



# City of Cincinnati

801 Plum Street  
Cincinnati, OH 45202

## Agenda - Final

### Budget and Finance Committee

*Chairperson Jeff Cramerding*  
*Vice Chair Scotty Johnson*  
*Vice Mayor Jan-Michele Kearney*  
*Councilmember Anna Albi*  
*Councilmember Mark Jeffreys*  
*Councilmember Evan Nolan*  
*Councilmember Meeka Owens*  
*President Pro Tem Victoria Parks*  
*Councilmember Seth Walsh*

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Monday, January 6, 2025

1:00 PM

Council Chambers, Room 300

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### PRESENTATIONS

#### AGENDA

#### MOTIONS

1. [202402596](#) **MOTION**, submitted by Councilmember Walsh, **WE MOVE** that the Administration provide a report within 30 days, or before the held fee adjustments (item # 202402562) are considered by Council, on the rationale and impacts of the fee adjustments for planning-related services. (STATEMENT ATTACHED)  
  
**Sponsors:** Walsh  
**Attachments:** [202402596](#)

#### REPORTS

2. [202402565](#) **REPORT**, dated 12/18/2024, submitted Sheryl M. M. Long, City Manager, regarding moving the Bomb Squad Out of the Mill Creek Corridor. (Reference Document # 202401577)  
  
**Sponsors:** City Manager  
**Attachments:** [Report](#)

#### GRANTS

3. [202402569](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 12/18/2024, **AUTHORIZING** the City Manager to apply for and accept a grant of in-kind services valued at up to \$46,800 from the Ohio Community Development Corporation Association AmeriCorps VISTA Project through the Corporation for National and Community Service to provide one full-time contracted position to carry out key portions of the 2023 Green Cincinnati Plan.  
  
**Sponsors:** City Manager

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

4. [202402572](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 12/18/2024, **ESTABLISHING** new permanent improvement project account no. 758x164x251631, "West Fork Incinerator Demolition - GF," to provide resources to the Port of Greater Cincinnati Development Authority ("the Port") to remediate the West Fork Incinerator site; **AUTHORIZING** the transfer and return to source of \$1,000,000 from capital improvement program project account no. 980x104x251029, "Green Cincinnati Sustainability Initiatives - GF," to the unappropriated surplus of the General Fund; **AUTHORIZING** the transfer and return to source of \$562,000 from capital improvement program project account no. 980x164x251623, "Property Development Improvements - GF," to the unappropriated surplus of the General Fund; and **AUTHORIZING** the transfer and appropriation of \$1,562,000 from the unappropriated surplus of the General Fund to newly established permanent improvement project account no. 758x164x251631, "West Fork Incinerator Demolition - GF," to provide resources to the Port to remediate the West Fork Incinerator site.

**Sponsors:** City Manager

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

### **PAYMENTS**

5. [202402566](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 12/18/2024, **AUTHORIZING** a payment of \$32,046.46 to PowerDMS, Inc. (Innovative Data Solutions, Inc.) from Cincinnati Recreation Commission non-personnel operating account no. 323x199x1910x7418 as a moral obligation for outstanding charges related to software subscription services.

**Sponsors:** City Manager

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

6. [202402574](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 12/18/2024, **AUTHORIZING** the payment of \$10,816.14 from Department of Economic Inclusion Special Events Fund non-personnel operating budget account no. 314x281x0000x7299 as a moral obligation to Xavier University for outstanding charges related to the 2024 Business Enterprise Expo.

**Sponsors:** City Manager

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

### **APPROPRIATE TO PUBLIC USE**

7. [202402576](#) **RESOLUTION (LEGISLATIVE) (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 12/18/2024, **DECLARING** the intent to appropriate to public use certain real-property interests necessary to restructure a portion of Yoast Avenue and Saffer Street with a new horizontal and vertical alignment,

to construct a mechanically stabilized earth retaining wall along said roadways, and replace portions of the water main and storm sewer system in order to alleviate periodic flooding and erosion concerns in or near said roadways, and to replace and upgrade resident access to the roadway and upgrade traffic control signage in conjunction with the aforementioned flooding and erosion control work.

**Sponsors:** City Manager

**Attachments:** [Transmittal](#)  
[Emergency Legislative Resolution](#)  
[Attachment I](#)  
[Attachment II](#)

8. [202402577](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 12/18/2024, **APPROPRIATING** to public use certain real property interests necessary to restructure a portion of Yoast Avenue and Saffer Street with a new horizontal and vertical alignment, to construct a mechanically stabilized earth retaining wall along said roadways, and replace portions of the water main and storm sewer system in order to alleviate periodic flooding and erosion concerns in or near said roadways, and to replace and upgrade resident access to the roadway and upgrade traffic control signage in conjunction with the aforementioned flooding and erosion control work.

**Sponsors:** City Manager

**Attachments:** [Transmittal](#)  
[Emergency Ordinance](#)  
[Attachment I](#)  
[Attachment II](#)

### **TRANSFERS AND APPROPRIATIONS**

9. [202500004](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 1/6/2025, **ESTABLISHING** new capital improvement program project account no. 980x104x251061, "Green Cincinnati Sustainability Initiatives," to provide resources to implement capital improvements that advance the goals of the City's 2023 Green Cincinnati Plan; **AUTHORIZING** the transfer and return of \$250,000 to source Income Tax Permanent Improvement Fund 758 from permanent improvement program project account no. 758x104x251060, "Green Project Workforce Development - GFCO," to realign sources with uses; **AUTHORIZING** the transfer and appropriation of \$250,000 from the unappropriated surplus of Income Tax Permanent Improvement Fund 758 to newly established capital improvement program project account no. 980x104x251061, "Green Cincinnati Sustainability Initiatives," to realign sources with uses; **AUTHORIZING** the transfer and return of \$250,000 to source General Fund 050 from capital improvement program project account no. 980x104x251029, "Green Cincinnati Sustainability Initiatives - GF," to realign sources with uses; **AUTHORIZING** the transfer and appropriation of \$250,000 from the

unappropriated surplus of General Fund 050 to Office of Environment and Sustainability General Fund non-personnel operating budget account no. 050x104x7200 to provide resources for Green Project Workforce Development as described below; **AUTHORIZING** the expenditure of \$1,000,000 from permanent improvement program project account no. 758x104x251058, "Green Project Home Repairs - GFCO," to provide local matching resources to support the Port of Greater Cincinnati Development Authority in its application for Robert Wood Johnson Foundation funding to support housing stability; **AUTHORIZING** the expenditure of \$500,000 from permanent improvement program project account no. 758x104x251059, "Green Project Green Bank - GFCO," for the Cincinnati Development Fund to support the establishment and formalization of a Cincinnati green bank to compete for funding awarded through the Environmental Protection Agency Greenhouse Gas Reduction Fund; **AUTHORIZING** the expenditure of \$250,000 from Office of Environment and Sustainability General Fund non-personnel operating budget account no. 050x104x7200 for Green Umbrella to support a coalition of organizations working to cultivate workforce development training programs in support of green bank programs; and **AUTHORIZING** the City Manager to enter into any agreements necessary for the administration of these resources.

**Sponsors:** City Manager

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

ADJOURNMENT



202402562

**Seth Walsh**  
Councilmember

12/19/2024

## **MOTION**

*To provide a report on the plan to adjust fees charged for planning-related services*

**WE MOVE** that the Administration provide a report within 30 days, or before the held fee adjustments (item #202402562) are considered by Council, on the rationale and impacts of the fee adjustments for planning-related services.

## **STATEMENT**

Council held item #202402562 to receive more information regarding the potential impacts and outcomes associated with raising fees for planning-related services and ensure that Cincinnati remains competitive both in comparative cost and quality of service.

The report on this proposed fee increase should include a rationale on the fee adjustments for planning-related services, comparisons to costs for similar processes in peer cities including Columbus, Indianapolis, Louisville, Cleveland, Pittsburgh and Kansas City as well as neighboring cities, villages and townships, potential impacts on development in the City and small or emerging developers, what impacts a fee increase would have on service delivery, and any other pertinent information.

Councilmember Seth Walsh

December 18, 2024

To: Mayor and Members of City Council  
From: Sheryl M.M. Long, City Manager **202402565**  
Subject: Moving the Bomb Squad Out of the Mill Creek Corridor

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**REFERENCE DOCUMENT #202401577**

On June 12, 2024, the Council referred the following for a report:

**MOTION**, submitted by Councilmembers Jeffreys, Walsh, Albi, Owens, Parks, Johnson and Cramerding, To address concerns of Mill Creek Corridor neighborhoods about the impact of the Bomb Squad at the Fire Training Center, **WE MOVE** that the Administration report back to Council within sixty (60) days on: Plans to relocate the Bomb Squad's storage and detonation operation to a facility outside of a residential area and school zones. Share any costs that might be associated with the move and potential timing.

**Executive Summary**

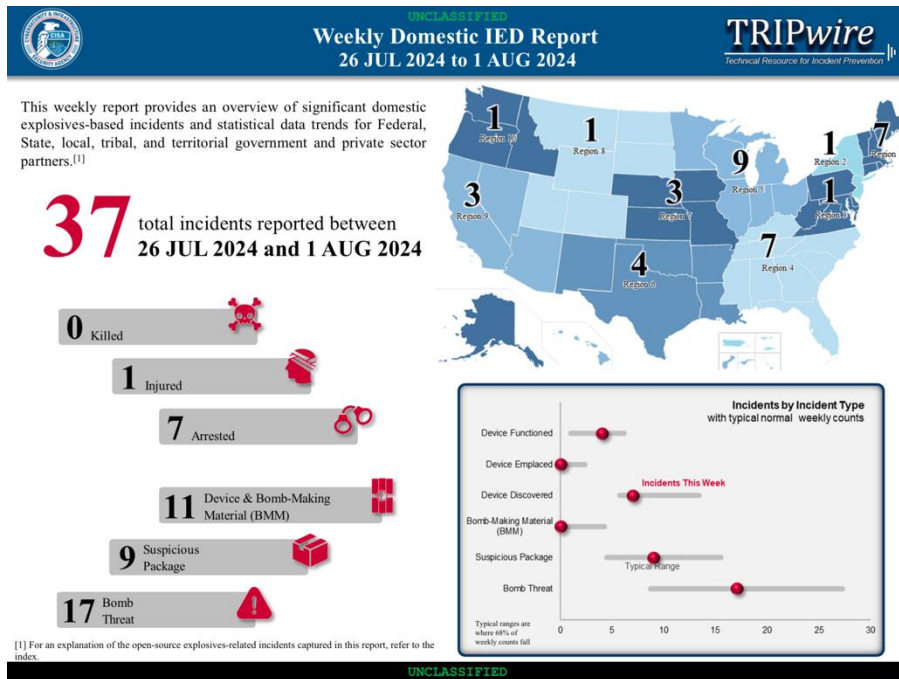
The current Cincinnati Fire Department (CFD) bomb squad training area is used infrequently for explosives training. Moving to a new site would require the purchase of a minimum of 5-acre site with improvements and buildings placed, costs for which could run \$5-10M depending on location. Fire has options to continue to minimize impacts at the current site by training in other locations when possible and coordinating more closely with all stakeholders whenever use of the local site is needed.

**Why do we have a bomb squad?**

The City of Cincinnati is a major city with both the blessings and challenges that come from our role as a regional leader. With our high profile, we are subject to the threats of bad actors who challenge the fabric of a community. In a recent DHS Terrorism Advisory System briefing, local governments were advised "The United States remains in a heightened threat environment. Lone offenders and small groups motivated by a range of ideological beliefs and personal grievances continue to pose a persistent and lethal threat to the Homeland".

This summer notes that our FEMA region five experienced the highest number of bombing incidents of any region in the US. Both the local Threat and Hazard Incident Risk Analysis (THIRA) and the county Mitigation Plan list bombing incidents as threats to the community. The FBI regularly states that attacks of this type should be considered "when, not if" they occur in our city. Additionally, there is a requirement for providing bomb response and investigation resources for large events such as NFL games or MLS matches.





## EOD Unit Definitions and history

The CFD has maintained an Explosive Ordnance Disposal (EOD) unit for nearly 50 years. Commonly referred to as the Bomb Squad, the unit is comprised of Cincinnati Firefighters whose mission is to investigate, locate, and render safe any explosive or potentially explosive materials, whether or not they are placed by criminal means.

The EOD unit's members are trained by the Federal Bureau of Investigation (FBI) following extensive screening and background check processes. The EOD unit is staffed by bomb technicians 24/7/365 from CFD headquarters at 430 Central Ave. downtown. The unit responds to nearly 100 incidents per year and also conducts safety screenings at all large city events such as festivals and sporting events.

Interestingly, the EOD Bomb technician's primary duty is as a firefighter. The on-duty bomb technicians' staff CFD Engine 14, which responds to nearly 4,000 fire and EMS incidents per year in the Central Business District. When needed, those same firefighters staff the EOD unit and respond to calls throughout the city and greater Cincinnati region. Performing a dual role allows for the department to maintain this advanced capability within our normal operating budget and resources.

## EOD Site Locations and use

The CFD's bomb technicians train regularly on tools and equipment used to keep our community safe. Training takes place in a variety of locations varying on the requirements of the job and the latest research into incidents involving explosive and incendiary devices. Much of this training involves the use of the department's robotics and detection equipment, none of which involves the use of live explosives.

Despite the infrequency of explosions, the CFD's EOD unit is prepared to train on the use of explosives. Currently, the department maintains space at the Fire Training Center located in South Cumminsville. The training area consists of a small equipment building, a secure storage area and open space for training evolutions.



- EOD Training Site



- Fire Training Site

### **EOD Training operations including frequency and type of explosions**

While EOD training is constant, use of explosives in training is rare. Because the CFD's EOD unit partners with federal agencies to provide services, all explosions by the CFD, including training, are reported to the Bureau of Alcohol Tobacco and Firearms (ATF) using their Bomb-Arson Tracking System (BATS). For the last 18 months, only three explosions of any type from our South Cumminsville facility were reported by CFD to BATS. One was a detonation to destroy homemade explosives recovered from an incident, and the other two were for training purposes, known as PAN (Percussion-Actuated, Non-electric) shots. The so-called PAN shots are used by bomb technicians to disrupt or destroy bomb components, typically using water. While PAN shots are technically not explosions, they do involve a small amount of explosive material, and the result is a loud report similar to a firecracker. Any other loud noises heard in the area could be from a variety of other sources, including from the fire training facility, industrial facilities in the area, or from the nearby rail yard.

### **EOD Training site requirements**

Due to the nature of explosives training, finding a suitable site can be challenging. ATF guidance lists as much as 500 feet of clearance in all directions for certain training activities. The current site for EOD training experiences limitations on these clearances, and the



additional concerns of the Fire Department around the nearby Mill Creek waterway, residential areas and the increased activity at the Fire Training Center itself. These limitations are a key reason that the current training site is used by the EOD Unit in a limited manner.

Despite limitations, the current training site does have immense value to the EOD operation. The site is located in the community, which allows staff to train on duty while remaining available for emergencies, negating the need to pay overtime or additional costs. Use of the local site also ensures that the EOD unit, the Fire Department and the City comply with all laws and standards around this training, and the use of the unit's tools and materials.

### **Local Options for EOD training**

Due to existing partnerships with other local agencies, there are some limited opportunities for the CFD EOD unit to utilize other facilities for some, but not all, explosives training. The first option is to use the Hamilton County Sheriff's firearms range in Colerain Township. Unfortunately, this range has many of the limitations as our current site, in terms of size, and is also limited by scheduling conflicts with the Sheriff's use of the range for their own training needs. We are also unable to store tools and materials at this site, which leads to additional logistical issues anytime training occurs. Another option is the use of the Butler County Sheriff's range. This site offers a larger clearance area, but is a considerable distance from the city, which will cause response and scheduling problems for our EOD unit. The Butler County site also has the same storage and scheduling conflicts as use of the Hamilton County Site.

### **Requirements for replacement EOD site**

Ideally, a site could be created that would allow for full-scale EOD training in accordance with applicable standards and the needs of the community. Requirements for such a site include the following:

- Large site, five-acre land area
- Security fencing around entire perimeter and interior fencing around range area
- Construction of storage building, including restroom and decontamination showers, etc.
- Placement of ATF compliant storage magazines
- Site utilities including lighting, network and security systems
- Site work including access roads, grading and building earthen berms for explosive range

### **Public Notifications and resources for community involvement**

Due to the nature of the EOD mission, not every part of the bomb squad's work can be conducted within public view. However, the Cincinnati Fire Department wants to ensure that we are as open as possible with how, when and why we conduct our EOD training and operations. While the CFD performs some regular notifications whenever we conduct detonations at the training site, this procedure should be enhanced to include public notifications via the Cincy Alert system. The CFD should also commit to using the Fire Training Center in ways that minimize disruptions to the nearby neighborhood. This commitment should include coordination with the nearby school and Community Council leadership so that we can work to strike an appropriate balance between conducting vital training and striving for a positive quality of life in our neighborhoods.

### **Safety is vital to the community and the EOD mission**

Use of explosives is inherently dangerous. The primary mission of the CFD is to protect lives and property, and the EOD mission places the safety of the public and our technicians as the highest priority during operations. The CFD EOD unit works to incorporate safety into every operation by the following actions:

- Conduct a safety briefing prior to any explosive detonations
- Utilize the minimum amount of explosive material to achieve operational objectives.
- Restrict use of devices to trained and authorized personnel with the highest level of training on site.
- Set and secure an operational perimeter to keep everyone clear.
- Use technology such as PAN shots which minimize flying or dangerous debris from explosions
- Coordinate explosions with local stakeholders or those on scene.

The CFD will also work to continue to minimize explosive use throughout the city.

### **Invitation to demonstration**

Many times, seeing is believing. The CFD would like to invite council members and involved stakeholders to tour the EOD training area at the Fire Training Center, and to participate in a demonstration of a PAN shot as described above. We want our community members to know the advanced capabilities of the CFD to respond to bombing or explosive incidents, and we trust our community leaders to make their own informed decisions about the impact that EOD training activities have on the public.

cc: Virginia Tallent, Assistant City Manager  
Frank McKinley, Fire Chief

December 18, 2024

**To:** Mayor and Members of City Council 202402569  
**From:** Sheryl M. M. Long, City Manager  
**Subject:** **Emergency Ordinance – OES: AmeriCorps VISTA Project Grant**

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Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the City Manager to apply for and accept a grant of in-kind services valued at up to \$46,800 from the Ohio Community Development Corporation Association AmeriCorps VISTA Project through the Corporation for National and Community Service to provide one full-time contracted position to carry out key portions of the 2023 Green Cincinnati Plan.

Approval of this Emergency Ordinance authorizes the City Manager to apply for and accept a grant of in-kind services valued at up to \$46,800 from the Ohio Community Development Corporation Association (OCDCA) AmeriCorps VISTA Project through the Corporation for National and Community Service to provide one full-time contracted position to carry out key portions of the 2023 Green Cincinnati Plan.

This grant requires a local match of up to \$2,000 which will be provided from Office of Environment and Sustainability General Fund non-personnel operating budget account no. 050x104x7200. No new FTEs/full time equivalents are required.

The City requested two OCDCA AmeriCorps VISTA Project placements by the grant deadline of January 17, 2024, and one placement was awarded. In-kind services will not be accepted without approval by the City Council.

Acceptance of the in-kind services of an AmeriCorps VISTA Project placement to accelerate implementation of the Plan is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” and strategy to “[c]reate a healthy environment and reduce energy consumption” as described on pages 181-186 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to execute the grant agreement between the City and OCDCA AmeriCorps VISTA Project by the deadline of January 10, 2025.

The Administration recommends passage of this Emergency Ordinance.

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



Attachment

**EMERGENCY**

MSS

- 2025

**AUTHORIZING** the City Manager to apply for and accept a grant of in-kind services valued at up to \$46,800 from the Ohio Community Development Corporation Association AmeriCorps VISTA Project through the Corporation for National and Community Service to provide one full-time contracted position to carry out key portions of the 2023 Green Cincinnati Plan.

WHEREAS, on April 12, 2023, Council adopted the 2023 Green Cincinnati Plan (“Plan”) with its full list of recommendations set forth in Resolution No. 37-2023; and

WHEREAS, an in-kind grant is available from the Ohio Community Development Corporation Association (“OCDCA”) AmeriCorps VISTA Project through the Corporation for National and Community Service to provide one full-time contracted position to carry out key portions of the Plan; and

WHEREAS, the Office of Environment and Sustainability will oversee the activities of the AmeriCorps VISTA position, which will allow the City to accelerate implementation of the Plan; and

WHEREAS, this grant requires a local match of up to \$2,000, which will be provided from Office of Environment and Sustainability General Fund non-personnel operating budget account no. 050x104x7200; and

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

WHEREAS, the City requested two OCDCA AmeriCorps VISTA Project placements by the grant deadline of January 17, 2024, and one placement was awarded, but the in-kind services of the AmeriCorps VISTA Project position services will not be accepted without approval by Council; and

WHEREAS, acceptance of the in-kind services of an AmeriCorps VISTA Project placement to accelerate implementation of the Plan is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” and strategy to “[c]reate a healthy environment and reduce energy consumption” as described on pages 181-186 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is authorized to apply for and accept a grant of in-kind services valued at up to \$46,800 from the Ohio Community Development Corporation Association (“OCDCA”) AmeriCorps VISTA Project through the Corporation for National and Community



Service to provide one full-time contracted position to carry out key portions of the 2023 Green Cincinnati Plan.

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

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to execute the grant agreement between the City and OCDCA AmeriCorps VISTA Project by the deadline of January 10, 2025.

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

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

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

December 18, 2024

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

202402572

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

**Subject: Emergency Ordinance – DCED: West Fork Incinerator Demolition**

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Attached is an Emergency Ordinance captioned:

**ESTABLISHING** new permanent improvement project account no. 758x164x251631, “West Fork Incinerator Demolition – GF,” to provide resources to the Port of Greater Cincinnati Development Authority (“the Port”) to remediate the West Fork Incinerator site; **AUTHORIZING** the transfer and return to source of \$1,000,000 from capital improvement program project account no. 980x104x251029, “Green Cincinnati Sustainability Initiatives – GF,” to the unappropriated surplus of the General Fund; **AUTHORIZING** the transfer and return to source of \$562,000 from capital improvement program project account no. 980x164x251623, “Property Development Improvements – GF,” to the unappropriated surplus of the General Fund; and **AUTHORIZING** the transfer and appropriation of \$1,562,000 from the unappropriated surplus of the General Fund to newly established permanent improvement project account no. 758x164x251631, “West Fork Incinerator Demolition – GF,” to provide resources to the Port to remediate the West Fork Incinerator site.

Approval of this Emergency Ordinance would authorize the return to source of \$1,562,000 to the General Fund from two existing capital improvement program project accounts. This Emergency Ordinance would also authorize the transfer and appropriation of \$1,562,000 from the unappropriated surplus of the General Fund to newly established permanent improvement program project account, “West Fork Incinerator Demolition – GF,” to provide resources to the Port of Greater Cincinnati Development Authority (the Port) to remediate the West Fork Incinerator site.

The West Fork Incinerator, located in the Cincinnati neighborhood of South Cumminsville, was previously used to burn garbage. However, in response to the Clean Air Act, the West Fork Incinerator was shuttered in the 1970s. On November 4, 2024, the City Council passed Ordinance No. 0372-2024, which authorized a Property Sale Agreement with the Hamilton County Land Reutilization Corporation (the Landbank) to facilitate remediation of the West Fork Incinerator site, including removal of asbestos, lead, and other hazardous materials, and return the site to productive use. The City, the Landbank, and the Port will be working to remediate the West Fork Incinerator site. The Port secured a grant of approximately \$5,053,000 from the Ohio Department of Development (ODOD) to remediate the site, which requires a local match of approximately \$1,562,000, which includes a grantee administration fee for the Port.

Remediation of the West Fork Incinerator site is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” as described on page 181 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to enter into any agreements necessary to proceed with the West Fork Incinerator Demolition project.

The Administration recommends passage of this Emergency Ordinance.

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



Attachment

## EMERGENCY

CNS

- 2024

**ESTABLISHING** new permanent improvement project account no. 758x164x251631, “West Fork Incinerator Demolition – GF,” to provide resources to the Port of Greater Cincinnati Development Authority (“the Port”) to remediate the West Fork Incinerator site; **AUTHORIZING** the transfer and return to source of \$1,000,000 from capital improvement program project account no. 980x104x251029, “Green Cincinnati Sustainability Initiatives – GF,” to the unappropriated surplus of the General Fund; **AUTHORIZING** the transfer and return to source of \$562,000 from capital improvement program project account no. 980x164x251623, “Property Development Improvements – GF,” to the unappropriated surplus of the General Fund; and **AUTHORIZING** the transfer and appropriation of \$1,562,000 from the unappropriated surplus of the General Fund to newly established permanent improvement project account no. 758x164x251631, “West Fork Incinerator Demolition – GF,” to provide resources to the Port to remediate the West Fork Incinerator site.

WHEREAS, the West Fork Incinerator, located in the Cincinnati neighborhood of South Cumminsville, was previously used to burn garbage but was closed in the 1970s in response to the Clean Air Act; and

WHEREAS, Ordinance No. 372-2024 authorized a Property Sale Agreement with the Hamilton County Land Reutilization Corporation (“the Landbank”) to facilitate remediation of the West Fork Incinerator site, including removal of asbestos, lead, and other hazardous materials, and return the site to productive use; and

WHEREAS, the City, the Landbank, and the Port of Greater Cincinnati Development Authority (“the Port”) will be working to remediate the West Fork Incinerator site; and

WHEREAS, the Port secured a grant of approximately \$5,053,000 from the Ohio Department of Development to remediate the site, which requires a local match of approximately \$1,562,000, which includes a grantee administration fee for the Port; and

WHEREAS, Council wishes to provide the local match, including the grantee administration fee, to the Port for the site remediation; and

WHEREAS, remediation of the West Fork Incinerator site is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” as described on page 181 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the Director of Finance is authorized to establish permanent improvement project account no. 758x164x251631, “West Fork Incinerator Demolition – GF,” to provide

resources to the Port of Greater Cincinnati Development Authority (“the Port”) to remediate the West Fork Incinerator site.

Section 2. That the transfer of and return to source of \$1,000,000 from capital improvement program project account no. 980x104x251029, “Green Cincinnati Sustainability Initiatives – GF,” to the unappropriated surplus of the General Fund is authorized.

Section 3. That the transfer of and return to source of \$562,000 from capital improvement program project account no. 980x164x251623, “Property Development Improvements – GF,” to the unappropriated surplus of the General Fund is authorized.

Section 4. That the transfer and appropriation of \$1,562,000 from the unappropriated surplus of the General Fund to newly established permanent improvement project account no. 758x164x251631, “West Fork Incinerator Demolition – GF,” is authorized to provide resources to the Port to remediate the West Fork Incinerator site.

Section 5. That the proper City officials are authorized to do all things necessary and proper to comply with Sections 1 through 4.

Section 6. 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 enter into any agreements necessary to proceed with the West Fork Incinerator Demolition project.

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

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

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



**December 18, 2024**

**To:** Mayor and Members of City Council 202402566  
**From:** Sheryl M. M. Long, City Manager  
**Subject: Emergency Ordinance – Cincinnati Recreation Commission (CRC): Moral Obligation Payment to PowerDMS**

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Attached is an Emergency Ordinance captioned:

**AUTHORIZING** a payment of \$32,046.46 to PowerDMS, Inc. (Innovative Data Solutions, Inc.) from Cincinnati Recreation Commission non-personnel operating account no. 323x199x1910x7418 as a moral obligation for outstanding charges related to software subscription services.

Approval of this Emergency Ordinance will authorize the payment of \$32,046.46 from Cincinnati Recreation Commission Recreation Special Activities Fund non-personnel operating budget account no. 323x199x1910x7418 to PowerDMS, Inc. for outstanding charges related to software subscription services.

PowerDMS, Inc. provided software subscription services to CRC to support management of requirements for CRC’s National Recreation and Park Association accreditation. While the contract with PowerDMS, Inc. expired on May 31, 2023, services continued to be provided to CRC before a new contract could be finalized. This moral obligation payment will cover the cost of services provided to CRC between August 23, 2024 and August 22, 2025.

The reason for the emergency is the immediate need to pay PowerDMS, Inc. (Innovative Data Solutions, Inc.) in a timely manner for services provided to the Cincinnati Recreation Commission.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment

**EMERGENCY**

**IMD**

**- 2024**

**AUTHORIZING** a payment of \$32,046.46 to PowerDMS, Inc. (Innovative Data Solutions, Inc.) from Cincinnati Recreation Commission non-personnel operating account no. 323x199x1910x7418 as a moral obligation for outstanding charges related to software subscription services.

WHEREAS, the City entered into a contract (the “Agreement”) with PowerDMS, Inc. (Innovative Data Solutions, Inc.) (“Contractor”) on August 22, 2024; and

WHEREAS, through the Agreement, Contractor provided software subscription services to the Cincinnati Recreation Commission (“CRC”) to support management of requirements related to CRC’s accreditation by the National Recreation and Park Association; and

WHEREAS, the Agreement expired on May 31, 2023, before a new agreement could be finalized; and

WHEREAS, this moral obligation payment of \$32,046.46 will cover the cost of services provided by Contractor to CRC between August 23, 2024 and August 22, 2025; and

WHEREAS, CRC staff has been educated on the best practices for coordinating and reviewing contracts prior to their expiration dates to prevent moral obligations in the future; and

WHEREAS, sufficient resources are available in Cincinnati Recreation Commission non-personnel operating account no. 323x199x1910x7367 to pay for the services provided by Contractor; and

WHEREAS, Council desires to provide payment of \$32,040.46 to Contractor for services provided to CRC; now, therefore,

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

Section 1. That the Finance Director is authorized to pay \$32,040.46 to PowerDMS, Inc. (Innovative Data Solutions, Inc.) from Cincinnati Recreation Commission non-personnel operating account no. 323x199x1910x7418 as a moral obligation for outstanding charges related to software subscription services.

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

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to pay PowerDMS, Inc. (Innovative Data Solutions, Inc.) in a timely manner for services provided to the Cincinnati Recreation Commission.

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

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

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

**December 18, 2024**

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

202402574

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

**Subject: Emergency Ordinance – Department of Economic Inclusion:  
Moral Obligation Payment to Xavier University**

---

Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the payment of \$10,816.14 from Department of Economic Inclusion Special Events Fund non-personnel operating budget account no. 314x281x0000x7299 as a moral obligation to Xavier University for outstanding charges related to the 2024 Business Enterprise Expo.

Approval of this Emergency Ordinance will authorize the payment \$10,816.14 from Department of Economic Inclusion Special Events Fund non-personnel operating budget account no. 314x281x0000x7299 as a moral obligation to Xavier University for outstanding charges related to the 2024 Business Enterprise Expo.

The Department of Economic Inclusion (DEI) hosted the 2024 Business Enterprise Expo at Xavier University on October 11, 2024. Services provided by Xavier included room rentals, audiovisual services, and catering services. Resources were not properly encumbered prior to the date the venue was reserved, and since the cost of the event exceeded the State of Ohio's \$3,000 threshold for purchases requiring a certification of funds, a moral obligation is necessary.

Previous Ordinance No. 0136-2024, passed by the City Council on May 1, 2024, authorized DEI to solicit and accept donations to offset expenses related to the 2024 Business Enterprise Expo. Donations received by the department were sufficient to cover event costs and are available in Special Events Fund 314. Staff have been trained in proper accounting rules and regulations to ensure a similar situation does not occur with future events.

The reason for the emergency is the immediate need to pay Xavier University for outstanding charges related to the 2024 Business Enterprise Expo in a timely manner.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment

**EMERGENCY**

**KKF**

**- 2024**

**AUTHORIZING** the payment of \$10,816.14 from Department of Economic Inclusion Special Events Fund non-personnel operating budget account no. 314x281x0000x7299 as a moral obligation to Xavier University for outstanding charges related to the 2024 Business Enterprise Expo.

WHEREAS, the Department of Economic Inclusion (“DEI”) hosted the 2024 Business Enterprise Expo at Xavier University’s Schiff Conference and Banquet Center on Friday, October 11, 2024; and

WHEREAS, the event included room rentals, audiovisual services, and catering services; and

WHEREAS, pursuant to Ordinance No. 136-2024, passed by Council on May 1, 2024, DEI was authorized to solicit donations to offset expenses related to the 2024 Business Enterprise Expo; and

WHEREAS, although DEI received sufficient donations to cover the cost of the event, donated resources were not encumbered prior to the date the venue was reserved; and

WHEREAS, the cost of the event exceeded the State of Ohio’s \$3,000 threshold for purchases requiring a certification, necessitating a moral obligation payment; and

WHEREAS, sufficient resources are available in Special Events Fund 314 for this outstanding payment to Xavier University; and

WHEREAS, DEI staff subsequently have been trained on proper accounting rules and regulations to ensure a similar situation does not occur in the future; and

WHEREAS, Council desires to pay \$10,816.14 to Xavier University for DEI’s use of its services related to the 2024 Business Enterprise Expo; now, therefore,

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

Section 1. That the Director of Finance is authorized to pay \$10,816.14 from Department of Economic Inclusion Special Events Fund non-personnel operating budget account no. 314x281x0000x7299 as a moral obligation to Xavier University for outstanding charges related to the 2024 Business Enterprise Expo.



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

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to pay Xavier University for outstanding charges related to the 2024 Business Enterprise Expo in a timely manner.

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

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

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

Date: December 18, 2024

To: Mayor and Members of City Council 202402576  
From: Sheryl M. M. Long, City Manager  
Subject: Emergency Legislative Resolution – Declaring the Intent to Appropriate Real Property to Restructure a Portion of Yoast Avenue and Saffer Street

---

Attached is an emergency legislative resolution captioned as follows:

**DECLARING** the intent to appropriate to public use certain real-property interests necessary to restructure a portion of Yoast Avenue and Saffer Street with a new horizontal and vertical alignment, to construct a mechanically stabilized earth retaining wall along said roadways, and replace portions of the water main and storm sewer system in order to alleviate periodic flooding and erosion concerns in or near said roadways, and to replace and upgrade resident access to the roadway and upgrade traffic control signage in conjunction with the aforementioned flooding and erosion control work.

This project will raise the elevation of Yoast Avenue to provide storage for storm water detention to alleviate overland flooding. A critical piece of property is needed to construct the project, however the owner is deceased.

The reason for the emergency is the property owner is deceased and there is an immediate need to acquire all real property interests necessary to construct the Project without delay to ensure the safe, dependable, and uninterrupted provision and protection of the public right-of-way and ancillary structures.

The Administration recommends passage of the attached emergency ordinance.

Attachment A – Legal Descriptions for Fee Simple Right-of-Way Take and Temporary Work Easement  
Attachment B – Property Exhibit Map for Fee Simple Right-of-Way Take and Temporary Work Easement

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

EMERGENCY

**Legislative Resolution**

DMZ

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

**DECLARING** the intent to appropriate to public use certain real-property interests necessary to restructure a portion of Yoast Avenue and Saffer Street with a new horizontal and vertical alignment, to construct a mechanically stabilized earth retaining wall along said roadways, and replace portions of the water main and storm sewer system in order to alleviate periodic flooding and erosion concerns in or near said roadways, and to replace and upgrade resident access to the roadway and upgrade traffic control signage in conjunction with the aforementioned flooding and erosion control work.

WHEREAS, the City, through its Department of Transportation and Engineering and Greater Cincinnati Water Works and its Stormwater Management Utility division, desires to restructure a portion of Yoast Avenue and Saffer Street with a new horizontal and vertical alignment, to construct a mechanically stabilized earth retaining wall along said roadways, and replace portions of the water main and storm sewer system in order to alleviate periodic flooding and erosion concerns in or near said roadways, and to replace and upgrade resident access to the roadway and upgrade traffic control signage in conjunction with the aforementioned flooding and erosion control work.

WHEREAS, Council deems it necessary at this time to proceed with acquisition of certain real-property interests for the described Yoast Avenue and Saffer Street improvements.

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

Section 1. That it is hereby declared to be the intent of Council to appropriate to public use a fee simple interest and a temporary easement interest in the real estate as described in Attachment A and depicted on Attachment B (the “Property”) for the purpose of restructuring a portion of Yoast Avenue and Saffer Street with a new horizontal and vertical alignment, to construct a mechanically stabilized earth retaining wall along said roadways, and replace portions of the water main and storm sewer system in order to alleviate periodic flooding and erosion concerns in or near said roadways, and to replace and upgrade resident access to the roadway and upgrade traffic control signage in conjunction with the aforementioned flooding and erosion control work (the “Project”), which interests in the Property are hereby deemed necessary to ensure

{00412850-1}

the completion of the Project and continued maintenance, repair and reconstruction of any of the Project improvements. The current owners of the Property are as follows:

<u>Owner</u>	<u>Hamilton Co. Auditor Parcel No.</u>
Carl W. Keller	0206-0011-0015

Section 2. That at any time after the effective date of this Resolution and before the passage of an ordinance to appropriate, the City Manager is hereby authorized, with the advice and assistance of the City Solicitor, to acquire by purchase any and all interests in the Property necessary to carry out the Project and, in accordance with such acquisition, to enter into special contracts for necessary services, expert or otherwise, as the City Manager deems necessary or appropriate.

Section 3. That this 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 acquire all real property interests necessary to construct the Project without delay to ensure the safe, dependable, and uninterrupted provision and protection of the public right-of-way and ancillary structures.

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

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

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

ATTACHMENT A

Tract I

**ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE  
IN THE FOLLOWING DESCRIBED PROPERTY  
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS  
IN THE NAME AND FOR THE USE OF THE  
CITY OF CINCINNATI, OHIO**

[Surveyor's description of the premises follows]

---


Situated in the City of Cincinnati, Hamilton County, State of Ohio, being part of Section 32, Town 3, Fractional Range 2 of Land Between the Miamis, and being part of Lot 17 of the Robert Orr Subdivision conveyed to **Carl W. Keller** as recorded in O.R. 3433 Page 169 of the Hamilton County Recorder's Office, further described as follows:

Commencing at the southwesterly corner of said Keller parcel, at the southeasterly corner of a parcel conveyed to Hamilton County Land Reutilization Corporation as recorded in O.R. 14560 Page 960 of the Hamilton County Recorder's Office, and on the northerly line of a parcel conveyed to Baltimore Pike Cemetery Association as recorded in O.R. 2052 Page 325 of the Hamilton County Recorder's Office, said point being the **Point of Beginning** for the parcel described herein;

1. Thence North 05° 39' 30" East, for a distance of 12.17 feet, along the westerly line of said Keller parcel and the easterly line of said Hamilton County Land Reutilization parcel, to a point;
2. Thence South 40° 26' 33" East, for a distance of 36.30 feet, to a point on the easterly line of said Keller parcel and on the westerly line of a parcel conveyed to Eric Wolff as recorded in O.R. 14315 Page 813 of the Hamilton County Recorder's Office;
3. Thence South 32° 25' 10" West, for a distance of 5.37 feet, along the easterly line of said Keller parcel and the westerly line of said Wolff parcel, to a point at the southeasterly corner of the said Keller parcel, the southwesterly corner of said Wolff parcel, and on the northerly line of said Baltimore Pike Cemetery parcel;
4. Thence North 47° 29' 12" West, for a distance of 29.67 feet, along the southerly line of said Keller parcel and the northerly line of said Baltimore Pike Cemetery parcel, to the **Point of Beginning** of the area being described, containing 0.005 acres (238 square feet), more or less.



The Basis of Bearing referred to herein is relative to Grid North of the Ohio State Plane Coordinate System, South Zone, NAD83 (2011) Datum, obtained by GPS observations from the ODOT CORS Network. This legal description was prepared by Brian Oyer, P.S. 8732 of Strand Associates, Inc. based on field survey performed in March 2021.

  
Brian J. Oyer, P.S. 8732

11-30-2023

Date



## Tract II

### TEMPORARY EASEMENT FOR THE PURPOSE OF CONSTRUCTION OF ROADWAY IMPROVEMENTS BY THE CITY OF CINCINNATI, OHIO

[Surveyor's description of the premises follows]

Situated in the City of Cincinnati, Hamilton County, State of Ohio, being part of Section 32, Town 3, Fractional Range 2 of Land Between the Miamis, and being part of Lot 17 of the Robert Orr Subdivision conveyed to **Carl W. Keller** as recorded in O.R. 3433 Page 169 of the Hamilton County Recorder's Office, further described as follows:

Commencing at the southwesterly corner of said Keller parcel, at the southeasterly corner of a parcel conveyed to Hamilton County Land Reutilization Corporation as recorded in O.R. 14560 Page 960 of the Hamilton County Recorder's Office, and on the northerly line of a parcel conveyed to Baltimore Pike Cemetery Association as recorded in O.R. 2052 Page 325 of the Hamilton County Recorder's Office;

Thence North 05° 39' 30" East, for a distance of 12.17 feet, along the westerly line of said Keller parcel and the easterly line of said Hamilton County Land Reutilization parcel, to a point, said point being the **Point of Beginning** for the parcel described herein;

1. Thence North 05° 39' 30" East, for a distance of 10.51 feet, along the westerly line of said Keller parcel and the easterly line of said Hamilton County Land Reutilization parcel;
2. Thence South 44° 50' 00" East, for a distance of 40.42 feet, to a point on the easterly line of said Keller parcel and the westerly line of a parcel conveyed to Eric Wolff as recorded in O.R. 14315 Page 813 of the Hamilton County Recorder's Office;

3. Thence South 32° 25' 10" West, for a distance of 11.16 feet, along the easterly line of said Keller parcel and the westerly line of said Wolff parcel;
4. Thence North 40° 26' 33" West, for a distance of 36.30 feet, to the **Point of Beginning** of the area being described, containing 0.008 acres, more or less.

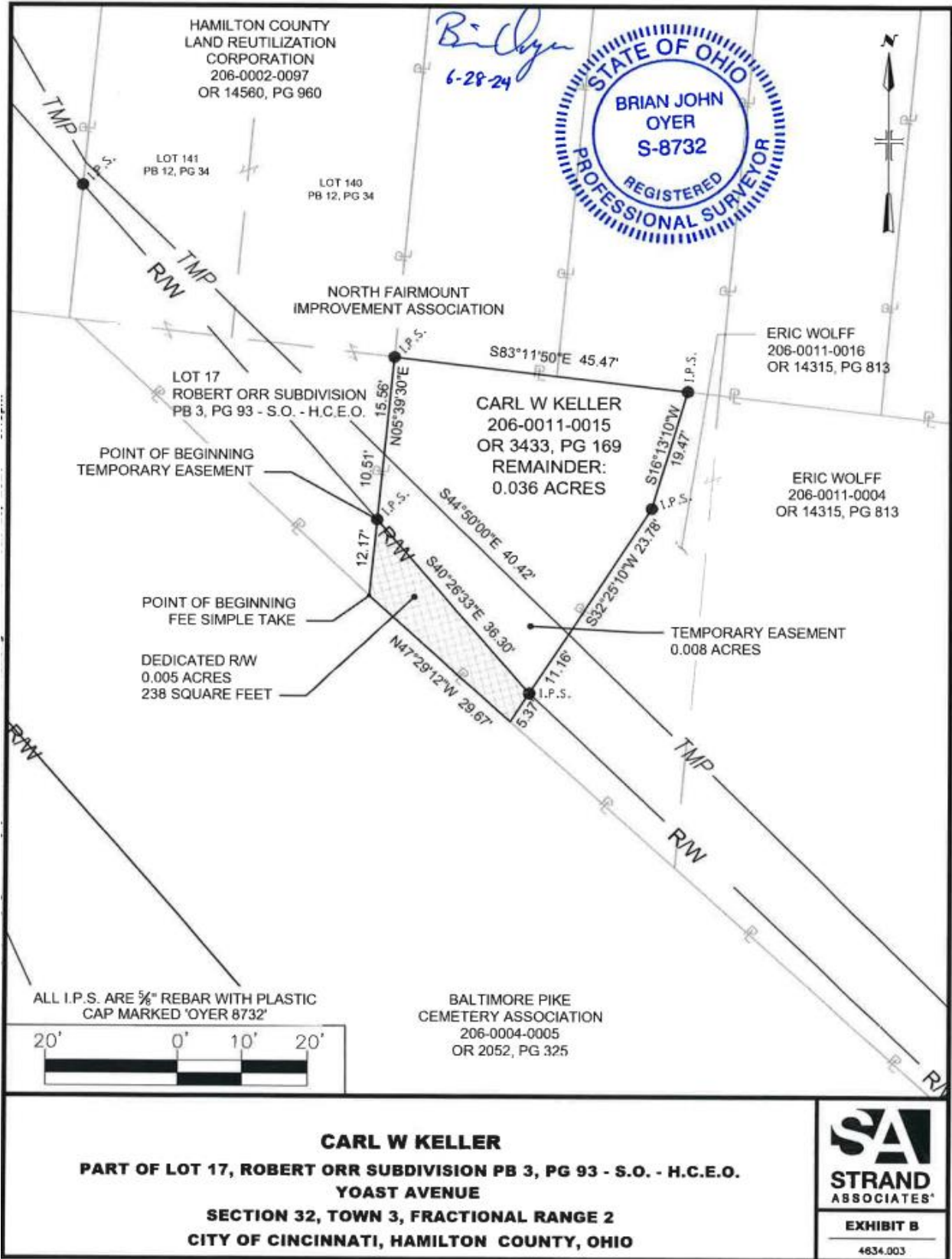
The Basis of Bearing referred to herein is relative to Grid North of the Ohio State Plane Coordinate System, South Zone, NAD83 (2011) Datum, obtained by GPS observations from the ODOT CORS Network. This legal description was prepared by Brian Oyer, P.S. 8732 of Strand Associates, Inc. based on field survey performed in March 2021.

  
\_\_\_\_\_  
Brian J. Oyer, P.S. 8732

11-30-2023  
\_\_\_\_\_  
Date



**ATTACHMENT B**



Date: December 18, 2024

To: Mayor and Members of City Council 202402577  
From: Sheryl M. M. Long, City Manager  
Subject: Emergency Ordinance –Appropriating Real Property to Restructure a Portion of Yoast Avenue and Saffer Street

---

Attached is an emergency ordinance captioned as follows:

APPROPRIATING to public use certain real property interests necessary to restructure a portion of Yoast Avenue and Saffer Street with a new horizontal and vertical alignment, to construct a mechanically stabilized earth retaining wall along said roadways, and replace portions of the water main and storm sewer system in order to alleviate periodic flooding and erosion concerns in or near said roadways, and to replace and upgrade resident access to the roadway and upgrade traffic control signage in conjunction with the aforementioned flooding and erosion control work.

This project will raise the elevation of Yoast Avenue to provide storage for storm water detention to alleviate overland flooding. A critical piece of property is needed to construct the project, however the owner is deceased.

The reason for the emergency is the property owner is deceased and there is an immediate need to acquire all real property interests necessary to construct the Project without delay to ensure the safe, dependable, and uninterrupted provision and protection of the public right-of-way and ancillary structures.

The Administration recommends passage of the attached emergency ordinance.

Attachment A – Legal Descriptions for Fee Simple Right-of-Way Take and Temporary Work Easement  
Attachment B – Property Exhibit Map for Fee Simple Right-of-Way Take and Temporary Work Easement

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

**EMERGENCY**

**DMZ**

**- 2024**

**APPROPRIATING** to public use certain real property interests necessary to restructure a portion of Yoast Avenue and Saffer Street with a new horizontal and vertical alignment, to construct a mechanically stabilized earth retaining wall along said roadways, and replace portions of the water main and storm sewer system in order to alleviate periodic flooding and erosion concerns in or near said roadways, and to replace and upgrade resident access to the roadway and upgrade traffic control signage in conjunction with the aforementioned flooding and erosion control work.

WHEREAS, on \_\_\_\_\_, 2024, City Council of the City of Cincinnati passed Resolution No. \_\_\_\_\_, captioned, “**DECLARING** the intent to appropriate to public use certain real-property interests necessary to restructure a portion of Yoast Avenue and Saffer Street with a new horizontal and vertical alignment, to construct a mechanically stabilized earth retaining wall along said roadways, and replace portions of the water main and storm sewer system in order to alleviate periodic flooding and erosion concerns in or near said roadways, and to replace and upgrade resident access to the roadway and upgrade traffic control signage in conjunction with the aforementioned flooding and erosion control work; and

WHEREAS, notice of the passage of said Resolution No. \_\_\_\_\_ has been served according to law; now, therefore,

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

Section 1. That the Council hereby appropriates a fee simple interest and a temporary easement interest in the real estate as described in Attachment A and depicted on Attachment B (the “Property”) for the purpose of restructuring a portion of Yoast Avenue and Saffer Street with a new horizontal and vertical alignment, to construct a mechanically stabilized earth retaining wall along said roadways, and replace portions of the water main and storm sewer system in order to alleviate periodic flooding and erosion concerns in or near said roadways, and to replace and upgrade resident access to the roadway and upgrade traffic control signage in conjunction with the aforementioned flooding and erosion control work (the “Project”). The owner(s) of record of the Property are as follows:

<u>Owner</u>	<u>Hamilton Co. Auditor Parcel No.</u>
Carl W. Keller	0206-0011-0015

Section 2. That the City Solicitor is hereby authorized to commence proceedings in a proper court by filing a complaint for appropriation of the foregoing parcels at such time as the City has met the requirements of Ohio Revised Code Section 163.04.

Section 3. That at any time prior or subsequent to the filing of a complaint or complaints for appropriation, the City Manager is hereby authorized, with the approval of the City Solicitor, to acquire by purchase the real property interests described in Section 1 hereof, and in connection with such acquisition, or for the preparation of court proceedings, to enter into special contracts for necessary services, expert or otherwise, as the same may be required.

Section 4. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to acquire all real property interests necessary to construct the Project without delay to ensure the safe, dependable, and uninterrupted provision and protection of the public right-of-way and ancillary structures.

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

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

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



ATTACHMENT A

Tract I

**ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE  
IN THE FOLLOWING DESCRIBED PROPERTY  
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS  
IN THE NAME AND FOR THE USE OF THE  
CITY OF CINCINNATI, OHIO**

[Surveyor's description of the premises follows]


---

Situated in the City of Cincinnati, Hamilton County, State of Ohio, being part of Section 32, Town 3, Fractional Range 2 of Land Between the Miamis, and being part of Lot 17 of the Robert Orr Subdivision conveyed to **Carl W. Keller** as recorded in O.R. 3433 Page 169 of the Hamilton County Recorder's Office, further described as follows:

Commencing at the southwesterly corner of said Keller parcel, at the southeasterly corner of a parcel conveyed to Hamilton County Land Reutilization Corporation as recorded in O.R. 14560 Page 960 of the Hamilton County Recorder's Office, and on the northerly line of a parcel conveyed to Baltimore Pike Cemetery Association as recorded in O.R. 2052 Page 325 of the Hamilton County Recorder's Office, said point being the **Point of Beginning** for the parcel described herein;

1. Thence North 05° 39' 30" East, for a distance of 12.17 feet, along the westerly line of said Keller parcel and the easterly line of said Hamilton County Land Reutilization parcel, to a point;
2. Thence South 40° 26' 33" East, for a distance of 36.30 feet, to a point on the easterly line of said Keller parcel and on the westerly line of a parcel conveyed to Eric Wolff as recorded in O.R. 14315 Page 813 of the Hamilton County Recorder's Office;
3. Thence South 32° 25' 10" West, for a distance of 5.37 feet, along the easterly line of said Keller parcel and the westerly line of said Wolff parcel, to a point at the southeasterly corner of the said Keller parcel, the southwesterly corner of said Wolff parcel, and on the northerly line of said Baltimore Pike Cemetery parcel;
4. Thence North 47° 29' 12" West, for a distance of 29.67 feet, along the southerly line of said Keller parcel and the northerly line of said Baltimore Pike Cemetery parcel, to the **Point of Beginning** of the area being described, containing 0.005 acres (238 square feet), more or less.

The Basis of Bearing referred to herein is relative to Grid North of the Ohio State Plane Coordinate System, South Zone, NAD83 (2011) Datum, obtained by GPS observations from the ODOT CORS Network. This legal description was prepared by Brian Oyer, P.S. 8732 of Strand Associates, Inc. based on field survey performed in March 2021.

  
Brian J. Oyer, P.S. 8732

11-30-2023  
Date



## Tract II

### TEMPORARY EASEMENT FOR THE PURPOSE OF CONSTRUCTION OF ROADWAY IMPROVEMENTS BY THE CITY OF CINCINNATI, OHIO

[Surveyor's description of the premises follows]

Situated in the City of Cincinnati, Hamilton County, State of Ohio, being part of Section 32, Town 3, Fractional Range 2 of Land Between the Miamis, and being part of Lot 17 of the Robert Orr Subdivision conveyed to **Carl W. Keller** as recorded in O.R. 3433 Page 169 of the Hamilton County Recorder's Office, further described as follows:

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Thence North 05° 39' 30" East, for a distance of 12.17 feet, along the westerly line of said Keller parcel and the easterly line of said Hamilton County Land Reutilization parcel, to a point, said point being the **Point of Beginning** for the parcel described herein;

1. Thence North 05° 39' 30" East, for a distance of 10.51 feet, along the westerly line of said Keller parcel and the easterly line of said Hamilton County Land Reutilization parcel;
2. Thence South 44° 50' 00" East, for a distance of 40.42 feet, to a point on the easterly line of said Keller parcel and the westerly line of a parcel conveyed to Eric Wolff as recorded in O.R. 14315 Page 813 of the Hamilton County Recorder's Office;



3. Thence South 32° 25' 10" West, for a distance of 11.16 feet, along the easterly line of said Keller parcel and the westerly line of said Wolff parcel;
4. Thence North 40° 26' 33" West, for a distance of 36.30 feet, to the **Point of Beginning** of the area being described, containing 0.008 acres, more or less.

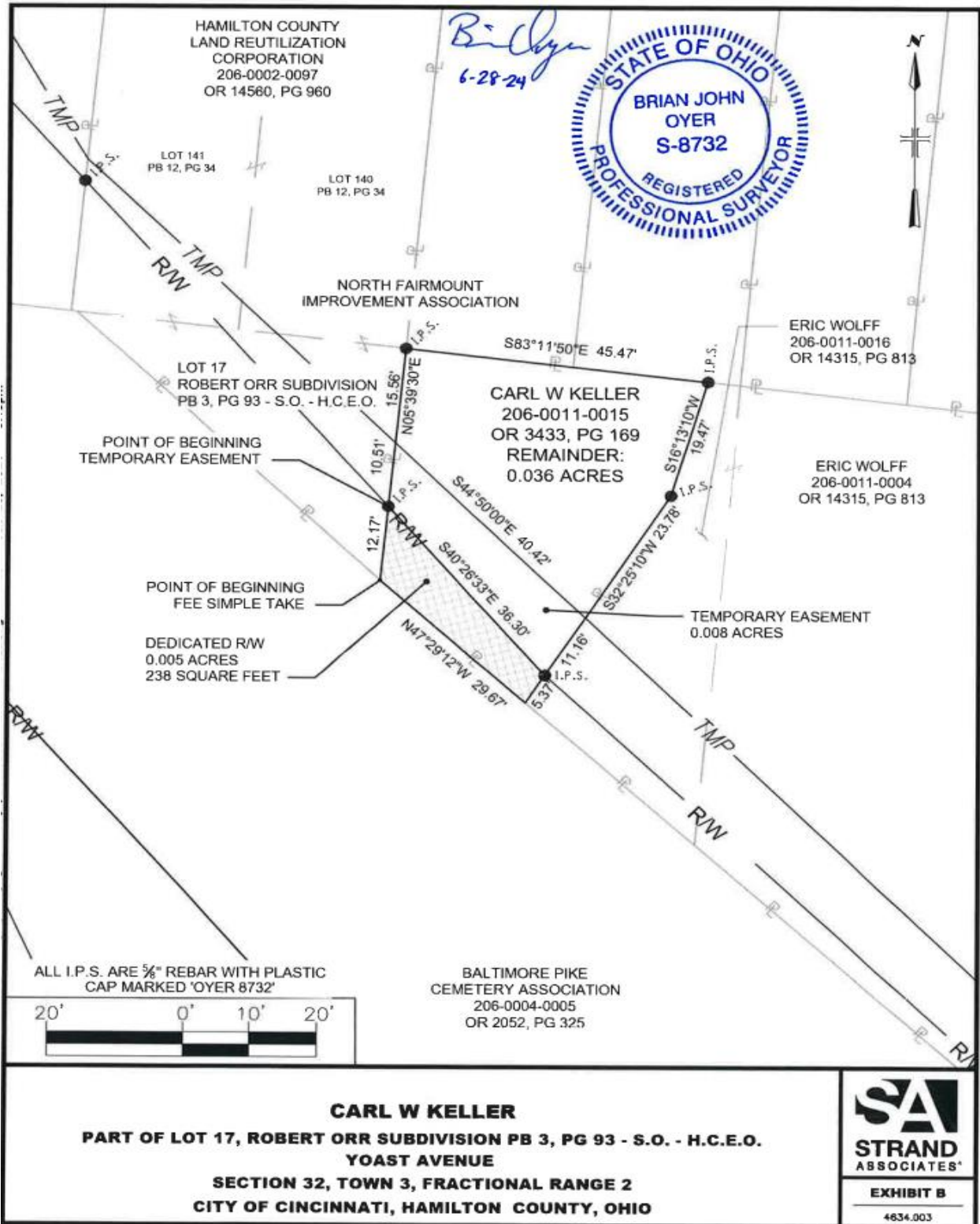
The Basis of Bearing referred to herein is relative to Grid North of the Ohio State Plane Coordinate System, South Zone, NAD83 (2011) Datum, obtained by GPS observations from the ODOT CORS Network. This legal description was prepared by Brian Oyer, P.S. 8732 of Strand Associates, Inc. based on field survey performed in March 2021.

  
\_\_\_\_\_  
Brian J. Oyer, P.S. 8732

*11-30-2023*  
\_\_\_\_\_  
Date



**ATTACHMENT B**



January 6, 2025

**To:** Members of the Budget and Finance Committee 202500004  
**From:** Sheryl M. M. Long, City Manager  
**Subject:** **Emergency Ordinance – OES: Green Project Budget Realignment**

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Attached is an Emergency Ordinance captioned:

**ESTABLISHING** new capital improvement program project account no. 980x104x251061, “Green Cincinnati Sustainability Initiatives,” to provide resources to implement capital improvements that advance the goals of the City’s 2023 Green Cincinnati Plan; **AUTHORIZING** the transfer and return of \$250,000 to source Income Tax Permanent Improvement Fund 758 from permanent improvement program project account no. 758x104x251060, “Green Project Workforce Development – GFCO,” to realign sources with uses; **AUTHORIZING** the transfer and appropriation of \$250,000 from the unappropriated surplus of Income Tax Permanent Improvement Fund 758 to newly established capital improvement program project account no. 980x104x251061, “Green Cincinnati Sustainability Initiatives,” to realign sources with uses; **AUTHORIZING** the transfer and return of \$250,000 to source General Fund 050 from capital improvement program project account no. 980x104x251029, “Green Cincinnati Sustainability Initiatives – GF,” to realign sources with uses; **AUTHORIZING** the transfer and appropriation of \$250,000 from the unappropriated surplus of General Fund 050 to Office of Environment and Sustainability General Fund non-personnel operating budget account no. 050x104x7200 to provide resources for Green Project Workforce Development as described below; **AUTHORIZING** the expenditure of \$1,000,000 from permanent improvement program project account no. 758x104x251058, “Green Project Home Repairs – GFCO,” to provide local matching resources to support the Port of Greater Cincinnati Development Authority in its application for Robert Wood Johnson Foundation funding to support housing stability; **AUTHORIZING** the expenditure of \$500,000 from permanent improvement program project account no. 758x104x251059, “Green Project Green Bank – GFCO,” for the Cincinnati Development Fund to support the establishment and formalization of a Cincinnati green bank to compete for funding awarded through the Environmental Protection Agency Greenhouse Gas Reduction Fund; **AUTHORIZING** the expenditure of \$250,000 from Office of Environment and Sustainability General Fund non-personnel operating budget account no. 050x104x7200 for Green Umbrella to support a coalition of organizations working to cultivate workforce development training programs in support of green bank programs; and **AUTHORIZING** the City Manager to enter into any agreements necessary for the administration of these resources.

On November 6, 2024, the City Council passed the FY 2024 Closeout Ordinance, Ordinance No. 0371-2024, which established and appropriated resources to the “Green Project Home Repairs – GFCO,” “Green Project Green Bank – GFCO,” and “Green Project Workforce Development – GFCO” permanent improvement program project accounts. Expenditures for green project workforce development are not eligible uses of permanent improvement program project account resources. Resources must be realigned with uses, and resources for green bank workforce development must be appropriated in the operating budget.

This Emergency Ordinance establishes a new capital improvement program project account and authorizes various transfers and appropriations to realign budget sources to be expended for the intended uses expressed in the FY 2024 Closeout Ordinance.

This Emergency Ordinance also authorizes the following:

1. The expenditure of \$1,000,000 from permanent improvement program project account no. 758x104x251058, “Green Project Home Repairs – GFCO,” to provide local matching resources to support the Port of Greater Cincinnati Development Authority in its application for Robert Wood Johnson Foundation funding to support housing stability;
2. The expenditure of \$500,000 from permanent improvement program project account no. 758x104x251059, “Green Project Green Bank – GFCO,” for the Cincinnati Development Fund to support the establishment and formalization of a Cincinnati green bank to compete for funding awarded through the Environmental Protection Agency (EPA) Greenhouse Gas Reduction Fund;
3. The expenditure of \$250,000 from Office of Environment and Sustainability General Fund non-personnel operating budget account no. 050x104x7200 for Green Umbrella to support a coalition of organizations working to cultivate workforce development training programs in support of green bank programs; and
4. The City Manager to enter into any agreements necessary for the administration of these resources.

Implementing green development, home repairs, and workforce training programs and projects in support of the 2023 Green Cincinnati Plan is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” and strategy to “[c]reate a healthy environment and reduce energy consumption” as described on pages 181-186 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to realign sources with uses to provide resources for projects necessary to achieve the goals of the 2023 Green Cincinnati Plan.

The Administration recommends passage of this Emergency Ordinance.

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



Attachment

## EMERGENCY

MSS

-2025

**ESTABLISHING** new capital improvement program project account no. 980x104x251061, “Green Cincinnati Sustainability Initiatives,” to provide resources to implement capital improvements that advance the goals of the City’s 2023 Green Cincinnati Plan; **AUTHORIZING** the transfer and return of \$250,000 to source Income Tax Permanent Improvement Fund 758 from permanent improvement program project account no. 758x104x251060, “Green Project Workforce Development – GFCO,” to realign sources with uses; **AUTHORIZING** the transfer and appropriation of \$250,000 from the unappropriated surplus of Income Tax Permanent Improvement Fund 758 to newly established capital improvement program project account no. 980x104x251061, “Green Cincinnati Sustainability Initiatives,” to realign sources with uses; **AUTHORIZING** the transfer and return of \$250,000 to source General Fund 050 from capital improvement program project account no. 980x104x251029, “Green Cincinnati Sustainability Initiatives – GF,” to realign sources with uses; **AUTHORIZING** the transfer and appropriation of \$250,000 from the unappropriated surplus of General Fund 050 to Office of Environment and Sustainability General Fund non-personnel operating budget account no. 050x104x7200 to provide resources for Green Project Workforce Development as described below; **AUTHORIZING** the expenditure of \$1,000,000 from permanent improvement program project account no. 758x104x251058, “Green Project Home Repairs – GFCO,” to provide local matching resources to support the Port of Greater Cincinnati Development Authority in its application for Robert Wood Johnson Foundation funding to support housing stability; **AUTHORIZING** the expenditure of \$500,000 from permanent improvement program project account no. 758x104x251059, “Green Project Green Bank – GFCO,” for the Cincinnati Development Fund to support the establishment and formalization of a Cincinnati green bank to compete for funding awarded through the Environmental Protection Agency Greenhouse Gas Reduction Fund; **AUTHORIZING** the expenditure of \$250,000 from Office of Environment and Sustainability General Fund non-personnel operating budget account no. 050x104x7200 for Green Umbrella to support a coalition of organizations working to cultivate workforce development training programs in support of green bank programs; and **AUTHORIZING** the City Manager to enter into any agreements necessary for the administration of these resources.

WHEREAS, on November 6, 2024, Council passed the FY 2024 Closeout Ordinance, Ordinance No. 371-2024, which established and appropriated resources to the “Green Project Home Repairs – GFCO,” “Green Project Green Bank – GFCO,” and “Green Project Workforce Development – GFCO” permanent improvement program project accounts; and

WHEREAS, sources in General Fund 050 and Income Tax Permanent Improvement Fund 758 must be realigned with uses so that resources appropriated for Green Project Workforce Development may be expended as described below; and

WHEREAS, expenditure of these resources is now required to support programs with community partners to pursue the goals established in the 2023 Green Cincinnati Plan; and

WHEREAS, the Port of Greater Cincinnati Development Authority (“Port Authority”) is applying to the Robert Wood Johnson Foundation for funding of up to \$5,000,000, which would allow the Port Authority to advance health and equity through homeownership preservation; and

WHEREAS, the City supports the Port Authority’s application, including by allocating \$1,000,000 in local matching resources in support of its application to improve its ability to compete for these funding resources to support housing stability; and

WHEREAS, the Cincinnati Development Foundation requires resources to support the establishment and formalization of a Cincinnati green bank to compete for funding awarded through the Environmental Protection Agency Greenhouse Gas Reduction Fund; and

WHEREAS, Green Umbrella requires resources to cultivate workforce development training programs in support of green bank programs; and

WHEREAS, implementing green development, home repairs, and workforce training programs and projects in support of the 2023 Green Cincinnati Plan is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” and strategy to “[c]reate a healthy environment and reduce energy consumption” as described on pages 181-186 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That new capital improvement program project account no. 980x104x251061, “Green Cincinnati Sustainability Initiatives,” is established to provide resources for the implementation of capital improvements that advance the goals of the City’s 2023 Green Cincinnati Plan.

Section 2. That the transfer and return of \$250,000 to source Income Tax Permanent Improvement Fund 758 from permanent improvement program project account no. 758x104x251060, “Green Project Workforce Development – GFCO,” is authorized to realign sources with uses.

Section 3. That the transfer and appropriation of \$250,000 from the unappropriated surplus of Income Tax Permanent Improvement Fund 758 to newly established capital improvement program project account no. 980x104x251061, “Green Cincinnati Sustainability Initiatives,” is authorized to realign sources with uses.

Section 4. That the transfer and return of \$250,000 to source General Fund 050 from capital improvement program project account no. 980x104x251029, “Green Cincinnati Sustainability Initiatives – GF,” is authorized to realign sources with uses.

Section 5. That the transfer and appropriation of \$250,000 from the unappropriated surplus of General Fund 050 to Office of Environment and Sustainability General Fund non-personnel operating budget account no. 050x104x7200 is authorized to provide resources for Green Project Workforce Development as described below.

Section 6. That the expenditure of \$1,000,000 from permanent improvement program project account no. 758x104x251058, “Green Project Home Repairs – GFCO,” is authorized to support the Port of Greater Cincinnati Development Authority in its application for Robert Wood Johnson Foundation funding to support housing stability.

Section 7. That the expenditure of \$500,000 from permanent improvement program project account no. 758x104x251059, “Green Project Green Bank – GFCO,” is authorized for the Cincinnati Development Fund to support the establishment and formalization of a Cincinnati green bank to compete for funding awarded through the Environmental Protection Agency Greenhouse Gas Reduction Fund.

Section 8. That the expenditure of \$250,000 from Office of Environment and Sustainability General Fund non-personnel operating budget account no. 050x104x7200 is authorized for Green Umbrella to support a coalition of organizations working to cultivate workforce development training programs in support of green bank programs.

Section 9. That the City Manager is authorized to enter into any agreements necessary for the administration of these resources.

Section 10. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Sections 1 through 9.

Section 11. 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 sources with uses to provide resources for projects necessary to achieve the goals of the 2023 Green Cincinnati Plan.

Passed: \_\_\_\_\_, 2025

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Aftab Pureval, Mayor

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