Cincinnati Municipal Code, Council may authorize the lease of City-owned real property without competitive bidding in those cases in which it determines that it is in the best interest of the City, and the City has determined that eliminating competitive bidding is in the best interest of the public because (i) Lessee is a local neighborhood nonprofit organization with a mission to promote the general welfare of the East Walnut Hills community; (ii) Lessee has demonstrated experience leasing the public parking lots in the neighborhood from the City; and (iii) Lessee acknowledges and agrees that all revenue derived from the use of Property are restricted funds to be reinvested into the operation and maintenance of the Property, with any excess revenue to be used for the promotion and improvement of the East Walnut Hills neighborhood business district, as approved in advance by the City; and

WHEREAS, City Planning Commission, having the authority to approve the change in use of City-owned property, approved the lease of the Property at its meeting on June 21, 2024; 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 execute a lease agreement with The East Walnut Hills Assembly, Inc., an Ohio nonprofit corporation (“Lessee”), in substantially the form attached to this ordinance as Attachment A and incorporated herein by reference (“Lease”), pursuant to which the City of Cincinnati will lease to Lessee the property located between Madison Road on the north and Myrtle Avenue to the south in the East Walnut Hills neighborhood, as more particularly depicted in the Lease (“Property”), for use as a public parking lot for the benefit of the general public.

Section 2. That (i) the Property is not needed for municipal purposes during the term of the Lease; and (ii) leasing the Property to Lessee is not adverse to the City’s retained interest in the Property.

Section 3. That the fair market rental value of the Property, as determined by appraisal by the City’s Real Estate Services Division, is approximately \$30,000 per year; however, the City is justified in leasing the Property to Lessee for less than fair market rental value; namely, for \$0.00 per year, because (i) the City will receive benefits from the Lease that equal or exceed the estimated fair market rental value of the Property in that the City will be relieved of the

expense and administrative burden of the management, operation, and maintenance of the Property through the term of this Lease; (ii) Lessee shall use all revenue generated from the Property to pay operating expenses, and City-approved ordinary and capital maintenance expenses associated with the Property; and (iii) any excess parking revenue shall be used to pay for the promotion and improvement of the East Walnut Hills neighborhood business district, for the benefit of the neighborhood and the City.

Section 4. That eliminating competitive bidding in connection with the City’s lease of the Property is in the best interest of the City because Lessee is a local neighborhood nonprofit organization with a mission to promote the general welfare of the East Walnut Hills community and Lessee has demonstrated experience leasing the public parking lots in the neighborhood from the City.

Section 5. That the City Manager and other City officials are hereby authorized to take all necessary and proper actions to carry out the provisions of this ordinance and the Lease, including, without limitation, executing any and all ancillary agreements and other documents such as amendments or supplements to the Lease deemed by the City Manager to be in the vital and best interests of the City.

Section 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_, 2024

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

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

Contract No. \_\_\_\_\_

Property: Madison Road/ Myrtle Avenue  
Public Parking Lot

## LEASE AGREEMENT

This Lease Agreement (this "**Lease**") is made and entered into effect as of the **Effective Date** (defined on the signature page hereof) by and between the **CITY OF CINCINNATI**, an Ohio municipal corporation, the address of which is 801 Plum Street, Cincinnati, OH 45202 (the "**City**") and **THE EAST WALNUT HILLS ASSEMBLY, INC.**, an Ohio nonprofit corporation, the address of which is P.O. Box 68050, Cincinnati, OH 45206 ("**Lessee**").

### Recitals:

A. The City owns approximately 0.794 acres of real property located between Madison Road on the north and Myrtle Avenue on the south, as more particularly described on Exhibit A (Legal Description) and depicted on Exhibit B (Site Map) hereto (the "**Property**"), which Property is under the management of the Department of Community and Economic Development ("**DCED**").

B. The City has leased the Property to Lessee as a public parking lot for the benefit of the general public pursuant to the terms and conditions of a *Lease Agreement* dated December 2, 2013 (the "**Prior Lease**"). The Prior Lease expired on December 1, 2021, and Lessee has continued to Lease the Property on a month-to-month basis since that time.

C. The parties desire to enter into a new lease and the City is agreeable to lease the Property to Lessee on the terms and conditions set forth herein.

D. The City has determined that the Property is not needed for any municipal purpose during the term of this Lease.

E. The estimated fair market rental value of the Property, as determined by the City's Real Estate Services Division, is approximately \$30,000/year; however, the City is agreeable to lease the Property to Lessee for less than its fair market rental value, namely, \$0.00, because (i) the City will receive benefits from the Lease that equal or exceed the estimated fair market rental value of the Property in that the City will be relieved of the expense and administrative burden of the management, operation, and maintenance of the Property through the term of this Lease; (ii) Lessee shall use all revenue generated from the Property to pay operating expenses, and City-approved ordinary and capital maintenance expenses associated with the Property; and (iii) any excess parking revenue shall be used to pay for the promotion and improvement of the East Walnut Hill neighborhood business district, for the benefit of the neighborhood and the City, as approved in advance by the City.

F. The City has determined that eliminating competitive bidding is in the best interest of the public because (i) Lessee is a local neighborhood nonprofit organization with a mission to promote the general welfare of the East Walnut Hills community, (ii) Lessee has demonstrated experience leasing the public parking lots in the neighborhood from the City, and (iii) Lessee acknowledges and agrees that all revenue derived from the use of Property are restricted funds to be reinvested into the operation and maintenance of the Property, with any excess revenue to be used for the promotion and improvement of the East Walnut Hill neighborhood business district, as approved in advance by the City.

G. The City Planning Commission, having the authority to approve the change in use of City-owned property, approved the lease of the Property at its meeting on June 21, 2024.

H. Cincinnati City Council approved this Lease by Ordinance No. [\_\_\_\_]-2024, passed on [\_\_\_\_], 2024.

NOW THEREFORE, the parties hereby agree as follows:

**1. GRANT OF LEASEHOLD.**

(A) Grant. On the terms and conditions set forth in this Lease, the City does hereby lease the Property to Lessee, and Lessee does hereby lease the Property from the City for the Term (as defined below). The City leases the Property to Lessee subject to any and all easements, covenants, restrictions, and other matters of record, matters that would be disclosed upon an ordinary inspection or survey of the Property, and any and all rights expressly reserved under this Lease for the benefit of the City, utility companies, and other third parties. Lessee acknowledges and agrees that it has conducted its own due diligence to familiarize itself with the physical condition and characteristics of the Property. The City makes no representations or warranties concerning the title, condition, or characteristics of the Property or the suitability or fitness of the Property for any purpose. Lessee acknowledges and agrees that it is not relying upon any such representations or warranties from the City. On the Effective Date, Lessee shall accept the Property in "as is," "where is" condition with all faults and defects, known or unknown. During the Term, Lessee shall not grant any easements or otherwise encumber the title to the Property without the City's prior written consent. The City shall have the right to grant easements to third parties and to take whatever other actions affecting the Property as may be deemed necessary by the City so long as such actions do not unreasonably impair the rights granted to Lessee under this Lease.

(B) Access by City Departments, Utility Companies, and Others. The City hereby reserves the right for its employees and agents to enter upon the Property from time to time for any proper purpose, provided, however, that in exercising such rights, (i) the City shall not unreasonably disrupt Lessee's use of the Property for the Permitted Use, and (ii) except in emergencies, the City shall give Lessee reasonable written notice before entering the Property. Lessee shall ensure continuous access to the Property for Greater Cincinnati Water Works ("**GCWW**"), Metropolitan Sewer District ("**MSDGC**"), Duke Energy, Altafiber, and any and all other utility companies that have utility lines or other utility installations within the Property for the inspection, maintenance, repair, replacement, and removal thereof. If Lessee undertakes any action that interferes with the access rights reserved to the City and third parties herein, the same shall constitute an immediate default of Lessee under this Lease, whereupon the City and such third parties shall be permitted to take all actions reasonably necessary to eliminate such interference at Lessee's expense. If Lessee's activities within the Property cause damage to existing utility lines or other utility facilities belonging to a utility provider, Lessee shall immediately notify the appropriate utility provider. All actual, out-of-pocket costs of repairing such damage, including, without limitation, all costs of replacing any damaged utility lines and facilities that are not capable of being properly repaired as determined by the applicable utility provider in its sole discretion, shall be borne by Lessee and shall be payable by Lessee within thirty (30) days after Lessee receives documentation substantiating such costs. If any utility company damages or must remove any improvements installed by Lessee within the Property in connection with its inspection, maintenance, repair, replacement, or removal of its existing utility facilities in the area, Lessee shall be solely responsible for all costs associated with the repair or replacement of Lessee's improvements. Under no circumstances shall the City be responsible for any damage to the Property or improvements thereon resulting from the entry onto the Property by utility companies and others having the right to enter upon the Property.

**2. TERM; RENEWAL OPTIONS**

(A) Initial Term (5 years). The term of this Lease ("**Term**") shall commence on the Effective Date, and, unless extended or sooner terminated in accordance with the provisions of this Lease, shall expire on the fifth anniversary thereof. All obligations of Lessee under this Lease that have accrued but have not been fully performed as of the expiration or sooner termination of the Term of this Lease, including without limitation indemnity obligations, shall survive such expiration or termination until fully performed.

(B) Renewal Options (two (2) five (5)-year extensions). Provided that, at the time that Lessee exercises each renewal option and on the commencement date of the applicable renewal period, Lessee is not in default under this Lease beyond any applicable notice or cure period provided for herein, Lessee shall have the right to renew the Term of this Lease for two successive renewal periods of five (5) years each (each, a “**Renewal Period**”), for a total Term, including the initial Term, of fifteen (15) years, exercisable by giving written notice thereof to the City at least ninety (90) days (but no earlier than nine months) before the expiration of the initial Term or then-current Renewal Period (each, a “**Written Notice of Renewal**”). Each Renewal Period shall be on the same terms and conditions as set forth herein (except that, after the second Renewal Period, there shall be no additional renewal options unless agreed to by the parties in a written amendment to this Lease). As used herein, the “**Term**” of this Lease means the initial Term and, if applicable, the Renewal Periods.

### **3. PERMITTED USE.**

(A) Public Parking Lot. Throughout the Term, Lessee shall continuously operate the Property as a public parking lot, open and available to members of the general public on a daily, monthly, or other subscription basis. Lessee shall maintain and operate or otherwise cause the Property to be maintained and operated in a Class A Manner (as defined below). Lessee shall obtain and maintain all necessary licenses and permits and shall operate and maintain the parking lot in compliance with all applicable federal, state, and local laws, codes, ordinances, and other governmental requirements (collectively, “**Legal Requirements**”). Lessee shall not bring or permit to be brought onto the Property any hazardous materials or other contaminants or substances that are harmful to the public or the environment.

(B) Public Events. Lessee may use the Property from time to time for events intended to promote the purposes for which Lessee was formed, provided that Lessee gives the City advanced written notice at least fourteen calendar days before the event, the City approves the event in writing, and Lessee obtains all necessary licenses and permits for the proposed event (i.e., building, health, zoning, special event permits, etc.). The City may require additional insurance to be carried for certain events at the City’s sole and absolute discretion.

### **4. RENT.**

(A) Base Rent. \$0.00/year.

(B) Additional Rent. This is a “triple net” lease. Throughout the Term, Lessee shall pay all costs associated with the operation, maintenance, repair, and replacement of the Property, including without limitation, charges for utilities serving the Property (e.g., gas, electric, water, sewer, telephone, etc.), insurance costs, real estate taxes, installments of assessments that become due and payable during the Term, salaries, wages, and benefits paid to persons employed in connection with the operation of the parking lot, management fees to any third-party operator, and all other costs that would generally be regarded in the industry as operating costs or expenses (the foregoing, together with any other costs or expenses otherwise consistent with this definition, collectively referred to as the “**Operating Costs**”). Lessee shall make payments of Operating Costs directly to the persons or entities to whom such payments are owed. To the extent that the City, rather than Lessee, pays any costs or expenses that would otherwise be payable by Lessee as Operating Costs, Lessee shall reimburse the City on an annual basis for such costs or expenses, as additional rent, within thirty (30) days after Lessee’s receipt of documentation substantiating such costs or expenses.

(C) Real Estate Taxes. As provided in section 4(B) above, Lessee shall pay all real estate taxes and installments of assessments, penalties, interest, and charges levied against the Property that become due and payable during the Term, including without limitation, the real estate taxes and assessments that are allocable to periods before the Effective Date, and the two semi-annual tax bills issued by the Hamilton County Treasurer following the expiration or termination of the Term, payable in arrears. Lessee shall furnish the City with evidence of payment upon payment of each semi-annual tax bill. If Lessee institutes proceedings to contest the validity or amount of real estate taxes on the Property, the City shall cooperate with Lessee (it being acknowledged that the City shall have no obligation to incur



any costs or expense in so doing) to the extent that the participation of the owner of the Property is required, but Lessee may not defer payment of the real estate taxes during such contest. Lessee shall be entitled to any and all amounts recovered related to tax payments previously made by Lessee. Notwithstanding the foregoing, the City reserves the right to evaluate, on a case-by-case basis, the merit of Lessee's contest and reserves the right not to cooperate in such contest if, in the reasonable determination of the City, such contest would not be in the best interest of the public.

(D) Late Charges. If Lessee fails to pay any sum due to the City hereunder, and the same remains overdue for longer than thirty (30) days past the due date, the overdue amount shall thereafter bear interest until paid at ten percent (10%).

## **5. OPERATION OF THE PROPERTY.**

(A) Hours of Operation. Lessee shall keep the parking lot open to the public 24 hours/day, 7 days/week, 52 weeks/year, or such other hours as may be approved by the City from time to time.

(B) Parking Lot Operator. Lessee shall not hire a third-party parking lot management company to operate the Property as a public parking lot without the City's prior written approval of such company. Lessee shall provide the City with a copy of each proposed parking management agreement no less than 30 days before the date of which such agreement will go into effect. The hiring by Lessee of a parking lot operator shall not relieve Lessee of any obligations or liability under this Lease.

(C) Maintenance, Repairs, and Services. Throughout the Term, Lessee shall operate and maintain the Property in a "Class A Manner." As used herein "**Class A Manner**" means keeping the Property and abutting sidewalks in good, clean, and safe condition and repair; promptly removing any and all garbage and snow and ice; keeping all trees and any and all landscaped portions of the Property neat and properly trimmed; promptly repairing all potholes; maintaining appropriate signage and lighting; providing a sufficient number of parking lot attendants; maintaining appropriate technology; and providing all security and other services for the Property consistent with services offered at other parking facilities of similar age, size, quality and amenities in the Cincinnati area. *The City shall not have any maintenance or repair obligation or any obligation to provide services for the benefit of the Property.*

(D) Reporting of Accidents and Other Significant Occurrences. Lessee shall keep the City informed of all reported accidents and other significant, unanticipated occurrences at or otherwise affecting the Property that involve public health or safety issues, or that could lead to negative publicity. Lessee shall notify the City within 48 hours of break-ins and assaults. For all incidents for which a police report is filed, Lessee shall promptly obtain a copy of the police report and promptly provide a copy of it to the City's Department of Community and Economic Development.

(E) Parking Rates. Lessee shall establish the hourly, daily, and monthly parking rates from time to time for the public parking lot subject to the prior written approval of the City. Lessee shall charge the same parking fees to all members of the public (i.e., Lessee may not selectively charge certain members of the public to park at the Property while permitting others to park for free or at a discounted rate). Lessee shall obtain City approval before any proposed changes in the parking rates. Lessee shall at all times maintain appropriate signage at the Property advertising that the parking lot is open to the public and indicating the hourly and daily parking rates, all of which signage shall be subject to the City's prior written approval. Lessee shall at all times, maintain appropriate pay boxes or the like for the collection of parking fees.

(F) Collection of Parking Lot Revenue; Operating Account. Throughout the Term, Lessee shall collect and retain all user parking fees and other revenue generated from the operation of the Property (collectively, the "**Parking Lot Revenue**") and promptly deposit all such Parking Lot Revenue, if any, in a federally-insured bank account for the Property maintained by Lessee in its own name (the "**Operating Account**"). Upon request of the City, Lessee shall provide the City with copies of the bank statements for the Operating Account. Lessee shall not commingle any other funds in the Operating Account.

(G) Eligible Costs. Lessee may only use Parking Lot Revenue for the following uses (collectively, the “**Eligible Costs**”), in each case in accordance with the terms and conditions of this Lease, and in the following order of priority: (i) the payment of real estate taxes and assessments; (ii) the payment of utility bills for utilities supplied to the Property; and (iii) the payment of other Operating Costs, including without limitation, ordinary maintenance and repairs (e.g., cleaning, sealing, striping etc.). Following payment of Eligible Costs, Lessee shall use any remaining Parking Lot Revenue in accordance with Section 5(H) below. If the sum of the Parking Lot Revenue is insufficient to cover the Eligible Costs, Lessee shall be solely liable to cover the shortfall. *During the Term of this Lease, the City shall have no obligation under this Lease to pay for any expenses associated with the Property or the operation of the Parking Lot.*

(H) Capital Repairs and Improvements; Business District Improvement Projects. Upon the prior written approval of the City in each case, Lessee may use Parking Lot Revenue remaining after the payment of Eligible Costs each year (the “**Net Parking Lot Revenue**”), if any, for the following uses: (i) the payment of capital repairs and improvements to the Property (e.g., repaving, concrete restoration, and the installation of new infrastructure such as parking access and revenue control system equipment); and (ii) the payment of Neighborhood Business District Improvement Projects. As used herein, “**Neighborhood Business District Improvement Projects**” shall mean projects involving the development of additional public parking and other public improvements and expenditures serving a public purpose and benefiting the community, as determined by the City, in its sole discretion. Lessee shall not undertake any Neighborhood Business District Improvement Projects without the prior written approval of the City, which approval the City may grant or deny in its sole discretion. Lessee’s use of Net Parking Lot Revenue for a Neighborhood Business District Improvement Project before the date the City has approved such project shall be deemed a default of Lessee under this Lease. Before undertaking each Neighborhood Business District Improvement Project, Lessee shall submit proposed plans to the City for review and approval. Lessee shall make whatever modifications to the proposed plans the City may reasonably require. Once the City has approved such plans, Lessee shall not make any material changes thereto without submitting the proposed changes to the City for approval. All contractors and subcontractors hired by Lessee to perform the work shall be subject to the City’s prior written approval. Lessee shall notify the City in writing within thirty (30) days following substantial completion of each Neighborhood Business District Improvement Project, which notice shall be accompanied by verification of the costs incurred by Lessee in connection therewith. At any time and from time to time upon the City’s request, Lessee shall furnish to the City such budget, financial, and other information concerning Lessee’s Neighborhood Business District Improvements Projects, including without limitation, copies of contracts with third parties pertaining thereto.

(I) Excess Revenue. If, at the end of the Term, there is any excess revenue (after deducting the cost of any Neighborhood Business District Improvement Projects that have commenced but have not yet then been completed), Lessee shall pay such remaining revenue to the City within thirty (30) days of the end of the Term. Lessee shall pay all amounts payable to the City by check payable to the “City of Cincinnati-Treasurer” and shall mail it to the City of Cincinnati, Department of Community and Economic Development, Room 700, 805 Central Avenue, Cincinnati, Ohio 45202 or to such other address as the City may from time to time designate. Notwithstanding anything in this Lease to the contrary, if the Term of this Lease is terminated due to Lessee’s default, Lessee shall immediately turn over to the City all funds that are in Lessee’s operating account at the time Lessee receives notice of such termination.

(J) Transient and Monthly Parkers. To ensure that the Property maintains its character as a public parking lot, Lessee shall ensure that parking spaces are readily available for transient (hourly/daily) parkers at all times. Notwithstanding the foregoing, Lessee may issue permits to park in excess of one 24-hour period on a monthly and “first come, first served” basis. Monthly permit holders shall not be issued designated parking spaces. Lessee shall be solely responsible for determining the balance of transient and monthly permit parkers to ensure sufficient public parking is available for the neighborhood business district. Lessee shall have the right to issue monthly permits for a minimum of 35% of the parking spaces available at the Property (“**Minimum Monthly Permits**”). *(For clarity, if there are 74 total parking spaces at the Property, then the number of Minimum Monthly Permits equals 26)*. If the City determines there is an increased need for transient parking spaces at the Property as evidenced by new commercial development projects in the neighborhood business district and/or concerns expressed by

neighborhood businesses or visitors, the City shall have the right to issue Lessee written notice to reduce the number of monthly permits in increments of ten monthly permits. Upon receipt of written notice, Lessee shall have 60 days to reduce the number of monthly permits by ten monthly permits. If additional needs arise and/or additional concerns are expressed, then the City shall have the right to continue to reduce the number of monthly permits by ten monthly permits down to the number of Minimum Monthly Permits.

(K) Reporting Requirements. The City acknowledges that Lessee's fiscal year is from July 1 to and including June 30. Throughout the Term, Lessee shall provide the City with the following information and reports in a form acceptable to the City:

(i) Operating Budget. Before the Effective Date, and before the beginning of each fiscal year during the Term (i.e., before July 1), Lessee shall submit a proposed annual operating budget to the City showing the Operating Costs for the upcoming year, which shall include any and all anticipated Net Parking Lot Revenue expenditures for such year. If the City does not provide a written response to Lessee's proposed annual operating budget within 30 calendar days from the date of submission, such annual operating budget shall be deemed approved.

(ii) Quarterly Operating Reports. During the Term, within thirty (30) days of the end of each fiscal quarter (i.e., July 31, October 31, January 31, and April 30), Lessee shall provide the City with a reasonably detailed operating statement, balance sheet, and report for the Property (and such other financial statements and information as may be reasonably requested by the City) for the quarter then just ended showing (a) the Parking Lot Revenue and Operating Costs made in the fiscal quarter then just ended; (b) the calculation of the amount of the Net Parking Lot Revenue for such quarter; (c) the balance of the Operating Account as of the end of such quarter; (d) information on activities under Neighborhood Business District Improvement Projects; and (e) any and all other information regarding operations of the parking lot or compliance with the terms of this Lease as the City may from time to time reasonably request (each a "**Quarterly Operating Report**").

(iii) Annual Operating Report. During the Term, within sixty (60) days of the end of each fiscal year (i.e., August 31), Lessee shall provide the City with a reasonably detailed operating statement, balance sheet, and report for the Property prepared by Lessee's treasurer or accountant (and such other financial statements and information as may be reasonably requested by the City) for the fiscal year then just ended showing (a) the Parking Lot Revenue and Operating Costs made in the fiscal year then just ended; (b) the calculation of the amount of the Net Parking Lot Revenue for such fiscal year; (c) the balance of the Operating Account as of the end of such fiscal year; (d) information on activities under Neighborhood Business District Improvement Projects in the fiscal year; and (e) any and all other information regarding operations of the parking lot or compliance with the terms of this Lease as the City may from time to time reasonably request (each an "**Annual Operating Report**").

(iv) Financial Statements. Lessee shall collect, maintain, and furnish to the City from time to time such other accounting, financial, business, administrative, operational, and other reports, records, statements, and information as may be requested by the City pertaining to Lessee or the Property, including without limitation bank statements, loan statements, income tax returns, and such other reports and information as may be required for compliance with programs and projects funded by the City, Hamilton County, the State of Ohio, or any federal agency (all reports, records, statements and other information furnished by Lessee under this paragraph being referred to herein collectively as "**Records and Reports**"). All Records and Reports compiled by Lessee and furnished to the City shall be in such form as the City may require from time to time. During the Term, Lessee shall permit the City and its designees and auditors to access, inspect, and audit Lessee's Records and Reports. If the City's inspection or audit reveals a material discrepancy with information previously provided by Lessee, Lessee shall reimburse the City for the City's out-of-pocket costs associated with such inspection or audit.

(L) Right to Inspect. During the Term of this Lease and for a period of three (3) years after the end of the Term, the City and its representatives shall have the right to inspect all financial, accounting, administrative, and operational books, records, and statements of Lessee that relate to this Lease. Lessee shall preserve all such books, records, and statements during such three (3) year period.

## **6. ALTERATIONS; SIGNS; NO LIENS.**

(A) Alterations. During the Term, Lessee shall not make any material alterations, additions, or other changes to the Property without the prior written consent of the City. Before undertaking any alterations, Lessee shall submit proposed plans to the City for the City's review and approval. Lessee shall make whatever modifications to the proposed plans the City may require. Once the City has approved the plans, Lessee shall not make any material changes thereto without submitting the proposed changes to the City for its approval. All contractors and subcontractors hired by Lessee to perform the work shall be subject to the City's prior written approval. All alterations made by Lessee shall become the property of the City at the end of the Term; provided, however, that the City may require Lessee to remove any or all of the alterations at the end of Term, and in such event, Lessee shall repair any and all resulting damage to the Property and shall restore the Property to the condition in which the Property was in immediately before the making of such alterations. If Lessee fails to fulfill its obligation to remove alterations, the City may do so, and Lessee shall pay all costs incurred by the City in so doing upon the City's demand. All alterations made by Lessee shall be made in a good and workmanlike manner, in compliance with all applicable Legal Requirements, shall not diminish the fair market value of the Property, and shall be consistent with the quality, design, functionality, and aesthetic appeal of the Property.

(B) Signs. Lessee shall be permitted to erect such directional, informational, and other signs on the Property; provided, however, all signs installed at the Property by Lessee shall be subject to the City's written approval. All signs are professionally prepared, comply with all Legal Requirements, and satisfy the City's requirements with respect to size, design, content, and location. Lessee shall, at its expense, keep all signs in good condition and repair. At the end of the Term, Lessee shall remove its signs and repair any and all damage to the Property resulting therefrom.

(C) No Liens. If any mechanics' lien or other similar lien is filed against the Property as a result of labor or material furnished at Lessee's request, Lessee shall cause the lien to be released or bonded off within thirty (30) days following the filing of such lien.

## **7. INSURANCE; INDEMNITY.**

(A) Insurance. Throughout the Term, Lessee shall maintain, or cause to be maintained, the following insurance: (i) special peril (formerly known as "all-risk") full replacement cost insurance on all improvements now or hereafter located on the Property, including without limitation all fixtures and equipment, naming the City as its interest may appear; (ii) property insurance on all Lessee's personal property kept at the Property (if any) in such amount as Lessee from time to time deems commercially reasonable; (iii) garage liability insurance covering claims for bodily injury, personal injury or death, and property damage occurring at the Property in an amount not less than \$1,000,000 per accident, combined single limit, \$2,000,000 aggregate, and garagekeepers insurance in an amount not less than \$250,000 for loss in any one event, naming the City as an additional insured; (iv) umbrella or excess liability insurance in the amount of not less than \$1,000,000 per occurrence, \$1,000,000 aggregate; (v) Automobile Liability Insurance in the amount of not less than \$1,000,000 per occurrence, naming the City as an additional insured; (vi) workers' compensation insurance as required by law, and; and (vii) such other insurance as may from time to time be required by the City's Risk Management Division to be customary for similar-sized parking lots in the Cincinnati area.

(B) Policy Requirements. Lessee's insurance policies shall: (i) be written in standard form by insurance companies authorized to do business in Ohio and having an A.M. Best rating of A VII or better, (ii) provide that they may not be canceled or modified without at least thirty (30) days prior written notice to the City, and (iii) be primary and non-contributory with respect to insurance maintained by the City, if any. On the Effective Date and thereafter on an annual basis, Lessee shall provide the City with a certificate of insurance evidencing the insurance required to be maintained by Lessee hereunder.

(C) Waiver of Subrogation. Lessee hereby waives all claims and rights of recovery, and on behalf of Lessee's insurers, rights of subrogation, against the City, its employees, agents, contractors, and subcontractors with respect to any and all damage to or loss of property that is covered or that would ordinarily be covered by the insurance required under this Lease to be maintained by Lessee, even if such loss or damage arises from the negligence of the City, its employees, agents, contractors or subcontractors; it being the agreement of the parties that Lessee shall at all times protect itself against such loss or damage by maintaining adequate insurance. Lessee shall cause its property insurance policies to include a waiver of subrogation provision consistent with the foregoing waiver.

(D) Indemnity. The City assumes no responsibility for any acts, errors, or omissions of Lessee or any employee, agent, representative, or any other person acting or purporting to act for or on behalf of Lessee. Lessee shall defend, indemnify, and hold the City, its council members, officers, employees, and agents harmless from and against all costs, losses, claims, damages, liabilities, actions, claims for relief of every kind and character, expenses, including legal expenses, and obligations, financial or otherwise, arising either directly or indirectly out of Lessee's operation of the parking lot or performance of its responsibilities under this Lease, including without limitation any of the foregoing that may occur or be claimed with respect to any death, personal injury or loss of or damage to property on or about the Property. All indemnity obligations and assumption of liabilities herein provided for shall continue in full force and effect, notwithstanding the termination of this Lease.

**8. CASUALTY; EMINENT DOMAIN.** If the Property is damaged or destroyed by fire or other casualty, or if any portion of the Property is taken by exercise of eminent domain, Lessee shall repair and restore the Property, as expeditiously as possible, and to the extent practicable, to substantially the same condition in which the Property was in immediately before such occurrence. The City and Lessee shall jointly participate in filing claims and taking such other actions pertaining to the payment of proceeds resulting from such occurrence. Such proceeds shall be payable to the City as the owner of the Property; however, the City shall make available to Lessee so much of the proceeds as are needed to repair and restore the Property. If the proceeds are insufficient to fully repair and restore the Property, the City shall not be required to make up the deficiency. Lessee shall oversee all construction in accordance with the City's standard construction requirements. Lessee shall not be relieved of any obligations, financial or otherwise, under this Lease during any period in which the Property is being repaired or restored.

**9. DEFAULT; REMEDIES.**

(A) Default. The occurrence of any of the following shall be an "event of default" under this Lease:

(i) The failure of Lessee to make any required payment when due or perform any obligation under this Lease, and failure by Lessee to correct such failure within thirty (30) days after Lessee's receipt of written notice thereof from the City; provided, however, that if the nature of the default is such that it cannot reasonably be cured within (thirty) 30 days, Lessee shall not be in default so long as Lessee commence to cure the default within such thirty (30)-day period and thereafter diligently completes such cure within a reasonable period of time (but not exceeding ninety (90) days) after Lessee's receipt of the City's initial notice of default. The foregoing notwithstanding, if Lessee's failure to perform or observe any obligation, duty, or responsibility under this Lease creates a dangerous condition or otherwise constitutes an emergency as determined by the City, an event of default shall be deemed to have occurred if Lessee fails to take corrective action immediately upon discovering such dangerous condition or emergency; or

(ii) The dissolution of Lessee, the filing of bankruptcy or insolvency proceedings by it, or the making by it of an assignment for the benefit of creditors; or

(iii) The filing of bankruptcy or insolvency proceedings against Lessee, or the appointment of a receiver (temporary or permanent) for it, or the attachment of, levy upon, or seizure by legal process of any of its properties, that, in each such event, is not released within sixty (60) days after the filing thereof.

(B) Remedies. Upon the occurrence of an event of default that continues beyond the applicable notice and cure period provided for under paragraph (A) above, the City shall be entitled to: (i) terminate this Lease by giving Lessee written notice thereof, (ii) take such actions in the way of "self-help" as the City determines to be reasonably necessary or appropriate to cure or lessen the impact of such default, all at the expense of Lessee, and (iii) exercise any and all other rights and remedies under this Lease or available at law or in equity. Lessee shall be liable for all costs and damages, including without limitation, attorneys' fees suffered or incurred by the City as a result of a default of Lessee under this Lease or the City's enforcement or termination of this Lease. The failure of the City to insist upon the strict performance of any covenant or duty or to pursue any remedy under this Lease shall not constitute a waiver of the breach of such covenant or of such remedy.

**10. ASSIGNMENT AND SUBLETTING**. Except for parking privileges, as authorized herein, Lessee shall not assign its interests under this Lease, sublet all or any portion of the Property, or grant exclusive parking privileges to a third party without the prior written consent of the City, which consent may be withheld in the City's sole discretion. Lessee's violation of this section shall constitute an immediate default by Lessee under this Lease (without the benefit of any notice or cure period) and shall, at the option of the City, render this Lease null and void, without limitation of the City's other rights and remedies resulting from such default.

**11. SURRENDER; HOLDOVER**.

(A) Surrender. On the last day of the Term of this Lease, Lessee shall surrender the Property to the City in good condition and repair, reasonable wear and tear expected, and free and clear of all liens and other encumbrances created by Lessee (if any) and on or before the last day of the Term, Lessee shall remove all of Lessee's personal property and any property not so removed shall be deemed abandoned, provided, however, that unless required by the City, Lessee shall not remove any trade fixtures, ordinary fixtures or parking equipment used in connection with the Property. Lessee shall promptly repair any and all damage to the Property caused by its removal of any items under this paragraph.

(B) Holdover. If Lessee fails to surrender possession of the Property to the City at the end of the Term, such holdover shall be deemed as creating a tenancy-at-will on all of the same terms and conditions as set forth herein (except for the duration of the Term), terminable by the City at any time by giving written notice thereof to Lessee. Lessee shall be liable for all costs and damages suffered or incurred by the City as a result of Lessee's holding over.

(C) Documents to be Delivered to City. On the last day of the Term, Lessee shall deliver to the City originals of all unpaid invoices, management manuals, warranty information, books and records, contracts with third parties, and all other written materials and documents that are in Lessee's possession or under Lessee's control and that are reasonably needed in order for there to be a seamless transition with respect to the operation of the Property.

**12. NOTICES**. All notices required to be given to any party under this Lease shall be in writing and (i) personally delivered, (ii) deposited in the United States mail, first class, postage prepaid, or (iii) delivered by a reputable courier service (e.g., Federal Express), to the parties at the following addresses or such other address as either party may specify from time to time by notice to the other. Notices shall be deemed given upon receipt.

To the City:

City of Cincinnati  
Director of Community and Economic Development  
805 Central Avenue  
Suite 700  
Cincinnati, OH 45202

To Lessee:

The East Walnut Hills Assembly, Inc.  
P.O. Box 68050  
Cincinnati, OH 45206  
Attn: President

If Lessee sends a notice to the City alleging that the City is in breach of this Lease, Lessee shall simultaneously send a copy of such notice by U.S. certified mail to: City Solicitor, City of Cincinnati, 801 Plum Street, Room 214, Cincinnati, OH 45202.

**13. ADDITIONAL CONDITIONS FROM CITY'S COORDINATED REPORT (CR Nos. 48-2023 & 69-2021).** Lessee shall comply with the following additional terms and conditions: None.

**14. GENERAL PROVISIONS.**

(A) Entire Agreement. This Lease (including the exhibits hereto and the other agreements referred to herein, if any) contains the entire agreement between the parties with respect to the subject matter hereof and supersedes any and all prior discussions, negotiations, representations, or agreements, written or oral, between them respecting the subject matter hereof.

(B) Amendments. This Lease may be amended only by a written amendment signed by both parties.

(C) Governing Law. This Lease shall be governed by and construed in accordance with the laws of the City of Cincinnati and the State of Ohio. All actions regarding this Lease shall be brought in the Hamilton County Court of Common Pleas, and Lessee agrees that venue in such court is proper. The parties hereby waive trial by jury with respect to any and all disputes arising under this Lease.

(D) Binding Effect. This Lease shall be binding upon and shall inure to the benefit of and be enforceable by and against the parties and their respective successors and permitted assigns.

(E) Captions. The captions of the various sections and paragraphs of this Lease are not part of the context hereof and are only guides to assist in locating such sections and paragraphs and shall be ignored in construing this Lease.

(F) Severability. If any part of this Lease is held to be void, illegal or unenforceable by a court of law, such part shall be deemed severed from this Lease, and the balance of this Lease shall remain in full force and effect.

(G) No Recording. This Lease shall not be recorded in the Hamilton County Recorder's office. At the request of either party, the parties shall execute a memorandum of Lease for recording purposes.

(H) Time. Time is of the essence with respect to the performance by the parties of their respective obligations under this Lease.

(I) No Third-Party Beneficiaries. The parties hereby agree that no third-party beneficiary rights are intended to be created by this Lease.

(J) No Brokers. The City and Lessee represent to each other that they have not dealt with a real estate broker, salesperson or other person who might claim entitlement to a fee or other compensation as a result of the parties' execution of this Lease.

(K) Official Capacity. All representations, warranties, covenants, agreements, and obligations of the City under this Lease shall be effective to the extent authorized and permitted by applicable law. None of those representations, warranties, covenants, agreements, or obligations shall be deemed to be a representation, warranty, covenant, agreement, or obligation of any present or future member, officer, agent, or employee of the City in other than his or her official capacity. No official executing or approving the City's participation in this Lease shall be personally liable under this Lease.

(L) Representation as to Authority. The City and Lessee each represents to the other that it has the power and authority to enter into and perform its obligations under this Lease without the consent of anyone who is not a party to this Lease, and that the execution and performance of this Lease have been duly authorized by all necessary actions on the part of the performing party.

(M) Appropriation of Funds. Notwithstanding anything in this Lease, the City's performance of its obligations under the Lease that require the expenditure of money is subject to the appropriation of funds for such purposes by Cincinnati City Council.

(N) Counterpart; E-Signature. This Lease may be executed by the parties hereto in two or more counterparts and each executed counterpart shall be considered an original and all of which taken together shall constitute one and the same instrument. The parties may execute and deliver this Lease by electronic signature.

(O) Exhibits. The following exhibits are attached hereto and made a part hereof:  
Exhibit A – *Legal Description*

[Signature Pages Follow]



The parties executed this Lease on the dates of acknowledgement indicated below their respective signatures, effective as of the later of such dates (the "Effective Date").

**CITY OF CINCINNATI**

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

Printed name: \_\_\_\_\_

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

STATE OF OHIO                    )  
  ) ss:  
COUNTY OF HAMILTON        )

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2024 by \_\_\_\_\_, the \_\_\_\_\_ of the **CITY OF CINCINNATI**, an Ohio municipal corporation, on behalf of the municipal corporation.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

Recommended By:

\_\_\_\_\_  
Markiea L. Carter, Director  
Department of Community and Economic Development

Approved as to Form:

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

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

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

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

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

*[Lessee's Signature Page Follows]*

**THE EAST WALNUT HILLS ASSEMBLY, INC.,**  
an Ohio nonprofit corporation

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

Printed name: \_\_\_\_\_

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

STATE OF OHIO                    )  
  ) ss:  
COUNTY OF HAMILTON        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2024 by \_\_\_\_\_, the \_\_\_\_\_ of **THE EAST WALNUT HILLS ASSEMBLY, INC.**, an Ohio nonprofit corporation, on behalf of the nonprofit corporation.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

**EXHIBIT A**  
to Lease Agreement

*Legal Description*

Situated in Section 2, Town 3, Fractional Range 2, Millcreek Township, Hamilton County, Ohio, being all of Lots 42, 43, 46, 47, 50, 51, 53 thru 58 and part of Lots 59 & 60 of Cath. M Cook's Subdivision as recorded in Plat Book 5, Pages 117 & 118 and 136 & 137 of the Hamilton County Recorder's Office, also being part of land conveyed by deed to DeSales Square, LLC as recorded in O.R. 9403, Page 705 of Hamilton County Recorder's Office and being more particularly described as follows:

Commencing at the intersection of the west right-of-way line of Woodburn Avenue (a 60' right-of-way) and the north right-of-way line of Myrtle Avenue (a 60' right-of-way) and being the southeast corner of Lot 31 of said subdivision being a parcel of land conveyed by deed to Woodburn Properties I, LLC as recorded in O.R. 10034, Page 3845, Hamilton County Recorder's Office;

Thence, leaving said westerly right-of-way line, along the northerly right-of-way line of Myrtle Avenue, S 83° 00' 00" W., 99.94 feet to an iron pin found at the southwest corner of said Lot 31 said Woodburn parcel and being the TRUE POINT OF BEGINNING of a parcel herein described;

Thence, continuing along said right-of-way line, S. 83° 00' 00" W., 237.50 feet to a mag nail found at the southeast corner of a parcel of land conveyed by deed to Greater Cincinnati Behavioral Health Services as recorded in O.R. 11005, Page 991, Hamilton County Recorder's Office;

Thence, leaving said right-to-way line, along the east line of said Greater Cincinnati parcel, N. 07° 00' 00" W., 210.48 feet to an iron pin with cap found at the northeast corner of said Lot 60 being said Greater Cincinnati parcel and in the south right-of-way line of Madison Avenue (an 80' right-of-way);

Thence, along said right-of-way line, N. 83° 00' 00" E., 87.50 feet to an iron pin and cap found in said right-of-way line;

Thence, leaving said right-of-way line, through said Desales parcel, S. 07° 00' 00" E., 102.74 feet to a mag nail found;

Thence, continuing through said Desales parcel, N. 83° 00' 00" E., 150.00 feet to an iron pin and cap found at the northwest corner of a parcel of land conveyed by deed to Clarence E. & Margaret Lamb as recorded in O.R. 7771, Page 693 Hamilton County Recorder's Office, and the southwest corner of a parcel of land conveyed by deed to Michael Ahmadi as recorded in O.R. 10861, Page 1512 Hamilton County Recorder's Office,

Thence, along the west line of said Lamb parcel and the west line of said Woodburn parcel, S. 07° 00' 00" E., 107.74 feet to the TRUE POINT OF BEGINNING.

Containing 0.7938 acres (34578.000 square feet) of land more or less.

The above legal description was based on an actual field survey by James E. Toerner, a registered surveyor in the State of Ohio. Reg. Surveyor #S-7725.

**INCLUDED IN THE ABOVE-DESCRIBED REAL ESTATE IS THE PROPERTY COMPRISING REGISTERED LAND CERTIFICATE NO. 225896 DESCRIBED AS FOLLOWS:**

Situated in the City of Cincinnati, and being more particularly described as follows:  
Beginning at a point in the north line of Myrtle Avenue 99.94 feet west of Woodburn Avenue;

thence running North 7° West, 107.09 feet to a point;

{00396133-6}

thence running South 83° West, 150 feet to a point;

thence running South 7° East 107.09 feet to the North line of Myrtle Avenue;

thence running North 83° East along the north line of Myrtle Avenue, 150 feet to the place of beginning.

September 16, 2024

**To:** Members of the Budget and Finance Committee

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

202402053

**Subject: Emergency Ordinance – 803 Windham Avenue Acquisition – Urban League of Greater Southwestern Ohio, Inc.**

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Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the transfer and appropriation of \$450,000 from the unappropriated surplus of Avondale Equivalent Fund 468 to Department of Community and Economic Development (“DCED”) non-personnel operating budget account no. 468x162x7200 to provide resources to finance the acquisition of real property located at 803 Windham Avenue in the Avondale neighborhood of Cincinnati and associated acquisition-related costs; **AUTHORIZING** the transfer and appropriation of \$25,000 from the unappropriated surplus of Avondale Equivalent Fund 468 to DCED personnel operating budget account no. 468x162x7100 to provide staffing resources to support the acquisition of real property located at 803 Windham Avenue in the Avondale neighborhood; and **DECLARING** that expenditures from DCED non-personnel operating budget account no. 468x162x7200 and from DCED personnel operating account no. 468x162x7100 related to the acquisition of real property located at 803 Windham Avenue in the Avondale neighborhood of Cincinnati and associated acquisition-related costs to be for a public purpose and constitute a “Public Infrastructure Improvement” (as defined in Ohio Revised Code Section 5709.40(A)(8)) that will benefit and/or serve the District 21-Avondale Incentive District, subject to compliance with Ohio Revised Code Sections 5709.40 through 5709.43.

**STATEMENT**

The investment for property acquisition, demolition, and stabilization provides resources to effectively remove blight in a strategic area for the Avondale neighborhood and its neighborhood business district.

**BACKGROUND/CURRENT CONDITIONS**

Urban League of Greater Southwestern Ohio, Inc. (the “Developer”) has acquired the property at 803 Windham Avenue in the Avondale neighborhood. The property currently abuts the Developer’s current headquarters located at 3458 Reading Road. The subject property currently includes a 3-story mixed-use building structure. Developers are pursuing site control to eliminate the current slum and blight conditions through demolition of the building structure in anticipation of the future redevelopment of the property.

Following acquisition of the property, the Developer will create a redevelopment plan for the property and submit it to the City for review and approval.

The Department of Community and Economic Development has reviewed the request for assistance and is recommending the use of District TIF funds from the Avondale Tax Increment Financing District.

The Avondale Community Council has written a letter in support of this assistance request. The City also hosted a Community Engagement Meeting to seek feedback on the assistance request the results of which can be found here: <https://www.cincinnati-oh.gov/planning/community-engagement/upcoming-community-engagement-meetings/proposed-use-of-tif-funds-for-property-acquisition-at-803-windham-ave/>

### **DEVELOPER INFORMATION**

The Urban League of Greater Southwestern Ohio (ULGSWO) is a local non-profit organization located in the Avondale neighborhood with primary services including workforce development, financial literacy, crime prevention, and youth development. ULGSWO was recently accepted into the National Urban League’s Urban Development Accelerator (UDA). The UDA is an attempt to leverage, optimize, and promote the movements’ commitment to transforming and enriching the communities the ULGSWO serves through real estate development. ULGSWO has extensive experience in large-scale projects and funding campaigns including (1) absorbing the former Dayton area Urban League affiliate to create the Miami Valley Urban League, (2) the completion of the development of the Hollomon Center for Social Justice in the Avondale Town Center, (3) the acquisition and renovation of new rental office space for its Miami Valley location at the Arcade Innovation Hub in Dayton, Ohio.

### **PROPOSED INCENTIVE**

The Administration is recommending \$450,000 to reimburse Developer for TIF District eligible costs related to the acquisition. The ordinance also provides for \$25,000 for City personnel related costs for administration and oversight of this project. The Developer may make a future request for more TIF District resources for future expenses and if Developer seeks additional resources the Administration will evaluate and return to City Council for consideration.

### **RECOMMENDATION**

The Administration recommends approval of this Emergency Ordinance.

Attachment: Project Outline and Proposed Incentive

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

**Project Outline**

Project Name	803 Windham Avenue Acquisition - ULGSWO
Street Address	803 Windham Avenue, Cincinnati, OH 45229
Neighborhood	Avondale
Property Condition	Mixed-use building
Project Type	Acquisition
Project Cost	Hard Construction Costs: \$250,000 Acquisition Costs: \$397,594.39 Soft Costs: \$290,347.50 Total Project Cost: \$962,941.89
Private Investment	Developer Equity: \$512,941.89
Sq. Footage by Use	N/A
Number of Units and Rent Ranges	N/A
Median 1-BD Rent Affordable To	N/A
Jobs and Payroll	Created FTE Positions: 0 Total Payroll for Created FTE Positions: \$0 Average Salary for Created FTE Positions: \$0 Construction FTE Positions: 5 Total Payroll for Construction FTE Positions: \$256,100
Location and Transit	Located within the Reading Road Corridor a BRT line. Transit Score: 53
Community Engagement	Most Recent Presentation Community Council (CC) on 05/21/2024. Community Engagement Meeting held on 09/03/2024. CC has provided letter of support.
Plan Cincinnati Goals	Compete Initiative Area Goal (p. 101-107)

**Project Image and Site Map**



**Proposed Incentive**

Property Transaction Types	Direct Funding – District TIF
TIF District Forgivable Loan	\$450,000
“But For”	N/A
SBE/MBE/WBE Goals	N/A
Planning Commission Approval	N/A
Other Incentives & Approvals	N/A

## EMERGENCY

ZDS

- 2024

**AUTHORIZING** the transfer and appropriation of \$450,000 from the unappropriated surplus of Avondale Equivalent Fund 468 to Department of Community and Economic Development (“DCED”) non-personnel operating budget account no. 468x162x7200 to provide resources to finance the acquisition of real property located at 803 Windham Avenue in the Avondale neighborhood of Cincinnati and associated acquisition-related costs; **AUTHORIZING** the transfer and appropriation of \$25,000 from the unappropriated surplus of Avondale Equivalent Fund 468 to DCED personnel operating budget account no. 468x162x7100 to provide staffing resources to support the acquisition of real property located at 803 Windham Avenue in the Avondale neighborhood; and **DECLARING** that expenditures from DCED non-personnel operating budget account no. 468x162x7200 and from DCED personnel operating account no. 468x162x7100 related to the acquisition of real property located at 803 Windham Avenue in the Avondale neighborhood of Cincinnati and associated acquisition-related costs to be for a public purpose and constitute a “Public Infrastructure Improvement” (as defined in Ohio Revised Code Section 5709.40(A)(8)) that will benefit and/or serve the District 21-Avondale Incentive District, subject to compliance with Ohio Revised Code Sections 5709.40 through 5709.43.

WHEREAS, Urban League of Greater Southwestern Ohio, Inc. (“Developer”) maintains its headquarters at 3458 Reading Road in the Avondale neighborhood and has petitioned the City for assistance in purchasing real property abutting its headquarters and located at 803 Windham Avenue (the “Property”) in order to demolish the building located on the Property and expand its headquarters on the site; and

WHEREAS, the City’s Department of Community and Economic Development (“DCED”) has recommended that the City provide financial assistance to Developer in the amount of \$450,000 to provide resources for the acquisition of the Property (the “Project”); and

WHEREAS, pursuant to Ordinance No. 416-2005, passed by Council on November 2, 2005, the City created District 21-Avondale Incentive District (the “TIF District”) to, in part, fund public infrastructure improvements, as defined in Ohio Revised Code Section 5709.40(A)(8), that benefit and/or serve the TIF District, including acquisition of real property in aid of industry, commerce, distribution, or research; and

WHEREAS, although the Property is located outside the boundaries of the TIF District, the City has determined that the Project will benefit the TIF District by eliminating slum and blight conditions on property bordering and impacting the TIF District by allowing Developer to acquire the Property to demolish the blighted building in anticipation of the future redevelopment of the Property; and



WHEREAS, Section 13 of Article VIII of the Ohio Constitution provides that, to create or preserve jobs and employment opportunities and to improve the economic welfare of the people of the State, it is a public interest and proper public purpose for the State or its political subdivisions to sell, lease, exchange, or otherwise dispose of property within the State of Ohio for industry, commerce, distribution and research, and to make loans and to provide moneys for the acquisition, construction, enlargement, improvement or equipment of such property, structures, equipment, and facilities; and

WHEREAS, the City believes that the economic benefits of the Project will benefit and/or serve the TIF District; is in the vital and best interests of the City and health, safety, and welfare of its residents; and is in accordance with the public purposes and provisions of applicable federal, state, and local laws and requirements; and

WHEREAS, providing resources for acquisition of the Property by Developer is in accordance with the “Compete” goal to “[f]oster a climate conducive to growth, investment, stability, and opportunity” as well as the strategy to “[g]row our own by focusing on retention, expansion, and relocation of existing businesses,” as described on pages 101-107 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the transfer and appropriation of \$450,000 is authorized from the unappropriated surplus of Avondale Equivalent Fund 468 to Department of Community and Economic Development (“DCED”) non-personnel operating budget account no. 468x162x7200 to provide resources to finance the acquisition of real property located at 803 Windham Avenue in the Avondale neighborhood of Cincinnati and associated acquisition-related costs (the “Project”), as allowable by Ohio law.

Section 2. That the transfer and appropriation of \$25,000 from the unappropriated surplus of Avondale Equivalent Fund 468 to DCED personnel operating budget account no. 468x162x7100 is authorized to provide staffing resources to support the Project.

Section 3. That Council hereby declares that the expenditures from DCED non-personnel operating budget account no. 468x162x7200 and DCED personnel operating budget account no. 468x162x7100 relating to the Project (a) serve a public purpose, and (b) constitute a “Public Infrastructure Improvement” (as defined in Ohio Revised Code (“R.C.”) Section

5709.40(A)(8)), that will benefit and/or serve the District 21-Avondale Incentive District, subject to compliance with R.C. Sections 5709.40 through 5709.43.

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 herein.

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 to enable Developer to move forward with the commencement of the Project as soon as possible, which will result in the stimulation of economic growth in the Avondale neighborhood at the earliest possible date.

Passed: \_\_\_\_\_, 2024

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

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



202402000

**Jeff Cramerding**  
Councilmember

## MOTION

WE MOVE that the funds from the potential tax credit refund from the Mercy Health Bon Secours office building in Bond Hill be redirected to housing, economic development, and other Capital projects. These funds should be allocated to projects in the neighborhoods who were affected by the closure of this and other Mercy Health facilities.

## BACKGROUND

As a result of the Bon Secours disinvestment by Mercy Health and in other sites across the city, several neighborhoods have suffered from the lack of economic development and revenue that was originally promised. There have also been several negative health outcomes as a consequence of the closure of their primary care facilities in other neighborhoods across the city. The dollars from this tax credit repayment should be invested into projects that mitigate the effects of these closures.

*JEFF CRAMERDING*

Councilmember Jeff Cramerding

*Ressie Harris*

*Anna Albr*

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CAL  
7/10

2000 10/10

for Cambridge

James Jones

James Jones

10/10

September 5, 2024

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

202401941

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

**Subject: Emergency Ordinance: Authorizing the Implementation of the IAFF,  
Local 48 Labor Management Agreements**

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Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the City Manager to execute and implement the Fire Fighters and Assistant Chiefs labor management agreements between the City of Cincinnati and the International Association of Fire Fighters, Local 48, the updated terms of which are reflected in the attached summary.

This agreement increases Fire Administration's ability to manage the Cincinnati Fire Department by allowing increased staffing flexibility on the City's twelve medic unit, incentivizing employees to maintain their Paramedic certification, and increasing the timelines for Internal Investigations. The three-year agreement provides the members with a 5.0% wage increase in the first year of the contract (effective December 10, 2023) and a \$1000 lump sum payment, a 4.0% wage increase in the second year of the contract (effective December 8, 2024) and a \$500 lump sum payment, and a 3.0% wage increase in the final year of the contract (effective December 7, 2025). A summary of the tentative agreement is attached hereto.

The Administration recommends approval of this Emergency Ordinance.

cc: Latisha Hazell, Human Resources Director

## EMERGENCY

AKS

- 2024

**AUTHORIZING** the City Manager to execute and implement the Fire Fighters and Assistant Chiefs labor management agreements between the City of Cincinnati and the International Association of Fire Fighters, Local 48, the updated terms of which are reflected in the attached summary.

WHEREAS, the current Fire Fighters and Assistant Chiefs labor management agreements between the City of Cincinnati and the International Association of Fire Fighters, Local 48 (“IAFF, Local 48”) expired on December 9, 2023; and

WHEREAS, the City and IAFF, Local 48, through their respective negotiating teams, have reached tentative agreement on the terms of successor agreements (“Tentative Agreements”), the updated terms of which are reflected in the attached summary; and

WHEREAS, all employees in the IAFF, Local 48, Fire Fighters and Assistant Chiefs bargaining units will receive a five percent increase to their base wage retroactive to December 10, 2023 and a lump sum payment of \$1,000 on or before December 3, 2024; a four percent increase to their base wage effective December 8, 2024 and a lump sum payment of \$500 on or before December 17, 2024; and a three percent increase to their base wage effective December 7, 2025; and

WHEREAS, Injury with Pay leave will be expanded to include members disabled due to a presumptive occupational cancer diagnosis, a presumptive cardiovascular disease diagnosis, or a presumptive pulmonary disease diagnosis, as defined by the Ohio Revised Code; and

WHEREAS, the 2.5 percent Fire Fighter certification pay will be rolled into the base pay rates; and

WHEREAS, the daily staffing requirements for the Medic Units will be modified to allow for increased staffing flexibility; and

WHEREAS, the holiday leave hours bank will be increased to include Juneteenth as a paid holiday; and

WHEREAS, the timelines for Internal Investigations will be increased from 120 calendar days to 180 calendar days; and

WHEREAS, Employee Alcohol and Drug testing will be modified to remove random drug testing for employees that are not required to carry a firearm, will no longer require approval from the Union on the selected testing facility, and will include language defining when an employee can return to duty following a positive drug or alcohol test; and

WHEREAS, the Tentative Agreements have a duration of three years beginning on December 10, 2023 and expiring on December 5, 2026; and

WHEREAS, the terms and conditions of the successor agreements as agreed to by the parties represent fair and equitable gains for both parties; 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 execute and implement the Fire Fighters and Assistant Chiefs labor management agreements between the City of Cincinnati and the International Association of Fire Fighters, Local 48, the updated terms of which are reflected in the attached summary.

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

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to implement a successor labor management agreement between the City and International Association of Fire Fighters, Local 48 to replace the agreements which expired on December 9, 2023.

Passed: \_\_\_\_\_, 2024

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

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

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**Summary of Tentative Agreement with  
IAFF Local 48  
Fire Fighters and Assistant Chiefs contracts**

**Article 6: Grievance Procedure / Review Panel**

- Adjusted timelines for additional uniformity between grievance steps.

**Article 11: Overtime and Compensatory Time**

- Added attendance at any Special Event training held off duty.

**Article 19: Injury with Pay**

- Expanded injury with pay to include members disabled due to a presumptive occupational cancer diagnosis, a presumptive cardiovascular disease diagnosis, or a presumptive pulmonary disease diagnosis, as defined by the Ohio Revised Code.

**Article 21: Personnel Service Jacket**

- Adjusted language to align with Ohio Public Records Law.

**Article 28: Sick Leave with Pay**

- Added a definition of “health care provider” to the article.
- Updated the language to ensure consistent usage of the term “health care provider” in regard to medical documentation and expanded the types of medical documentation accepted to include aftercare summary, discharge summary, and/or explanation of benefits.
- Added domestic partner to the definition of immediate family to allow employees to utilize their sick leave in the event of death of a domestic partner.

**Article 29: Vacation and Holiday Leave**

- Added Juneteenth to the holiday leave hours bank.
- Added language clarifying when a member receives 8-hours of pay versus 10 or 12-hours of pay.



**Article 30-Pay Differential/Certification Pay**

- Added language that a member must maintain their State of Ohio Paramedic Certification in order to receive the annual certification pay and that if a member chooses to voluntarily surrender their certification, they will not be eligible for the pay moving forward, regardless of whether the member is later reinstated as a Paramedic.
- Agreed to roll the 2.5% Fire Fighter certification pay into the base pay.

**Article 35: Term of Agreement**

- 3-year agreement, effective December 10, 2023, through December 5, 2026

**Article 37: Daily Staffing Requirements**

- Modified the staffing requirement for the Medic Units to allow for increased staffing flexibility.

**Article 42: Internal Investigations Procedures**

- Increased the timelines for investigations from 120 calendar days to 180 calendar days and modified the language regarding extension agreements to allow the Union and City to agree to timeline extensions.

**Appendix A: Wages:**

- 5.0% effective 12/10/2023 & \$1000 lump sum payment on or before 12/3/2024
- 4.0% effective 12/8/2024 & \$500 lump sum payment on or before 12/17/2024
- 3.0% effective 12/07/2025

**Appendix E: Employee Alcohol and Drug Testing**

- Removed random drug testing, except for employees required to carry a firearm.
- Removed the language requiring agreement from the Union on the testing facility.
- Added language clarifying when an employee can return to duty following a positive drug or alcohol test.

**\*\* There were a few other articles that contained housekeeping changes.**

**The remaining articles will stay as current contract language.**

September 5, 2024

**To:** Mayor and Members of Council  
**From:** Sheryl M. M. Long, City Manager  
**Subject: Ordinance – Modifying CMC 112 – Lobbyist Registration  
(B Version)**

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Attached is an Ordinance captioned:

**MODIFYING** Chapter 112, “Council Lobbying,” of the Cincinnati Municipal Code, by **ORDAINING** Sections 112-1-C, “Clerk,” 112-1-C2, “Client,” and 112-1-R, “Regulated Official”; **AMENDING** Sections 112-1-A, “Actively Advocate,” 112-1-C, “Compensation,” 112-1-E1, “Engage,” 112-1-F, “Financial Transaction,” 112-1-L, “Legislation,” 112-1-L1, “Legislative Agent,” 112-1-P, “Person,” 112-1-S, “Staff,” 112-3, “Prohibitions,” 112-5, “Registration of Legislative Agent and Employer,” 112-7, “Statements of Financial Transactions,” 112-11, “Exceptions,” 112-15, “Lobbying Duties of the Clerk of Council,” 112-17, “Powers of Office of Contract Compliance and Investigations,” and 112-99, “Penalty”; and **REPEALING** Sections 112-1-E, “Employer,” and 112-9, “Complaints; Liability for False Statement,” all to streamline, update, and modernize the City’s process for registering lobbyists.

Approval of this Ordinance would modify Chapter 112, “Lobbying” of the Cincinnati Municipal Code to streamline the registration process by moving it to an on-line system, adjusting the fees to reflect the current cost of services, and repealing as well as updating sections that are no longer sufficient.

The Administration recommends passage of this Ordinance.

cc: William “Billy” Weber, Assistant City Manager

**MODIFYING** Chapter 112, “Council Lobbying,” of the Cincinnati Municipal Code, by **ORDAINING** Sections 112-1-C, “Clerk,” 112-1-C2, “Client,” and 112-1-R, “Regulated Official”; **AMENDING** Sections 112-1-A, “Actively Advocate,” 112-1-C, “Compensation,” 112-1-E1, “Engage,” 112-1-F, “Financial Transaction,” 112-1-L, “Legislation,” 112-1-L1, “Legislative Agent,” 112-1-P, “Person,” 112-1-S, “Staff,” 112-3, “Prohibitions,” 112-5, “Registration of Legislative Agent and Employer,” 112-7, “Statements of Financial Transactions,” 112-11, “Exceptions,” 112-15, “Lobbying Duties of the Clerk of Council,” 112-17, “Powers of Office of Contract Compliance and Investigations,” and 112-99, “Penalty”; and **REPEALING** Sections 112-1-E, “Employer,” and 112-9, “Complaints; Liability for False Statement,” all to streamline, update, and modernize the City’s process for registering lobbyists.

WHEREAS, Chapter 112 of the Cincinnati Municipal Code requires that lobbyists who are compensated to lobby elected officials, members of their staffs, or certain City officials register with the Clerk of Council; and

WHEREAS, there is a need to streamline and update the lobbyist registration process, which has not been changed since 1997, to integrate intervening changes in the organization of the City administration, including the dissolution of the Office of Contract Compliance and Investigations and the creation of an Ethics and Good Government Counselor in the Law Department; and

WHEREAS, recent transparency initiatives require expansion of the registration and reporting requirements for lobbyists, requiring registration of those who lobby the City’s independent boards, commissions, and advisory bodies; and

WHEREAS, there is also a need to revise the fee charged for lobbyist registration, which has not been updated since 1997, to take into account the increased costs associated with administering the registration process; now, therefore,

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

Section 1. That new Sections 112-1-C, “Clerk,” 112-1-C2, “Client,” and 112-1-R, “Regulated Official,” of Chapter 112, “Council Lobbying,” of the Cincinnati Municipal Code are ordained as follows:

**Sec. 112-1-C. - Clerk.**

“Clerk” means the clerk of council.

**Sec. 112-1-C2. - Client.**

“Client” means any person who, directly or indirectly, engages a lobbyist to actively advocate.

**Sec. 112-1-R - Regulated Official.**

“Regulated official” means the mayor, members of council, the city manager, assistant city managers, the director of any department created under the charter or administrative code of the city, and any person appointed by the mayor and council to any of the city’s independent boards, commissions, or advisory bodies.

Section 2. That Sections 112-1-A, “Actively Advocate,” 112-1-C, “Compensation,” 112-1-E1, “Engage,” 112-1-F, “Financial Transaction,” 112-1-L, “Legislation,” 112-1-L1, “Legislative Agent,” 112-1-P, “Person,” 112-1-S, “Staff,” 112-3, “Prohibitions,” 112-5, “Registration of Legislative Agent and Employer,” 112-7, “Statements of Financial Transactions,” 112-11, “Exceptions,” 112-15, “Lobbying Duties of the Clerk of Council,” 112-17, “Powers of Office of Contract Compliance and Investigations,” and 112-99, “Penalty,” of Chapter 112, “Council Lobbying,” of the Cincinnati Municipal Code are amended as follows:

**Chapter 112 - Council Lobbying Lobbyist Registration**

**Sec. 112-1-A. - Actively Advocate.**

“Actively advocate” means to promote, advocate, or oppose the passage, modification, or defeat of any legislation by direct communication with any regulated official or staff member of the council or appointee of the council, the city manager, the director of any department listed in the Charter or Administrative Code of the City, or any member of the staff of any public officer or employee listed in this chapter. “Actively advocate” does not include the action of any person ~~not engaged by an employer~~ who has a direct interest in legislation ~~if the person and who, acting under Section section 3 of Article article I; of the Ohio Constitution constitution,~~ assembles together with other persons others to consult for their common good, instructs a public officer or employee who is listed in this chapter, or petitions that public officer or employee instruct a regulated official or staff member, or petition a regulated official or staff member for the redress of grievances, unless that person is engaged by a client for that purpose.

**Sec. 112-1-C3. - Compensation.**

“Compensation” means a salary, gift, payment, benefit, subscription, loan, advance, reimbursement, or deposit of money or anything of value; or a contract, promise, or agreement, whether or not legally enforceable, ~~to make compensation provide a salary, gift,~~

payment, benefit, subscription, loan, advance, reimbursement, or deposit of money or anything of value.

**Sec. 112-1-E~~1~~. Engage; Engagement.**

“Engage” means to make any arrangement, and “engagement” means any such arrangement, whereby an individual is employed or retained where a client employs or retains a lobbyist for compensation to act for or on behalf of an employer to actively advocate.

**Sec. 112-1-F. - Financial Transaction.**

(a) “Financial transaction” means a transaction or activity that is conducted or undertaken for profit and arises from the joint ownership, or the ownership or part ownership in common, of any real or personal property or any commercial or business enterprise, of whatever form or nature, between the following:

(1) A legislative agent, his or her employer, or a member of the immediate family of the legislative agent or his or her employer. A lobbyist or client; and

(2) Any member of the council, appointee of the council, the city manager, the director of a department created under the Charter or Administrative Code of the City, or any member of the staff of a public officer or employee listed in this chapter. Any regulated official or staff member.

(b) For purposes of this section, if the lobbyist or client is an individual, “lobbyist” and “client” mean the individual, the individual’s spouse, and the individual’s dependent children. If the lobbyist or client is an entity, such as a limited liability company, corporation, partnership, trust, or unincorporated association, “lobbyist” and “client” mean the following:

(1) the entity itself;

(2) the owners, members, or partners of such entity and their spouses and dependent children, provided that such owner, member, or partner owns or controls twenty percent or more of the entity; and

(3) the directors and principal officers of such entity and their spouses.

(c) “Financial transaction” does not include any transaction or activity described in this section if it is available to the general public on the same terms, or if it is an offer or sale of securities to any person listed in this chapter that is governed by regulation D, 17 C.F.R. 2301.501 to 2301.508, adopted under the authority of the “Securities Act of 1933,” 48 Stat. 74, 15 U.S.C.A. and following, or that is governed by a comparable provision under state law.

**Sec. 112-1-L. - Legislation.**

“Legislation” means ordinances, resolutions, amendments, nominations, and any other matter pending before the council.

**Sec. 112-1-L1. - ~~Legislative Agent~~ Lobbyist.**

“~~Legislative agent~~ Lobbyist” means any ~~individual person, except a member of the council, a member of the staff of the council, or the city manager,~~ who is engaged ~~during at least a portion of his time~~ by a client to actively advocate ~~as one of his or her main purposes.~~

**Sec. 112-1-P. - Person.**

“Person” means any individual, business, company, partnership, trust, estate, business trust, association, or corporation, or other legally recognized entity; any labor organization or manufacturer association; any department, commission, board, ~~publicly supported college or university, chapter, institution, bureau, or other instrumentality of the state; or any county, township, municipal corporation, school district, or other political subchapter subdivision of the state.~~

**Sec. 112-1-S. - Staff.**

“Staff” means ~~council assistants~~ those hired by the mayor and members of council to work in their offices and any city employee whose official duties are to formulate policy and who exercises administrative or supervisory authority or who authorizes the expenditure of city funds. “Staff” is limited to employees who are required to file a financial disclosure statement under ~~Article article XXVI of the Administrative Code~~ administrative code.

**Sec. 112-3. - Prohibitions.**

(Aa) ~~No legislative agent or employer lobbyist shall knowingly fail to register an engagement as required under § by section 112-5.~~

(Bb) ~~No person lobbyist shall knowingly file a false statement that fail to provide information as required by § sections 112-5 or 112-7 requires the person to file.~~

(Cc) ~~No person lobbyist shall knowingly file a false statement that provide false information in response to the requirements of § sections 112-5 or 112-7 requires the person to file.~~

(d) ~~No person shall knowingly cause a lobbyist to violate subsections (a), (b), or (c) of this section.~~

**Sec. 112-5. - Registration of ~~Legislative Agent and Employer~~ Engagement and Updates.**

(Aa) ~~Each legislative agent and employer lobbyist, within ten business days following an a client’s engagement of a legislative agent the lobbyist, shall file register the engagement with the clerk of council an initial registration statement showing all of using the process and forms provided by the clerk and shall provide the following information:~~

(1) The name, business address, phone number, email address, and occupation of the legislative agent lobbyist;

(2) The name ~~and~~, business address, phone number, email address, and principal business of the employer-client on whose behalf the legislative agent lobbyist is actively advocating. ~~For, except that,~~ for the purposes of this section, where a trade association or other charitable or fraternal organization that is exempt from federal income taxation under subsection 501(c) of the federal Internal Revenue Code is the ~~employer-client,~~ the statement need not list the names and addresses of each member of the association or organization, so long as the association or organization itself is listed;

(3) A ~~brief~~ description of the type of legislation to which the engagement relates; and

(4) Other information as determined by the clerk.

~~(Bb) In addition to the initial registration statement required by division (A) of this section, each legislative agent and employer shall file with the clerk of council not later than the last day of January and July of each year, an updated registration statement that confirms the continuing existence of each engagement described in an initial registration statement and that lists the specific ordinances or resolutions on which the agent actively advocated under that engagement during the period covered by the updated statement, and with it any statement detailing the financial transactions required to be filed by § 112-7. Each lobbyist shall update all registered engagements that have not been terminated, including those that have expired, not later than the last business day of January and July of each year, each update covering the period ending the last day of the previous December and June, respectively. Lobbyists shall provide such updates using the process and forms provided by the clerk. Each such update shall do the following:~~

(1) Confirm the continuing existence of each the engagement described in the initial registration;

(2) Confirm the accuracy of the information provided in the initial registration;

(3) Identify the specific legislation regarding which the lobbyist actively advocated under the engagement during the previous six-month reporting period;

(4) Identify any additional types of legislation to which the engagement is anticipated to relate within the next six-month reporting period, if the engagement has not expired or been terminated;

(5) Provide the details of any financial transactions required to be reported by section 112-7; and

(6) Provide other information as determined by the clerk.

~~(Cc)~~ If a legislative agent is engaged by more than one employer, the agent shall file a separate initial and updated registration statement for each engagement. If an employer engages more than one legislative agent, the employer need file only one updated registration statement under division (B) of this section, which shall contain the information required by division (B) of this section regarding all of the legislative agents engaged by the employer.

~~(D)~~

~~(1)~~ A change in any information required by division (A)(1), (2), or (B) of this section shall be reflected in the next updated registration statement filed under division (B) of this section.

~~(2)~~ Within ~~thirty~~ 28 calendar days after the termination of an engagement, the legislative agent lobbyist who was employed under the engagement shall send written notification of the termination to the clerk of council update the registration to reflect such termination and shall include in such update any information required to be provided in an update under subsection (b) of this section, for the period up to and including the date on which the engagement was terminated.

~~(Ed)~~ Except as otherwise provided in this chapter, the clerk shall charge a registration fee for a lobbyist's initial registration of \$25 an engagement. No fee shall be charged for filing an initial updating or terminating a registration. The clerk shall determine and adjust the amount of the fee annually based on the estimated operational cost of administering the lobbyist registration statement. All money collected from this registration fee shall be deposited to the credit of the council lobbying fund created under § 112-15 program, and the fee determined by the clerk shall be effective upon approval by the city manager. The clerk shall post the fee on the city's website. An The clerk shall not charge a fee to an officer or employee of a state agency or city department who actively advocates in his such person's fiduciary capacity as a representative of that state agency or city department ~~need not pay the registration fee prescribed by this chapter~~. As used in this section, "state agency" does not include a state institution of higher education as defined in ORC § 3345.031 O.R.C. Section 3345.011.

~~(Fe)~~ A lobbyist's engagement is registered as required by this chapter when the lobbyist receives notice from the clerk confirming the Upon registration pursuant to division (A) of this section, the legislative agent shall be issued a card by the clerk of council showing that the legislative agent is registered. The registration card and the legislative agent's registration shall be valid from the date of their issuance such registration confirmation is received until the next thirtieth last business day of November of an each odd-numbered year, at which time it shall expire unless earlier terminated pursuant to subsection (c) of this section.

~~(Gf)~~ The clerk of council shall be responsible for reviewing review each registration statement filed under and update required by this section and for determining to determine whether the statement registration or update contains all of the information required by this section, except that the clerk shall not be required to review information



reported regarding financial transactions or contact or attempt to contact lobbyists regarding the reporting of financial transactions.

(1) If the clerk of council determines that the registration statement or update does not contain all of the required information or, the clerk shall make a reasonable attempt to contact the lobbyist using the contact information provided in the deficient registration or update, to notify the lobbyist of the deficiency.

(2) The clerk shall have no responsibility to inform lobbyists of their duties under this chapter, but if the clerk determines that a legislative agent or employer lobbyist has failed to file register or provide a registration statement an update as required by this chapter, the clerk of council shall send written notification by certified mail to the person who filed the registration statement regarding the deficiency in the statement or to the person who failed to file the registration statement regarding the failure make a reasonable attempt to contact the lobbyist using whatever information is available to notify the lobbyist of the failure to register or update a registration.

(g) Within 21 calendar days of the clerk's attempt to notify a lobbyist of a deficient registration or failure to register or update a registration, such lobbyist shall properly register or update the registration. Any person so notified by the clerk of council shall, not later than 15 days after receiving the notice, file a registration statement or an amended registration statement that does contain all of so that it contains the information required by this section. If any person who receives a notice lobbyist whom the clerk has made a reasonable attempt to contact under this chapter fails to file properly register or update a registration statement or such an amended registration statement within this 15-day period the required time, the clerk of council shall notify the Office of Contract Compliance and Investigations (OCCI) refer such person to the ethics and good government counselor in the department of law, who may shall take appropriate action as authorized or required under § by section 112-17. If the clerk of council notifies OCCI under this chapter refers a person to the ethics and good government counselor, the clerk of council shall also notify in writing the city manager and each member of the council in writing of the pending investigation referral.

(Hh) On or before the 15th day of March of each year, the clerk of council shall, in the manner and form that he or she determines, publish a report containing statistical information on the registration statements filed under this section during the preceding year. The clerk shall provide any information received regarding unreported or improperly reported financial transactions to the ethics and good government counselor, who shall take appropriate action pursuant to section 112-17.

#### **Sec. 112-7. - Statements Reporting of Financial Transactions.**

(A) Any legislative agent who has had any financial transaction with or for the benefit of any member of the council or appointee of the council, the city manager, or the director of a department created under the Charter or the Administrative Code of the City, or any member of the staff of any public officer or employee listed in this chapter, shall describe the details of the transaction, including the name of the public officer or employee, the purpose and nature of the transaction, and the date it was made or entered into, in a

~~statement filed with the clerk of council with the updated registration statement required by division (B) of § 112-5. The statement shall be filed at the times specified in § 112-5. Each statement shall describe each financial transaction that occurred during the six-calendar month period that ended on the last day of the month immediately preceding the month in which the statement is required to be filed.~~

~~(B) — Except as provided in division (D) of this section, any employer who has had any financial transaction with or for the benefit of any member of the council or appointee of the council, the city manager, or the director of a department created under the Charter or the Administrative Code of the City, or any member of the staff of any public officer or employee listed in this chapter, shall describe the details of the transaction, including the name of the public officer or employee, the purpose and nature of the transaction, and the date it was made or entered into, in a statement filed with the clerk of council with the updated registration statement required by § 112-5(b). The statement shall be filed at the times specified in § 112-5. Each statement shall describe each financial transaction that occurred during the six-calendar month period that ended on the last day of the month immediately preceding the month in which the statement is required to be filed.~~

~~(C) — An employer or legislative agent who is required to file a statement describing a financial transaction under this section shall deliver a copy of the statement to the public officer or employee with whom or for whose benefit the transaction was made at least ten days before the date on which the statement is filed.~~

~~(D) — No employer shall be required to file any statement under this section or to deliver a copy of the statement to a public officer or employee with whom or for whose benefit the transaction was made if the financial transaction to which the statement pertains is reported by a legislative agent engaged by the employer.~~

(a) Concurrent with each update to a registration required by section 112-5(b) and (c), lobbyists shall report all financial transactions occurring during the period the update covers using the process and forms provided by the clerk. Lobbyists shall provide the following information:

(1) The name of the lobbyist, client, or other person involved in the financial transaction;

(2) The name of the regulated official or staff member for whose benefit the transaction was entered into;

(3) The purpose and nature of the transaction;

(4) The actual or anticipated value of the transaction;

(5) The date the transaction was made or entered into; and

(6) Other information as determined by the clerk.

(b) The clerk shall require lobbyists to certify with each update that they have inquired of their clients and all relevant persons whose financial transactions are potentially reportable regarding an engagement whether any financial transactions have occurred during the reporting period and that the lobbyist has reported all such information, including information the lobbyist reports on the lobbyist's own behalf, truthfully and accurately.

**Sec. 112-11. - Exceptions.**

~~(Aa) Sections 112-5 and 112-7 do not apply to efforts to persons who actively advocate by any of the following solely through any of the following:~~

~~(1) Appearances before meetings of the committees of the council or the full council, and or appearances before public hearings of the committees of the council; or~~

~~(2) News, editorial, and advertising statements. Statements or articles published in bona fide newspapers, journals, or magazines, or through publicly accessible media, whether print, broadcast over radio or television, or online, and whether directly or through intermediaries;~~

~~(3) The gathering and furnishing of information and news by bona fide reporters, correspondents, or news bureaus to news media described in division (A)(2) of this section;~~

~~(4) Publications primarily designed for and distributed to members of bona fide associations or charitable or fraternal nonprofit corporations.~~

~~(Bb) Sections 112-1 to 112-17 do not affect apply to professional services provided in drafting ordinances or resolutions, preparing arguments thereon, or in advising clients and rendering opinions as to the construction and the effect of proposed or pending legislation, if the services are not otherwise connected with actions to actively advocate.~~

~~(Cc) Nothing in §§ sections 112-1 to 112-17 shall require the reporting of, or prohibit a member of the council from, prohibits any elected official from soliciting or accepting, or requires reporting of, a contribution from or expenditure by any person if the, provided that such contribution or expenditure is reported in accordance with Chapters 115 and 117 of the Municipal Code otherwise subject to disclosure under applicable city law, including the charter.~~

**Sec. 112-15. Lobbying Duties of the Clerk of Council Regarding Lobbyists.**

~~(A) The clerk of council shall keep on file the statements establish processes and forms for the collection and maintenance of the registrations and updates required by §§ 112-5 and 112-7 of the Municipal Code this chapter. The clerk may promulgate and revise rules and regulations to achieve the purposes of this chapter, which shall become effective when approved by the city manager and posted on the city's website. Those statements. The registrations and updates required by this chapter, including reporting of financial transactions, are public records and open to public inspection, and the clerk of~~

~~council shall computerize them so that the information contained in them digitize the information submitted so that it is readily accessible to the general public. The clerk shall provide copies of the statements to the general public upon request and may charge a reasonable fee not to exceed the cost of copying and delivering each statement.~~

~~(B) The clerk of council shall prescribe and make available an appropriate form for filing the information required by §§ 112-5 and 112-7 of the Municipal Code. The form shall contain the following notice in boldface type: The clerk shall notify every person submitting any information required by this chapter of the following: “ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.”~~

~~(C) The clerk of council shall publish a handbook that explains in clear and concise language §§ 112-1 to 112-17 and 112-99 of the Municipal Code and make it available free of charge to members of the council, legislative agents, employers, and any other interested persons.~~

~~(D) Not later than the last day of February and October of each year, the clerk of council shall compile from registration statements a complete and updated list of registered legislative agents and their employers and distribute the list to each member of the council and the city manager. The clerk shall provide copies of the list to the general public upon request and may charge a reasonable fee not to exceed the cost of copying and delivering the list.~~

~~(E) The clerk of council may adopt rules as necessary to implement §§ 112-1 to 112-17, and any such rules adopted shall be adopted in accordance with ORC § 111.15.~~

~~(F) The clerk of council shall exercise the powers and duties prescribed under §§ 112-1 to 112-17.~~

~~(G) There is hereby created in the city treasury the Council Lobbying Fund No. 396. All money collected from registration fees prescribed under § 112-5 shall be deposited into the city treasury to the credit of the fund. Money credited to the fund and any interest and earnings from the fund shall be used solely for conducting the lobbying duties of the clerk of council and for the purchase of data storage and computerization facilities for the statements filed with the clerk under §§ 112-5 and 112-7.~~

~~(H) The clerk of council shall issue a written report, not later than the thirty-first day of January of each year, to the mayor that lists the number of filings received during the immediately preceding calendar year.~~

**Sec. 112-17. - Powers of Office of Contract Compliance and Investigations Action on Referrals for Investigation.**

~~The Office of Contract Compliance and Investigations may ethics and good government counselor shall investigate compliance a referral received from the clerk regarding noncompliance with §§ 112-1 to 112-15 and this chapter or with ORC O.R.C. Section~~

~~2921.13 of the Revised Code in connection with statements required to be filed under these sections and, in the event of an apparent violation, The ethics and good government counselor shall report his or her the factual findings of any such investigation to the prosecuting attorney of involved parties, the city manager, and the City or of Hamilton County clerk, who shall institute such proceedings as are appropriate make such reports publicly available. The ethics and good government counselor shall report factual findings regarding criminal conduct to the appropriate authorities.~~

**Sec. 112-99. - Penalty.**

Whoever violates ~~§ section~~ 112-5 (~~Aa~~), (~~Bb~~), (~~Cc~~), or (~~Dd~~) is guilty of a misdemeanor of the fourth degree.

Section 3. That existing Sections 112-1-E, “Employer,” and 112-9, “Complaints; Liability for False Statement,” of Chapter 112, “Council Lobbying,” of the Cincinnati Municipal Code are hereby repealed in their entirety.

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, including the promulgation and adoption of rules and regulations as provided therein.

Section 5. That Sections 1 through 3 shall become effective on January 1, 2025.

Section 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_, 2024

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

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

\_\_\_\_\_  
New language is underscored. Deleted language is struck through.

September 5, 2024

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

202401939

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

**Subject: Emergency Ordinance: Plumbing Inspector Series**

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Attached is an Emergency Ordinance captioned:

**ESTABLISHING** the classification and salary range schedule for the three new employment classifications of Plumbing Inspector 1, Plumbing Inspector 2 and Plumbing Inspector 3; and **ORDAINING** Sections 414, 415, and 416 of Division 1, Chapter 307, “Classified Compensation Schedules,” of the Cincinnati Municipal Code to reflect these new employment classifications.

The Department of Human Resources has done its due diligence and conducted appropriate internal comparisons to ensure that the new classifications and salary ranges are consistent with the scope of services and the level of responsibility of these new positions, considering such factors throughout the evaluation process including liability, scope of responsibility, judgment and independent action and accountability

The Administration recommends passage of this Emergency Ordinance.

cc: Latisha Hazell, HR Director

**EMERGENCY**

**LES**

**-2024**

**ESTABLISHING** the classification and salary range schedule for the three new employment classifications of Plumbing Inspector 1, Plumbing Inspector 2, and Plumbing Inspector 3; and **ORDAINING** Sections 414, 415, and 416 of Division 1, Chapter 307, “Classified Compensation Schedules,” of the Cincinnati Municipal Code to reflect these new employment classifications.

WHEREAS, the Department of Human Resources, in consultation with the Department of Building and Inspections, has determined that it is necessary to create new Plumbing Inspector 1, Plumbing Inspector 2, and Plumbing Inspector 3 classifications to recruit and retain quality employees; and

WHEREAS, the new employment classifications and compensation plans are necessary to ensure consistency in the knowledge, skills, and abilities required to carry out the duties and tasks prescribed for the positions; and

WHEREAS, the new employment classifications and salary ranges provide an opportunity to increase effectiveness while maintaining a standard of excellence and a clear pathway for continued growth and career progression for employees; and

WHEREAS, the Department of Human Resources has done its due diligence and conducted appropriate internal comparisons to ensure that the new classifications and salary ranges are consistent with the scope of services and the level of responsibility of these new positions, considering such factors throughout the evaluation process including liability, scope of responsibility, judgment and independent action, accountability, and responsibility; and

WHEREAS, adopting the new salary ranges and classification titles for these positions is based upon a market analysis and internal cost of living adjustment comparisons as approved by Council; now, therefore,

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

Section 1. That new Sections 414, 415, and 416 of Division 1, Chapter 307, “Classified Compensation Schedules,” of the Cincinnati Municipal Code are ordained as follows:

<b>Section</b>	<b>Classification</b>	<b>Minimum Annual Salary</b>	<b>Maximum Annual Salary</b>	<b>Division</b>
414	Plumbing Inspector 1	\$69,687.09	\$72,870.29	D1
415	Plumbing Inspector 2	\$76,513.80	\$78,826.44	D1
416	Plumbing Inspector 3	\$82,767.76	\$86,548.38	D1

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

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to establish the classifications and salary ranges of Plumbing Inspector 1, Plumbing Inspector 2, and Plumbing Inspector 3 in order to recruit and retain qualified employees.

Passed: \_\_\_\_\_, 2024

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

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



September 5, 2024

**To:** Mayor and Members of City Council 202401942  
**From:** Sheryl M.M. Long, City Manager  
**Subject:** **Emergency Ordinance: Director of Communications**

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Attached is an Emergency Ordinance captioned:

**MODIFYING** the salary schedule for the classification of Director of Communications by amending existing Section 012 of Division D5, Chapter 307, of the Cincinnati Municipal Code.

The Department of Human Resources has done its due diligence and conducted appropriate internal comparisons to ensure that the new salary range is consistent with the scope of services and the level of responsibility. Adopting a new salary schedule for the position of Director of Communications is based upon an evaluation of job factors associated with the position, and a review of the Division D5 salary structure to ensure competitiveness within the industry.

The Administration recommends passage of this Emergency Ordinance.

cc: Latisha Hazell, HR Director

**EMERGENCY**

**KKF**

**-2024**

**MODIFYING** the salary schedule for the classification of Director of Communications by amending existing Section 012 of Division D5, Chapter 307, of the Cincinnati Municipal Code.

WHEREAS, the City of Cincinnati Human Resources Department is recommending a modification to the current salary schedule for the Director of Communications classification to enhance marketability and competitiveness in the job market; and

WHEREAS, the Department of Human Resources finds that the salary schedule for the classification of Director of Communications requires an amendment based on the level of responsibility, liability, and scope of work performed for the position; and

WHEREAS, adopting a new salary schedule for the position of Director of Communications is based upon an evaluation of job factors associated with the position and a review of the Division D5 salary structure to ensure competitiveness within the industry; now, therefore,

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

Section 1. That existing Section 012 of Division D5, Chapter 307 of the Cincinnati Municipal Code is hereby amended as shown below:

<b>Classification</b>	<b>Annual Minimum</b>	<b>Annual Maximum</b>
Director of Communications	<del>\$103,076.8911</del> <u>\$107,855.77</u>	<del>\$146,706.30</del> <u>\$157,102.81</u>

Section 2. 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 adjust the compensation of the Director of Communications classification to ensure competitive recruitment and retention for the position.

Passed: \_\_\_\_\_, 2024

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Aftab Pureval, Mayor

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

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Deletions are struck through. Additions are underlined.

September 5, 2024

**To:** Mayor and Members of City Council 202401945  
**From:** Sheryl M.M. Long, City Manager  
**Subject: Emergency Ordinance: Director of Grants Administration and Government Affairs**

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Attached is an Emergency Ordinance captioned:

**ESTABLISHING**, the classification and salary range schedule for the new employment classification of Director of Grant Administration and Government Affairs; and **ORDAINING** Section 229 of Division 5, Chapter 307 of the Cincinnati Municipal Code to establish a new salary schedule for the classification title of Director of Grant Administration and Government Affairs, consistent with the organizational changes described herein.

The Department of Human Resources has done its due diligence and conducted appropriate internal comparisons to ensure that the new salary range is consistent with the scope of services and the level of responsibility. The creation of the Director of Grant Administration and Government Affairs is necessary to attract and retain a quality Director, and to ensure consistencies in the knowledge, skills, and abilities required to carry out the duties and tasks prescribed to the position.

The Administration recommends passage of this Emergency Ordinance.

cc: Latisha Hazell, HR Director

**EMERGENCY**

AKS

-2024

**ESTABLISHING** the classification and salary range schedule for the new employment classification of Director of Grant Administration and Government Affairs; and **ORDAINING** Section 229 of Division 5, Chapter 307 of the Cincinnati Municipal Code to establish a new salary schedule for the classification title of Director of Grant Administration and Government Affairs, consistent with the organizational changes described herein.

WHEREAS, the Human Resources Department has determined the creation of the classification specification of the Director of Grant Administration and Government Affairs is necessary to fit the needs of the City and to better serve Cincinnati residents; and

WHEREAS, establishing a Director of Grant Administration and Government Affairs classification will assist with the recruitment and retention of qualified candidates; and

WHEREAS, the Department of Human Resources has done due diligence to ensure that the new classification and salary range is consistent with the scope of services and the level of responsibility of the position of Director of Grant Administration and Government Affairs, and has considered factors including liability, scope of responsibility, judgment and independent action, accountability, and responsibility throughout the evaluation process; and

WHEREAS, the addition of the Director of Grant Administration and Government Affairs classification within the City’s salary schedule is necessary to attract and retain qualified candidates and to ensure consistency in the knowledge, skills, and abilities required to carry out the duties and tasks prescribed to the position; now, therefore,

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

Section 1. That the classification of and salary range for Director of Grant Administration and Government Affairs is established and Section 229 of Division 5, Chapter 307 of the Cincinnati Municipal Code is ordained as shown below:

<b>Classification</b>	<b>Annual Minimum</b>	<b>Annual Maximum</b>
Director of Grant Administration and Government Affairs	\$107,855.77	\$157,102.81

Section 2. 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 create the classification of and salary range for Director of Grant Administration and Government Affairs to ensure competitive recruitment and retention for the position.

Passed: \_\_\_\_\_, 2024

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

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