



City of Cincinnati

801 Plum Street
Cincinnati, OH 45202

Agenda - Final

Budget and Finance Committee

Chairperson, Greg Landsman
Vice Chairperson, Reggie Harris
Councilmember Jeff Cramerding
Councilmember Mark Jeffreys
Councilmember Scotty Johnson
Vice Mayor Jan-Michele Kearney
Councilmember Liz Keating
Councilmember Meeka Owens
President Pro Tem Victoria Parks

Monday, May 9, 2022

1:00 PM

Council Chambers, Room 300

ROLL CALL

PRESENTATIONS

Cincinnati Recreation Commission

AGENDA

1. [202201111](#) RESOLUTION (LEGISLATIVE) (EMERGENCY) submitted by John P. Curp, Interim City Manager, on 5/4/2022, AUTHORIZING tax levies for the calendar year beginning January 1, 2023, certifying them to the Hamilton County Auditor pursuant to O.R.C. § 5705.34, and requesting the County Auditor and County Treasurer to pay monies that may be in the County Treasury and are lawfully applicable to the purpose of this calendar year to the City Treasurer pursuant to O.R.C. § 321.34.

Sponsors: City Manager

Attachments: [Transmittal](#)
[Legislative Resolution](#)
[Attachment](#)

2. [202201119](#) ORDINANCE submitted by John P. Curp, Interim City Manager, on 5/4/2022, AUTHORIZING the City Manager to execute a Property Sale Agreement with Factory 52, LLC for the sale of City-owned real property located adjacent to Interstate 71 in Norwood, Ohio.

Sponsors: City Manager

Attachments: [Transmittal](#)
[Ordinance](#)
[Attachment](#)

3. [202201120](#) ORDINANCE (EMERGENCY) submitted by John P. Curp, Interim City Manager, on 5/4/2022, AUTHORIZING the City Manager to apply for, accept, and appropriate a grant of up to \$19,066,100 from the Department of Homeland Security, Federal Emergency Management Agency, FY 2021 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program (Assistance Listing 97.083) to fully fund the salary and benefits of up to fifty recruits for the Cincinnati Fire Department for three years, effective FY 2023 pending award timing; and further AUTHORIZING the Finance Director to receive and deposit the grant funds into Fire Grants Fund 472, effective beginning FY 2023 pending award timing and the recruit class start date.

Sponsors: City Manager

Attachments: [Transmittal](#)
[Ordinance](#)

4. [202201121](#) ORDINANCE submitted by John P. Curp, Interim City Manager, on 5/4/2022, AUTHORIZING the City Manager to apply for, accept, and appropriate a grant of up to \$133,724.36 from the Department of Homeland Security, Federal Emergency Management Agency FY 2021 Assistance to Firefighters Grant Program (Assistance Listing No. 97.044) to Fund 472, "Fire Grants," effective FY 2023 pending award timing, to fund classroom materials, certification fees, and backfill overtime to allow members of the Cincinnati Fire Department to attend Safety Officer Training.

Sponsors: City Manager

Attachments: [Transmittal](#)
[Ordinance](#)

5. [202201123](#) ORDINANCE submitted by John P. Curp, Interim City Manager, on 5/4/2022, AUTHORIZING the City Manager to accept and appropriate a donation in an amount of up to \$6,000 from Miami University to the Cincinnati Recreation Commission for the purpose of funding staffing costs associated with the Science, Technology, Engineering & Mathematics (STEM) Lego Robotics Summer Camp program; and AUTHORIZING the Finance Director to deposit the donated resources into "Contributions for Recreation Purposes" revenue account no. 319x8571.

Sponsors: City Manager

Attachments: [Transmittal](#)
[Ordinance](#)

6. [202201122](#) ORDINANCE submitted by John P. Curp, Interim City Manager, on 5/4/2022, AUTHORIZING the City Manager to accept an in-kind donation from the Westwood Civic Association valued at up to \$7,000 for sports and electronic equipment for use by the Cincinnati Recreation Commission at the Westwood Town Hall; and AUTHORIZING the City Manager to accept and appropriate a donation in an amount up to \$4,000 from the Westwood Civic Association to the Cincinnati Recreation Commission for the purpose of providing resources for programming at Westwood Town Hall and to offer scholarships covering the cost of admissions and transportation associated with field trips from Westwood Town Hall; and AUTHORIZING the Finance Director to deposit the donated resources into "Contributions for Recreation Purposes" revenue account no. 319x8571.

Sponsors: City Manager

Attachments: [Transmittal](#)
[Ordinance](#)

7. [202201124](#) ORDINANCE (EMERGENCY) submitted by John P. Curp, Interim City Manager, on 5/4/2022, AUTHORIZING the transfer of the sum of \$15,733,590 within the General Fund, from and to various operating accounts and the unappropriated surplus of the General Fund according to the attached Schedule of Transfer, for the purpose of realigning and providing funds for the ongoing needs of City departments; AUTHORIZING the transfer and return to source of the sum of \$60,000 from the Department of Law personnel operating budget account no. 050x112x7000x7111 to the unappropriated surplus of the General Fund 050; and AUTHORIZING the transfer and appropriation of the sum of \$45,000 from the unappropriated surplus of the General Fund 050 to existing capital improvement program project account no. 980x255x222530, "Quality of Life Relocation Furniture"; AUTHORIZING the transfer and appropriation of the sum of \$15,000 from the unappropriated surplus of the General Fund to existing capital improvement program project account no. 980x255x212500, "City Facility Renovation and Repair"; AUTHORIZING the transfer and return to source of the sum of \$149,000 from the Citizen Complaint Authority personnel operating budget account no. 050x181x1000x7111 and \$51,000 from the Citizen Complaint Authority fringe benefit operating budget account no. 050x181x1000x7532 to the unappropriated surplus of the General Fund 050; and AUTHORIZING the establishment of new capital improvement program project account no. 980x255x222545, "CCA Office Facilities Renovation and Repairs," for the purpose of renovating, repairing, and upgrading the Citizen Complaint Authority office to accommodate additional staff and utilize the space in an efficient manner; AUTHORIZING the transfer and appropriation of the sum of \$200,000 from the unappropriated surplus of the General Fund 050 to newly established capital improvement program project account no. 980x255x222545, "CCA Office Facilities Renovation and Repairs," for the purpose of renovating, repairing, and upgrading the Citizen Complaint Authority office to accommodate additional staff and utilize the space in an efficient manner; and further AUTHORIZING the transfer and appropriation of the sum of \$30,000 from the unappropriated surplus of the General Fund to existing capital improvement program project account no. 980x104x221005, "Wheeled Recycling Cart Replacement."

Sponsors: City Manager

Attachments: [Transmittal](#)
[Ordinance](#)
[Attachment](#)

8. [202201125](#) ORDINANCE (EMERGENCY) submitted by John P. Curp, Interim City Manager, on 5/4/2022, AUTHORIZING the transfer of the sum of \$3,948,973 within the Restricted Funds from and to various operating accounts; and AUTHORIZING the transfer and appropriation of \$510,770 from the unappropriated surplus of the respective Restricted Funds to various operating accounts; AUTHORIZING the return to source the sum of \$54,558,365 to the unappropriated surplus of the respective Restricted Funds all for the purpose of realigning and providing funds for the ongoing needs of City departments in accordance with the attached Schedules of Transfer; and AUTHORIZING the transfer and return to source of the sum of \$468,625 from American Rescue Plan grant project account no. 469x101xARP052, "FY 2021 Restricted Funds Revenue Replacement," to the unappropriated surplus of Local Fiscal Recovery Fund 469; AUTHORIZING the appropriation of the sum of \$468,625 from the unappropriated surplus of Local Fiscal Recovery Fund 469 to existing American Rescue Plan grant project account no. 469x101xARP053, "Hazard Pay," for the purpose of providing additional compensation to eligible City employees during the COVID-19 pandemic.

Sponsors: City Manager

Attachments: [Transmittal](#)
[Ordinance](#)
[Attachment](#)

9. [202201126](#) ORDINANCE submitted by John P. Curp, Interim City Manager, on 5/4/2022, AUTHORIZING the City Manager to apply for grant resources from the Clean Ohio Trails Fund grant program to be awarded by the Ohio Department of Natural Resources in an amount up to \$500,000 for the purpose of providing resources for the construction of Phase 7 of the Wasson Way Trail project.

Sponsors: City Manager

Attachments: [Transmittal](#)
[Ordinance](#)

10. [202201130](#) ORDINANCE (EMERGENCY) submitted by John P. Curp, Interim City Manager, on 5/4/2022, AUTHORIZING the City Manager to establish an Aquatics Bonus Plan for the purpose of recruiting and retaining qualified employees within the Cincinnati Recreation Commission's Aquatics program, according to the attached schedule.

Sponsors: City Manager

Attachments: [Transmittal](#)
[Ordinance](#)
[Attachment](#)

11. [202201131](#) ORDINANCE (EMERGENCY) submitted by John P. Curp, Interim City Manager, on 5/4/2022, APPROVING the One Ohio Region 2 (Hamilton County) Governance Structure which is responsible for making decisions about Region 2's representation on the statewide One Ohio Foundation Board as well as selecting projects which will be funded from Region 2's regional share of certain opioid litigation settlement funds.

Sponsors: City Manager

Attachments: [Transmittal](#)
[Ordinance](#)
[Attachment](#)

ADJOURNMENT

May 4, 2022

202201111

To: Mayor and Members of City Council
From: John P. Curp, Interim City Manager
Subject: Emergency Legislative Resolution: 2023 Property Tax Millage

Submitted herewith is an Emergency Legislative Resolution captioned as follows:

AUTHORIZING tax levies for the calendar year beginning January 1, 2023, certifying them to the Hamilton County Auditor pursuant to O.R.C. § 5705.34, and requesting the County Auditor and County Treasurer to pay monies that may be in the County Treasury and are lawfully applicable to the purpose of this calendar year to the City Treasurer pursuant to O.R.C. § 321.34.

Notification that the Hamilton County Budget Commission has approved the 2023 Tax Budget was received. The attached resolution set the property tax millage for 2023. The 2023 millage for General Fund operating purposes is set at 4.84 mills, which results in estimated property tax revenue of \$28,979,133.

The 2023 millage for debt service is set at 7.5 mills, which is necessary to pay principal and interest to holders of City bonds. The total tax millage rate for 2023 is 12.34 mills. The millage rates are established based on the actual property valuation which was established by the County.

State Law requires that the approved resolution be submitted to the County by May 23, 2022, therefore the resolution must be passed by Council prior to this date.

cc: William “Billy” Weber, Assistant City Manager
Karen Alder, Finance Director

Attachment

EMERGENCY

Legislative Resolution

KKF

AWB

RESOLUTION NO. _____ - 2022

AUTHORIZING tax levies for the calendar year beginning January 1, 2023, certifying them to the Hamilton County Auditor pursuant to O.R.C. § 5705.34, and requesting the County Auditor and County Treasurer to pay monies that may be in the County Treasury and are lawfully applicable to the purpose of this calendar year to the City Treasurer pursuant to O.R.C. § 321.34.

WHEREAS, Council adopted a tax budget for the calendar year beginning January 1, 2023; and

WHEREAS, the County Budget Commission has approved the budget and estimate by the County Auditor of the rate of each tax necessary to be levied by this Council and the parts within and outside of the ten mill limitation; and

WHEREAS, Council must request payment of funds derived from taxes and other sources payable to the County Treasury to be made to the account of the City of Cincinnati, which funds are lawfully applicable to the purpose of the calendar year; now, therefore,

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

Section 1. That there is hereby levied on the tax duplicate of the City of Cincinnati for the calendar year beginning January 1, 2023, the rate of each tax necessary to be levied as follows:

<u>Fund</u>	Amount to be derived from levies inside	Amount to be derived from levies outside	Estimate of Rate to be levied		
	<u>Millage</u>	<u>Millage</u>	<u>Inside Mills</u>	<u>Outside Mills</u>	<u>Total Mills</u>
General	\$ - - -	\$28,979,133	- - -	4.84	4.84
Bond Retirement	\$23,161,600	\$26,188,400	3.52	3.98	7.50
Total	\$23,161,600	\$55,167,533	3.52	8.82	12.34

Section 2. That the Hamilton County Auditor and Hamilton County Treasurer are hereby requested to pay to the Treasurer of the City of Cincinnati monies from taxes and other sources in the County Treasury to the account of the City that are lawfully applicable to the purpose of this calendar year.

Section 3. That the Clerk of Council is hereby directed to file a certified copy of this legislative resolution with the County Auditor.

Section 4. That this legislative resolution shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to ensure that the City can meet the May 23, 2022 filing deadline with the County Auditor pursuant to the extension granted by the Ohio Department of Taxation attached hereto.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

ATTACHMENT A



Department of
Taxation

Office of the Tax Commissioner
4485 Northland Ridge Blvd. • Columbus, OH 43229

100000196
**JOURNAL
ENTRY**

Date:

MAR 30 2022

The Honorable Dusty Rhodes
Hamilton County Auditor
Administration Bldg
138 E Court St Rm 304A
Cincinnati OH, 45202-1221

Entry Number: 22-03-0066

Re: Approval of Extension for the Hamilton County Budget Commission to Certify Tax Rates to the City of Cincinnati

The Tax Commissioner, upon consideration of the application filed by the County Auditor, as secretary of the county budget commission, on March 22, 2022, for an extension of time beyond the statutory date of March first to certify tax rates to the City of Cincinnati, as provided by Ohio Revised Code section 5705.35(A), finds that the extension of time is necessary and approves April 22, 2022, as the date within which the certification shall be made, pursuant to Ohio Revised Code section 5705.341 (last para.).

The Tax Commissioner also extends the April first deadline contained in Ohio Revised Code section 5705.34 for the City of Cincinnati to authorize the necessary tax levies to the auditor by the same number of days that the extension to certify rates is granted by this entry. Accordingly, the City of Cincinnati must authorize the necessary tax levies to the auditor by May 23, 2022. The County Auditor must notify the City of Cincinnati of this entry.

It is ordered that a copy of this entry be certified to the County Auditor, as secretary of the County Budget Commission.

I CERTIFY THAT THIS IS A TRUE AND ACCURATE COPY OF THE
ENTRY RECORDED IN THE TAX COMMISSIONER'S JOURNAL.

/s/ Jeffrey A. McClain

JEFFREY A. MCCLAIN
TAX COMMISSIONER

Jeffrey A. McClain
Tax Commissioner



Department of Taxation

Office of the Tax Commissioner
4465 Northland Ridge Blvd. • Columbus, OH 43229

0000000196

JOURNAL ENTRY

Date:

MAR 30 2022

The Honorable Dusty Rhodes
Hamilton County Auditor
Administration Bldg
138 E Court St Rm 304A
Cincinnati OH, 45202-1221

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I CERTIFY THAT THIS IS A TRUE AND ACCURATE COPY OF THE
ENTRY RECORDED IN THE TAX COMMISSIONER'S JOURNAL.

/s/ Jeffrey A. McClain

JEFFREY A. MCCLAIN
TAX COMMISSIONER

Jeffrey A. McClain
Tax Commissioner

Date: May 4, 2022
202201119

To: Mayor and Members of City Council
From: John P. Curp, Interim City Manager
Subject: ORDINANCE – FACTORY 52, LLC PROPERTY SALE AGREEMENT

Attached is an ordinance captioned as follows:

AUTHORIZING the City Manager to execute a Property Sale Agreement with Factory 52, LLC for the sale of City-owned real property located adjacent to Interstate 71 in Norwood, Ohio.

The City of Cincinnati owns certain real property located adjacent to Interstate 71 in Norwood, Ohio (the “Property”), which is under the management and control of the City’s Department of Transportation and Engineering (“DOTE”).

Factory 52, LLC (“Developer”) desires to purchase the Property from the City for consolidation with Developer’s adjoining real property.

The City Manager, upon consultation with DOTE, has determined that the Property is not needed for transportation or any other municipal purpose, that there is good cause to sell the Property, and that such sale will not be detrimental to the general interest.

The approximate fair market value of the Property is \$13,750, which Developer has agreed to pay.

The City Planning Commission approved the sale of the Property at its meeting on June 4, 2021.

The Administration recommends passage of the attached ordinance.

Attachment I – Property Sale Agreement

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

City of Cincinnati

CHM

AWB

An Ordinance No. _____ - 2022

AUTHORIZING the City Manager to execute a *Property Sale Agreement* with Factory 52, LLC for the sale of City-owned real property located adjacent to Interstate 71 in Norwood, Ohio.

WHEREAS, the City owns certain real property located adjacent to Interstate 71 in Norwood, Ohio, as more particularly described and depicted in the *Property Sale Agreement* attached to this ordinance as Attachment A and incorporated herein by reference (the "Property"), which Property is under the management of the City's Department of Transportation and Engineering ("DOT"); and

WHEREAS, Factory 52, LLC, an Ohio limited liability company ("Developer"), desires to purchase the Property from the City for consolidation with Developer's adjoining real property; and

WHEREAS, pursuant to Cincinnati Municipal Code Section 331-1, the City may sell real property that is not needed for municipal purposes; and

WHEREAS, the City Manager, being the officer having the custody and control of the Property, and upon consultation with DOT, has determined that the Property is not needed for any transportation or other municipal purpose, that there is good cause to sell the Property, and that such sale will not be detrimental to the general interest; and

WHEREAS, the City's Real Estate Services Division has determined, by a professional appraisal, that the approximate fair market value of the Property is \$13,750, which Developer has agreed to pay; and

WHEREAS, pursuant to Cincinnati Municipal Code Section 331-5, Council may authorize the sale 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

WHEREAS, the City Planning Commission, having the authority to approve the change in the use of City-owned property, approved the sale of the Property at its meeting on June 4, 2021; 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 *Property Sale Agreement* with Factory 52, LLC, an Ohio limited liability company ("Developer"), in

substantially the form attached to this ordinance as Attachment A and incorporated herein by reference, pursuant to which the City of Cincinnati will sell to Developer certain real property located adjacent to Interstate 71 in Norwood, Ohio, as more particularly described on Attachment A and incorporated herein by reference (the "Property"), for Developer to consolidate the Property with Developer's adjoining real property.

Section 2. That the Property is not needed for any transportation or other municipal purpose, that there is good cause to sell the Property, and that such sale will not be detrimental to the general interest.

Section 3. That the fair market value of the Property, as determined by an appraisal by the City's Real Estate Services Division, is approximately \$13,750, which Developer has agreed to pay.

Section 4. That eliminating competitive bidding in connection with the City's sale of the Property is in the best interest of the City because Developer owns the adjoining real property; and, as a practical matter, only an abutting property owner would have any practical use for the Property.

Section 5. That the proceeds from the sale of the Property, if any, shall be deposited into Property Management Fund 209 to pay the fees for services provided by the City's Real Estate Services Division in connection with the sale, and that the City's Finance Director is hereby authorized to deposit amounts in excess amount thereof into Miscellaneous Permanent Improvement Fund 757.

Section 6. That the City's Finance Director is authorized to transfer and appropriate such excess funds from Miscellaneous Permanent Improvement Fund 757 into Capital Improvement Program Project Account No. 980x233xYY2306, "Street Improvements," in which "YY"

represents the last two digits of the fiscal year in which the closing occurs and the proceeds are received, referencing the latter fiscal year if the events occur in different fiscal years.

Section 7. 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, including, without limitation, executing any and all ancillary agreements, deeds, plats, and other documents to facilitate all transactions contemplated by the *Property Sale Agreement*.

Section 8. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

ATTACHMENT A

Contract No. _____

Property: Duck Creek Road Parcels

PROPERTY SALE AGREEMENT

This Property Sale Agreement (this "**Agreement**") is made and entered into on the Effective Date (as defined on the signature page hereof) by and between the **CITY OF CINCINNATI**, an Ohio municipal corporation, the address of which for purposes of this Agreement is 801 Plum Street, Cincinnati, OH 45202 (the "**City**") and **FACTORY 52, LLC**, an Ohio limited liability company, whose tax mailing address is 5905 E. Galbraith Road, Suite 4100 45236 ("**Purchaser**").

Recitals:

A. The City owns a vacant tract of land located on Duck Creek Road near I-71 and abutting the northeast corner of the former U.S. Playing Card site in the City of Norwood, Ohio, known as Hamilton County Auditor's Parcel No. 651-0019-0130-00 (which is subject to and includes State Highway Easement Parcel No. 651-0019-0181-90, consolidated for tax purposes), as more particularly described on Exhibit A (*Legal Description- the Sale Property*) hereto (the "**Sale Property**"), which Property is under the management of the City's Department of Transportation and Engineering ("**DOT**").

B. Purchaser now owns or is under contract to acquire the abutting former U.S. Playing Card factory site, as depicted on Exhibit B (*Site Survey*) hereto ("**Purchaser's Property**"), which Purchaser is redeveloping into a mixed-use development.

C. Purchaser desires to purchase the Sale Property from the City, as depicted on Exhibit B, for site control and visibility purposes.

D. The City has determined that the Sale Property is not needed for any transportation or other municipal purpose.

E. The City's Real Estate Services Division has determined, by a professional appraisal, that the fair market value of the Sale Property is \$13,750.00, which has been deposited with the City Treasurer.

F. The City has determined that eliminating competitive bidding in connection with the City's sale of the Sale Property is justified because Purchaser's Property abuts the Sale Property, and as a practical matter no one other than an abutting property owner would have any use for it.

G. City Planning Commission, having the authority to approve the change in the use of City-owned property, approved the sale of the Sale Property to Purchaser at its meeting on June 4, 2021.

H. Execution of this Agreement was authorized by Cincinnati City Council by Ordinance No. []-2022, passed on [], 2022.

NOW, THEREFORE, the parties agree as follows:

1. **Purchase Price.** Subject to the terms and conditions set forth herein, the City hereby agrees to sell the Sale Property to Purchaser, and Purchaser hereby agrees to purchase the Sale Property from the City for \$13,750.00 (the "**Purchase Price**"). Purchaser acknowledges that it is familiar with the condition of the Sale Property and, at Closing (as defined below), the City shall convey the Sale Property to Purchaser in "as is" condition. The City makes no representations or warranties to Purchaser with respect to the condition of the Sale Property and, from and after the Closing, the City shall have no liability of any kind to Purchaser for any defects, adverse environmental condition, or any other matters affecting the Sale Property.

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2. Closing.

(A) Conditions. The closing on the City's sale of the Sale Property to Purchaser (the "**Closing**") shall not occur unless and until the following conditions have been satisfied (the "**Conditions**"); *provided however*, that if the City, in its sole discretion, determines that one or more of the Conditions would be more appropriately handled at Closing or post-Closing, the City may, if appropriate, include such Conditions in the City's Quitclaim Deed to Purchaser or handle such Conditions post-Closing. Purchaser shall perform all work and investigations and shall obtain and prepare all necessary documents pertaining to the satisfaction of the Conditions, at no cost to the City.

- (i) Title & Survey: Purchaser's approval of title to the Sale Property and, if obtained by Purchaser, an ALTA property survey of the Sale Property;
- (ii) Inspections, Utilities & Zoning/Building Code Requirements: Purchaser's approval of inspections of the Sale Property, including without limitation environmental assessments and soil assessments, all matters pertaining to utility service for the Sale Property, and all zoning and building code requirements that are applicable to the Sale Property;
- (iii) Plats, Legal Descriptions and Deed: Purchaser shall have provided the City with all plats and legal descriptions as required by DOTE, the City Planning Department, and the Hamilton County Auditor and Recorder in connection with the City's sale of the Sale Property, including, but not limited to: [x] an acceptable deed of record evidencing Purchaser as the vested legal owner as to Purchaser's Property; [y] an acceptable survey plat and legal description with closure of the Sale Property to accompany the transfer and recording of the Quitclaim Deed in substantially the form attached as Exhibit C – (Form of Quitclaim Deed – Sale Property); and [z] an acceptable survey plat and legal description with closure to consolidate the Sale Property with Purchaser's Property immediately after recording of the Quitclaim Deed – Sale Property in substantially the form attached as Exhibit D (Consolidation Plat – Sale Property and Purchaser's Property);
- (iv) Coordinated Report Conditions (CR #7-2021):

(a) DOTE:

1. The Sale Property must include Parcel No. 651-0019-0181-90, designated as the State Highway Easement portion of the Property.
2. No Auditor's parcels shall be landlocked by this sale. If possible, potential landlocked parcels should be consolidated with parcels having legal street frontage.
3. The existing utilities must be granted easements or relocated at Purchaser's expense.
4. Abutting property owners must agree to the sale in writing.
5. A DOTE street opening permit, obtained by a DOTE licensed street contractor, is required for all private improvements in the public right-of-way. All improvements in the public right-of-way must be built to City standards, policies and guidelines. Application for permits may be made at Room 425, City Hall, 801 Plum Street. Please note that plan drawings (2 sets), to be reviewed by DOTE, must be attached to the permit application.
6. A covenant shall be placed on the property that no Off-Site Advertising is permitted to occur on the site.

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(b) MSDGC:

1. There are existing 12" and 36" sanitary sewers located within the Sale Property. A 20' wide minimum permanent sewer easement will be necessary for the existing 12" sanitary sewer and a 40' wide minimum permanent sewer will be necessary for the existing 36" sanitary sewer. The permanent sewer easements will be necessary for access, operations, and maintenance to the existing sewers and manholes. An additional 3' on either side of the permanent easements will be required, along with other MSDGC easement restrictions, as outlined per MSDGC Rules and Regulations Section 207. No structure which can interfere with the access to the public sewer or can exert loading upon a public sewer per MSDGC Rules and Regulations Section 206.
2. A MSDGC Request for Availability for Sewer Service (RASS) will be required for a future development or redevelopment project, if not already received by MSDGC.

(c) Duke Energy:

1. Duke Energy Gas requires an access easement to maintain its feeder line located outside the Property.
2. Duke Energy Electric requires an easement to access and maintain facilities located on the Property.

(d) Buildings & Inspections:

1. Purchaser must be the vested owner of record of Purchaser's Property prior to Closing and shall consolidate the Sale Property with the Purchaser's Property immediately upon transfer of the Sale Property from the City.

(B) Right to Terminate. If either party determines, after exercising reasonable good faith efforts, that any of the Conditions are not or cannot be satisfied within a reasonable period of time, such party shall have the right to terminate this Agreement by giving written notice thereof to the other party, whereupon this Agreement and all rights and obligations of the parties hereunder shall terminate. If all of the Conditions have not been satisfied to the satisfaction of both parties or waived in writing and for that reason the Closing has not occurred within **90 days** after the Effective Date, this Agreement and all rights and obligations of the parties hereunder shall automatically terminate.

(C) Closing Date. Provided the Conditions have been satisfied, the Closing shall take place **30 days** after the Effective Date, or on such earlier or later date as the parties may agree upon.

(D) Closing Costs and Closing Documents. At the Closing, (i) City shall confirm that Purchaser has paid the Purchase Price in full, and (ii) the City shall convey all of its right, title and interest in and to the Sale Property to Purchaser by *Quitclaim Deed* in the form of Exhibit C. Purchaser shall pay all Hamilton County, Ohio recording fees, transfer tax, and any and all other customary closing costs associated with the Closing. There shall be no proration of real estate taxes and assessments at Closing, and from and after the Closing, Purchaser shall pay all real estate taxes and assessments thereafter becoming due. At Closing, the parties shall execute a settlement statement and any and all other customary closing documents that are necessary for the Closing, in such forms as are approved by the City. The City shall not however be required to execute a title affidavit at Closing or other similar documents pertaining to

{00347282-6}

title, it being acknowledged by Purchaser that the City is selling the Property "as is." Pursuant to Section 301-20, Cincinnati Municipal Code, at Closing, Purchaser shall pay to the City any and all unpaid related and unrelated fines, penalties, judgments, water or other utility charges, and any and all other outstanding amounts owed by Purchaser to the City. The provisions of this Agreement shall survive the City's execution and delivery of the *Quitclaim Deed* and shall not be deemed to have been merged therein.

3. **Notices.** All notices given by the parties hereunder shall be deemed given if personally delivered, delivered by Federal Express, UPS or other recognized overnight courier, or mailed by U.S. regular or certified mail, addressed to the parties at their respective addresses set forth in the introductory paragraph of this Agreement. If Purchaser sends a notice to the City alleging that the City is in default under this Agreement, Purchaser shall simultaneously send a copy of such notice by U.S. certified mail to: City Solicitor, 801 Plum Street, Suite 214, Cincinnati, OH 45202. Notices shall be deemed given on the date of receipt.

4. **Representations, Warranties, and Covenants of Purchaser.** Purchaser makes the following representations, warranties and covenants to induce the City to enter into this Agreement:

(i) Purchaser is an Ohio limited liability company duly organized and validly existing under the laws of the State of Ohio, is authorized to transact business in the State of Ohio, has properly filed all certificates and reports required to be filed by it under the laws of the State of Ohio, and is not in violation of any laws relevant to the transactions contemplated by this Agreement.

(ii) Purchaser has full power and authority to execute and deliver this Agreement and to carry out the transactions provided for herein. This Agreement has by proper action been duly authorized, executed and delivered by Purchaser, and all actions necessary have been taken to constitute this Agreement, when executed and delivered, valid and binding obligations of Purchaser.

(iii) Purchaser's execution, delivery, and performance of this Agreement and the transaction contemplated hereby will not violate any applicable laws, or any writ or decree of any court or governmental instrumentality, or any mortgage, contract, agreement or other undertaking to which Purchaser is a party or which purports to be binding upon Purchaser or upon any of its assets, nor is Purchaser in violation or default of any of the foregoing.

(iv) There are no actions, suits, proceedings or governmental investigations pending, or to the knowledge of Purchaser, threatened against or affecting Purchaser, at law or in equity or before or by any governmental authority.

(v) Purchaser shall give prompt notice in writing to the City of the occurrence or existence of any litigation, labor dispute or governmental proceedings or investigation affecting Purchaser that could reasonably be expected to interfere substantially or materially and adversely affect its financial condition or its purchase of the Sale Property.

(vi) The statements made in the documentation provided by Purchaser to the City have been reviewed by Purchaser and do not contain any untrue statement of a material fact or omit to state any material fact necessary in order to make such statements, in light of the circumstances under which they were made, not misleading.

(vii) Neither Purchaser, nor any of its affiliates, owe any outstanding fines, penalties, judgments, water or other utility charges or other amounts to the City.

5. **General Provisions.**

(A) **Entire Agreement.** This Agreement (including the exhibits hereto) 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.

{00347282-6}

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

(C) Governing Law. This Agreement 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 Agreement shall be brought in the Hamilton County Court of Common Pleas, and Purchaser agrees that venue in such court is proper. Purchaser hereby waives trial by jury with respect to any and all disputes arising under this Agreement.

(D) Binding Effect. This Agreement shall be binding upon and shall inure to the benefit of and be enforceable by and against the parties and their respective successors and assigns. Purchaser shall not assign its rights or obligations under this Agreement without the prior written consent of the City, which may be withheld in the City's sole discretion, and any attempt to do so without the City's consent shall, at the City's option, render this Agreement null and void.

(E) Captions. The captions of the various sections and paragraphs of this Agreement 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 Agreement.

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

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

(H) Brokers. Purchaser represents to the City that Purchaser has not dealt with any real estate brokers and agents in connection with its purchase of the Sale Property.

(I) Official Capacity. All representations, warranties, covenants, agreements and obligations of the City under this Agreement 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 officer, agent, employee or attorney of the City in other than his or her official capacity.

(J) Conflict of Interest. No officer, employee, or agent of the City who exercises any functions or responsibilities in connection with the planning or carrying out of the property sale shall have any personal financial interest, direct or indirect, in the property sale, and Purchaser shall take appropriate steps to assure compliance.

(K) Administrative Actions. To the extent permitted by applicable laws, and unless otherwise expressly provided in this Agreement, all actions taken or to be taken by the City under this Agreement may be taken by administrative action and shall not require legislative action of the City beyond the legislative action authorizing the execution of this Agreement.

(L) Counterparts: E-Signature. This Agreement may be executed via electronic signature and in one or more counterparts, each of which shall be deemed an original and all of which taken together shall constitute but one and the same instrument.

6. Exhibits. The following exhibits are attached hereto and made a part hereof:

- Exhibit A – *Legal Description -the Sale Property*
- Exhibit B – *Site Survey*
- Exhibit C – *Form of Quit Claim Deed*

{00347282-6}

Exhibit D – Consolidation Plat - Sale Property and Purchaser's Property

Executed by the parties on the dates indicated below their respective signatures, effective as of the latest of such dates (the "Effective Date").

FACTORY 52, LLC,
an Ohio limited liability company

By: _____

Printed Name: _____

Title: _____

Date: _____, 2021

[City signatures on the following page]

CITY OF CINCINNATI

By: _____

Printed Name: _____

Title: _____

Date: _____, 2022

Recommended by:

John Brazina, Director
Department of Transportation and
Engineering

Approved as to Form:

Assistant City Solicitor

Certified Date: _____

Fund/Code: _____

Amount: _____

By: _____
Karen Alder, City Finance Director

EXHIBIT A
to Property Sale Agreement

Legal Description - the Sale Property

Auditor's Parcel No.: 651-0019-0130 (& 651-0019-0181-90 cons.)
Property Address: Duck Creek Road, Norwood, Ohio 45212

Situated in Section 28, Town 4, Fractional Range 4, BTM, Columbia Township, Norwood, Hamilton County, Ohio and being all of the remaining property conveyed to City of Cincinnati, by deed recorded in Deed Book 1319, page 193 in the Hamilton County Recorder's Office in Cincinnati, Ohio and is more particularly described as follows:

Unless otherwise stated, any monument referred to herein as a set iron pin is a 5/8 inch diameter rebar, thirty inches in length with a plastic cap stamped "HARTIG PS-8765". All bearings referred to herein are based upon the Ohio State Plane Coordinate System, South Zone, NAD83 (2011).

BEGINNING, at an iron pin (set) at the intersection of the westerly right-of-way line of Old Duck Creek Road and the southerly right-of-way line of the Baltimore & Ohio Railroad;

THENCE, with the westerly right-of-way line of Old Duck Creek Road S18°10'52"E 90.01 feet to an iron pin (set) at the common corner of City of Cincinnati (Deed Book 1319, page 193) and State of Ohio (Deed Book 3719, Page 65);

THENCE, with the common line of City of Cincinnati and State of Ohio, being the westerly right-of-way line of Interstate 71, S27°39'48"W 127.72 feet to an existing 5/8" iron pin and cap (PS 8352) at the common corner of Playing Card Partners, LLC (Official Record Book 14047, page 2372), State of Ohio and City of Cincinnati;

THENCE, leaving said right-of-way line and with the common line of Playing Card Partners, LLC and City of Cincinnati N36°44'35"W 62.16 feet to an existing 5/8" iron pin and cap (HARTIG PS 8765);

THENCE, N06°49'49"W 129.30 feet to an existing 5/8" iron pin and cap (PS 8352);

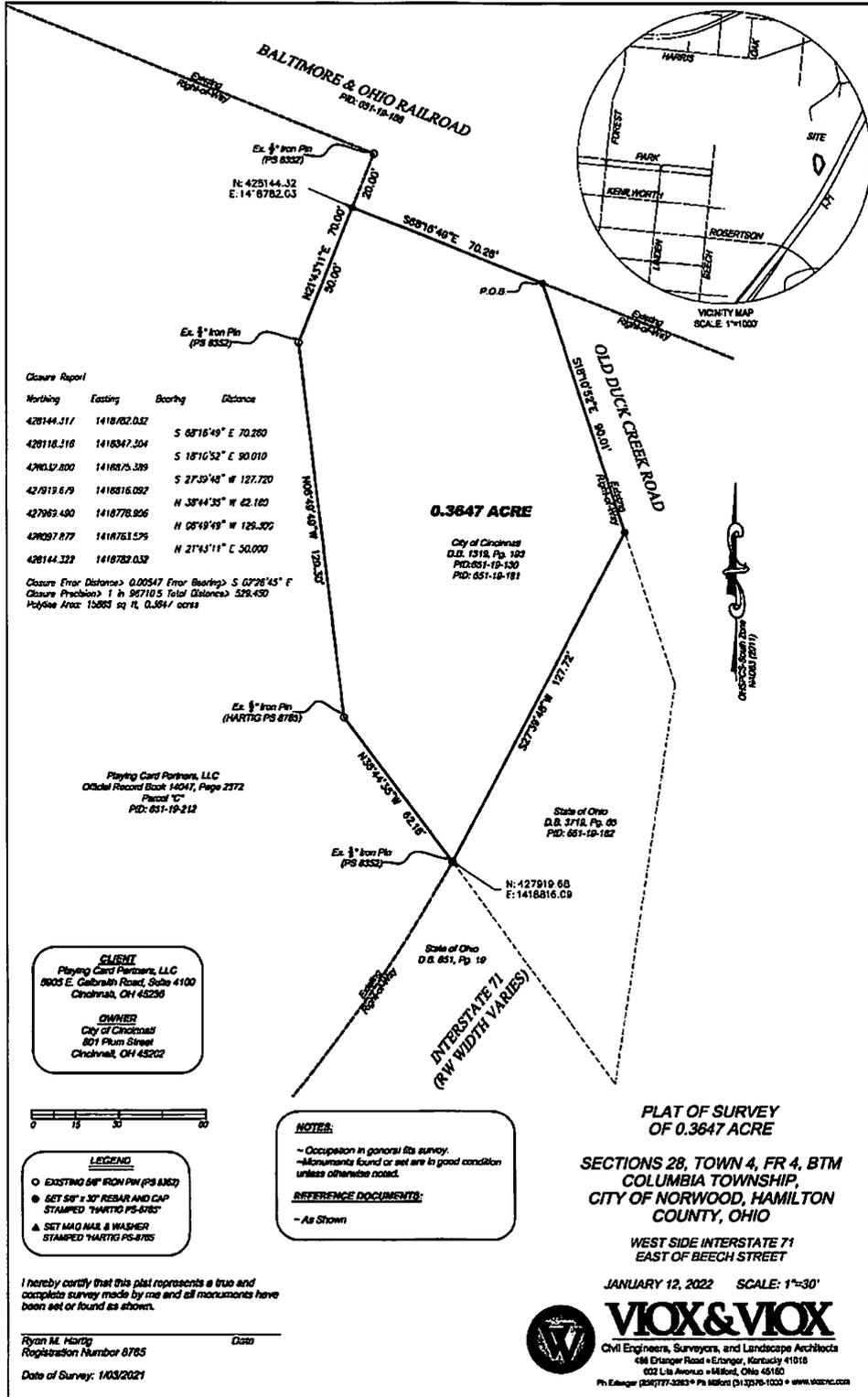
THENCE, N21°43'11"E 50.00 feet to an iron pin (set) in the southerly right-of-way line of Baltimore & Ohio Railroad;

THENCE, with said southerly right-of-way line S68°16'49"E 70.26 feet to the **POINT OF BEGINNING CONTAINING 0.3647 ACRES** and being subject to all easements and right-of-ways of record;

This description was prepared from a new survey made by Ryan M. Hartig, PS 8765, for Viox & Viox, Inc., January 3, 2022.

{00347282-6}

EXHIBIT B
to Property Sale Agreement
Site Survey



{00347282-6}

EXHIBIT C
to Property Sale Agreement
Form of Quitclaim Deed

[SEE ATTACHED]

QUITCLAIM DEED

The **CITY OF CINCINNATI**, an Ohio municipal corporation (the "**City**"), for valuable consideration paid, hereby grants and conveys to **FACTORY 52, LLC**, an Ohio limited liability company, whose tax mailing address is 5905 E. Galbraith Road, Suite 4100 45236, ("**Grantee**"), all of the City's right, title and interest in and to the real property depicted on Exhibit A (*Survey Plat*) and described on Exhibit B (*Legal Description*) hereto (the "**Property**").

Property Address: Duck Creek Rd., Norwood OH 45212
Auditor's Parcel ID No.: 651-0019-0130-00 (& 651-0019-0181-90 cons)
Prior instrument reference: D.B. 1319, Pg. 193, Hamilton County, Ohio Records.

(A) Creation of Utility Easements:

1. Metropolitan Sewer District of Greater Cincinnati ("MSDGC"). The City hereby reserves and creates a 20' wide permanent sanitary sewer easement and a 40' wide permanent sanitary sewer easement as set forth on the plat attached as Exhibit C (*Sanitary Sewer Easement Plat*), together with the restrictions set forth thereon, for the purpose of maintaining, operating, renewing, reconstructing, and removing said utility facilities and for purposes of access to said facilities. Upon the written request of MSDGC, Grantee shall separately execute the *Sanitary Sewer Easement Plat*, which, when executed and recorded, will supersede the utility easements created by this paragraph.

2. Duke Energy Ohio. The City hereby reserves and creates permanent, non-exclusive utility easements in favor of Duke Energy Ohio ("Duke") for the maintenance and repair of Duke's (a) existing gas feeder line located near the Property and (b) existing electric facilities at the northern border of the Property. Grantee shall not block Duke's access to the facilities, construct or install improvements or plant trees in the vicinity of Duke's facilities that would reduce Duke's required clearances, or do anything else that would interfere with Duke's continuous access, maintenance and repair of its facilities or that might damage Duke's utility facilities or create a hazard to such facilities. Duke shall have the right to remove any obstructions caused by Grantee, at Grantee's expense. Upon the written request of Duke, Grantee shall execute a separate grant of easement instrument using Duke's standard form, which, when executed and recorded, will supersede the utility easement created by this paragraph.

(B) Covenants and Restrictions:

1. Immediately after the transfer of the Property on the records of Hamilton County, Grantee shall consolidate the Property with Grantee's adjacent property designated as Hamilton County Auditor Parcel No. 651-0019-0212 by filing a consolidation plat approved by Grantor.

2. Grantee shall not construct or permit to be placed upon any portion of the Property any form of Off-Site Advertising.

Covenants to "Run with the Land". All of the easements, covenants and restrictions in paragraphs (A) and (B) above shall "run with the land" and be binding upon Grantee and its successors-in-interest with respect to the Property.

This conveyance was authorized by Ordinance No. __-2022, passed by Cincinnati City Council on _____, 2022.

[SIGNATURE PAGE FOLLOWS]

Executed on _____, 2022.

CITY OF CINCINNATI

By: _____

Printed Name: _____

Title: _____

STATE OF OHIO)
) SS:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this ____ day of _____, 2022 by _____, the _____ of the City of Cincinnati, an Ohio municipal corporation, on behalf of the municipal corporation. The notarial act certified hereby is an acknowledgment. No oath or affirmation was administered to the signer with regard to the notarial act certified to hereby.

Notary Public:
My commission expires: _____

Approved by:

John Brazina, Director
Department of Transportation and
Engineering

Approved as to Form:

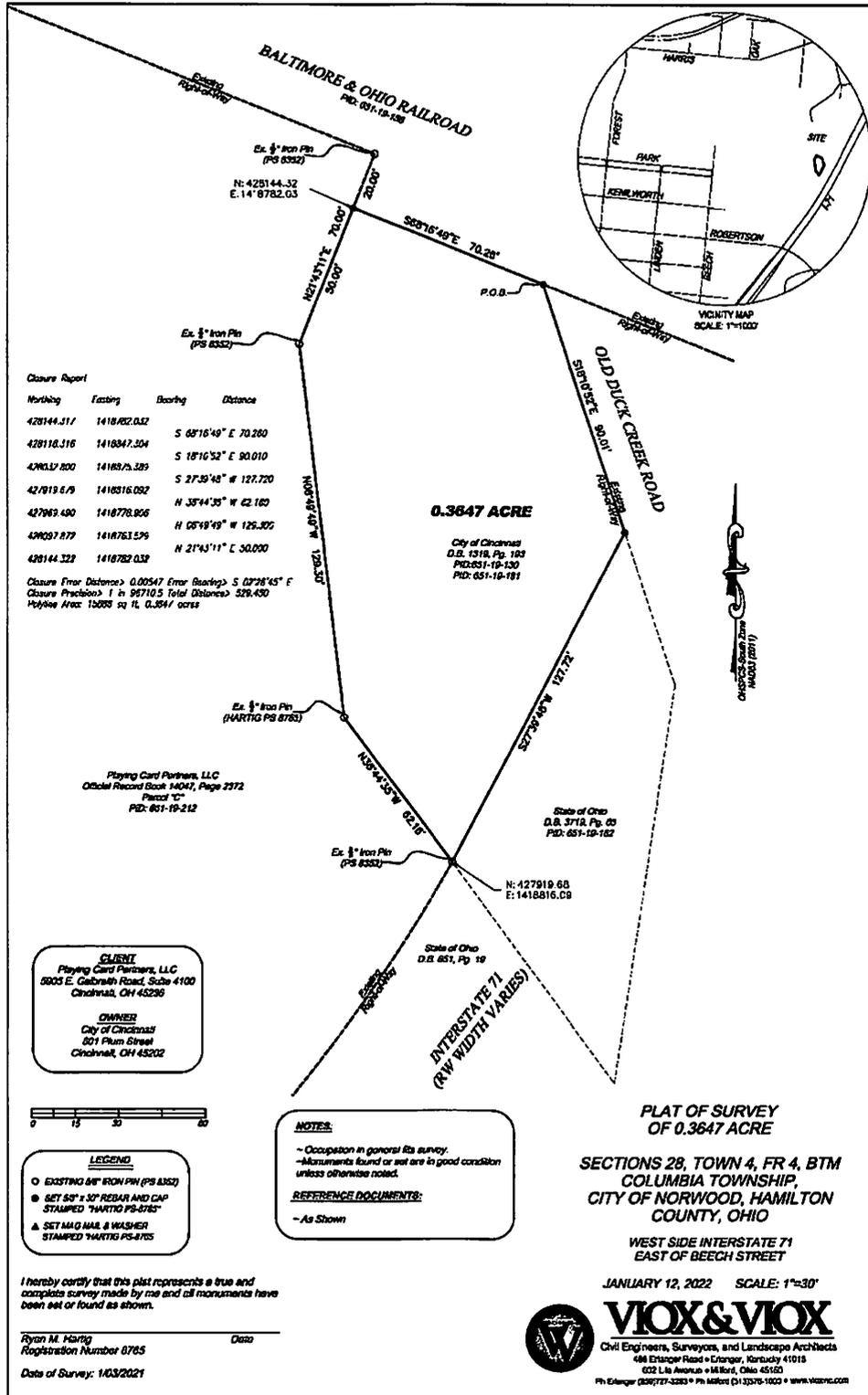
Assistant City Solicitor

This instrument prepared by:

City of Cincinnati Law Department,
801 Plum Street, Suite 214,
Cincinnati, Ohio 45202

{00347282-6}

EXHIBIT A
to Quitclaim Deed
Survey Plat



{00347282-6}

EXHIBIT B
to Quitclaim Deed
Legal Description

Situated in Section 28, Town 4, Fractional Range 4, BTM, Columbia Township, Norwood, Hamilton County, Ohio and being all of the remaining property conveyed to City of Cincinnati, by deed recorded in Deed Book 1319, page 193 in the Hamilton County Recorder's Office in Cincinnati, Ohio and is more particularly described as follows:

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THENCE, with the westerly right-of-way line of Old Duck Creek Road S18°10'52"E 90.01 feet to an iron pin (set) at the common corner of City of Cincinnati (Deed Book 1319, page 193) and State of Ohio (Deed Book 3719, Page 65);

THENCE, with the common line of City of Cincinnati and State of Ohio, being the westerly right-of-way line of Interstate 71, S27°39'48"W 127.72 feet to an existing 5/8" iron pin and cap (PS 8352) at the common corner of Playing Card Partners, LLC (Official Record Book 14047, page 2372), State of Ohio and City of Cincinnati;

THENCE, leaving said right-of-way line and with the common line of Playing Card Partners, LLC and City of Cincinnati N36°44'35"W 62.16 feet to an existing 5/8" iron pin and cap (HARTIG PS 8765);

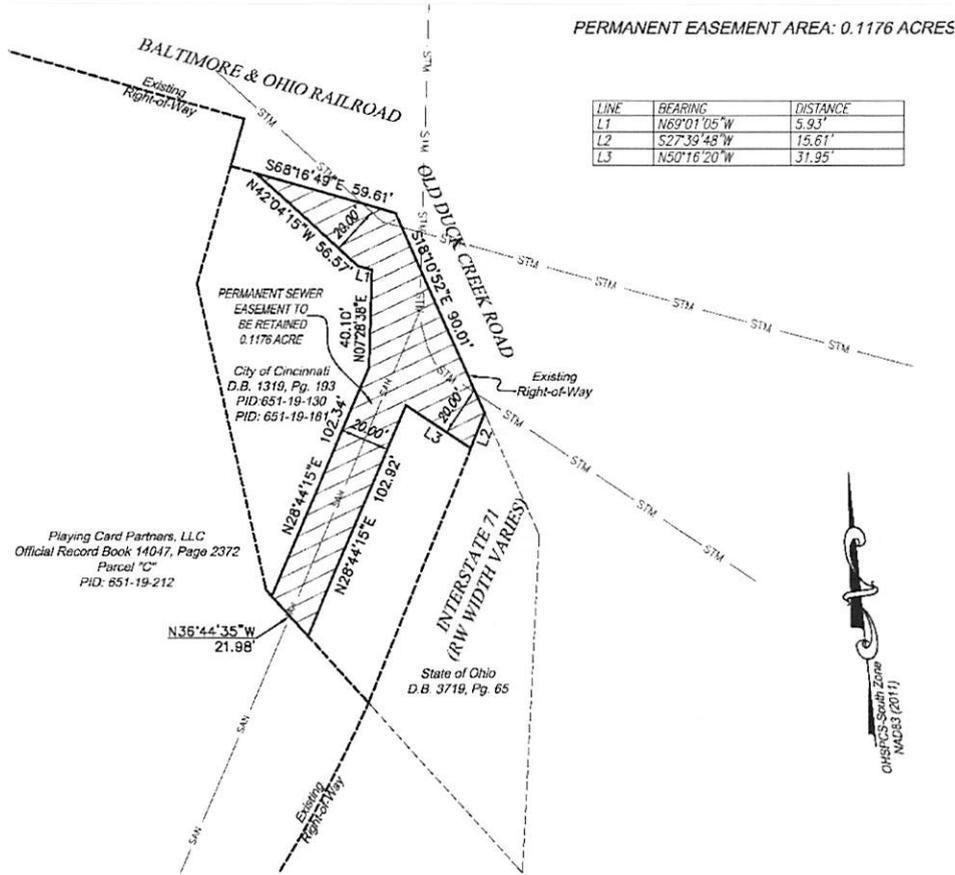
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THENCE, N21°43'11"E 50.00 feet to an iron pin (set) in the southerly right-of-way line of Baltimore & Ohio Railroad;

THENCE, with said southerly right-of-way line S68°16'49"E 70.26 feet to the **POINT OF BEGINNING CONTAINING 0.3647 ACRES** and being subject to all easements and right-of-ways of record;

This description was prepared from a new survey made by Ryan M. Hartig, PS 8765, for Viox & Viox, Inc., January 3, 2022.

EXHIBIT C
to Quitclaim Deed
Sanitary Sewer Easement Plat

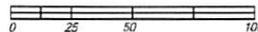


**SEWER EASEMENTS TO BE RETAINED
BY CITY OF CINCINNATI**

SECTION 28, TOWN 4, FR 4, BTM
COLUMBIA TOWNSHIP,
CITY OF NORWOOD, HAMILTON
COUNTY, OHIO

WEST SIDE INTERSTATE 71
EAST OF BEECH STREET

FEBRUARY 15, 2022 SCALE: 1"=50'



VIOX & VIOX

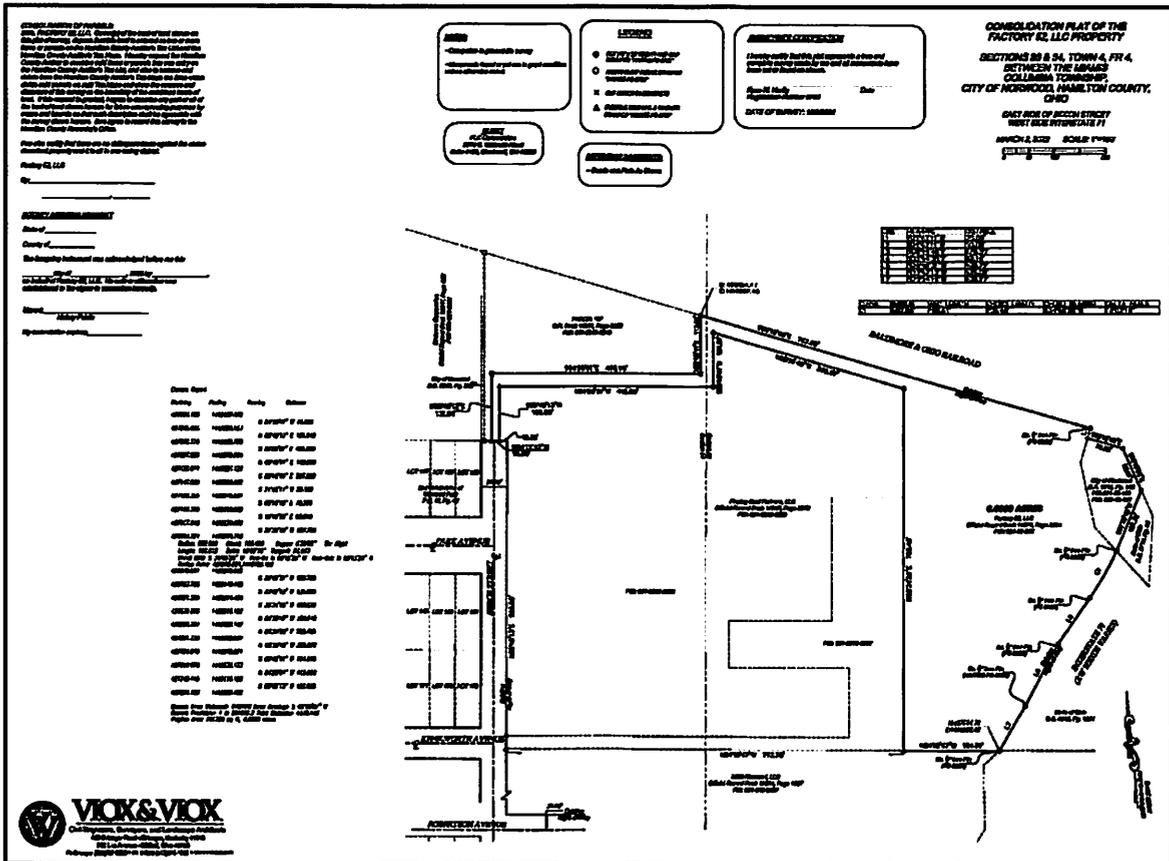
Civil Engineers, Surveyors, and Landscape Architects
466 Erlanger Road • Erlanger, Kentucky 41018
602 Lila Avenue • Milford, Ohio 45150

Ph Erlanger (859)727-3293 • Ph Milford (513)576-1000 • www.vioxinc.com

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EXHIBIT D
to Property Sale Agreement

Consolidation Plat - Sale Property and Purchaser's Property



Contract No. _____

Property: Duck Creek Road Parcels

PROPERTY SALE AGREEMENT

This Property Sale Agreement (this "**Agreement**") is made and entered into on the Effective Date (as defined on the signature page hereof) by and between the **CITY OF CINCINNATI**, an Ohio municipal corporation, the address of which for purposes of this Agreement is 801 Plum Street, Cincinnati, OH 45202 (the "**City**") and **FACTORY 52, LLC**, an Ohio limited liability company, whose tax mailing address is 5905 E. Galbraith Road, Suite 4100 45236 ("**Purchaser**").

Recitals:

A. The City owns a vacant tract of land located on Duck Creek Road near I-71 and abutting the northeast corner of the former U.S. Playing Card site in the City of Norwood, Ohio, known as Hamilton County Auditor's Parcel No. 651-0019-0130-00 (which is subject to and includes State Highway Easement Parcel No. 651-0019-0181-90, consolidated for tax purposes), as more particularly described on Exhibit A (Legal Description- the Sale Property) hereto (the "**Sale Property**"), which Property is under the management of the City's Department of Transportation and Engineering ("**DOT**").

B. Purchaser now owns or is under contract to acquire the abutting former U.S. Playing Card factory site, as depicted on Exhibit B (Site Survey) hereto ("**Purchaser's Property**"), which Purchaser is redeveloping into a mixed-use development.

C. Purchaser desires to purchase the Sale Property from the City, as depicted on Exhibit B, for site control and visibility purposes.

D. The City has determined that the Sale Property is not needed for any transportation or other municipal purpose.

E. The City's Real Estate Services Division has determined, by a professional appraisal, that the fair market value of the Sale Property is \$13,750.00, which has been deposited with the City Treasurer.

F. The City has determined that eliminating competitive bidding in connection with the City's sale of the Sale Property is justified because Purchaser's Property abuts the Sale Property, and as a practical matter no one other than an abutting property owner would have any use for it.

G. City Planning Commission, having the authority to approve the change in the use of City-owned property, approved the sale of the Sale Property to Purchaser at its meeting on June 4, 2021.

H. Execution of this Agreement was authorized by Cincinnati City Council by Ordinance No. []-2022, passed on [], 2022.

NOW, THEREFORE, the parties agree as follows:

1. **Purchase Price.** Subject to the terms and conditions set forth herein, the City hereby agrees to sell the Sale Property to Purchaser, and Purchaser hereby agrees to purchase the Sale Property from the City for \$13,750.00 (the "**Purchase Price**"). Purchaser acknowledges that it is familiar with the condition of the Sale Property and, at Closing (as defined below), the City shall convey the Sale Property to Purchaser in "as is" condition. The City makes no representations or warranties to Purchaser with respect to the condition of the Sale Property and, from and after the Closing, the City shall have no liability of any kind to Purchaser for any defects, adverse environmental condition, or any other matters affecting the Sale Property.

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2. Closing.

(A) Conditions. The closing on the City's sale of the Sale Property to Purchaser (the "**Closing**") shall not occur unless and until the following conditions have been satisfied (the "**Conditions**"); *provided however*, that if the City, in its sole discretion, determines that one or more of the Conditions would be more appropriately handled at Closing or post-Closing, the City may, if appropriate, include such Conditions in the City's Quitclaim Deed to Purchaser or handle such Conditions post-Closing. Purchaser shall perform all work and investigations and shall obtain and prepare all necessary documents pertaining to the satisfaction of the Conditions, at no cost to the City.

- (i) Title & Survey: Purchaser's approval of title to the Sale Property and, if obtained by Purchaser, an ALTA property survey of the Sale Property;
- (ii) Inspections, Utilities & Zoning/Building Code Requirements: Purchaser's approval of inspections of the Sale Property, including without limitation environmental assessments and soil assessments, all matters pertaining to utility service for the Sale Property, and all zoning and building code requirements that are applicable to the Sale Property;
- (iii) Plats, Legal Descriptions and Deed: Purchaser shall have provided the City with all plats and legal descriptions as required by DOTE, the City Planning Department, and the Hamilton County Auditor and Recorder in connection with the City's sale of the Sale Property, including, but not limited to: [x] an acceptable deed of record evidencing Purchaser as the vested legal owner as to Purchaser's Property; [y] an acceptable survey plat and legal description with closure of the Sale Property to accompany the transfer and recording of the Quitclaim Deed in substantially the form attached as Exhibit C – (Form of Quitclaim Deed – Sale Property); and [z] an acceptable survey plat and legal description with closure to consolidate the Sale Property with Purchaser's Property immediately after recording of the Quitclaim Deed – Sale Property in substantially the form attached as Exhibit D (Consolidation Plat – Sale Property and Purchaser's Property);
- (iv) Coordinated Report Conditions (CR #7-2021):
 - (a) DOTÉ:
 1. The Sale Property must include Parcel No. 651-0019-0181-90, designated as the State Highway Easement portion of the Property.
 2. No Auditor's parcels shall be landlocked by this sale. If possible, potential landlocked parcels should be consolidated with parcels having legal street frontage.
 3. The existing utilities must be granted easements or relocated at Purchaser's expense.
 4. Abutting property owners must agree to the sale in writing.
 5. A DOTE street opening permit, obtained by a DOTE licensed street contractor, is required for all private improvements in the public right-of-way. All improvements in the public right-of-way must be built to City standards, policies and guidelines. Application for permits may be made at Room 425, City Hall, 801 Plum Street. Please note that plan drawings (2 sets), to be reviewed by DOTE, must be attached to the permit application.
 6. A covenant shall be placed on the property that no Off-Site Advertising is permitted to occur on the site.

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(b) MSDGC:

1. There are existing 12" and 36" sanitary sewers located within the Sale Property. A 20' wide minimum permanent sewer easement will be necessary for the existing 12" sanitary sewer and a 40' wide minimum permanent sewer will be necessary for the existing 36" sanitary sewer. The permanent sewer easements will be necessary for access, operations, and maintenance to the existing sewers and manholes. An additional 3' on either side of the permanent easements will be required, along with other MSDGC easement restrictions, as outlined per MSDGC Rules and Regulations Section 207. No structure which can interfere with the access to the public sewer or can exert loading upon a public sewer per MSDGC Rules and Regulations Section 206.
2. A MSDGC Request for Availability for Sewer Service (RASS) will be required for a future development or redevelopment project, if not already received by MSDGC.

(c) Duke Energy:

1. Duke Energy Gas requires an access easement to maintain its feeder line located outside the Property.
2. Duke Energy Electric requires an easement to access and maintain facilities located on the Property.

(d) Buildings & Inspections:

1. Purchaser must be the vested owner of record of Purchaser's Property prior to Closing and shall consolidate the Sale Property with the Purchaser's Property immediately upon transfer of the Sale Property from the City.

(B) Right to Terminate. If either party determines, after exercising reasonable good faith efforts, that any of the Conditions are not or cannot be satisfied within a reasonable period of time, such party shall have the right to terminate this Agreement by giving written notice thereof to the other party, whereupon this Agreement and all rights and obligations of the parties hereunder shall terminate. If all of the Conditions have not been satisfied to the satisfaction of both parties or waived in writing and for that reason the Closing has not occurred within **90 days** after the Effective Date, this Agreement and all rights and obligations of the parties hereunder shall automatically terminate.

(C) Closing Date. Provided the Conditions have been satisfied, the Closing shall take place **30 days** after the Effective Date, or on such earlier or later date as the parties may agree upon.

(D) Closing Costs and Closing Documents. At the Closing, (i) City shall confirm that Purchaser has paid the Purchase Price in full, and (ii) the City shall convey all of its right, title and interest in and to the Sale Property to Purchaser by *Quitclaim Deed* in the form of Exhibit C. Purchaser shall pay all Hamilton County, Ohio recording fees, transfer tax, and any and all other customary closing costs associated with the Closing. There shall be no proration of real estate taxes and assessments at Closing, and from and after the Closing, Purchaser shall pay all real estate taxes and assessments thereafter becoming due. At Closing, the parties shall execute a settlement statement and any and all other customary closing documents that are necessary for the Closing, in such forms as are approved by the City. The City shall not however be required to execute a title affidavit at Closing or other similar documents pertaining to

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title, it being acknowledged by Purchaser that the City is selling the Property "as is." Pursuant to Section 301-20, Cincinnati Municipal Code, at Closing, Purchaser shall pay to the City any and all unpaid related and unrelated fines, penalties, judgments, water or other utility charges, and any and all other outstanding amounts owed by Purchaser to the City. The provisions of this Agreement shall survive the City's execution and delivery of the *Quitclaim Deed* and shall not be deemed to have been merged therein.

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(i) Purchaser is an Ohio limited liability company duly organized and validly existing under the laws of the State of Ohio, is authorized to transact business in the State of Ohio, has properly filed all certificates and reports required to be filed by it under the laws of the State of Ohio, and is not in violation of any laws relevant to the transactions contemplated by this Agreement.

(ii) Purchaser has full power and authority to execute and deliver this Agreement and to carry out the transactions provided for herein. This Agreement has by proper action been duly authorized, executed and delivered by Purchaser, and all actions necessary have been taken to constitute this Agreement, when executed and delivered, valid and binding obligations of Purchaser.

(iii) Purchaser's execution, delivery, and performance of this Agreement and the transaction contemplated hereby will not violate any applicable laws, or any writ or decree of any court or governmental instrumentality, or any mortgage, contract, agreement or other undertaking to which Purchaser is a party or which purports to be binding upon Purchaser or upon any of its assets, nor is Purchaser in violation or default of any of the foregoing.

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(v) Purchaser shall give prompt notice in writing to the City of the occurrence or existence of any litigation, labor dispute or governmental proceedings or investigation affecting Purchaser that could reasonably be expected to interfere substantially or materially and adversely affect its financial condition or its purchase of the Sale Property.

(vi) The statements made in the documentation provided by Purchaser to the City have been reviewed by Purchaser and do not contain any untrue statement of a material fact or omit to state any material fact necessary in order to make such statements, in light of the circumstances under which they were made, not misleading.

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(A) Entire Agreement. This Agreement (including the exhibits hereto) 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.

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

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

(H) Brokers. Purchaser represents to the City that Purchaser has not dealt with any real estate brokers and agents in connection with its purchase of the Sale Property.

(I) Official Capacity. All representations, warranties, covenants, agreements and obligations of the City under this Agreement 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 officer, agent, employee or attorney of the City in other than his or her official capacity.

(J) Conflict of Interest. No officer, employee, or agent of the City who exercises any functions or responsibilities in connection with the planning or carrying out of the property sale shall have any personal financial interest, direct or indirect, in the property sale, and Purchaser shall take appropriate steps to assure compliance.

(K) Administrative Actions. To the extent permitted by applicable laws, and unless otherwise expressly provided in this Agreement, all actions taken or to be taken by the City under this Agreement may be taken by administrative action and shall not require legislative action of the City beyond the legislative action authorizing the execution of this Agreement.

(L) Counterparts; E-Signature. This Agreement may be executed via electronic signature and in one or more counterparts, each of which shall be deemed an original and all of which taken together shall constitute but one and the same instrument.

6. Exhibits. The following exhibits are attached hereto and made a part hereof:

- Exhibit A – *Legal Description -the Sale Property*
- Exhibit B – *Site Survey*
- Exhibit C – *Form of Quit Claim Deed*

{00347282-6}

Exhibit D – Consolidation Plat - Sale Property and Purchaser's Property

Executed by the parties on the dates indicated below their respective signatures, effective as of the latest of such dates (the "**Effective Date**").

FACTORY 52, LLC,
an Ohio limited liability company

By: _____

Printed Name: _____

Title: _____

Date: _____, 2021

[City signatures on the following page]

CITY OF CINCINNATI

By: _____

Printed Name: _____

Title: _____

Date: _____, 2022

Recommended by:

John Brazina, Director
Department of Transportation and
Engineering

Approved as to Form:

Assistant City Solicitor

Certified Date: _____

Fund/Code: _____

Amount: _____

By: _____
Karen Alder, City Finance Director

EXHIBIT A
to Property Sale Agreement

Legal Description - the Sale Property

Auditor's Parcel No.: 651-0019-0130 (& 651-0019-0181-90 cons.)
Property Address: Duck Creek Road, Norwood, Ohio 45212

Situated in Section 28, Town 4, Fractional Range 4, BTM, Columbia Township, Norwood, Hamilton County, Ohio and being all of the remaining property conveyed to City of Cincinnati, by deed recorded in Deed Book 1319, page 193 in the Hamilton County Recorder's Office in Cincinnati, Ohio and is more particularly described as follows:

Unless otherwise stated, any monument referred to herein as a set iron pin is a 5/8 inch diameter rebar, thirty inches in length with a plastic cap stamped "HARTIG PS-8765". All bearings referred to herein are based upon the Ohio State Plane Coordinate System, South Zone, NAD83 (2011).

BEGINNING, at an iron pin (set) at the intersection of the westerly right-of-way line of Old Duck Creek Road and the southerly right-of-way line of the Baltimore & Ohio Railroad;

THENCE, with the westerly right-of-way line of Old Duck Creek Road S18°10'52"E 90.01 feet to an iron pin (set) at the common corner of City of Cincinnati (Deed Book 1319, page 193) and State of Ohio (Deed Book 3719, Page 65);

THENCE, with the common line of City of Cincinnati and State of Ohio, being the westerly right-of-way line of Interstate 71, S27°39'48"W 127.72 feet to an existing 5/8" iron pin and cap (PS 8352) at the common corner of Playing Card Partners, LLC (Official Record Book 14047, page 2372), State of Ohio and City of Cincinnati;

THENCE, leaving said right-of-way line and with the common line of Playing Card Partners, LLC and City of Cincinnati N36°44'35"W 62.16 feet to an existing 5/8" iron pin and cap (HARTIG PS 8765);

THENCE, N06°49'49"W 129.30 feet to an existing 5/8" iron pin and cap (PS 8352);

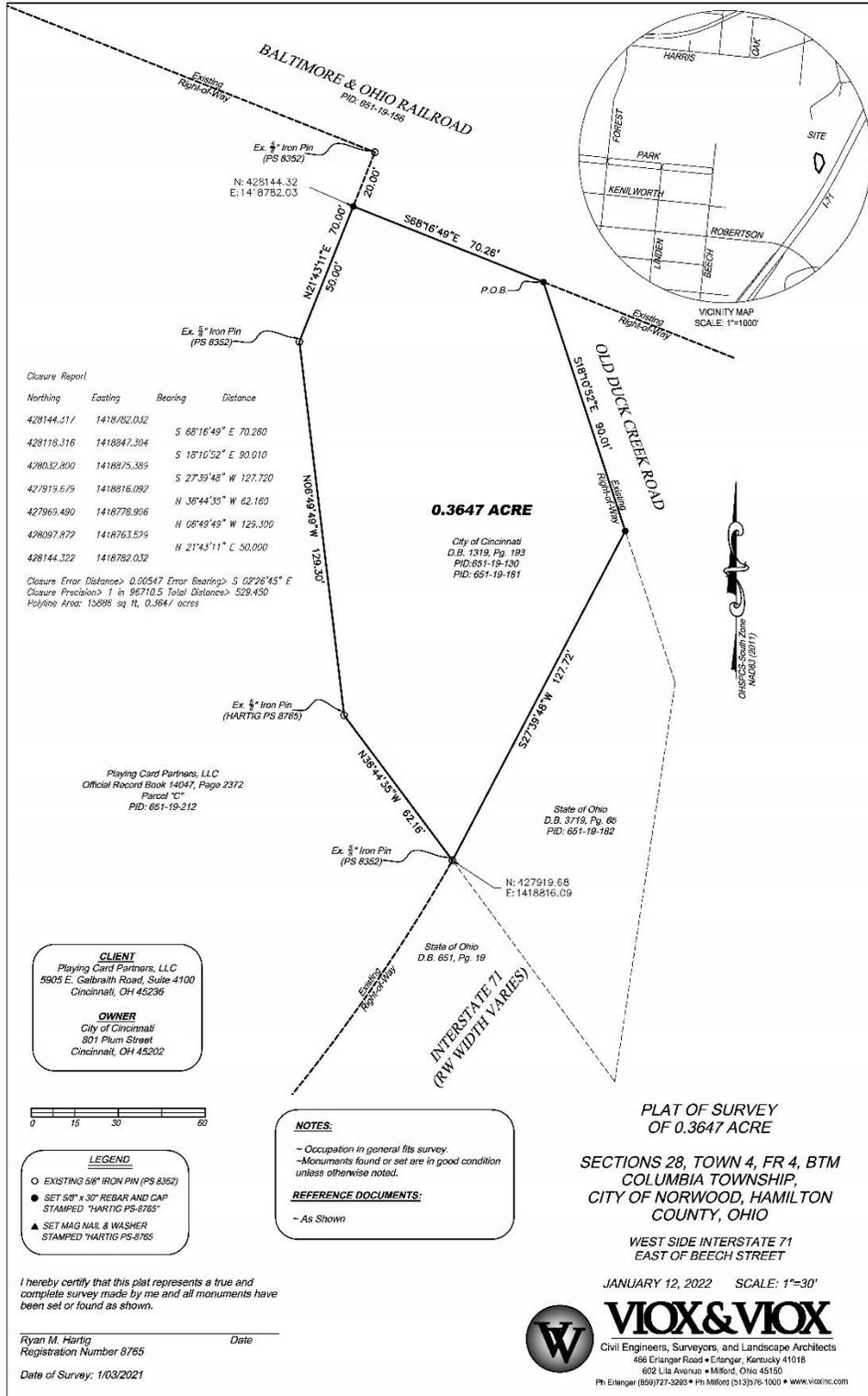
THENCE, N21°43'11"E 50.00 feet to an iron pin (set) in the southerly right-of-way line of Baltimore & Ohio Railroad;

THENCE, with said southerly right-of-way line S68°16'49"E 70.26 feet to the **POINT OF BEGINNING CONTAINING 0.3647 ACRES** and being subject to all easements and right-of-ways of record;

This description was prepared from a new survey made by Ryan M. Hartig, PS 8765, for Viox & Viox, Inc., January 3, 2022.

{00347282-6}

EXHIBIT B
to Property Sale Agreement
Site Survey



{00347282-6}

EXHIBIT C
to Property Sale Agreement
Form of Quitclaim Deed

[SEE ATTACHED]

QUITCLAIM DEED

The **CITY OF CINCINNATI**, an Ohio municipal corporation (the “**City**”), for valuable consideration paid, hereby grants and conveys to **FACTORY 52, LLC**, an Ohio limited liability company, whose tax mailing address is 5905 E. Galbraith Road, Suite 4100 45236, (“**Grantee**”), all of the City’s right, title and interest in and to the real property depicted on Exhibit A (Survey Plat) and described on Exhibit B (Legal Description) hereto (the “**Property**”).

Property Address: Duck Creek Rd., Norwood OH 45212
Auditor’s Parcel ID No.: 651-0019-0130-00 (& 651-0019-0181-90 cons)
Prior instrument reference: D.B. 1319, Pg. 193, Hamilton County, Ohio Records.

(A) Creation of Utility Easements:

1. Metropolitan Sewer District of Greater Cincinnati (“MSDGC”). The City hereby reserves and creates a 20’ wide permanent sanitary sewer easement and a 40’ wide permanent sanitary sewer easement as set forth on the plat attached as Exhibit C (Sanitary Sewer Easement Plat), together with the restrictions set forth thereon, for the purpose of maintaining, operating, renewing, reconstructing, and removing said utility facilities and for purposes of access to said facilities. Upon the written request of MSDGC, Grantee shall separately execute the Sanitary Sewer Easement Plat, which, when executed and recorded, will supersede the utility easements created by this paragraph.

2. Duke Energy Ohio. The City hereby reserves and creates permanent, non-exclusive utility easements in favor of Duke Energy Ohio (“Duke”) for the maintenance and repair of Duke’s (a) existing gas feeder line located near the Property and (b) existing electric facilities at the northern border of the Property. Grantee shall not block Duke’s access to the facilities, construct or install improvements or plant trees in the vicinity of Duke’s facilities that would reduce Duke’s required clearances, or do anything else that would interfere with Duke’s continuous access, maintenance and repair of its facilities or that might damage Duke’s utility facilities or create a hazard to such facilities. Duke shall have the right to remove any obstructions caused by Grantee, at Grantee’s expense. Upon the written request of Duke, Grantee shall execute a separate grant of easement instrument using Duke’s standard form, which, when executed and recorded, will supersede the utility easement created by this paragraph.

{00347282-6}

(B) Covenants and Restrictions:

1. Immediately after the transfer of the Property on the records of Hamilton County, Grantee shall consolidate the Property with Grantee's adjacent property designated as Hamilton County Auditor Parcel No. 651-0019-0212 by filing a consolidation plat approved by Grantor.

2. Grantee shall not construct or permit to be placed upon any portion of the Property any form of Off-Site Advertising.

Covenants to "Run with the Land". All of the easements, covenants and restrictions in paragraphs (A) and (B) above shall "run with the land" and be binding upon Grantee and its successors-in-interest with respect to the Property.

This conveyance was authorized by Ordinance No. __-2022, passed by Cincinnati City Council on _____, 2022.

[SIGNATURE PAGE FOLLOWS]

Executed on _____, 2022.

CITY OF CINCINNATI

By: _____

Printed Name: _____

Title: _____

STATE OF OHIO)
) SS:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this ___ day of _____, 2022 by _____, the _____ of the City of Cincinnati, an Ohio municipal corporation, on behalf of the municipal corporation. The notarial act certified hereby is an acknowledgment. No oath or affirmation was administered to the signer with regard to the notarial act certified to hereby.

Notary Public:
My commission expires: _____

Approved by:

John Brazina, Director
Department of Transportation and
Engineering

Approved as to Form:

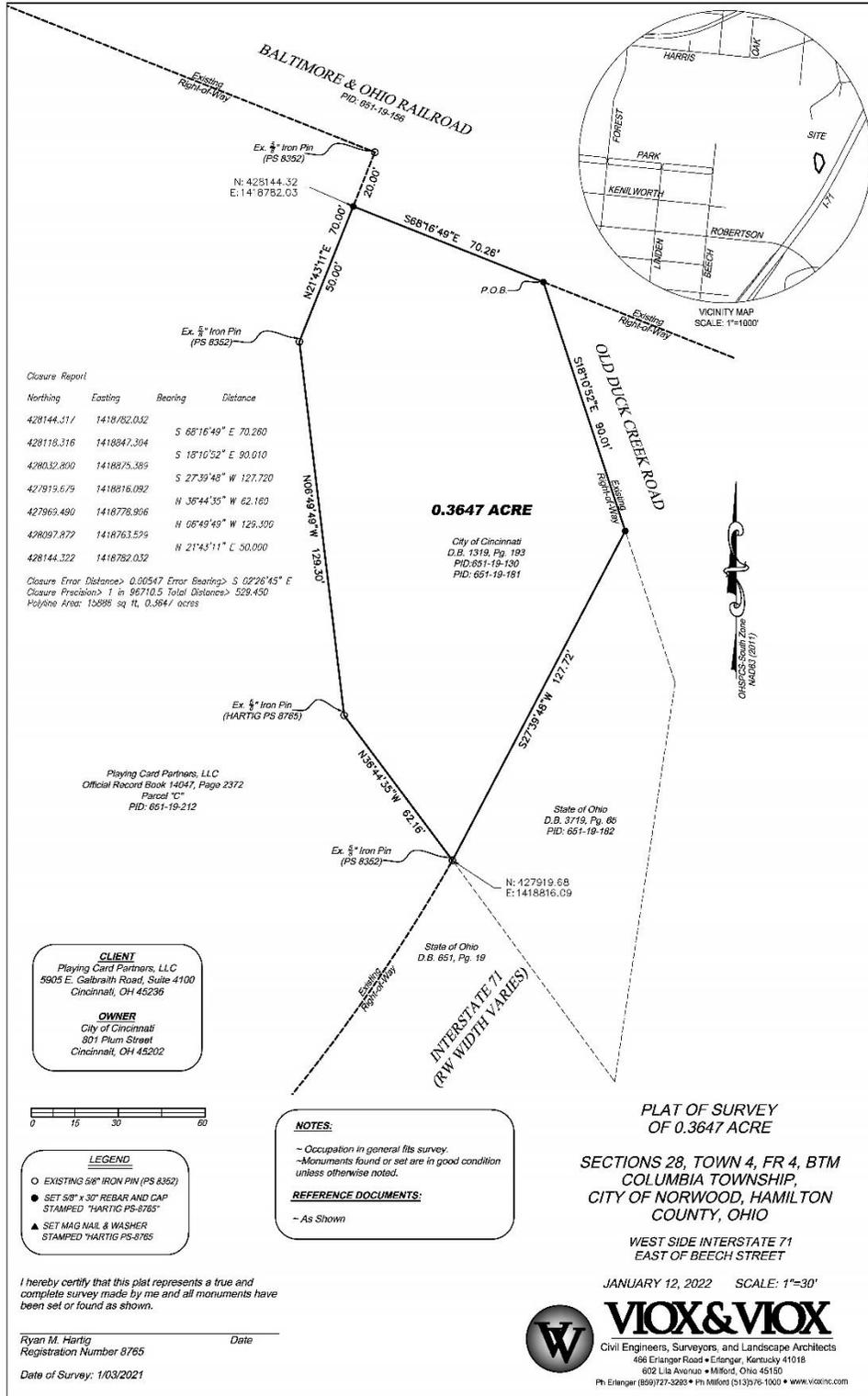
Assistant City Solicitor

This instrument prepared by:

City of Cincinnati Law Department,
801 Plum Street, Suite 214,
Cincinnati, Ohio 45202

{00347282-6}

EXHIBIT A
to Quitclaim Deed
Survey Plat



{00347282-6}

EXHIBIT B
to Quitclaim Deed
Legal Description

Situated in Section 28, Town 4, Fractional Range 4, BTM, Columbia Township, Norwood, Hamilton County, Ohio and being all of the remaining property conveyed to City of Cincinnati, by deed recorded in Deed Book 1319, page 193 in the Hamilton County Recorder's Office in Cincinnati, Ohio and is more particularly described as follows:

Unless otherwise stated, any monument referred to herein as a set iron pin is a 5/8 inch diameter rebar, thirty inches in length with a plastic cap stamped "HARTIG PS-8765". All bearings referred to herein are based upon the Ohio State Plane Coordinate System, South Zone, NAD83 (2011).

BEGINNING, at an iron pin (set) at the intersection of the westerly right-of-way line of Old Duck Creek Road and the southerly right-of-way line of the Baltimore & Ohio Railroad;

THENCE, with the westerly right-of-way line of Old Duck Creek Road S18°10'52"E 90.01 feet to an iron pin (set) at the common corner of City of Cincinnati (Deed Book 1319, page 193) and State of Ohio (Deed Book 3719, Page 65);

THENCE, with the common line of City of Cincinnati and State of Ohio, being the westerly right-of-way line of Interstate 71, S27°39'48"W 127.72 feet to an existing 5/8" iron pin and cap (PS 8352) at the common corner of Playing Card Partners, LLC (Official Record Book 14047, page 2372), State of Ohio and City of Cincinnati;

THENCE, leaving said right-of-way line and with the common line of Playing Card Partners, LLC and City of Cincinnati N36°44'35"W 62.16 feet to an existing 5/8" iron pin and cap (HARTIG PS 8765);

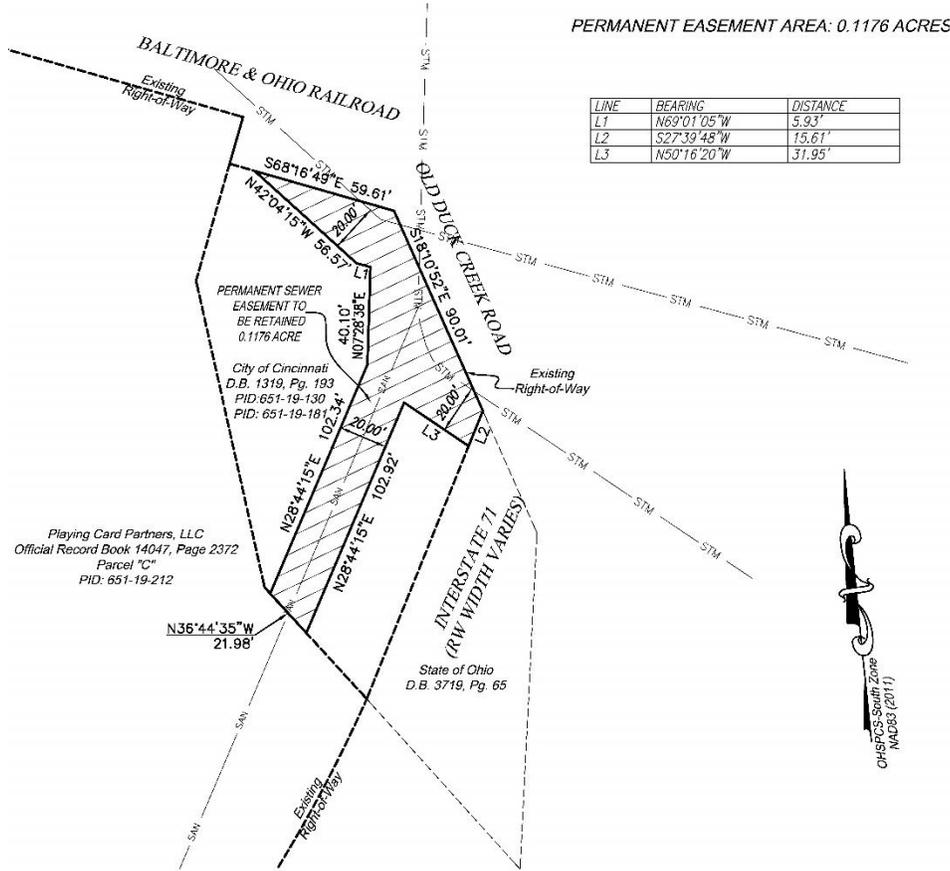
THENCE, N06°49'49"W 129.30 feet to an existing 5/8" iron pin and cap (PS 8352);

THENCE, N21°43'11"E 50.00 feet to an iron pin (set) in the southerly right-of-way line of Baltimore & Ohio Railroad;

THENCE, with said southerly right-of-way line S68°16'49"E 70.26 feet to the **POINT OF BEGINNING CONTAINING 0.3647 ACRES** and being subject to all easements and right-of-ways of record;

This description was prepared from a new survey made by Ryan M. Hartig, PS 8765, for Viox & Viox, Inc., January 3, 2022.

EXHIBIT C
to Quitclaim Deed
Sanitary Sewer Easement Plat



**SEWER EASEMENTS TO BE RETAINED
BY CITY OF CINCINNATI**

SECTION 28, TOWN 4, FR 4, BTM
COLUMBIA TOWNSHIP,
CITY OF NORWOOD, HAMILTON
COUNTY, OHIO

WEST SIDE INTERSTATE 71
EAST OF BEECH STREET

FEBRUARY 15, 2022 SCALE: 1"=50'



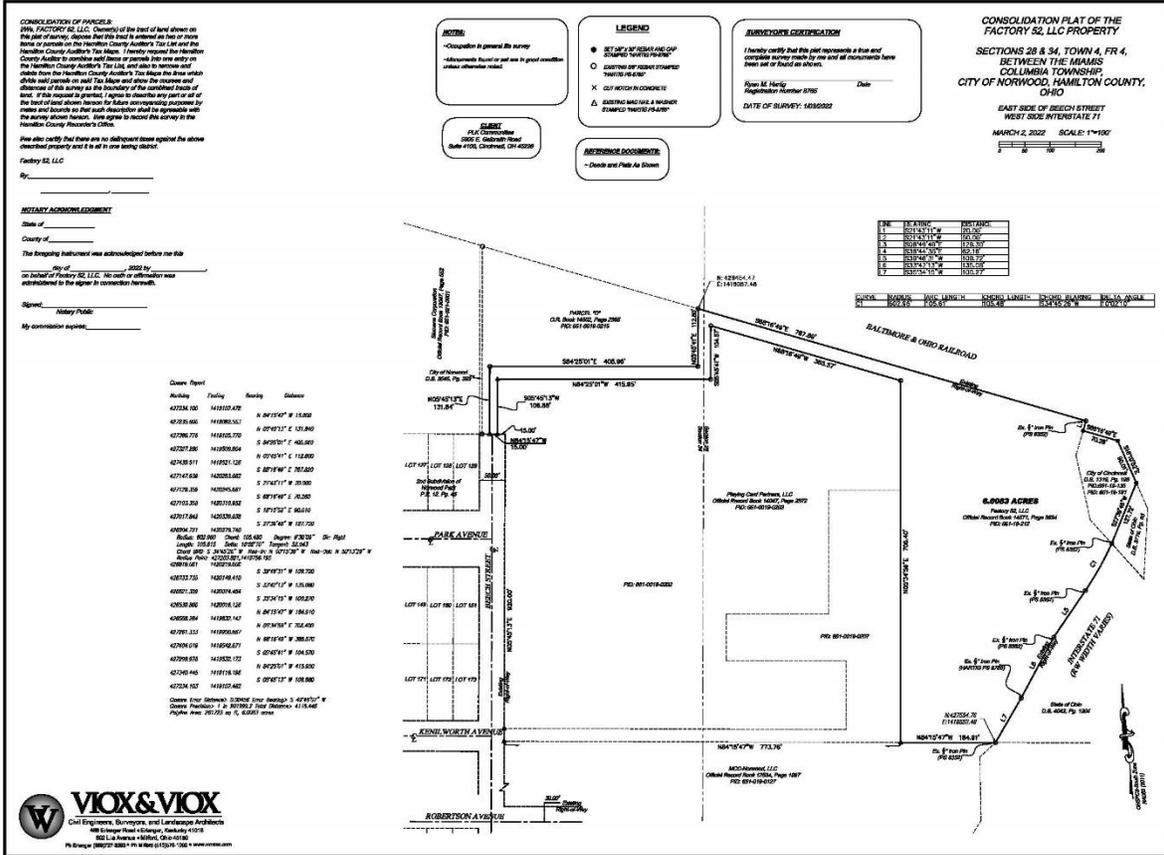
VIOX & VIOX

Civil Engineers, Surveyors, and Landscape Architects
466 Erlanger Road • Erlanger, Kentucky 41018
602 Lila Avenue • Milford, Ohio 45150
Ph Erlanger (859)727-3293 • Ph Milford (513)576-1000 • www.vioxinc.com

{00347282-6}

EXHIBIT D
to Property Sale Agreement

Consolidation Plat - Sale Property and Purchaser's Property



002472826 4842-4620-5174v1

May 4, 2022

To: Mayor and Members of City Council **202201120**

From: John P. Curp, Interim City Manager

Subject: **Ordinance – Fire: FY 2021 Staffing for Adequate Fire and Emergency Response (SAFER) Grant**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager to apply for, accept, and appropriate a grant of up to \$19,066,100 from the Department of Homeland Security, Federal Emergency Management Agency, FY 2021 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program (Assistance Listing 97.083) to fully fund the salary and benefits of up to fifty recruits for the Cincinnati Fire Department for three years, effective FY 2023 pending award timing; and further **AUTHORIZING** the Finance Director to receive and deposit the grant funds into Fire Grants Fund 472, effective beginning FY 2023 pending award timing and the recruit class start date.

Approval of this Ordinance authorizes the City Manager to apply for, accept, and appropriate a grant of up to \$19,066,100 from the Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA) FY 2021 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program (Assistance Listing 97.083) to fully fund the salary and benefits of up to 50 recruits for the Cincinnati Fire Department for three years, effective FY 2023 pending award timing. Approval of this Ordinance further authorizes the Finance Director to receive and deposit the grant funds into Fire Grants Fund 472, effective starting FY 2023 pending award timing and the recruit class start date.

This grant does not require matching funds. However, the grant will not fund the purchase of non-personnel expenses for the recruit class, including uniforms, personal protective equipment (PPE), psychological testing, books, and other ancillary items needed to train and outfit the class, totaling up to \$649,218. Funding to support the non-personnel expenditures is expected to be included in the Recommended FY 2023 Budget Update.

There are 50.0 FTE associated with the grant. However, the authorized budgeted sworn strength will not be exceeded.

The Cincinnati Fire Department has already applied for the grant to meet the February 4, 2022, deadline but will not accept funding without City Council approval.

This Ordinance is in accordance with the “Live” goal to “create a more livable community” as described on page 156 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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

Attachment



EMERGENCY

LES

- 2022

AUTHORIZING the City Manager to apply for, accept, and appropriate a grant of up to \$19,066,100 from the Department of Homeland Security, Federal Emergency Management Agency, FY 2021 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program (Assistance Listing 97.083) to fully fund the salary and benefits of up to fifty recruits for the Cincinnati Fire Department for three years, effective FY 2023 pending award timing; and further **AUTHORIZING** the Finance Director to receive and deposit the grant funds into Fire Grants Fund 472, effective beginning FY 2023 pending award timing and the recruit class start date.

WHEREAS, there is a grant available in the approximate amount of \$19,066,100 from the Department of Homeland Security, Federal Emergency Management Agency, FY 2021 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program (Assistance Listing 97.083), which will be used to fully fund the salary and benefits of up to fifty recruits in the Cincinnati Fire Department for three years; and

WHEREAS, the grant will provide resources for a new recruit class resulting in up to fifty additional FTEs but will not result in the authorized budgeted sworn strength being exceeded; and

WHEREAS, the grant will provide 100% of the salary and fringe benefit costs of the new recruit class for three years, without requiring matching funds; and

WHEREAS, the grant will not fund the purchase of non-personnel expenses for the recruit class, including uniforms, personal protective equipment, psychological testing, books, and other ancillary items needed to train and outfit the class, totaling up to \$649,218; and

WHEREAS, funding to support the non-personnel expenditures is expected to be included in the Recommended FY 2023 Budget Update; and

WHEREAS, the Cincinnati Fire Department has already applied for the grant to meet the February 4, 2022 deadline but will not accept funding without City Council approval; and

WHEREAS, this ordinance is in accord with the “Live” goal to “[c]reate a more livable community” as described on page 156 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is authorized to apply for, accept, and appropriate a grant in an amount up to \$19,066,100 from the Department of Homeland Security, Federal Emergency

Management Agency FY 2021 Staffing for Adequate Fire and Emergency Response Grant Program (SAFER) Grant Program (Assistance Listing 97.083) to fully fund the salary and benefits of up to fifty recruits in the Cincinnati Fire Department for three years, effective FY 2023 pending award timing.

Section 2. That the Finance Director is authorized to receive and deposit the grant funds into Fire Grants Fund 472, effective beginning FY 2023, pending award timing and the recruit class start date.

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 hereof.

Section 4. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the need to ensure acceptance of the grant within 30 days of the award, as required by the grant.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

May 4, 2022

To: Mayor and Members of City Council 202201121

From: John P. Curp, Interim City Manager

Subject: Ordinance – Fire: FY 2021 Assistance to Firefighters Grant (AFG)

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to apply for, accept, and appropriate a grant of up to \$133,724.36 from the Department of Homeland Security, Federal Emergency Management Agency FY 2021 Assistance to Firefighters Grant Program (Assistance Listing No. 97.044) to Fund 472, “Fire Grants,” effective FY 2023 pending award timing, to fund classroom materials, certification fees, and backfill overtime to allow members of the Cincinnati Fire Department to attend Safety Officer Training.

Approval of this Ordinance authorizes the City Manager to apply for, accept, and appropriate a grant of up to \$133,724.36 from the Department of Homeland Security, Federal Emergency Management Agency FY 2021 Assistance to Firefighters Grant Program (Assistance Listing No. 97.044) to Fire Grants Fund 472, effective FY 2023 pending award timing, to fund classroom materials, certification fees, and backfill overtime to allow members of the Cincinnati Fire Department (CFD) to attend Safety Officer Training. Approval of this Ordinance further authorizes the Finance Director to deposit the grant funds into Fire Grants Fund 472, effective starting FY 2023 pending award timing.

This grant requires a local match of \$13,372.44, which will be provided from Cincinnati Fire Department General Fund Operating Budget account no. 050x271x7100. There are no additional FTE associated with the grant.

The Cincinnati Fire Department already applied for this grant to meet the January 21, 2022, deadline, but no funding will be accepted until approved by the City Council.

Funding classroom materials, certification fees, and backfill overtime to allow CFD members to attend Safety Officer Training is in accordance with the “Live” goal to “create a more livable community” as described on page 156 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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

Attachment



AUTHORIZING the City Manager to apply for, accept, and appropriate a grant of up to \$133,724.36 from the Department of Homeland Security, Federal Emergency Management Agency FY 2021 Assistance to Firefighters Grant Program (Assistance Listing No. 97.044) to Fund 472, “Fire Grants,” effective FY 2023 pending award timing, to fund classroom materials, certification fees, and backfill overtime to allow members of the Cincinnati Fire Department to attend Safety Officer Training.

WHEREAS, a grant of up to \$133,724.36 (the “Grant”) is available from the Department of Homeland Security, Federal Emergency Management Agency FY 2021 Assistance to Firefighters Grant Program (the “Grant Program”) to fund classroom materials, certification fees, and backfill overtime to allow members of the Cincinnati Fire Department (“CFD”) to attend Safety Officer Training; and

WHEREAS, CFD intends to use the Grant for classroom materials, certification fees, and to backfill overtime to allow CFD members to attend Safety Officer Training; and

WHEREAS, the Grant Program requires a local match of up to \$13,372.44, which will be provided by the CFD General Fund Operating Budget account no. 050x271x7100; and

WHEREAS, there are no new FTEs associated with the Grant; and

WHEREAS, CFD already applied for the Grant to meet the Grant Program’s January 21, 2022 deadline, but no funding will be accepted until approved by City Council; and

WHEREAS, funding classroom materials, certification fees, and backfilling overtime to allow CFD members to attend Safety Officer Training is in accordance with the “Live” goal to “Create a more livable community,” as described on page 156 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is hereby authorized to apply for, accept, and appropriate a grant of up to \$133,724.36 (the “Grant”) from the Department of Homeland Security, Federal Emergency Management Agency FY 2021 Assistance to Firefighters Grant Program (Assistance Listing No. 97.044) to fund classroom materials, certification fees, and backfill overtime to allow

members of the Cincinnati Fire Department to attend Safety Officer Training, effective FY 2023 pending award timing.

Section 2. That the Finance Director is hereby authorized to deposit the Grant into Fund 472, "Fire Grants," effective FY 2023 pending award timing.

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

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

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

May 4, 2022

To: Mayor and Members of City Council 202201123

From: John P. Curp, Interim City Manager

Subject: **Ordinance – Cincinnati Recreation Commission (CRC): Miami University STEM Lego Robotics Summer Camp Program**

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to accept and appropriate a donation in an amount of up to \$6,000 from Miami University to the Cincinnati Recreation Commission for the purpose of funding staffing costs associated with the Science, Technology, Engineering & Mathematics (STEM) Lego Robotics Summer Camp program; and **AUTHORIZING** the Finance Director to deposit the donated resources into “Contributions for Recreation Purposes” revenue account no. 319x8571.

Approval of this Ordinance will authorize the City Manager to accept and appropriate a donation in an amount of up to \$6,000 from Miami University to the Cincinnati Recreation Commission for the purpose of funding staffing costs associated with the STEM (Science, Technology, Engineering & Mathematics) Lego Robotics Summer Camp program. This Ordinance will also authorize the Finance Director to deposit the donated resources into “Contributions for Recreation Purposes” revenue account no. 319x8571. There is no local match required and acceptance of the grant will not require the addition of any FTEs.

The Cincinnati Recreation Commission’s STEM Lego program will be facilitated by Miami University students in eight City recreation centers, reaching approximately 160 students in grades 6-8, providing them with hands-on experiences building robots and a greater understanding of robotics and coding concepts.

Providing the STEM Lego program is in accordance with the “Collaborate” goal to “work in synergy with the Cincinnati community” as well as the strategy to “unite our communities,” as described on pages 207-212 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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



Attachment

AUTHORIZING the City Manager to accept and appropriate a donation in an amount of up to \$6,000 from Miami University to the Cincinnati Recreation Commission for the purpose of funding staffing costs associated with the Science, Technology, Engineering & Mathematics (STEM) Lego Robotics Summer Camp program; and **AUTHORIZING** the Finance Director to deposit the donated resources into “Contributions for Recreation Purposes” revenue account no. 319x8571.

WHEREAS, Miami University is making available to the Cincinnati Recreation Commission a donation of up to \$6,000 for funding the STEM Lego Robotics Summer Camp program (“the STEM Lego program”); and

WHEREAS, the purpose of this donation is to fund staffing costs associated with the STEM Lego program; and

WHEREAS, the STEM Lego program will be facilitated by Miami University students in eight City recreation centers, reaching approximately 160 students in grades 6-8, providing them with hands-on experiences building robots and a greater understanding of robotics and coding concepts; and

WHEREAS, during the week-long camp sessions, the STEM Lego program participants will learn what it is like to be an engineer or computer scientist through fun and engaging challenges, and to consider the impact of robotics and computer science upon their own communities and the world; and

WHEREAS, this donation does not require a matching funds, and there are no new FTEs associated with the STEM Lego program; and

WHEREAS, providing the STEM Lego program is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community,” as well as the strategy to [u]nite our communities,” as described on pages 207-212 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 hereby authorized to accept and appropriate a donation in an amount of up to \$6,000 from Miami University to the Cincinnati Recreation Commission for

the purpose of funding staffing costs associated with the Science, Technology, Engineering, & Mathematics (STEM) Lego Robotics Summer Camp Program.

Section 2. That the Director of Finance is hereby authorized to deposit the donated resources into “Contributions for Recreation Purposes” revenue account no. 319x8571.

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

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

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

May 4, 2022

To: Mayor and Members of City Council

From: John P. Curp, Interim City Manager 202201122

Subject: Ordinance – Cincinnati Recreation Commission (CRC): Westwood Civic Association Donations to Westwood Town Hall

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to accept an in-kind donation from the Westwood Civic Association valued at up to \$7,000 for sports and electronic equipment for use by the Cincinnati Recreation Commission at the Westwood Town Hall; and **AUTHORIZING** the City Manager to accept and appropriate a donation in an amount up to \$4,000 from the Westwood Civic Association to the Cincinnati Recreation Commission for the purpose of providing resources for programming at Westwood Town Hall and to offer scholarships covering the cost of admissions and transportation associated with field trips from Westwood Town Hall; and **AUTHORIZING** the Finance Director to deposit the donated resources into “Contributions for Recreation Purposes” revenue account no. 319x8571.

Approval of this Ordinance will authorize the City Manager to accept an in-kind donation from the Westwood Civic Association valued at up to \$7,000 for sports and electronic equipment for Cincinnati Recreation Commission (CRC) use at the Westwood Town Hall.

This Ordinance will also authorize the City Manager to accept and appropriate a donation in an amount up to \$4,000 from the Westwood Civic Association to the Cincinnati Recreation Commission for the purpose of providing resources for programming at Westwood Town Hall and to offer scholarships covering the cost of admissions and transportation associated with field trips from Westwood Town Hall. Acceptance of the donations requires no matching funds. There are no FTEs associated with the donations.

The Westwood Civic Association intends to donate items such as televisions, computers, video games, and lights for use by the CRC at the Westwood Town Hall. In addition, the Westwood Civic Association graciously offered a donation in an amount up to \$4,000 to provide resources for programming at Westwood Town Hall and to offer scholarships covering the cost of admissions and transportation associated with field trips from Westwood Town Hall.

These donations are in accordance with the “Collaborate” goal to “work in synergy with the Cincinnati community” as well as the strategy to “unite our communities,” as described on pages 207-212 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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



Attachment

AUTHORIZING the City Manager to accept an in-kind donation from the Westwood Civic Association valued at up to \$7,000 for sports and electronic equipment for use by the Cincinnati Recreation Commission at the Westwood Town Hall; and **AUTHORIZING** the City Manager to accept and appropriate a donation in an amount up to \$4,000 from the Westwood Civic Association to the Cincinnati Recreation Commission for the purpose of providing resources for programming at Westwood Town Hall and to offer scholarships covering the cost of admissions and transportation associated with field trips from Westwood Town Hall; and **AUTHORIZING** the Finance Director to deposit the donated resources into “Contributions for Recreation Purposes” revenue account no. 319x8571.

WHEREAS, the Westwood Civic Association intends to donate items such as televisions, computers, video games, and lights for use by the Cincinnati Recreation Commission (“CRC”) at the Westwood Town Hall; and

WHEREAS, the Westwood Civic Association also graciously offered a donation in an amount up to \$4,000 to CRC for the purpose of providing resources for programming at Westwood Town Hall and to offer scholarships covering the cost of admissions and transportation associated with field trips from Westwood Town Hall; and

WHEREAS, acceptance of the donations requires no matching funds, and there are no FTEs associated with the donations; and

WHEREAS, these donations are 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 207-212 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 hereby authorized to accept an in-kind donation from the Westwood Civic Association valued at up to \$7,000 for sports and electronic equipment for use by the Cincinnati Recreation Commission at the Westwood Town Hall.

Section 2. That the City Manager is hereby authorized to accept and appropriate a donation in an amount up to \$4,000 from the Westwood Civic Association to the Cincinnati Recreation Commission for the purpose of providing resources for programming at Westwood Town Hall and

to offer scholarships covering the cost of admissions and transportation associated with field trips from Westwood Town Hall.

Section 3. That the Director of Finance is hereby authorized to deposit the donated resources into “Contributions for Recreation Purposes” revenue account no. 319x8571.

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

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

May 4, 2022

To: Mayor and Members of City Council 202201124

From: John P. Curp, Interim City Manager

Subject: **Emergency Ordinance – FY 2022 General Fund Operating Budget Final Adjustment Ordinance (FAO)**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the transfer of the sum of \$15,733,590 within the General Fund, from and to various operating accounts and the unappropriated surplus of the General Fund according to the attached Schedule of Transfer, for the purpose of realigning and providing funds for the ongoing needs of City departments; **AUTHORIZING** the transfer and return to source of the sum of \$60,000 from the Department of Law personnel operating budget account no. 050x112x7000x7111 to the unappropriated surplus of the General Fund 050; and **AUTHORIZING** the transfer and appropriation of the sum of \$45,000 from the unappropriated surplus of the General Fund 050 to existing capital improvement program project account no. 980x255x222530, “Quality of Life Relocation Furniture”; **AUTHORIZING** the transfer and appropriation of the sum of \$15,000 from the unappropriated surplus of the General Fund to existing capital improvement program project account no. 980x255x212500, “City Facility Renovation and Repair”; **AUTHORIZING** the transfer and return to source of the sum of \$149,000 from the Citizen Complaint Authority personnel operating budget account no. 050x181x1000x7111 and \$51,000 from the Citizen Complaint Authority fringe benefit operating budget account no. 050x181x1000x7532 to the unappropriated surplus of the General Fund 050; and **AUTHORIZING** the establishment of new capital improvement program project account no. 980x255x222545, “CCA Office Facilities Renovation and Repairs,” for the purpose of renovating, repairing, and upgrading the Citizen Complaint Authority office to accommodate additional staff and utilize the space in an efficient manner; **AUTHORIZING** the transfer and appropriation of the sum of \$200,000 from the unappropriated surplus of the General Fund 050 to newly established capital improvement program project account no. 980x255x222545, “CCA Office Facilities Renovation and Repairs,” for the purpose of renovating, repairing, and upgrading the Citizen Complaint Authority office to accommodate additional staff and utilize the space in an efficient manner; and further **AUTHORIZING** the transfer and appropriation of the sum of \$30,000 from the unappropriated surplus of the General Fund to existing capital improvement program project account no. 980x104x221005, “Wheeled Recycling Cart Replacement.”

The attached Emergency Ordinance balances the City’s General Fund operating budget accounts for FY 2022. The accounts are balanced by transferring appropriations within

and between General Fund departments and relies on unappropriated surplus. The Emergency Ordinance also transfers resources from the General Fund unappropriated surplus to various capital improvement program project accounts.

GENERAL FUND TRANSFERS WITHIN CURRENT APPROPRIATIONS

A total of \$3,836,029 will be transferred within current appropriations in order to offset various anticipated needs as outlined below.

City Manager's Office – \$160,000

A transfer of \$160,000 in personnel savings will be necessary to offset non-personnel needs in several offices within the City Manager's Office. The Office of Environment and Sustainability (OES) has a non-personnel need related to the landfill management contract totaling \$9,000. The Emergency Communications Center has \$47,000 in non-personnel needs for the implementation of the 311 non-emergency service line, telephone expense overages, and the startup costs for the Alternative Response to Crisis (ARC) mental health pilot program. The City Manager's Office has non-personnel needs for expert services for the Collaborative Agreement and temporary personnel totaling \$104,000.

Human Resources – \$60,000

Personnel savings in the amount of \$60,000 will be transferred to address a need in contractual services for the City Manager search and recruitment contract.

Department of Finance – \$13,400

A total of \$13,400 in personnel and benefits savings will be transferred between various agencies to offset a fringe benefit need in the Director's Office.

Department of City Planning and Engagement – \$7,900

A transfer of \$7,900 in personnel savings will be necessary to offset a need in costs associated with telephone, postage, and professional memberships required to be held by City Planning and Engagement staff.

Cincinnati Recreation Commission – \$386,500

A transfer of \$386,500 in personnel and benefit savings will be necessary to cover various non-personnel needs related to automotive maintenance, utility expenses, and information technology (IT) related needs.

Department of Buildings and Inspections – \$200,000

Personnel savings from Building Construction Inspections in the amount of \$200,000 will be transferred to offset legal services expenses in Building Construction Inspections and a personnel need of \$100,000 in Property Maintenance and Code Enforcement.

Department of Transportation and Engineering – \$122,000

Personnel and fringe benefits savings in the Engineering Division in the amount of \$122,000 will be transferred to offset personnel and fringe benefits needs in the Office of the Director.

Department of Public Services – \$175,540

Personnel savings in the Neighborhood Operations Division (NOD) will be transferred among agencies to address various personnel and non-personnel needs including litter abatement, increased stormwater expenses, and conference fees.

Cincinnati Fire Department – \$1,500,000

A total of \$1,500,000 in personnel and fringe benefits savings in the Support Services Division will be transferred to address various non-personnel needs for fuel, wearing apparel, medical and surgical supplies as well as a fringe benefit need in the Suppression Division.

Department of Economic Inclusion – \$55,309

A total of \$55,309 in personnel savings will be transferred to address various non-personnel needs for training, temporary staffing, and information technology (IT) related needs.

Non-Departmental Accounts – \$1,155,380

Various savings from other departments will be transferred to address a \$306,100 need in the Contributions to City Pension - Early Retirement Incentive Program (ERIP) account due to an ERIP payment reconciliation, a \$100,000 need in the Tuition Reimbursement account, a \$100,000 need in the Election Expense account, a \$300,000 need in the Judgments Against the City account, and \$349,280 in the Enterprise Software and Licenses account.

TRANSFERS RESULTING IN A SUPPLEMENTAL APPROPRIATION

Five departments and one non-departmental account require supplemental appropriations totaling \$11,897,561. These needs will be addressed using General Fund unappropriated surplus.

Enterprise Technology Solutions – \$166,945

Supplemental appropriations totaling \$166,945 are needed in Enterprise Technology Solutions to cover personnel needs that exceed the budgeted reimbursements from other funds.

Department of Law – \$91,120

The Department of Law need of \$91,120 is required to address a \$46,120 personnel need resulting from the implementation of the Ethics and Good Government Office and a \$45,000 need related to the extension of the Housing Court contract.

Department of Community and Economic Development – \$100,000

The Department of Community and Economic Development needs \$100,000 in supplemental appropriations for non-personnel expenses associated with support for Black Tech Week through the Hillman Accelerator.

Cincinnati Police Department – \$2,927,640

Supplemental appropriations totaling \$2,927,640 are needed in the Cincinnati Police Department to address increased lump sum payouts, overtime expenses, sick time buy back costs, and central warrant fees from Hamilton County.

Cincinnati Fire Department – \$8,590,000

The \$8,590,000 need in the Cincinnati Fire Department is primarily related to greater than anticipated overtime costs and associated wage-based fringe benefits costs resulting from the unexpected attrition of sworn personnel.

Non-Departmental Accounts – \$21,856

A supplemental appropriation in the amount of \$21,856 in the Enterprise Software and Licenses account is needed to cover cost overages in various software licenses arising from inflationary price pressures.

GENERAL FUND TRANSFERS TO CAPITAL BUDGET

Three departments require a transfer from the General Fund unappropriated surplus to various capital improvement program project accounts. A total of \$260,000 will be transferred as a result of General Fund departmental savings and \$30,000 will be transferred from the unappropriated surplus for a grand total of \$290,000.

City Manager’s Office – \$30,000

A transfer in the amount of \$30,000 from the unappropriated surplus of the General Fund is required to the Office of Environment and Sustainability’s existing capital improvement program project account no. 980x104x221005, “Wheeled Recycling Cart Replacement” in order to provide funds for additional wheeled recycling carts. An increasing number of recycling carts are past their useful life and require replacement.

Department of Law – \$60,000

The Department of Law has a personnel savings of \$60,000, which will be returned to the General Fund unappropriated surplus and appropriated to existing capital improvement program project accounts to relocate the Quality of Life section of the department and to provide furniture and cubicles. The sum of \$45,000 will be appropriated to existing capital improvement program project account no. 980x255x222530, “Quality of Life Relocation Furniture” and the sum of \$15,000 will be appropriated to existing capital improvement program project account no. 980x255x212500, “City Facility Renovation and Repair.” The additional funds will enable the project to be completed.

Citizen Complaint Authority – \$200,000

The Citizen Complaint Authority has a personnel savings of \$200,000, which will be returned to the General Fund unappropriated surplus and appropriated to newly created capital improvement program project 980x255x222545, “CCA Office Facilities Renovation and Repairs,” for the purpose of renovating, repairing, and upgrading the Citizen Complaint Authority office to accommodate additional staff and utilize the space in a more efficient manner.

The reason for the emergency is the immediate need to realign and provide funds for the ongoing needs of City departments.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment

EMERGENCY

LES

2022

AUTHORIZING the transfer of the sum of \$15,733,590 within the General Fund, from and to various operating accounts and the unappropriated surplus of the General Fund according to the attached Schedule of Transfer, for the purpose of realigning and providing funds for the ongoing needs of City departments; **AUTHORIZING** the transfer and return to source of the sum of \$60,000 from the Department of Law personnel operating budget account no. 050x112x7000x7111 to the unappropriated surplus of the General Fund 050; and **AUTHORIZING** the transfer and appropriation of the sum of \$45,000 from the unappropriated surplus of the General Fund 050 to existing capital improvement program project account no. 980x255x222530, “Quality of Life Relocation Furniture”; **AUTHORIZING** the transfer and appropriation of the sum of \$15,000 from the unappropriated surplus of the General Fund to existing capital improvement program project account no. 980x255x212500, “City Facility Renovation and Repair”; **AUTHORIZING** the transfer and return to source of the sum of \$149,000 from the Citizen Complaint Authority personnel operating budget account no. 050x181x1000x7111 and \$51,000 from the Citizen Complaint Authority fringe benefit operating budget account no. 050x181x1000x7532 to the unappropriated surplus of the General Fund 050; and **AUTHORIZING** the establishment of new capital improvement program project account no. 980x255x222545, “CCA Office Facilities Renovation and Repairs,” for the purpose of renovating, repairing, and upgrading the Citizen Complaint Authority office to accommodate additional staff and utilize the space in an efficient manner; **AUTHORIZING** the transfer and appropriation of the sum of \$200,000 from the unappropriated surplus of the General Fund 050 to newly established capital improvement program project account no. 980x255x222545, “CCA Office Facilities Renovation and Repairs,” for the purpose of renovating, repairing, and upgrading the Citizen Complaint Authority office to accommodate additional staff and utilize the space in an efficient manner; and further **AUTHORIZING** the transfer and appropriation of the sum of \$30,000 from the unappropriated surplus of the General Fund to existing capital improvement program project account no. 980x104x221005, “Wheeled Recycling Cart Replacement.”

WHEREAS, a need has arisen since the beginning of the Fiscal Year 2022 to transfer various sums according to the attached Schedule of Transfer in order to realign and provide funds for the ongoing needs of City departments; and

WHEREAS, the Approved FY 2022 Capital Budget included \$100,000 in funding for the Law Department’s capital improvement program project to relocate the Quality of Life section of the Department and provide new furniture and cubicles; and

WHEREAS, the cost of the Law Department’s project is now \$160,000, creating a project shortfall; and

WHEREAS, the Law Department has operating budget savings that can be utilized to cover the project shortfall in the Quality of Life Relocation and Furniture project account and the City Facility Renovation and Repair project account; and

WHEREAS, the Citizen Complaint Authority (“CCA”) needs to renovate and repair their office space to accommodate additional staff; and

WHEREAS, the cost of the CCA Office Facilities Renovation and Repairs project is \$200,000; and

WHEREAS, CCA has operating budget savings that can be utilized for the CCA Office Facilities Renovation and Repairs project; and

WHEREAS, the Office of Environment and Sustainability needs additional resources for recycling cart replacement; and

WHEREAS, sufficient resources are available in the General Fund unappropriated surplus that can be utilized for recycling cart replacement; now, therefore,

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

Section 1. That the sum of \$15,733,590 existing within the General Fund and the unappropriated surplus is hereby transferred within said fund according to the attached Schedule of Transfer for the purpose of realigning certain operating accounts and for providing funds for the ongoing needs of City departments.

Section 2. That the sum of \$60,000 is hereby transferred from the Department of Law personnel operating budget account no. 050x112x7000x7111 to the unappropriated surplus of the General Fund.

Section 3. That the sum of \$45,000 is hereby transferred and appropriated from the unappropriated surplus of the General Fund to existing capital improvement program project account no. 980x255x222530, “Quality of Life Relocation Furniture.”

Section 4. That the sum of \$15,000 is hereby transferred and appropriated from the unappropriated surplus of the General Fund to existing capital improvement program project account no. 980x255x212500, “City Facility Renovation and Repair.”

Section 5. That the sum of \$149,000 is hereby transferred from the Citizen Complaint Authority personnel operating budget account no. 050x181x1000x7111 and \$51,000 is hereby transferred from the Citizen Complaint Authority fringe benefit operating budget account no. 050x181x1000x7532 to the unappropriated surplus of the General Fund.

Section 6. That new capital improvement program project account no. 980x255x222545, “CCA Office Facilities Renovation and Repairs,” is hereby established for the purpose of renovating, repairing, and upgrading the Citizen Complaint Authority office to accommodate additional staff and utilize the space in an efficient manner.

Section 7. That the sum of \$200,000 is hereby transferred and appropriated from the unappropriated surplus of the General Fund to newly established capital improvement program project account no. 980x255x222545, “CCA Office Facilities Renovation and Repairs.”

Section 8. That the sum of \$30,000 is hereby transferred and appropriated from the unappropriated surplus of the General Fund to existing capital improvement program project account no. 980x104x221005, “Wheeled Recycling Cart Replacement.”

Section 9. That the proper City officials are hereby authorized to do all things necessary and proper to carry out the terms of Sections 1 through 8 hereof and the Schedule of Transfer attached hereto.

Section 10. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms

of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to realign and provide funds for the ongoing needs of City departments.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

SCHEDULE OF TRANSFER

FY 2022 GENERAL FUND 050 FINAL ADJUSTMENT ORDINANCE

Fund 050 General Fund

<i>REDUCTIONS</i>					<i>INCREASES</i>				
	Fund	Agency	Appropriation Unit	\$ Amount		Fund	Agency	Appropriation Unit	\$ Amount
TRANSFERS WITHIN APPROPRIATIONS					TRANSFERS WITHIN APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
CITY MANAGER'S OFFICE					CITY MANAGER'S OFFICE				
	050	101	7100	83,000		050	101	7200	104,000
	050	102	7200	30,000		050	103	7200	47,000
	050	103	7100	272,754		050	104	7200	9,000
	050	103	7500	105,246					
DEPARTMENT OF HUMAN RESOURCES					DEPARTMENT OF HUMAN RESOURCES				
	050	121	7100	170,000		050	121	7200	60,000
	050	121	7500	47,000					
DEPARTMENT OF FINANCE					DEPARTMENT OF FINANCE				
	050	133	7100	193,988		050	131	7500	13,400
	050	133	7500	13,400					
	050	134	7100	60,000					
DEPARTMENT OF CITY PLANNING & ENGAGEMENT					DEPARTMENT OF CITY PLANNING & ENGAGEMENT				
	050	171	7100	73,428		050	171	7200	4,500
	050	171	7500	29,400		050	171	7400	3,400
CITIZEN COMPLAINT AUTHORITY									
	050	181	7500	18,464					
CINCINNATI RECREATION COMMISSION					CINCINNATI RECREATION COMMISSION				
	050	191	7100	223,000		050	191	7200	114,000
	050	191	7500	10,000		050	191	7300	4,000
	050	192	7100	41,000		050	192	7200	33,000
	050	192	7500	2,000		050	192	7300	4,000
	050	193	7100	47,500		050	192	7400	1,500
	050	194	7100	60,000		050	193	7200	51,500
	050	194	7500	3,000		050	193	7300	4,000
						050	193	7400	500
						050	194	7200	60,000
						050	197	7200	97,000
						050	199	7200	12,000
						050	199	7400	5,000
DEPARTMENT OF BUILDINGS AND INSPECTIONS					DEPARTMENT OF BUILDINGS AND INSPECTIONS				
	050	211	7100	500,000		050	211	7200	100,000
						050	212	7100	100,000
DEPARTMENT OF TRANSPORTATION AND ENGINEERING					DEPARTMENT OF TRANSPORTATION AND ENGINEERING				
	050	233	7100	103,000		050	231	7100	103,000
	050	233	7500	19,000		050	231	7500	19,000

SCHEDULE OF TRANSFER

FY 2022 GENERAL FUND 050 FINAL ADJUSTMENT ORDINANCE

Fund 050 General Fund

<i>REDUCTIONS</i>					<i>INCREASES</i>				
	Fund	Agency	Appropriation Unit	\$ Amount		Fund	Agency	Appropriation Unit	\$ Amount
TRANSFERS WITHIN APPROPRIATIONS					TRANSFERS WITHIN APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
DEPARTMENT OF PUBLIC SERVICES					DEPARTMENT OF PUBLIC SERVICES				
	050	253	7100	126,340		050	251	7200	11,000
NEIGHBORHOOD OPERATIONS					DIRECTOR'S OFFICE				10,000
NEIGHBORHOOD OPERATIONS	050	253	7500	49,200	DIRECTOR'S OFFICE	050	251	7500	9,950
					NEIGHBORHOOD OPERATIONS	050	253	7200	11,988
					NEIGHBORHOOD OPERATIONS	050	253	7300	68,302
					CITY FACILITY MANAGEMENT	050	255	7200	62,890
					FLEET SERVICES	050	256	7300	1,000
					FLEET SERVICES	050	256	7500	410
CINCINNATI FIRE DEPARTMENT					CINCINNATI FIRE DEPARTMENT				
NON-RESPONSE	050	272	7100	1,000,000	RESPONSE	050	271	7300	450,000
NON-RESPONSE	050	272	7500	500,000	RESPONSE	050	271	7500	910,000
					NON-RESPONSE	050	272	7300	140,000
DEPARTMENT OF ECONOMIC INCLUSION					DEPARTMENT OF ECONOMIC INCLUSION				
ECONOMIC INCLUSION	050	281	7100	55,309	ECONOMIC INCLUSION	050	281	7200	53,309
					ECONOMIC INCLUSION	050	281	7300	2,000
					NON-DEPARTMENTAL ACCOUNTS				
					CONTRIBUTION TO CITY PENSION - ERIP	050	911	7500	306,100
					TUITION REIMBURSEMENT	050	928	7400	100,000
					ELECTION EXPENSES	050	946	7400	100,000
					JUDGMENTS AGAINST THE CITY	050	951	7500	300,000
					ENTERPRISE SOFTWARE AND LICENSE	050	952	7400	349,280
TOTAL FUND 050 REDUCTIONS				3,836,029	TOTAL FUND 050 INCREASES				3,836,029

SCHEDULE OF TRANSFER

FY 2022 GENERAL FUND 050 FINAL ADJUSTMENT ORDINANCE

Fund 050 General Fund

<i>REDUCTIONS</i>						<i>INCREASES</i>						
	Fund	Agency	Bureau	Appropriation Unit	Obj Code	\$ Amount	Fund	Agency	Appropriation Unit	\$ Amount		
SUPPLEMENTAL APPROPRIATIONS						SUPPLEMENTAL APPROPRIATIONS						
SOURCE ACCOUNTS						USE ACCOUNTS						
UNAPPROPRIATED SURPLUS	050					11,897,561	ENTERPRISE TECHNOLOGY SOLUTIONS					
							ENTERPRISE TECHNOLOGY SOLUTIONS	050	091	7100	113,862	
							ENTERPRISE TECHNOLOGY SOLUTIONS	050	091	7500	53,083	
							DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT					
							DIRECTOR/ADMINISTRATION	050	161	7400	100,000	
							LAW DEPARTMENT					
							CIVIL LITIGATION	050	111	7100	46,120	
							CIVIL LITIGATION	050	111	7200	45,000	
							CINCINNATI POLICE DEPARTMENT					
							NEIGHBORHOOD POLICING	050	222	7100	1,667,015	
							NEIGHBORHOOD POLICING	050	222	7300	208,000	
							NEIGHBORHOOD POLICING	050	222	7500	127,985	
							SPECIAL INVESTIGATIONS	050	225	7500	158,000	
							OPERATIONS SUPPORT	050	226	7200	450,000	
							GENERAL ADMINISTRATION AND SUPPORT	050	227	7100	260,640	
							GENERAL ADMINISTRATION AND SUPPORT	050	227	7400	56,000	
							CINCINNATI FIRE DEPARTMENT					
							RESPONSE	050	271	7100	7,700,000	
							RESPONSE	050	271	7500	890,000	
							NON-DEPARTMENTAL ACCOUNTS					
							ENTERPRISE SOFTWARE AND LICENSES	050	952	7400	21,856	
TOTAL FUND REDUCTIONS						11,897,561	TOTAL FUND INCREASES					11,897,561

May 4, 2022

To: Mayor and Members of City Council 202201125

From: John P. Curp, Interim City Manager

Subject: **Emergency Ordinance – FY 2022 Restricted Funds Operating Budget Final Adjustment Ordinance (FAO)**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the transfer of the sum of \$3,948,973 within the Restricted Funds from and to various operating accounts; and **AUTHORIZING** the transfer and appropriation of \$510,770 from the unappropriated surplus of the respective Restricted Funds to various operating accounts; **AUTHORIZING** the return to source the sum of \$54,558,365 to the unappropriated surplus of the respective Restricted Funds all for the purpose of realigning and providing funds for the ongoing needs of City departments in accordance with the attached Schedules of Transfer; and **AUTHORIZING** the transfer and return to source of the sum of \$468,625 from American Rescue Plan grant project account no. 469x101xARP052, “FY 2021 Restricted Funds Revenue Replacement,” to the unappropriated surplus of Local Fiscal Recovery Fund 469; **AUTHORIZING** the appropriation of the sum of \$468,625 from the unappropriated surplus of Local Fiscal Recovery Fund 469 to existing American Rescue Plan grant project account no. 469x101xARP053, “Hazard Pay,” for the purpose of providing additional compensation to eligible City employees during the COVID-19 pandemic.

The attached Emergency Ordinance balances the City’s Restricted Fund accounts as required by state law and authorizes transfers for 18 appropriated restricted funds. These include transfers within appropriations, as well as increases to appropriations for 10 funds and the return of funds to the unappropriated surplus of 5 funds.

AMERICAN RESCUE PLAN ACT PROJECT ACCOUNT TRANSFER

Approval of this Emergency Ordinance also authorizes the transfer in the amount of \$468,625 from American Rescue Plan (ARP) grant project account no. 469x101xARP052, "FY 2021 Restricted Funds Revenue Replacement," to the unappropriated surplus of Local Fiscal Recovery Fund 469. This Emergency Ordinance further authorizes the appropriation of the sum of \$468,625 from the unappropriated surplus of Local Fiscal Recovery Fund 469 to existing American Rescue Plan grant project account no. 469x101xARP053, "Hazard Pay," in order to

reimburse certain departments for the cost of Hazard Pay made to employees who qualified for Hazard Pay as set forth in the American Rescue Plan guidance promulgated by the United States Department of the Treasury. \$2.8 million of ARP funds were originally set aside for Hazard Pay to eligible City employees via Ordinance No. 0194-2021. An additional \$1.0 million of ARP funds were subsequently transferred to the Hazard Pay account via Ordinance No. 0453-2021. A remaining amount of \$468,625 is needed to complete the reimbursement process for the utilities (the Greater Cincinnati Water Works (GCWW), the Metropolitan Sewer District (MSD), and the Stormwater Management Utility (SMU)).

RESTRICTED FUND TRANSFERS WITHIN CURRENT APPROPRIATION

The transfers within the current FY 2022 appropriation are for the following 11 funds: Water Works Fund 101, Parking System Facilities Fund 102, Convention Center Fund 103, Stormwater Management Fund 107, Street Construction, Maintenance, and Repair Fund 301, Income Tax-Infrastructure Fund 302, Parking Meter Fund 303, Municipal Motor Vehicle License Tax Fund 306, Recreation Special Activities Fund 323, Community Health Center Activities Fund 395, and the Cincinnati Health District Fund 416.

The information below summarizes the need and transfers for each fund.

Water Works Fund 101 – \$1,225,000

Department of Water Works – \$1,225,000

A transfer in the amount of \$1,225,000 is needed for non-personnel items due to unanticipated costs related to contractor services including the emergency repair of the Lick Run watermain as well as the general overall increased cost of materials related to inflation and/or supply chain issues.

Parking System Facilities Fund 102 – \$445

Non-Departmental Accounts – \$445

A need of \$445 exists in the Contribution to City Pension - Early Retirement Incentive Program (ERIP) non-departmental account due to an ERIP payment reconciliation. Savings from the Department of Finance will offset this need.

Convention Center Fund 103 – \$31,980

Duke Energy Convention Center – \$31,980

A transfer in the amount of \$31,980 from non-personnel is needed for salary reimbursements.

Stormwater Management Fund 107 – \$373,290

Department of Buildings and Inspections – \$75,000

Buildings and Inspections will require a transfer within appropriations in the amount of \$75,000 for a need in contractual services related to the Private Lot Abatement Program (PLAP).

Department of Public Services – \$188,290

Public Services will require a transfer within appropriations in the amount of \$188,290 related to clearing of trees and brush along Sixth Street and other locations as well as the abatement of illegal dumping sites.

Stormwater Management Utility – \$110,000

The Stormwater Management Utility (SMU) will require a transfer within appropriations in the amount of \$110,000 to cover the cost of maintenance and repairs at the Barrier Dam, office furniture for improvements to the SMU common office area, and needs related to increases to property insurance and unexpected damage claims.

Street Construction, Maintenance, and Repair Fund 301 – \$368,167

Department of Public Services – \$368,167

A transfer in the amount of \$368,167 will be necessary to account for a need in the Transportation and Road Operations Division (TROD) and the Neighborhood Operations Division (NOD) including pavement expenses, reflective safety clothing, and crane training.

Income Tax-Infrastructure Fund 302 – \$83,540

Department of Transportation & Engineering – \$80,000

A transfer in the amount of \$80,000 is needed to account for a shortfall in personnel and benefits costs in the Division of Transportation Planning.

Non-Departmental Accounts – \$3,540

A need of \$3,540 exists in the Contribution to City Pension - ERIP non-departmental account due to an ERIP payment reconciliation. Savings from the Department of Finance will offset this need.

Parking Meter Fund 303 – \$1,120

Non-Departmental Accounts – \$1,120

A need of \$1,120 exists in the Contribution to City Pension - ERIP non-departmental account due to an ERIP payment reconciliation. Savings from the Department of Finance will offset this need.

Municipal Motor Vehicle License Tax Fund 306 – \$116,431

Department of Public Services – \$116,431

Public Services will require a transfer within appropriations in the amount of \$116,431 related to training and winter operations expenses.

Recreation Special Activities Fund 323 – \$142,000

Department of Recreation – \$142,000

Recreation will require a transfer within appropriations in the amount of \$142,000 to cover various non-personnel needs in Support Services, Athletics and Special Services, Central Region, and West Region.

Community Health Center Activities Fund 395 – \$82,000

Health Department – \$82,000

A transfer in the amount of \$82,000 is needed due to higher than budgeted personnel and benefits expenses.

Cincinnati Health District Fund 416 – \$1,525,000

Health Department – \$1,525,000

A transfer in the amount of \$1,525,000 to the Office of the Commissioner, Technical Resources, Community Health & Environmental Services, Primary Healthcare Programs, and School and Adolescent Health agencies is needed to cover higher than expected temporary personnel costs due to the COVID-19 pandemic, increased security costs, and unbudgeted overtime.

TRANSFERS RESULTING IN A SUPPLEMENTAL APPROPRIATION

The following 10 funds require supplemental increases in appropriations in FY 2022 as described below:

General Aviation Fund 104 – \$1,210

Non-Departmental Accounts – \$1,210

A total need of \$1,210 exists in the Contribution to City Pension - ERIP and General Fund Overhead non-departmental accounts.

Stormwater Management Fund 107 – \$38,550

Office of the City Manager – \$37,000

A need of \$37,000 exists in the Office of Environment and Sustainability for contractual services related to recycling.

Non-Departmental Accounts – \$1,550

A need of \$1,550 exists in the Contribution to City Pension - ERIP non-departmental account due to an ERIP payment reconciliation.

Street Construction, Maintenance and Repair Fund 301 – \$2,985

Non-Departmental Accounts – \$2,985

A need of \$2,985 exists in the Contribution to City Pension - ERIP non-departmental account due to an ERIP payment reconciliation.

Municipal Motor Vehicle License Tax Fund 306 – \$680

Non-Departmental Accounts – \$680

A need of \$680 exists in the Contribution to City Pension - ERIP non-departmental account due to an ERIP payment reconciliation.

Cincinnati Riverfront Park Fund 329 – \$875

Non-Departmental Accounts – \$875

A need of \$875 exists in the General Fund Overhead non-departmental account.

Community Health Center Activities Fund 395 – \$3,895

Non-Departmental Accounts – \$3,895

A need of \$3,895 exists in the Contribution to City Pension - ERIP non-departmental account due to an ERIP payment reconciliation.

Cincinnati Health District Fund 416 – \$401,000

Health Department – \$401,000

An amount of \$401,000 is needed in the School & Adolescent Health section to cover unbudgeted overtime resulting from the COVID-19 pandemic.

Cincinnati Area Geographic Information System (CAGIS) Fund 449 – \$1,090

Non-Departmental Accounts – \$1,090

A need of \$1,090 exists in the Contribution to City Pension - ERIP non-departmental account due to an ERIP payment reconciliation.

Streetcar Operations Fund 455 – \$60,000

Department of Transportation and Engineering – \$60,000

An amount of \$60,000 is needed in the Streetcar Operations agency to cover expenses related to the Streetcar Safety Audit.

County Law Enforcement Applied Regionally (CLEAR) Fund 457 – \$485

Non-Departmental Accounts – \$485

A need of \$485 exists in the Contribution to City Pension - ERIP non-departmental account due to an ERIP payment reconciliation.

TRANSFERS TO UNAPPROPRIATED SURPLUS RESULTING FROM SAVINGS

The following 5 funds have departmental savings that will be returned to the unappropriated surplus of each fund:

Parking System Facilities Fund 102 - \$3,555

Department of Finance

The Department of Finance will realize a \$3,555 savings in contractual services in the Parking System Facilities Fund.

Municipal Golf Fund 105 - \$45,000

Cincinnati Recreation Commission

The Golf Administration Division of the Cincinnati Recreation Commission will realize a savings of \$45,000 in salary and fringe benefits in the Municipal Golf Fund.

Bond Retirement Fund 151 - \$54,393,139

Department of Finance

The Department of Finance reports a total savings of \$54,393,139 in the Bond Retirement Fund primarily due to a reduction in debt service notes and issuance costs. There is also a personnel savings resulting from a position vacancy.

Income Tax-Infrastructure Fund 302 - \$107,791

Department of Finance

The Finance Department reports a savings of \$58,006 in the Accounts & Audits Division due to position vacancies.

Department of Economic Inclusion

The Department of Economic Inclusion reports a savings of \$49,785 due to position vacancies.

Parking Meter Fund 303 - \$8,880

Department of Finance

The Finance Department reports a savings of \$8,880 in expert services in the Treasury Operations Division.

The reason for the emergency is the immediate need to provide continuation of uninterrupted services through the end of the fiscal year.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment

EMERGENCY

CFG

-2022

AUTHORIZING the transfer of the sum of \$3,948,973 within the Restricted Funds from and to various operating accounts; and **AUTHORIZING** the transfer and appropriation of \$510,770 from the unappropriated surplus of the respective Restricted Funds to various operating accounts; **AUTHORIZING** the return to source the sum of \$54,558,365 to the unappropriated surplus of the respective Restricted Funds all for the purpose of realigning and providing funds for the ongoing needs of City departments in accordance with the attached Schedules of Transfer; and **AUTHORIZING** the transfer and return to source of the sum of \$468,625 from American Rescue Plan grant project account no. 469x101xARP052, “FY 2021 Restricted Funds Revenue Replacement,” to the unappropriated surplus of Local Fiscal Recovery Fund 469; **AUTHORIZING** the appropriation of the sum of \$468,625 from the unappropriated surplus of Local Fiscal Recovery Fund 469 to existing American Rescue Plan grant project account no. 469x101xARP053, “Hazard Pay,” for the purpose of providing additional compensation to eligible City employees during the COVID-19 pandemic.

WHEREAS, a need has arisen since the beginning of Fiscal Year 2022 to transfer various sums according to the attached Schedules of Transfer in order to realign and provide funds for the ongoing needs of City departments; and

WHEREAS, the City processed one-time Hazard Pay to eligible City employees in FY 2022; and

WHEREAS, additional resources are required in American Rescue Plan grant project account no. 469x101xARP053, “Hazard Pay,” in order to reimburse certain departments for the cost of Hazard Pay made to employees who qualified for Hazard Pay as set forth in the American Rescue Plan guidance promulgated by the United States Department of the Treasury; now, therefore,

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

Section 1. That the sum of \$3,948,973 existing within various Restricted Funds is hereby transferred from and to various operating accounts according to the Schedules of Transfer attached hereto and by reference made a part hereof, for the purpose of realigning certain accounts and providing funds for the ongoing needs of City departments until the end of fiscal year 2022.

Section 2. That the sum of \$510,770 is hereby transferred and appropriated from the unappropriated surplus of the respective Restricted Funds to various operating accounts, all according to the Schedules of Transfer attached hereto and reference made a part hereof, and appropriating certain amounts from the unappropriated surplus for the current fiscal year operating expenses.

Section 3. That the sum of \$54,558,365 is hereby transferred and returned to the unappropriated surplus of the respective Restricted Funds, all according to the Schedules of Transfer attached hereto and by reference made a part hereof.

Section 4. That the transfer and return to source of the sum of \$468,625 is hereby transferred from American Rescue Plan grant project account no. 469x101xARP052, "FY 2021 Restricted Funds Revenue Replacement," to the unappropriated surplus of Local Fiscal Recovery Fund 469 is hereby authorized.

Section 5. That the sum of \$468,625 is hereby appropriated to existing American Rescue Plan grant project account no. 469x101xARP053, "Hazard Pay," for the purpose of providing reimbursements to departments that paid City employees who qualified for such payment under the terms of the United States Department of the Treasury Guidance for the expenditure of American Rescue Plan funds because of their in-person work during the COVID-19 pandemic.

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

Section 7. 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 continuation of uninterrupted services through the end of the fiscal year.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

FY 2022 RESTRICTED FUND FINAL ADJUSTMENT ORDINANCE

Fund 101 Water Works

<i>REDUCTIONS</i>					<i>INCREASES</i>				
	Fund	Agency	Appropriation Unit	\$ Amount		Fund	Agency	Appropriation Unit	\$ Amount
TRANSFERS WITHIN APPROPRIATIONS					TRANSFERS WITHIN APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
DEPARTMENT OF WATER WORKS					DEPARTMENT OF WATER WORKS				
COMMERCIAL SERVICES	101	302	7100	150,000	COMMERCIAL SERVICES	101	302	7300	150,000
DIVISION OF SUPPLY	101	303	7100	100,000	DIVISION OF SUPPLY	101	303	7200	100,000
DIVISION OF SUPPLY	101	303	7500	100,000	DIVISION OF SUPPLY	101	303	7300	100,000
DIVISION OF DISTRIBUTION	101	304	7100	450,000	DIVISION OF DISTRIBUTION	101	304	7200	475,000
DIVISION OF DISTRIBUTION	101	304	7500	200,000	DIVISION OF DISTRIBUTION	101	304	7300	400,000
WORKERS' COMP INSURANCE	101	921	7500	125,000					
GENERAL FUND OVERHEAD	101	944	7200	100,000					
Subtotal Transfers Within Appropriations				1,225,000	Subtotal Transfers Within Appropriations				1,225,000
TOTAL FUND 101 REDUCTIONS				1,225,000	TOTAL FUND 101 INCREASES				1,225,000

FY 2022 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE

Fund 102 Parking System Facilities

<i>REDUCTIONS</i>					<i>INCREASES</i>				
	Fund	Agency	Appropriation Unit	\$ Amount		Fund	Agency	Appropriation Unit	\$ Amount
TRANSFERS WITHIN APPROPRIATIONS					TRANSFERS WITHIN APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
DEPARTMENT OF FINANCE					NON-DEPARTMENTAL ACCOUNTS				
TREASURY OPERATIONS	102	134	7200	445	CONTRIBUTION TO CITY PENSION - ERIP	102	911	7500	445
Subtotal Transfers Within Appropriations				445	Subtotal Transfers Within Appropriations				445
SUPPLEMENTAL APPROPRIATIONS					SUPPLEMENTAL APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
DEPARTMENT OF FINANCE					UNAPPROPRIATED SURPLUS				
TREASURY OPERATIONS	102	134	7200	3,555		102			3,555
Subtotal Supplemental Appropriations				3,555	Subtotal Supplemental Appropriations				3,555
TOTAL FUND 102 REDUCTIONS				4,000	TOTAL FUND 102 INCREASES				4,000

FY 2022 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE

Fund 104 General Aviation

<i>REDUCTIONS</i>				<i>INCREASES</i>					
	Fund	Agency	Appropriation Unit	\$ Amount	Fund	Agency	Appropriation Unit	\$ Amount	
SUPPLEMENTAL APPROPRIATIONS					SUPPLEMENTAL APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
UNAPPROPRIATED SURPLUS					NON-DEPARTMENTAL ACCOUNTS				
	104			1,210					
					CONTRIBUTION TO CITY PENSION - ERIP	104	911	7500	260
					GENERAL FUND OVERHEAD	104	944	7200	950
				<u>1,210</u>				<u>1,210</u>	
					Subtotal Supplemental Appropriations				
TOTAL FUND 104 REDUCTIONS				1,210	TOTAL FUND 104 INCREASES				1,210

FY 2022 MUNICIPAL GOLF FUND 105 FINAL ADJUSTMENT ORDINANCE

Fund 105 Municipal Golf

<i>REDUCTIONS</i>					<i>INCREASES</i>				
	Fund	Agency	Appropriation Unit	\$ Amount		Fund	Agency	Appropriation Unit	\$ Amount
SUPPLEMENTAL APPROPRIATIONS					SUPPLEMENTAL APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
CINCINNATI RECREATION COMMISSION					UNAPPROPRIATED SURPLUS				
	105	195	7100	32,000		105			45,000
	105	195	7500	13,000					
				<u>45,000</u>					<u>45,000</u>
TOTAL FUND 105 REDUCTIONS				45,000	TOTAL FUND 105 INCREASES				45,000

FY 2022 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE

Fund 107 Stormwater Management

<i>REDUCTIONS</i>					<i>INCREASES</i>				
	Fund	Agency	Appropriation Unit	\$ Amount		Fund	Agency	Appropriation Unit	\$ Amount
TRANSFERS WITHIN APPROPRIATIONS					TRANSFERS WITHIN APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
DEPARTMENT OF BUILDINGS AND INSPECTIONS					DEPARTMENT OF BUILDINGS AND INSPECTIONS				
PRIVATE LOT ABATEMENT PROGRAM	107	212	7100	75,000	PRIVATE LOT ABATEMENT PROGRAM	107	212	7200	75,000
DEPARTMENT OF PUBLIC SERVICES					DEPARTMENT OF PUBLIC SERVICES				
NEIGHBORHOOD OPERATIONS	107	253	7100	40,250	NEIGHBORHOOD OPERATIONS	107	253	7200	188,290
NEIGHBORHOOD OPERATIONS	107	253	7500	148,040					
STORMWATER MANAGEMENT					STORMWATER MANAGEMENT				
OPERATIONS AND MAINTENANCE	107	311	7100	100,000	OPERATIONS AND MAINTENANCE	107	311	7200	90,000
OPERATIONS AND MAINTENANCE	107	311	7600	10,000	OPERATIONS AND MAINTENANCE	107	311	7300	10,000
					OPERATIONS AND MAINTENANCE	107	311	7400	10,000
Subtotal Transfers Within Appropriations				373,290	Subtotal Transfers Within Appropriations				373,290
SUPPLEMENTAL APPROPRIATIONS					SUPPLEMENTAL APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
UNAPPROPRIATED SURPLUS					CITY MANAGER'S OFFICE				
	107			38,550	OFFICE OF ENVIRONMENT AND SUSTAINABILITY	107	104	7200	37,000
NON-DEPARTMENTAL ACCOUNTS					NON-DEPARTMENTAL ACCOUNTS				
					CONTRIBUTION TO CITY PENSION - ERIP	107	911	7500	1,550
Subtotal Supplemental Appropriations				38,550	Subtotal Supplemental Appropriations				38,550
TOTAL FUND 107 REDUCTIONS				411,840	TOTAL FUND 107 INCREASES				411,840

FY 2022 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE

Fund 151 Bond Retirement

<i>REDUCTIONS</i>					<i>INCREASES</i>				
	Fund	Agency	Appropriation Unit	\$ Amount		Fund	Agency	Appropriation Unit	\$ Amount
SUPPLEMENTAL APPROPRIATIONS					SUPPLEMENTAL APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
DEPARTMENT OF FINANCE					UNAPPROPRIATED SURPLUS				
TREASURY OPERATIONS	151	134	7100	40,960		151			54,393,139
TREASURY OPERATIONS	151	134	7200	1,146,175					
TREASURY OPERATIONS	151	134	7700	53,206,004					
Subtotal Supplemental Appropriations				54,393,139	Subtotal Supplemental Appropriations				54,393,139
TOTAL FUND 151 REDUCTIONS				54,393,139	TOTAL FUND 151 INCREASES				54,393,139

FY 2022 RESTRICTED FUND FINAL ADJUSTMENT ORDINANCE

Fund 302 Income Tax-Infrastructure

<i>REDUCTIONS</i>					<i>INCREASES</i>				
	Fund	Agency	Appropriation Unit	\$ Amount		Fund	Agency	Appropriation Unit	\$ Amount
TRANSFERS WITHIN APPROPRIATIONS					TRANSFERS WITHIN APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
DEPARTMENT OF TRANSPORTATION AND ENGINEERING					DEPARTMENT OF TRANSPORTATION AND ENGINEERING				
ENGINEERING	302	233	7100	57,000	TRANSPORTATION PLANNING	302	232	7100	57,000
ENGINEERING	302	233	7500	23,000	TRANSPORTATION PLANNING	302	232	7500	23,000
DEPARTMENT OF FINANCE					NON-DEPARTMENTAL ACCOUNTS				
ACCOUNTS & AUDITS	302	133	7100	3,540	CONTRIBUTION TO CITY PENSION - ERIP	302	911	7500	3,540
Subtotal Transfers Within Appropriations				83,540	Subtotal Transfers Within Appropriations				83,540
SUPPLEMENTAL APPROPRIATIONS					SUPPLEMENTAL APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
DEPARTMENT OF FINANCE					UNAPPROPRIATED SURPLUS				
ACCOUNTS & AUDITS	302	133	7100	58,006		302			107,791
DEPARTMENT OF ECONOMIC INCLUSION									
CONTRACT COMPLIANCE	302	281	7100	33,955					
CONTRACT COMPLIANCE	302	281	7500	15,830					
Subtotal Supplemental Appropriations				107,791	Subtotal Supplemental Appropriations				107,791
TOTAL FUND 302 REDUCTIONS				191,331	TOTAL FUND 302 INCREASES				191,331

FY 2022 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE

Fund 303 Parking Meter

<i>REDUCTIONS</i>					<i>INCREASES</i>				
	Fund	Agency	Appropriation Unit	\$ Amount		Fund	Agency	Appropriation Unit	\$ Amount
TRANSFERS WITHIN APPROPRIATIONS					TRANSFERS WITHIN APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
DEPARTMENT OF FINANCE					NON-DEPARTMENTAL ACCOUNTS				
TREASURY OPERATIONS	303	134	7200	1,120	CONTRIBUTION TO CITY PENSION - ERIP	303	911	7500	1,120
Subtotal Transfers Within Appropriations				1,120	Subtotal Transfers Within Appropriations				1,120
SUPPLEMENTAL APPROPRIATIONS					SUPPLEMENTAL APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
DEPARTMENT OF FINANCE					UNAPPROPRIATED SURPLUS				
TREASURY OPERATIONS	303	134	7200	8,880		303			8,880
Subtotal Supplemental Appropriations				8,880	Subtotal Supplemental Appropriations				8,880
TOTAL FUND 303 REDUCTIONS				10,000	TOTAL FUND 303 INCREASES				10,000

FY 2022 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE

Fund 306 Municipal Motor Vehicle License Tax

<i>REDUCTIONS</i>					<i>INCREASES</i>				
	Fund	Agency	Appropriation Unit	\$ Amount		Fund	Agency	Appropriation Unit	\$ Amount
TRANSFERS WITHIN APPROPRIATIONS					TRANSFERS WITHIN APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
DEPARTMENT OF PUBLIC SERVICES					DEPARTMENT OF PUBLIC SERVICES				
	306	252	7100	72,000		306	252	7200	4,000
	306	252	7500	44,431		306	252	7300	112,431
				<u>116,431</u>					<u>116,431</u>
SUPPLEMENTAL APPROPRIATIONS					SUPPLEMENTAL APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
UNAPPROPRIATED SURPLUS					NON-DEPARTMENTAL ACCOUNTS				
	306			680		306	911	7500	680
				<u>680</u>					<u>680</u>
TOTAL FUND 306 REDUCTIONS				117,111	TOTAL FUND 306 INCREASES				117,111

FY 2022 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE

Fund 323 Recreation Special Activities

<i>REDUCTIONS</i>					<i>INCREASES</i>				
	Fund	Agency	Appropriation Unit	\$ Amount		Fund	Agency	Appropriation Unit	\$ Amount
TRANSFERS WITHIN APPROPRIATIONS					TRANSFERS WITHIN APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
CINCINNATI RECREATION COMISSION					CINCINNATI RECREATION COMISSION				
WEST REGION	323	191	7100	87,000	WEST REGION	323	191	7200	15,000
CENTRAL REGION	323	193	7100	55,000	WEST REGION	323	193	7200	37,000
					WEST REGION	323	193	7300	15,000
					ATHLETICS	323	197	7200	20,000
					SUPPORT SERVICES	323	199	7300	55,000
Subtotal Transfers Within Appropriations				142,000	Subtotal Transfers Within Appropriations				142,000
TOTAL FUND 323 REDUCTIONS				142,000	TOTAL FUND 323 INCREASES				142,000

FY 2022 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE

Fund 416 Cincinnati Health District

<i>REDUCTIONS</i>					<i>INCREASES</i>				
	Fund	Agency	Appropriation Unit	\$ Amount		Fund	Agency	Appropriation Unit	\$ Amount
TRANSFERS WITHIN APPROPRIATIONS					TRANSFERS WITHIN APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
DEPARTMENT OF HEALTH					DEPARTMENT OF HEALTH				
	416	261	7100	117,000		416	261	7200	130,000
	416	262	7100	380,000		416	262	7200	226,000
	416	264	7300	584,000		416	263	7100	550,000
	416	265	7100	435,000		416	263	7200	236,000
	416	265	7200	9,000		416	264	7400	6,000
						416	266	7100	377,000
				1,525,000					1,525,000
Subtotal Transfers Within Appropriations					Subtotal Transfers Within Appropriations				
SUPPLEMENTAL APPROPRIATIONS					SUPPLEMENTAL APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
UNAPPROPRIATED SURPLUS					DEPARTMENT OF HEALTH				
	416			401,000		416	266	7100	401,000
				401,000					401,000
				Subtotal Supplemental Appropriations					Subtotal Supplemental Appropriations
TOTAL FUND 416 REDUCTIONS					TOTAL FUND 416 INCREASES				
				1,926,000					1,926,000

FY 2022 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE

Fund 457 County Law Enforcement Applied Regionally (CLEAR)

<i>REDUCTIONS</i>				<i>INCREASES</i>					
	Fund	Agency	Appropriation Unit	\$ Amount	Fund	Agency	Appropriation Unit	\$ Amount	
SUPPLEMENTAL APPROPRIATIONS					SUPPLEMENTAL APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
UNAPPROPRIATED SURPLUS					NON-DEPARTMENTAL ACCOUNTS				
	457			485	457	911	7500	485	
				<u>485</u>				<u>485</u>	
TOTAL FUND 457 REDUCTIONS				485	TOTAL FUND 457 INCREASES				485

May 4, 2022

To: Mayor and Members of City Council 202201126
From: John P. Curp, Interim City Manager
Subject: Ordinance – DOTE: Clean Ohio Trails Fund Grant Application

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to apply for grant resources from the Clean Ohio Trails Fund grant program to be awarded by the Ohio Department of Natural Resources in an amount up to \$500,000 for the purpose of providing resources for the construction of Phase 7 of the Wasson Way Trail project.

This Ordinance authorizes the City Manager to apply for grant resources from the Clean Ohio Trails Fund (COTF), awarded by the Ohio Department of Natural Resources (ODNR), in an amount up to \$500,000 for the purpose of providing resources for the construction of Phase 7 of the Wasson Way Trail project. The Wasson Way Trail is a shared-use path for bicycles and pedestrians extending from near the intersection of Martin Luther King Jr. Drive and Reading Road in Avondale eastward through the City of Norwood, the Cincinnati neighborhoods of Evanston, Hyde Park, Oakley, and Mount Lookout, through the Village of Fairfax, and ending east of Wooster Road near its intersection with Red Bank Road in Columbia Township.

Local matching resources of approximately \$166,667 will be made available in future Department of Transportation & Engineering (DOTE) capital improvement program resources. No new FTEs are required.

DOTE already applied for this grant due to the application deadline of April 15, 2022. However, DOTE will not accept grant funding without City Council approval.

Construction of the Wasson Way Trail is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability,” as well as the strategies to “[e]xpand options for non-automotive travel,” and “[p]lan, design, and implement a safe and sustainable transportation system,” as described on pages 129-138 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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



Attachment

AUTHORIZING the City Manager to apply for grant resources from the Clean Ohio Trails Fund grant program to be awarded by the Ohio Department of Natural Resources in an amount up to \$500,000 for the purpose of providing resources for the construction of Phase 7 of the Wasson Way Trail project.

WHEREAS, the planned Wasson Way Trail is a shared-use path for bicycles and pedestrians extending from the intersection of Martin Luther King Jr. Drive and Reading Road in Avondale eastward through the City of Norwood, the Cincinnati neighborhoods of Evanston, Hyde Park, Oakley, and Mount Lookout, through the Village of Fairfax, and ending east of Wooster Road near its intersection with Red Bank Road in Columbia Township; and

WHEREAS, grant resources are available from the Ohio Department of Natural Resources through the Clean Ohio Trails Fund (“COTF”) grant program, in an amount up to \$500,000; and

WHEREAS, the COTF grant would provide resources for Phase 7 of the Wasson Way Trail project; and

WHEREAS, the Department of Transportation and Engineering (“DOTE”) has already applied for this grant as the application period ended on April 15, 2022; and

WHEREAS, DOTE will not accept grant funding without City Council approval; and

WHEREAS, the grant requires local matching resources in the amount of approximately \$166,667, which will be made available in future DOTE capital budget resources; and

WHEREAS, no additional FTEs are necessary for this grant; and

WHEREAS, the construction of the Wasson Way Trail is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability,” as well as the strategies to “[e]xpand options for non-automotive travel,” and “[p]lan, design, and implement a safe and sustainable transportation system,” as described on pages 129-138 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is authorized to apply for a grant from the Clean Ohio Trails Fund grant program to be awarded by the Ohio Department of Natural Resources in an

amount up to \$500,000 for the purpose of providing resources for the construction of Phase 7 of the Wasson Way Trail project.

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

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

May 4, 2022

To: Mayor and Members of Council 202201130
From: John Curp, Interim City Manager
Subject: Emergency Ordinance - Cincinnati Recreation Commission – Aquatics Bonus Plan

Transmitted herewith is an Emergency Ordinance captioned as follows:

AUTHORIZING the City Manager to establish an Aquatics Bonus Plan for the purpose of recruiting and retaining qualified employees within the Cincinnati Recreation Commission’s Aquatics program, according to the attached schedule.

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 establish the bonus plan in order to recruit and retain qualified employees.

cc: Daniel E. Betts, Director of Cincinnati Recreation Commission:

EMERGENCY

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- 2022

AUTHORIZING the City Manager to establish an Aquatics Bonus Plan for the purpose of recruiting and retaining qualified employees within the Cincinnati Recreation Commission’s Aquatics program, according to the attached Schedule.

WHEREAS, in order to recruit and retain quality unclassified, unrepresented, seasonal employees in the Division 4 salary schedule and to better serve Cincinnati residents, the Cincinnati Recreation Commission (“CRC”) has determined the creation of a bonus plan is necessary; and

WHEREAS, the Aquatics Bonus Plan is necessary to attract and retain unclassified, unrepresented, seasonal staff within CRC’s Aquatics Program in the Division 4 salary schedule to ensure consistencies in the knowledge, skills, and abilities required to carry out the duties and tasks prescribed to the positions; and

WHEREAS, the Aquatics Bonus Plan provides opportunities to increase operational efficiencies while maintaining a standard of excellence and a clear pathway for continued growth and career progression for affected employees; and

WHEREAS, funding for the Aquatics Bonus Plan, which is expected to cost approximately \$183,000 will be paid from the Cincinnati Recreation Commission’s existing Recreation Special Activities Fund 323 personnel operating budget, with \$61,375 being paid from existing FY2022 funds and \$121,625 being paid from existing FY2023 funds; and

WHEREAS, employee bonuses totaling either \$500 or \$750 will be disbursed in three increments from May through September, 2022, according to the attached Schedule; and

WHEREAS, the Aquatics Bonus Plan is in accordance with the “Live” strategy to “[i]mprove the public life and residential experience for our workforce and residents,” as described on page 147 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That an Aquatics Bonus Plan is hereby established in accordance with the attached Schedule, for the purpose of recruiting, hiring, and retaining qualified unclassified, unrepresented, seasonal employees in the Division 4 salary schedule within the Cincinnati Recreation Commission Aquatics Program.

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 establish the bonus plan in order to recruit and retain qualified employees.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

ATTACHMENT A

Recreation Aquatics Bonus Payment Plan Schedule

The funding for payment of the bonuses will be paid out of existing appropriated funds. The proposed bonus plan would result in additional personnel costs of \$61,375.00 paid out of the Recreation Department's existing FY2022 Recreation Special Activities Fund 323 appropriation and \$121,625.00 would be paid out of FY2023 funds.

- Head Lifeguards, Lifeguards, Pool Managers and Supervisors will receive \$750 bonus which would be disbursed in three payouts:
 - Payout 1 of \$250 – for May/June period
 - Payout 2 of \$250 – for July/August period
 - Payout 3 of \$250 – for Aug 14 thru September 5

- Gate Monitors and Pool Monitors will receive \$500 bonus that will be disbursed in three payouts:
 - Payout 1 of \$175 – for May/June period
 - Payout 2 of \$175 – for July/August period
 - Payout 3 of \$150 – for August 14 thru September 5

Minimum work hour requirements for payouts 1 & 2:

- Head Lifeguards, Lifeguards, Managers, Supervisors, = 200 hours minimum
- Pool Monitors/Gate Monitors = 120 hours minimum

Minimum work hour requirements for all positions for payout 3:

- Minimum of 30 hours plus a shift on Labor Day Weekend (Saturday -Monday).
- This will apply to all positions where the employee was eligible for the previous bonuses.

May 4, 2022

To: Mayor and Members of City Council

202201131

From: John P. Curp, Interim City Manager

Subject: Emergency Ordinance – One Ohio Region Board Approval

Attached is an Emergency Ordinance captioned:

APPROVING the One Ohio Region 2 (Hamilton County) Governance Structure which is responsible for making decisions about Region 2's representation on the statewide One Ohio Foundation Board as well as selecting projects which will be funded from Region 2's regional share of certain opioid litigation settlement funds.

The reason for the emergency is the immediate necessity to create the Region 2 governance board before the first meeting of the State of Ohio Foundation Board.

The Administration recommends passage of this Ordinance.

cc: William P. Weber, Assistant City Manager
Sheryl M. M. Long, Assistant City Manager

Attachment

EMERGENCY

EESW

- 2022

APPROVING the One Ohio Region 2 (Hamilton County) Governance Structure which is responsible for making decisions about Region 2's representation on the statewide One Ohio Foundation Board as well as selecting projects which will be funded from Region 2's regional share of certain opioid litigation settlement funds.

WHEREAS, the City of Cincinnati and its people have been harmed by the misfeasance, nonfeasance, and malfeasance of entities responsible for manufacturing and distributing opioids; and

WHEREAS, the harm that the opioid epidemic has inflicted on the City of Cincinnati is vast and difficult to quantify as it includes the loss of life, increase in addiction, increase in crime, and increase in resources expended to abate the opioid epidemic nuisance; and

WHEREAS, beginning in 2017 the City of Cincinnati took steps to hold opioid manufacturers and distributors accountable, including by filing nuisance lawsuits against them; and

WHEREAS, in the fall and winter of 2021 the City Manager, after soliciting the City Council's input and on behalf of the City, elected to participate in the nationwide settlements of opioid nuisance lawsuits; and

WHEREAS, the State of Ohio and its local governments have entered into the One Ohio Memorandum of Understanding which governs how the settlement funds owed to the people of the State of Ohio will be distributed and expended; and

WHEREAS, the One Ohio Memorandum of Understanding provides that settlement funds will be used for evidence-based forward-looking opioid abatement strategies; and

WHEREAS, the One Ohio Memorandum of Understanding creates a statewide Foundation Board which is responsible for receiving and dispersing 55% of all settlement funds received by the State of Ohio; and

WHEREAS, the One Ohio Memorandum of Understanding further divides the State of Ohio into 19 regions, which will receive a regional share of settlement funds allocated to the Foundation; and

WHEREAS, one region is Region 2, which is the entirety of Hamilton County; and

WHEREAS, Region 2 must create its own governance structure which will have the responsibility to make decisions that will allocate funds to projects that will equitably serve the needs of the entire region; and

WHEREAS, Exhibit A to this ordinance provides the proposed governance structure for Region 2 which will become effective upon the concurrence of all local governments within Region 2; and

WHEREAS, this governance structure provides for the City of Cincinnati to have three members on the Region 2 governance board; and

WHEREAS, the Hamilton County Administrator has recommended an advisory subcommittee consisting of three Hamilton County appointees and two City of Cincinnati appointees tasked with vetting grant proposals and providing recommendations to entire Region 2 governance board; and

WHEREAS, one member of the Region 2 governance board shall be the City of Cincinnati Health Commissioner or his or her designee; and

WHEREAS, the other two City of Cincinnati members of the Region 2 governance board are to be selected by the Mayor; and

WHEREAS, in order to ensure that the City's interests are represented by people with a knowledge of the operations of the City government, including existing efforts and resources dedicated to abating the opioid epidemic, the Mayor desires that the other two City representatives be City employees selected by the City Manager; and

WHEREAS, the City Council approves this selection of City employees by the City Manager; now, therefore,

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

Section 1. That the Mayor and Council of the City of Cincinnati hereby approve and enter into the One Ohio Region 2 governance structure attached to this ordinance as Exhibit A.

Section 2. That the Mayor and Council of the City of Cincinnati hereby approve the participation of the City of Cincinnati Health Commissioner for this Region 2 governance board.

Section 3. That the Mayor and Council of the City of Cincinnati authorize the City Manager to designate the appropriate City employees to be the other two City of Cincinnati representatives on the Region 2 governance board. These employees will serve on this governance board in their

official capacities as City employees and their term of service will be at the discretion of the City Manager.

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 necessity to create the Region 2 governance board before the first meeting of the State of Ohio Foundation Board.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

Exhibit A

OneOhio Region 2 Governance Structure*

Hamilton County Commissioners (3)	City of Cincinnati (2 – designated by Mayor)
Hamilton County Coroner	Hamilton County Health Commissioner
City of Cincinnati Health Commissioner	Hamilton County MHR SB President/CEO
Hamilton County Drug Court Judge	Hamilton County Sheriff
Hamilton County EMA Director	Township Trustee
Village Mayor	Small City Mayor
Individual with Lived Experience (2)	Educator
Mental Health Professional	Business Leader
Faith Leader	Hospital Representative

*The Hamilton County Addiction Response Coalition will serve as a non-voting advisory panel for the Governance Board.