



City of Cincinnati

801 Plum Street
Cincinnati, OH 45202

Agenda - Final

Budget and Finance Committee

Chairperson David Mann
Vice Chair Chris Seelbach
Councilmember Steve Goodin
Councilmember Jan-Michele Kearney
Councilmember Liz Keating
Councilmember Greg Landsman
Councilmember Betsy Sundermann
Councilmember Wendell Young

Monday, March 8, 2021

1:00 PM

Council Chambers, Room 300

ROLL CALL

PRESENTATIONS

City Planning Department
Citizen Complaint Authority
Department of Economic Inclusion
Department of Community and Economic Development

AGENDA

- 1.** [202100917](#) PRESENTATION submitted by Paula Boggs Muething, City Manager, dated 3/8/2021, regarding the City Planning Department's FY 2022-2023 Biennial Operating Budget needs.

Sponsors: City Manager

Attachments: [Transmittal](#)
 [Presentation](#)
- 2.** [202100918](#) PRESENTATION submitted by Paula Boggs Muething, City Manager, dated 3/8/2021, regarding the Citizen Complaint Authority's FY 2022-2023 Biennial Operating Budget.

Sponsors: City Manager

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

3. [202100919](#) PRESENTATION submitted by Paula Boggs Muething, City Manager, dated 3/8/2021, regarding the Department of Economic Inclusion's FY 2022-2023 Biennial Operating Budget.
- Sponsors:** City Manager
- Attachments:** [Transmittal](#)
[Presentation](#)
4. [202100920](#) PRESENTATION submitted by Paula Boggs Muething, City Manager, dated 3/8/2021, regarding the Department of Community and Economic Development's FY 2022-2023 Biennial Operating Budget.
- Sponsors:** City Manager
- Attachments:** [Transmittal](#)
[Presentation](#)
5. [202100867](#) MOTION, submitted by Councilmember Sundermann, Kearney, Goodin, Keating and Vice Mayor Smitherman, WE MOVE that the Administration provide a report on funding options for an Urban League of Greater Southwestern Ohio pilot youth mentoring program - HOPE, OPPORTUNITY, CHOICES AND CONSEQUENCES (H.O.C.C.) ACADEMY - for the upcoming summer to be part of the currently city-funded Community Police Partnering Center. (STATEMENT ATTACHED)
- Sponsors:** Sundermann, Goodin, Smitherman, Kearney and Keating
- Attachments:** [Motion](#)
[Attachment](#)
6. [202100831](#) ORDINANCE submitted by Paula Boggs Muething, City Manager, on 3/3/2021, AUTHORIZING the City Manager to execute a Second Amendment to Water Service Agreement and a First Amendment to Interlocal Cooperative Agreement, each among the City of Cincinnati, Boone-Florence Water Commission, the Boone County Water District, and the City of Florence, Kentucky, to extend the terms of the existing agreements by five years to 2033.
- Sponsors:** City Manager
- Attachments:** [Transmittal](#)
[Ordinance](#)
[Attachment 1](#)
[Attachment 2](#)

7. [202100832](#) ORDINANCE (EMERGENCY) submitted by Paula Boggs Muething, City Manager, on 3/3/2021, AUTHORIZING the City Manager to accept and appropriate State of Ohio Capital Budget in the amount of \$80,000 as authorized by Senate Bill 310, Ohio Department of Natural Resources, Parks and Recreation Improvement Fund 7035, Appropriation Item C725E2, "Local Parks, Recreation, and Conservation Projects" into existing capital improvement program project account no. 980x203x182019, "Stanbery Park Pavilion - State of Ohio Capital"; and further AUTHORIZING the Finance Director to deposit the State of Ohio Capital Budget funding into existing capital improvement program project account no. 980x203x182019, "Stanbery Park Pavilion - State of Ohio Capital."

Sponsors: City Manager

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

8. [202100834](#) ORDINANCE submitted by Paula Boggs Muething, City Manager, on 3/3/2021, AUTHORIZING the City Manager to apply for, accept, and appropriate a grant in an amount not to exceed \$5,000 from the Murray & Agnes Seasongood Good Government Foundation for the purpose of administering an Employee Recognition Program; and AUTHORIZING the Finance Director to deposit the grant funds into Department of Human Resources Employee Relations Fund 310.

Sponsors: City Manager

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

9. [202100842](#) ORDINANCE (EMERGENCY) submitted by Paula Boggs Muething, City Manager, on 3/3/2021, AUTHORIZING the appropriation of the sum of \$9,072,946 to the COVID-19 Fund 473 City Manager's Office non-personnel operating budget account no. 473x101x7400 for the purpose of providing reimbursement of or resources for an Emergency Rental Assistance program as part of the City's COVID-19 response; and AUTHORIZING the City Manager to contract with third-parties and take other actions to quickly implement an Emergency Rental Assistance program.

Sponsors: City Manager

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

10. [202002226](#) ORDINANCE EMERGENCY, dated 12/10/2020, submitted by Councilmember Greg Landsman, from Andrew W. Garth, Interim City Solicitor, ESTABLISHING and City Council policy for evaluating real property tax incentives authorized by the City of Cincinnati.
- Sponsors:** Landsman
- Attachments:** [Transmittal](#)
[Emergency Ordinance](#)
[Attachment](#)
11. [202100839](#) ORDINANCE (EMERGENCY) (B VERSION), dated 02/23/2021, submitted by Councilmember Landsman, from Andrew W. Garth, City Solicitor, ESTABLISHING a City Council policy for evaluating real property tax incentives authorized by the City of Cincinnati.
- Sponsors:** Landsman
- Attachments:** [Transmittal](#)
[Emergency Ordinance](#)
[Attachment](#)
12. [202100291](#) MOTION, submitted by Councilmember Landsman, WE MOVE that if there is a conflict between the ordinance containing the Balanced Development Scorecard policy passed in connection herewith and the existing commercial CRA policy in Ordinance No. 275-2017, it's the policy of Council that the Balanced Development scorecard policy applies.
- Sponsors:** Landsman
- Attachments:** [Motion CRAs and the New Scorecard \(2\)](#)
13. [202100840](#) COMMUNICATION, dated 02/05/2021, submitted by Councilmember Landsman, from Paula Boggs Muething, City Manager, regarding Responses to Questions for Proposed Development Scorecard (Item 202002226).
- Sponsors:** Landsman
- Attachments:** [Communication from City Manager](#)
14. [202100785](#) PRESENTATION, dated 02/22/2021, submitted by Councilmember Landsman, from Joele L. Newman, Community Organizer & Youth Program Facilitator, Peaslee Neighborhood Center, regarding Peaslee's Equitable Development Rubric and what it has to offer in this moment.
- Sponsors:** Landsman
- Attachments:** [Peaslee Presentation](#)

15. [202100597](#) COMMUNICATION, dated 02/05/2021, submitted by Councilmember Landsman, regarding “Balanced Development Scorecard Packet”,
- Sponsors:** Landsman
- Attachments:** [Communication](#)
16. [202100852](#) COMMUNICATION, dated 02/26/2021, submitted by Councilmember Landsman, from William “Billy” Weber, regarding completed rubric and corresponding transmittal for a hypothetical project.
- Sponsors:** Landsman
- Attachments:** [Communication - Priorities Rubric](#)
17. [202100899](#) REPORT, dated 3/8/2021, submitted by Paula Boggs Muething, City Manager, regarding Implementation of Tax Increment Finance District Policy for Affordable Housing. SEE REFERENCE DOC #202001976.
- Sponsors:** City Manager
- Attachments:** [Report](#)
[Attachment A](#)
18. [202001976](#) REPORT, dated 2/15/2021, submitted by Paula Boggs Muething, Interim City Manager, regarding Implementation of Tax Increment Financing District Policy for Affordable Housing. (SEE REFERENCE DOC #202000851)
- Sponsors:** City Manager
- Attachments:** [TIF District Funding for Affordable Housing 10-20 \(final WW\)](#)

ADJOURNMENT

March 8, 2021

202100917

To: Budget and Finance Committee

From: Paula Boggs Muething, City Manager

Subject: Presentation – City Planning Department FY 2022-2023 Biennial
Operating Budget Needs

Attached is the City Planning Department's FY 2022-2023 Biennial Operating Budget needs presentation for the Budget and Finance Committee meeting on March 8, 2021.

cc: Christopher A. Bigham, Assistant City Manager



Department of City Planning Budget Presentation

Budget & Finance Committee

March 8, 2021

Department of City Planning

- Staff to **City Planning Commission**
- Writes and amends **Zoning Code, Subdivision Regulations**, and other regulatory land use guidelines
- Administers the **Subdivision Regulations**
- Provides **pre-development services** to developers, community members, and other departments
- Develops **long-range and special plans** for neighborhoods, focus areas, or the City as a whole
- Provides **demographic and other analysis and mapping services** for City administration
- Manages **federally funded program reviews** (environmental reviews)
- Other **Special Projects**

Department of City Planning Budget History

General Fund Operating Budget
FY 2017 – FY 2021

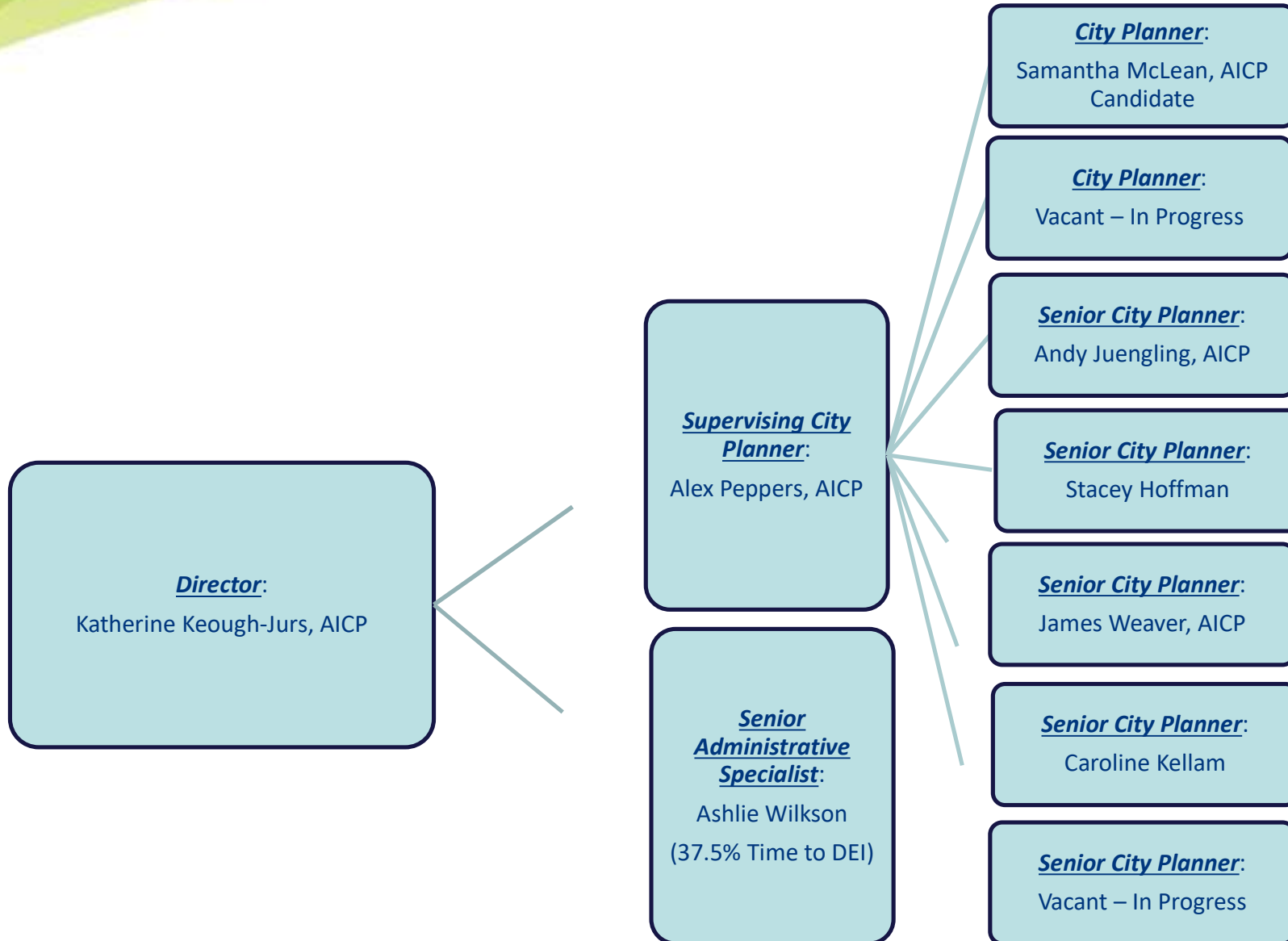
	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Personnel Compensation	513,030	531,038	468,360	344,890	320,560
Fringe Benefits	151,720	163,300	134,700	130,340	29,040
Non-Personnel Expenses	46,350	48,799	45,400	46,450	48,440
Total	\$711,100	\$743,137	\$648,460	\$521,680	\$398,040

Department of City Planning Budget History

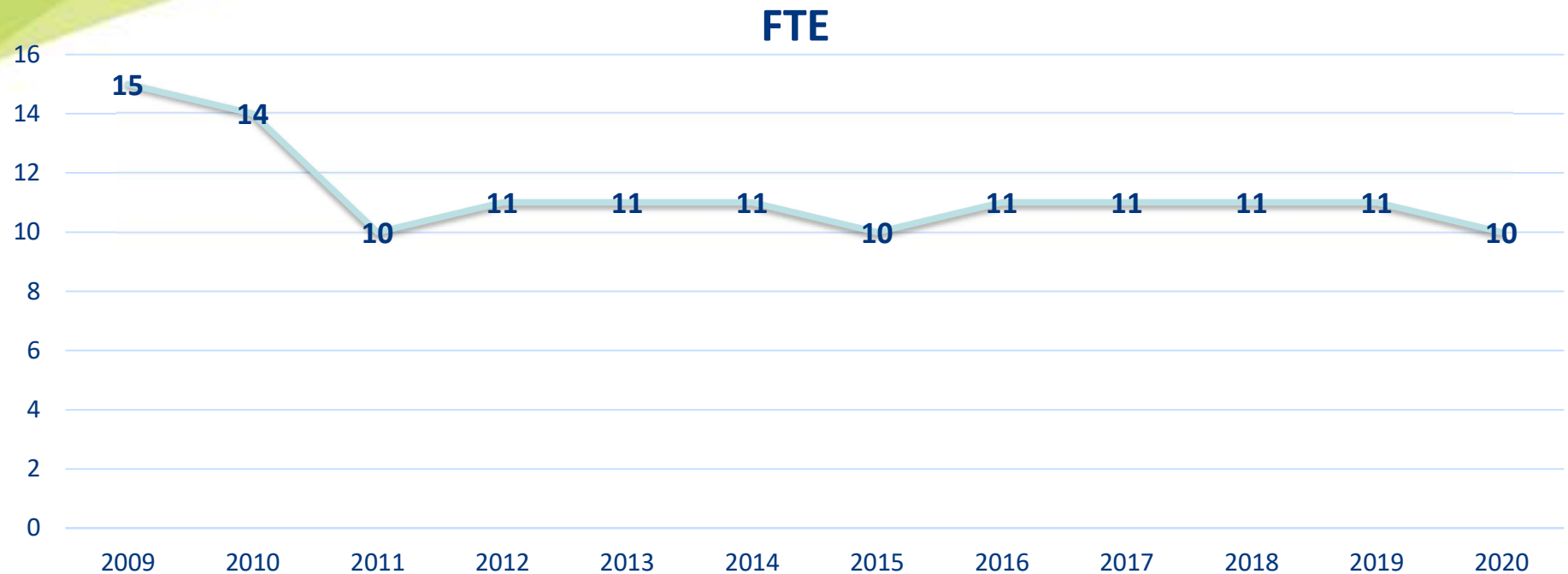
Sources of Operating Budget Reimbursements
FY 2017 – FY 2021

Year	Fund	Project Account	Description/Title	Amount
FY 17	980	171700	Neighborhood Studies	100,000.00
FY 18	980	181700	Neighborhood Studies	65,100.00
FY 19	980	191700	Neighborhood Studies	88,000.00
FY 20	980	201700	Neighborhood Studies	46,000.00
FY 21	980	211700	Neighborhood Studies	45,000.00
CY 17	304	30417171	Administration and Planning - Planning Dept '17	377,360
CY 18	304	30418171	Administration - Planning Dept '18	560,000
CY 19	304	30419171	Administration - Planning Dept '19	445,000
CY 20	304	30420171	Administration - Planning Dept '20	560,000

Department of City Planning Table of Organization



Department of City Planning Significant Staffing Issues



- *As a result of citywide General Fund budget reductions for the FY 2020 Budget, staff allowance was reduced by 1.0 FTE in the FY 2020 Approved Budget and the FY 2021 Approved Budget.*
- *In the FY 2021 Approved Budget the City Planning Department shares an administrative position with the Department of Economic Inclusion. This position sharing arrangement was the result of citywide staff reductions related to ERIP.*

Department of City Planning Significant Staffing Issues

Proposed Community Engagement Process

- Enhanced Engagement on Certain Development Projects
- Could add 15+ projects per year

One (1) additional City Planner position requested to increase capacity for this work.

Department of City Planning Significant Issues Non-Personnel

- City Planning Department is requesting additional funding for printing and postage - \$3,000
- Hamilton County Regional Planning Commission Membership – \$7,500
- Remote Work
 - Zoom licenses for all staff – \$2,400
 - Citrix – \$3,600
- Shared-department digital upgrades to conference room – approximately \$25,000
- Additional printing and postage needed for Community Engagement duties – Approximately \$2,000

Department of City Planning

Significant Issues

Miscellaneous

COVID Stopped Progress on all Neighborhood Plans

- 12 Plans Currently in Progress
- 3 Plans Up Next
- 2 Plans Requested Through CBR Process, 1 More Expected
- Plan costs are kept down by using existing Planning staff in lieu of consultants.
- There are costs for mailings, supplies and printing.

Plans In Progress, Up Next, Requested/Expected

In Progress

- Mohawk
- Saylor Park
- Mt. Auburn
- Spring Grove Village
- Hyde Park
- West Price Hill
- West End
- South Cumminsville
- Columbia Tusculum
- Kennedy Heights
- Mt. Airy
- Clifton

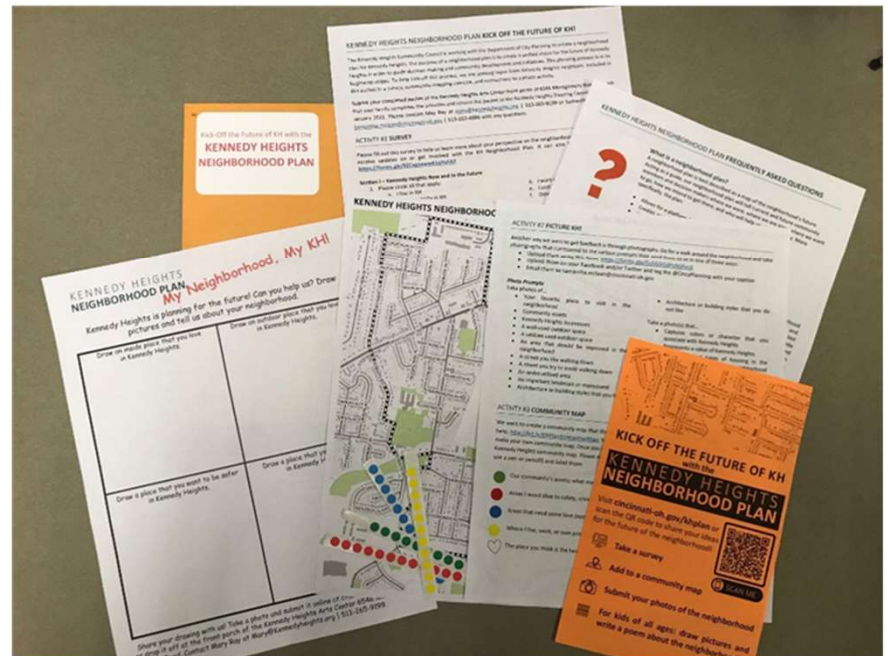
Up Next

- North Avondale
- Mt. Adams
- Mt. Washington

Requested/Expected

- Mt. Lookout
- Roselawn
- Westwood

Neighborhood Planning During the Pandemic



Other Major Projects Currently in Progress

- FC Cincinnati Stadium Planned Development in the West End
- The District at Clifton Heights Planned Development
- Crosley Radio Building Planned Development in Camp Washington
- Liberty and Elm Planned Development in Over-the-Rhine
- Terrex Uptown Gateway Planned Development in Avondale
- The Node Planned Development in Avondale
- Bigelow Planned Development in Mt. Auburn
- Oakley Yards (Three Oaks) Planned Development in Oakley
- Cincinnati Zoo zone changes
- Over-the-Rhine LHD Infill Guidelines + further engagement
- Transit Oriented Zoning

THANK YOU!

ANY

QUESTIONS?

March 8, 2021

202100918

To: Budget and Finance Committee

From: Paula Boggs Muething, City Manager

Subject: Presentation – Citizen Complaint Authority FY 2022-2023 Biennial
Operating Budget Needs

Attached is the Citizen Complaint Authority's FY 2022-2023 Biennial Operating Budget needs presentation for the Budget and Finance Committee meeting on March 8, 2021.

cc: Christopher A. Bigham, Assistant City Manager

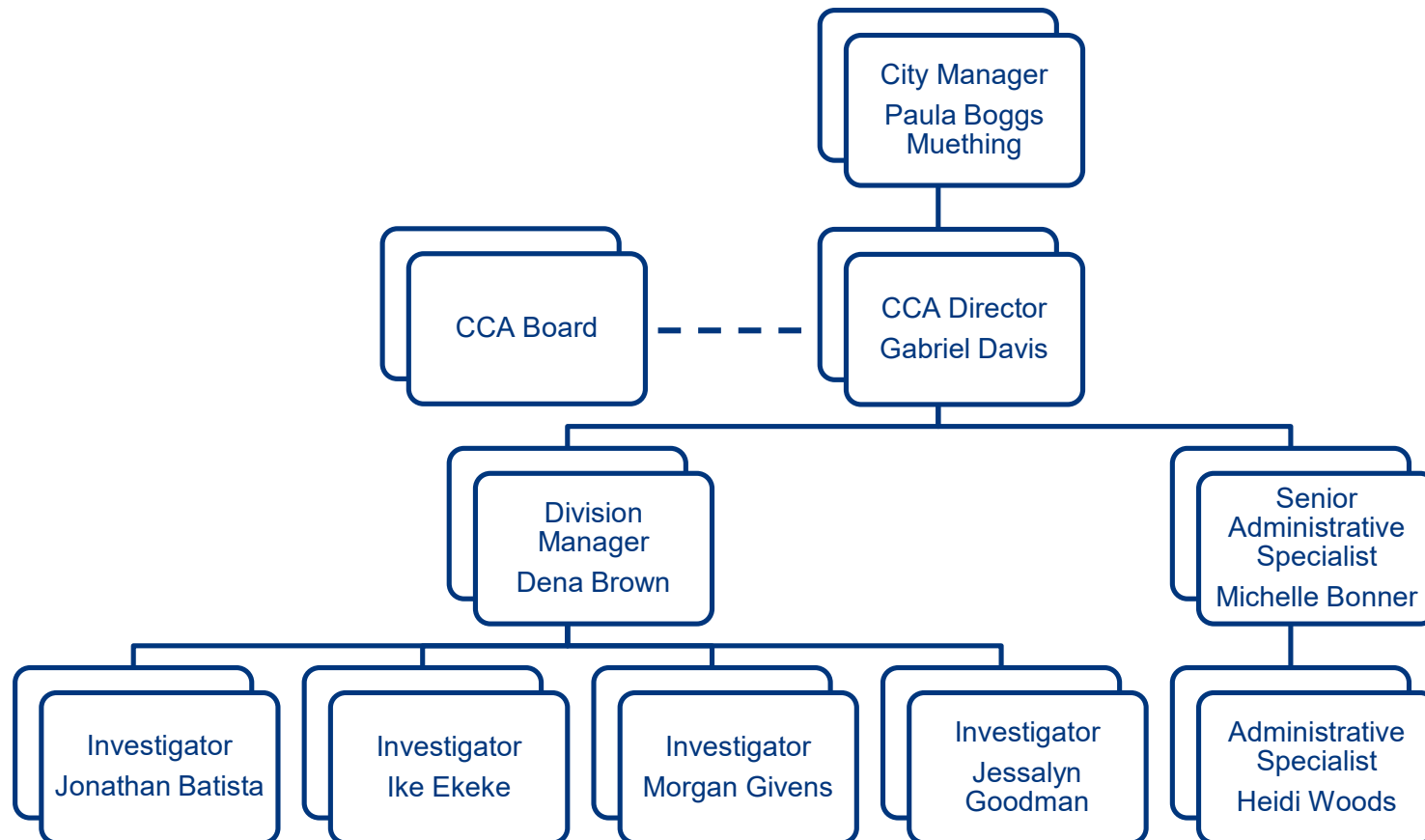


Citizen Complaint Authority Budget Presentation

Budget & Finance Committee

March 8, 2021

Citizen Complaint Authority Department Budget Summary Organization Chart



Citizen Complaint Authority Department Budget History

General Fund Operating Budget
FY 2017 – FY 2021

	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Personnel Compensation	468,020	486,059	483,810	504,970	580,902
Fringe Benefits	156,030	157,727	159,880	158,410	219,054
Non-Personnel Expenses	21,560	29,262	26,820	28,250	99,084
Total	\$ 645,610	\$ 673,048	\$ 670,510	\$ 691,630	\$ 899,040

Citizen Complaint Authority Anticipated Budget Submission

Anticipated Operating Budget
Submission
FY 2022

<u>Object</u>	<u>FY21 Budget Original Authorization</u>	<u>FY22 Operating Budget Request</u>
7100: Personnel Services	\$ 580,902.00	\$ 679,238.00
7200: Contractual Services	\$ 86,454.00	\$ 36,590.00
7300: Materials and Supplies	\$ 11,480.00	\$ 16,290.00
7400: Fixed Charges	\$ 1,150.00	\$ 1,160.00
7500: Benefits	\$ 219,054.00	\$ 206,796.00
TOTALS	\$ 899,040.00	\$ 940,074.00

Citizen Complaint Authority Anticipated Budget Submission

- **CCA's Operating Budget submission for FY 2022/2023 is also expected to include a request for additional funding for:**
 - **Three (3) additional Investigators**
 - **Two (2) additional Administrative Specialists**
 - One for community engagement
 - One for research and data analysis
 - **Salaries & benefits for additional FTEs = \$460k annually**

Citizen Complaint Authority Department Significant Issues Staffing

- CCA has significant responsibilities, both under law, and to our community:
 - Timely investigations of serious police interventions (including police shootings) and citizen complaints of police misconduct
 - Policy review, analysis, and recommendation
 - Data analysis
 - Problem solving and mediation
 - Community engagement
 - Annual reporting requirements
- CCA currently has five (5) investigators and two (2) administrative staff, including two new hires included in the FY 2021 Approved Budget.

Citizen Complaint Authority Department Significant Issues Staffing

- New staff will allow CCA to eliminate its case backlog in FY 2022 and complete investigations in the timeframe required by law.
 - Current caseload of approximately 140 open cases
 - Current backlog of approximately 130 cases (older than 90-day legal deadline) as of March 1, 2021
 - Experienced investigators have over 50 cases each.

Citizen Complaint Authority Department Significant Issues Staffing

- Without new investigators, conservative estimates do not have CCA being compliant with the law (i.e., within 90 days on *all* investigations) until well after 2022 and possibly into early 2024.

Citizen Complaint Authority Department Significant Issues Staffing

- Additional administrative staffing support would facilitate critical community engagement; pattern analysis; data analysis; and mediation.
- New administrative staff are essential to preventative and restorative justice goals.

Citizen Complaint Authority Department Significant Issues Staffing

- Current administrative duties include the following (among others):
 - Complaint intake support
 - Budget, ETS, and Procurement liaison functions
 - CCA database management (maintenance, reporting, etc.)
 - Public records request management
 - CCA Board administrative support
 - Graphic design, social media, and website management
 - Annual and Pattern Report creation
- Ability to meet other goals of CCA challenged by current duties, capacity, and expertise.

Citizen Complaint Authority

Department Significant Issues

Miscellaneous

CCA requires at a minimum \$9,000 for the following non-personnel expenses:

- Information dissemination equipment and materials to allow CCA to provide citizens and communities with CCA outreach information
- Computer equipment and supplies for investigators and staff

QUESTIONS?

Citizen Complaint Authority (CCA)
Board Meeting
March 1, 2021

CCA Board Members

Mark Childers, Chair
George Pye, Vice Chair
Timothy Barr, Jr.
Tracey Johnson, Board Member
Luz Elena Schemmel, Board Member
Phyllis Slusher, Board Member
Wanda Spivey, Board Member

*Vice Chair Pye moved and Member Slusher seconded a motion to submit a memo to the City of Cincinnati Council Members regarding updates to CCA's table of organization in FY2022. **Motion passed.***

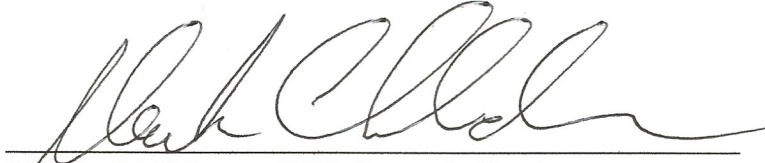
MOTION

Whereas, Article 28 of the Administrative Code for the City of Cincinnati provides that “the executive director shall ensure that the CCA's human and other resources are sufficient to ensure timely completion of investigations and maintenance of complete and accurate records;” and

Whereas, the elimination of the current backlog of case investigations, timely completion of investigations; and performance of CCA's other statutory duties under Article 28 requires new human resources beyond those currently available to CCA;

Resolved, That it is the sense of the Citizen Complaint Authority Board that the City of Cincinnati should provide funding in the FY 2022 Operating Budget of the Citizen Complaint Authority for the hiring of three (3) additional professional investigators and two (2) support staff members; and that the City of Cincinnati approve any budgetary request made the Executive Director of the Citizen Complaint Authority for the same.

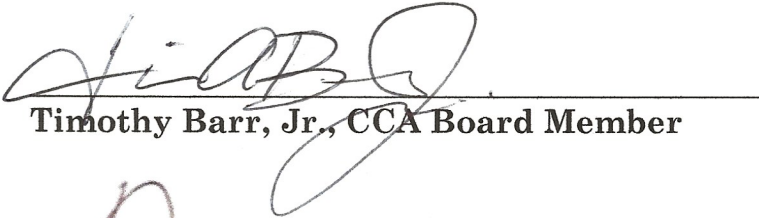
**Citizen Complaint Authority
Board Members**



Mark Childers, CCA Board Chair



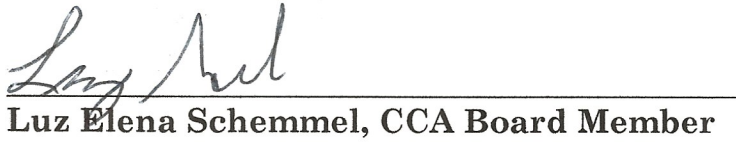
George Pye, CCA Board Vice Chair



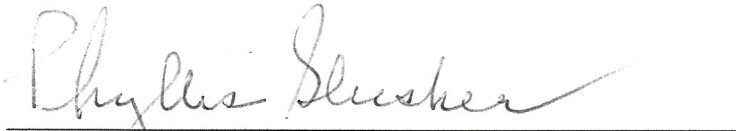
Timothy Barr, Jr., CCA Board Member




Tracey Johnson, CCA Board Member



Luz Elena Schemmel, CCA Board Member



Phyllis Slusher, CCA Board Member



Wanda Spivey, CCA Board Member

March 8, 2021

202100919

To: Budget and Finance Committee

From: Paula Boggs Muething, City Manager

Subject: Presentation – Department of Economic Inclusion FY 2022-2023 Biennial
Operating Budget Needs

Attached is the Department of Economic Inclusion's FY 2022-2023 Biennial Operating Budget needs presentation for the Budget and Finance Committee meeting on March 8, 2021.

cc: Christopher A. Bigham, Assistant City Manager



Department of Economic Inclusion Budget Presentation

Budget & Finance Committee

March 8, 2021

Economic Inclusion Budget History

General Fund Operating Budget FY 2017 – FY 2021

	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Personnel Compensation	637,730	669,850	657,020	681,240	523,280
Fringe Benefits	175,960	219,820	229,100	197,470	140,540
Non-Personnel Expenses	277,220	229,200	83,770	87,620	3,626,330
Total	\$ 1,090,910	\$ 1,118,870	\$ 969,890	\$ 966,330	\$ 4,290,150

Starting in FY 2021, several leveraged support contracts were transferred from the Department of Community and Economic Development (DCED) to Economic Inclusion.

Economic Inclusion Budget History

Restricted Funds Operating Budget FY 2017 – FY 2021

Income Tax-Infrastructure Fund 302

	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Personnel Compensation	213,130	229,030	236,350	256,600	246,280
Fringe Benefits	82,880	72,260	79,020	88,640	77,710
Non-Personnel Expenses	23,400	12,990	-	-	-
Total	\$ 319,410	\$ 314,280	\$ 315,370	\$ 345,240	\$ 323,990

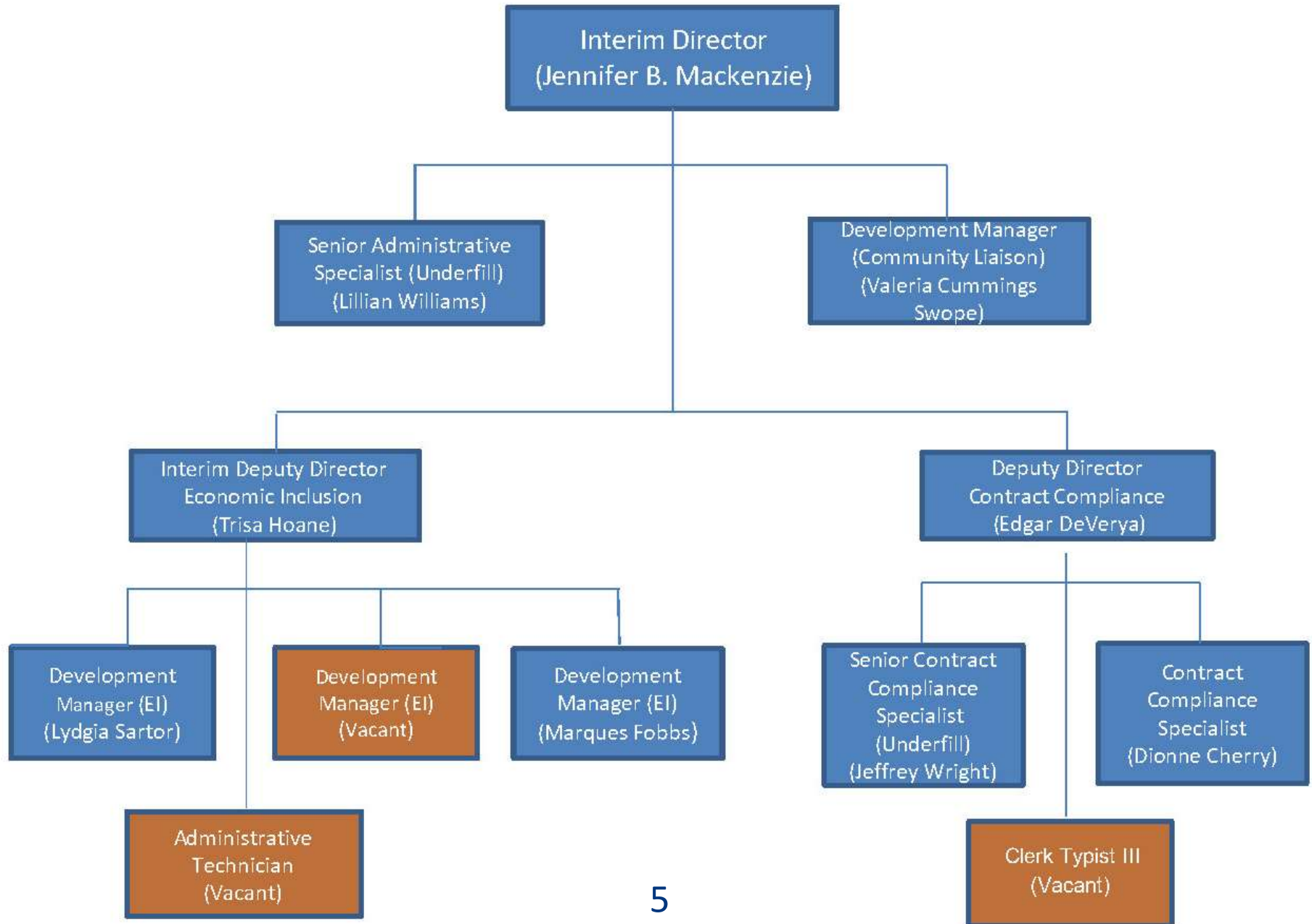
Economic Inclusion Significant Issues

Staffing

- Staffing Reductions
 - Only 9 of 12 positions on TO are filled (25% vacancy).
 - One administrative position has had to remain vacant for the past 5 years.
 - A second administrative position has been left vacant as a result of ERIP and is being evaluated for possible permanent elimination.
 - A Development Manager position has been vacant for more than a year due to interim nature of Director and Deputy Director appointments.

- Sharing an administrative position with another department (Maximum allocation of time: 37.5%)

Economic Inclusion Significant Issues



Economic Inclusion Significant Issues

Staffing (continued)

- Expansion of Responsibilities
 - Development Project Monitoring for Inclusion and Prevailing Wage. (74 projects open with City funding of nearly \$80m)
 - Wage Enforcement Responsibilities, Including Development Projects Not Otherwise Subject to Monitoring
 - Bid and RFP Inclusion Reviews Expanded to Include Projects with Aspirational SBE Goals and Projects with No Goals But on Which Inclusion Has Been Encouraged.
 - Responsible Bidder Bid Reviews
 - Management of Leveraged Support and Grant Program Contracts

Economic Inclusion Significant Issues Staffing (Continued)

- Approximately 340 Open Contracts (\$386m) Monitored for Inclusion
- More Than 235 Open Contracts (\$352m) Monitored for Federal, State or Local Prevailing Wage
- Approximately 100 Contracts Subject Only to Wage Enforcement
- 103 Bid and RFP Inclusion Review and 30 Responsible Bidder in CY 2020
- Approximately 320 Prevailing Wage Determinations in CY 2020

Economic Inclusion Significant Issues Staffing (Continued)

- 362 Certifications in Some Stage of Vetting in CY 2020 (184 processed to decision despite 3-month suspension of processing during TEL)
- 57 Contracts Reviewed for MBE/WBE Goal Setting During CY 2020
- Approximately 70 EEO Forms Reviewed and Processed During CY 2020
- Disparity Study Update Project Management FY 2022

QUESTIONS?

March 8, 2021

202100920

To: Budget and Finance Committee

From: Paula Boggs Muething, City Manager

Subject: Presentation – Department of Community and Economic Development FY
2022-2023 Biennial Operating Budget Needs

Attached is the Department of Community and Economic Development's FY 2022-2023 Biennial Operating Budget needs presentation for the Budget and Finance Committee meeting on March 8, 2021.

cc: Christopher A. Bigham, Assistant City Manager

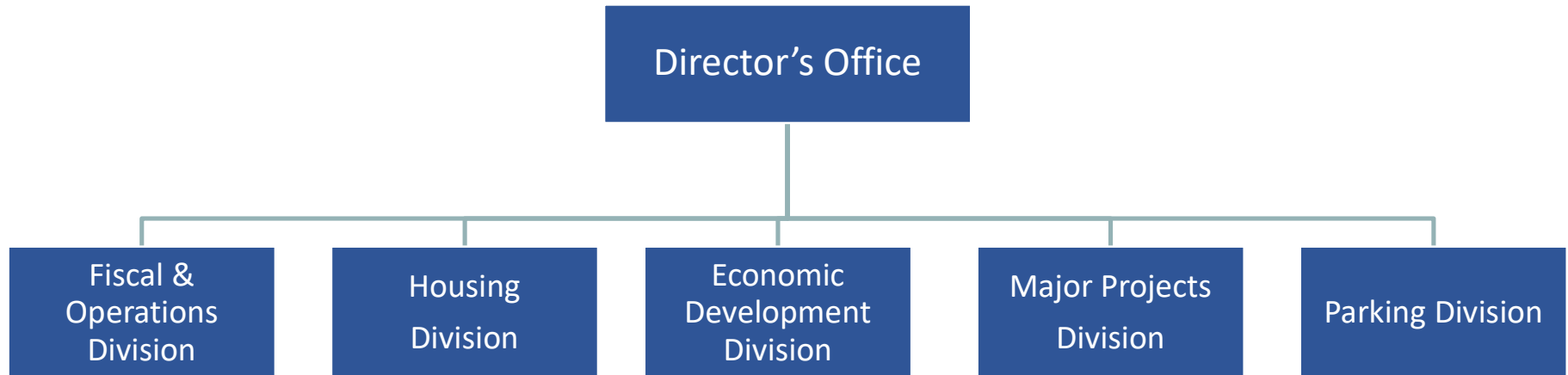


Department of Community and Economic Development Budget Presentation

Budget & Finance Committee
March 8, 2021

Community and Economic Development Department Budget

Summary Organization Chart



Community and Economic Development Department Budget

General Fund Operating Budget
FY 2017 – FY 2021

	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Personnel Compensation	1,721,840	1,299,030	1,137,890	907,940	767,580
Fringe Benefits	280,480	301,090	361,140	387,500	257,420
Non-Personnel Expenses	6,681,120	6,919,270	6,818,690	8,722,340	2,333,570
Total	\$ 8,683,440	\$ 8,519,390	\$ 8,317,720	\$ 10,017,780	\$ 3,358,570

Due to the COVID-19 pandemic, \$5,881,360 in DCED leveraged support funding was transferred to Community Development Block Grant Fund 304 in FY 2021. The CARES Act provided sufficient CDBG resources to support this one-time transfer.

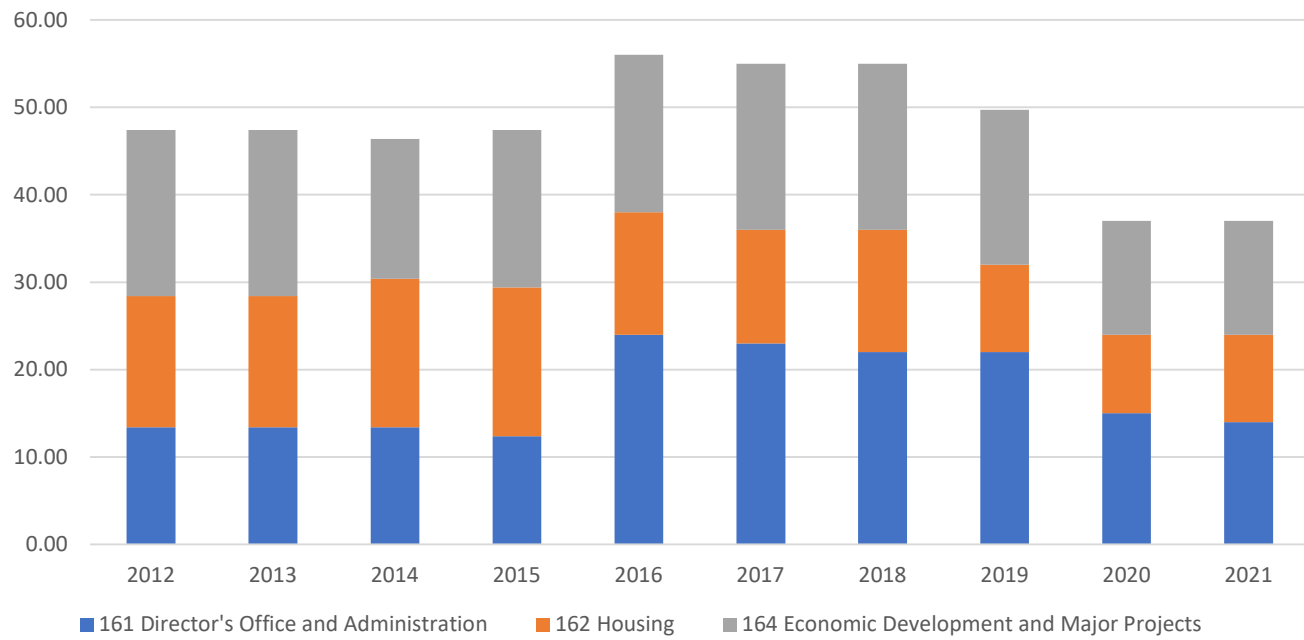
Community and Economic Development Department Budget

Restricted Funds Operating Budget
FY 2017 – FY 2021

	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Personnel Compensation	77,960	172,740	165,030	-	68,330
Fringe Benefits	13,800	36,330	55,000	-	25,740
Non-Personnel Expenses	542,310	542,310	577,650	552,640	461,850
Total	\$ 634,070	\$ 751,380	\$ 797,680	\$ 552,640	\$ 555,920

Restricted Funds include Parking System Facilities Fund 102, Urban Development – Property Operations Fund 317, Bond Hill-Roselawn Development Fund 358. Community Development Block Grant Fund 304 is appropriated separately from the annual budget and is not reflected in the table above.

Community and Economic Development Department Significant Issues Staffing (excludes Parking Division)



	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
161 Director's Office and Administration	13.40	13.40	13.40	12.40	24.00	23.00	22.00	22.00	15.00	14.00
162 Housing	15.00	15.00	17.00	17.00	14.00	13.00	14.00	10.00	9.00	10.00
164 Economic Development and Major Projects	19.00	19.00	16.00	18.00	18.00	19.00	19.00	17.73	13.00	13.00
Total	47.40	47.40	46.40	47.40	56.00	55.00	55.00	49.73	37.00	37.00

Slide 5

CM1

Random Question: How far back does DCED employment data go? I'm curious what our numbers looked like over a 10 year period.

Carter, Markiea, 2/17/2021

Community and Economic Development Department CY 2020 Accomplishments

- **Development Projects Approved**
 - 20 development projects were approved
 - Total Investment of \$368,563,305
- **Job Creation/Retention**
 - 547 Jobs Retained with \$52,977,510 in payroll
 - 726 Jobs Created with \$36,538,214 in payroll
- **Housing Units**
 - 964 New Housing Units Created/Rehabilitated
 - 360 Affordable Housing Units Created/Rehabilitated

Community and Economic Development Department Significant Issues

- **Human Services** – City has not had a dedicated Human Services team since 2010 to assist United Way in contract implementation.
 - 60+ Contracts
 - DCED role includes:
 - Participation on the Human Services Advisory Committee (HSAC)
 - Submission of HSAC recommendations to City Council
 - Contracting with selected agencies with United Way approved performance metrics
 - Invoice review and payment of agencies according to contract terms.
 - Increased staffing would provide better oversight and customer service to agencies. It would also allow for greater City oversight in agency performance.

Community and Economic Development Department Significant Issues

- **Contract Oversight** – DCED implements approximately 400 new contracts per year, is monitoring 200+ active funding agreements from prior years, and 400 tax incentives and leases under long term monitoring and also providing a support role in 60+ NBDIP and NOFA projects.
 - Overall staffing reductions have increased contract workloads per staff member.
 - Monitoring functions are being carried out across a varied number of staff

Community and Economic Development Department Significant Issues

- **Assisting Developers** (especially small or new to Cincinnati) in the development process
 - Historic or Zoning approval issues
 - Establishing community connections
 - Understanding City development requirements
- **Education and Engagement** with citizens, developers, and small business owners regarding our incentives, programs and small business initiatives

Community and Economic Development Department Significant Issues Miscellaneous

- **Many valued activities are not optimal due to limited staff and financial resources:**
 - Business retention and recruitment visits (Major Projects)
 - Community Council participation (Housing)
 - Business association participation (Economic Development)
 - Training occurs on the job or through our NDC Consultant

QUESTIONS?



Betsy Sundermann
Cincinnati City Councilmember

MOTION

March 1, 2021

WE MOVE that the Administration provide a report on funding options for an Urban League of Greater Southwestern Ohio pilot youth mentoring program – HOPE, OPPORTUNITY, CHOICES AND CONSEQUENCES (H.O.C.C.) ACADEMY – for the upcoming summer to be part of the currently city-funded Community Police Partnering Center.

Betsy Sundermann

Betsy Sundermann

Christopher S. Sundermann

Jan-Michele Kearney

Jan-Michele Kearney

STATEMENT

The proposed H.O.C.C. pilot program has a very modest budget of \$45,545.00 which could be covered in a variety of ways. Funding options that the Administration should consider include:

- Due to the time sensitivity and the need for the Urban League to begin recruitment for this summer youth jobs program, the Final Adjusting Ordinance, which is developed in March and passed in April by Council, could be used to fund this pilot program.
- At a minimum, as part of the budget policy priority motion, this pilot program should be included in the base budget within the Cincinnati Police Department expenses as a sub-program of the Community Policy Partnering Center.

The complete prospectus of the H.O.C.C. program is attached for reference.

Calendar DLM

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HOPE, OPPORTUNITY, CHOICES AND CONSEQUENCES (H.O.C.C.) ACADEMY

Presented to: Councilmember Betsy Sundermann

Presented by: The Community Police Partnering Center

The Community Police Partnering Center (The Partnering Center) is a division of the Urban League of Greater Southwestern Ohio. We engage with the community to create community-based solutions to problems related to crime, disorder, and quality of life.

The Partnering Center is currently funded by the City of Cincinnati to address violence reduction through intervention and prevention activities focused on individuals 18 to 39 years of age. The goal of prevention is to discourage violent behavior before it develops by identifying the conditions that lead to violence and addressing them. These individuals have been identified as participating in activities that might result in their becoming victims or perpetrators of violence. The Partnering Center's Community Outreach Advocates (COAs) respond to critical incidents (shootings and homicides) to de-escalate the heightened emotions of family and community. Recently we have responded to the shootings of youth under the age of 16 in neighborhoods such as Winton Hills and West End. Our Community Engagement Specialists (CES) and COAs active in those communities' report there is a need to also focus on youth to interrupt the pipeline of violence.

The Partnering Center would like to pilot a youth mentoring program that is age appropriate, culturally competent adaption of the mentoring program created by the COAs to work with individuals 18 to 39. The youth identified for this pilot will be males that have been involved in general offenses (not violent offenses) to reduce the risk factor for escalating criminal/violent behavior. **The Hope, Opportunity, Choices and Consequences (H.O.C.C.)** curriculum is designed to help participants identify their hope for the future and ground them in the possibilities. The

COAs ask them to bring their **hope**. The COAs commit to **support, guide, and walk** with them to the resources necessary to achieve their **future “opportunities.”** Through group mentoring activities, the COAs will help youth to understand accountability for their actions both past and present and help them develop the skills to evaluate choices that will affect their future.

The restorative justice component of the program is youth engagement with community adults to work on a Community Problem Oriented Policing team. This is to connect them to their neighborhood and the city through civic engagement. Finally, research also suggested that these at-risk youth need of skills development and a legitimate way to earn money. We propose to provide these youth with an opportunity for a summer youth employment experience that helps them develop leadership and employability skills.

The COAs work in the Tier 1 neighborhoods, as identified by the Cincinnati Police Department, that are experiencing the highest incidents of violence in the city. Those neighborhoods are West End, Over the Rhine (OTR), Avondale, North Avondale, Mt. Airy, Winton Hills, Roselawn, East Price Hill, Westwood, and Evanston. Research has shown that communities and neighborhoods where teens live can have an impact that can lead to aggressive behavior. The CDC has identified toxic stress as living in impoverished neighborhoods, experiencing food insecurity, experiencing racism, having limited access to support and medical services, living in homes with violence, mental health problems, substance abuse, and other instability. These Adverse Childhood Experiences (ACES) can have an impact on future violence, victimization, and perpetration. Conversely, a combination of individual relationship, community, and societal factors reduce the risk of youth violence. The COAs will utilize the H.O.C.C. Academy to address some of the factors that place youth at risk for perpetrating violence and promote factors that protect youth at risk for violence and lead to positive outcomes.

- Media Influence. Georgia Court / Getty Images. ...
- Communities and Neighborhoods. Where teens live can also have an impact on them and lead them to act more aggressively. ...
- Domestic Violence and Child Abuse. ...
- Insufficient Parental Supervision. ...
- Peer Pressure. ...
- Drug and Alcohol Use. ...
- Traumatic Events. ...
- Mental Illness

The Curriculum:

The H.O.C.C. Academy Youth Mentoring Program is ten-weeks in length during which time the participants are continuously working on their Life Plan. At the conclusion of the course, they have an opportunity to present a portfolio of their work that includes a detailed plan of education and employment goals. During the 10 weeks they engage weekly in interactive discussion in small groups that culminated in a large group discussion. While practicing social distancing due to the pandemic, we are prepared to engage with participants via Zoom. Virtual engagement has proven to be effective in our 2020 summer youth employment and youth councils. We will be flexible and adaptable and allow the data to drive in person interaction.

Topics for the weekly meeting will include:

- Who Are You?
- Making Choices
- Dealing with Consequences
- Community Relations



- Employment Opportunities
- Entrepreneur Opportunities
- Teenage Pregnancy Prevention
- Personal Appearance
- Anger Management - Nonviolent Solutions
- Health Care
- The Value of a Good Education
- The Value of Life
- Problem Solving

The intended outcomes:

The impact of prevention strategies cannot be appropriately assessed within a short duration from the onset of implementation. Prevention outcomes typically occur over a longer duration, often over the course of a few years. <http://criminology.fsu.edu/wp-content/uploads/Youth-Violence-Prevention-Project-Final-Report-2008.pdf>.

We will utilize a survey created for the Urban League to measure short term and intermediate outcomes.

Reducing and eliminating involvement in the justice system

- No contact for 6 months following completion of the H.O.C.C. 10-week program

Increasing engagement with positive male role models

- Participating in the 10-week program and self-reporting the connection

Youth will demonstrate an understanding of choices and consequences youth accountable for their actions

- Youth will demonstrate an understanding of the connection of choices to consequences

Providing youth with opportunities to connect with services in the community

- Learning about problem solving to engage in addressing issues in their communities as a form of restorative justice - project completed as a team or with community

Summer youth employment opportunities

- Youth stay employed at minimum for 6 out of 8 weeks

Recruitment:

We will partner with the community diversion courts, juvenile court, community leadership, and faith-based organization and the Cincinnati Police Department to identify appropriate youth for the program. *Parent engagement will be encouraged, but not required.*

Budget:

ITEM	COST PER PARTICIPANT	# OF PARTICIPANTS	TOTAL
T-shirts/sweatshirts	\$37.00	35	\$1,295.00
Summer Employment Experience	\$1,688.00 +135.00 (Employee Benefits) = \$1823.00	20	\$36,640.00
Incentives: Pre-summer employment			\$800.00
Supplies	\$35.00	26	\$910.00
Administrative Costs (cover payroll processing)			\$5,900.00
TOTAL			\$45,545.00



3458 Reading Rd.
Cincinnati, Ohio 45229



513.281.9955



Contact@ulgso.org
www.ulgso.org

March 3, 2021

202100831

To: Mayor and Members of City Council
From: Paula Boggs Muething, City Manager
Subject: Ordinance-To Extend Term For BFWC Contracts

Transmitted herewith is an ordinance captioned as follows.

AUTHORIZING the City Manager to execute a *Second Amendment to Water Service Agreement* and a *First Amendment to Interlocal Cooperative Agreement*, each among the City of Cincinnati, Boone-Florence Water Commission, the Boone County Water District, and the City of Florence, Kentucky, to extend the terms of the existing agreements by five years to 2033.

In 1999, the City of Cincinnati entered into agreements for provision of wholesale water to Boone County, Kentucky and City of Florence, Kentucky, including the related construction and maintenance of a water facilities including a main under the Ohio River to deliver the water to these customers. This ordinance is to authorize the City Manager to execute amendments to extend the terms of the contracts with Boone County, City of Florence and the Boone-Florence Water Commission for an additional five years ending in 2033.

The Administration recommends passage of this Ordinance.

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

City of Cincinnati

AY

AWB

An Ordinance No. _____ - 2021

AUTHORIZING the City Manager to execute a *Second Amendment to Water Service Agreement* and a *First Amendment to Interlocal Cooperative Agreement*, each among the City of Cincinnati, Boone-Florence Water Commission, the Boone County Water District, and the City of Florence, Kentucky, to extend the terms of the existing agreements by five years to 2033.

WHEREAS, Boone-Florence Water Commission (“BFWC”), the Boone County Water District, and the City of Florence, Kentucky (collectively, the “Kentucky Parties”) and the City of Cincinnati (the “City”), are parties to the following agreements as to the construction and operation, and maintenance of water transmission facilities to deliver treated water from the City’s water works under the Ohio River and for the City to provide wholesale water service to the Kentucky Parties: (i) a *Water Service Agreement* dated March 2, 1999, as subsequently amended by a *First Amendment to the Water Service Agreement* dated August 1, 2008 (as amended, the “Water Agreement”) and (ii) an *Interlocal Cooperative Agreement* dated effective March 2, 1999 (“Interlocal Agreement”); and

WHEREAS, the Interlocal Agreement and the Water Agreement each currently provide for an expiration date of March 2, 2028; and

WHEREAS, the parties desire to amend the Interlocal Agreement and the Water Agreement in order to extend their terms by five years to expire in 2033 in order to allow for BFWC to complete a long-term water visioning planning process to address and plan for the long-term water needs of its constituents and to determine any longer term water infrastructure needs that may need to be incorporated into future water service arrangements; 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 *Second Amendment to Water Service Agreement* and a *First Amendment to Interlocal Cooperative Agreement* among the City of Cincinnati, Boone-Florence Water Commission, the Boone County Water District, and the City of Florence, Kentucky in substantially the form of the documents attached as Exhibit A hereto (the “Amendments”) to extend the terms of the existing *Water Service Agreement* and *Interlocal Cooperative Agreement* by five years to 2033.

Section 2. That the proper City officials are hereby authorized to do all things necessary and proper to carry out the terms of the *Water Service Agreement* and *Interlocal Cooperative Agreement* as amended.

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

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

EXHIBIT A

**FIRST AMENDMENT
to INTERLOCAL COOPERATIVE AGREEMENT**
(Cooperation for water service to City of Florence and Boone County)

This *First Amendment to Interlocal Cooperative Agreement* (“**Amendment**”) is made by and between the CITY OF CINCINNATI, OHIO (“**Cincinnati**”), the BOONE-FLORENCE WATER COMMISSION (“**Water Commission**”), the BOONE COUNTY WATER DISTRICT (“**Boone**”), and the CITY OF FLORENCE, KENTUCKY (“**Florence**”) effective on the First Amendment Effective Date as defined on the signature page hereof.

RECITALS:

- A. Cincinnati, Water Commission, Boone and Florence are parties to a certain *Interlocal Cooperative Agreement* dated effective March 2, 1999 (“**Interlocal Agreement**”) to establish the terms for cooperation to plan, design, and construct a major water transmission system for efficient, cost-effective delivery of treated water from the Cincinnati water system under the Ohio River to a reservoir and master meter site in Boone County, with water then pumped into the water distribution lines of Florence and Boone.
- B. The parties also previously entered into a *Water Service Agreement* dated March 2, 1999, subsequently amended by a *First Amendment to the Water Service Agreement* dated August 1, 2008 (as amended, the “**Water Agreement**”) for Cincinnati to provide wholesale water service to Boone, Florence and the Water Commission.
- C. The Interlocal Agreement and the Water Agreement each currently provide for an expiration date of March 2, 2028.
- D. The parties desire to amend the Interlocal Agreement and the Water Agreement in order to extend their terms by five years to expire in 2033 in order to allow for BFWC to complete a water visioning planning process with regional stakeholders to address and plan for the water security and the long-term water needs of their constituents and to determine any longer term water infrastructure needs that may need to be incorporated into future water service arrangements.
- E. Capitalized terms in this Amendment shall have the meaning defined in the Interlocal Agreement unless another definition is provided herein.

NOW, THEREFORE, in consideration of the promises, covenants and agreements contained herein, the parties hereby amend the Interlocal Agreement as follows:

- 1) **Duration of Agreement.** Section 2 (*Duration of Agreement*) shall be amended and restated in its entirety as follows:

“This Interlocal Agreement shall be in force for a period of thirty-four (34) years commencing on March 2, 1999. After twenty-nine (29) years, or at such earlier time as the parties agree, the parties shall commence good faith discussions concerning an extension of this Agreement beyond its initial thirty-four (34) year term. The parties acknowledge that the Water Commission, as authorized by KRS 74.490, may enter contracts to supply water for periods up to fifty (50) years. In the event the parties terminate the Water Service Agreement, said termination will operate to terminate this Interlocal Agreement.”

- 2) **Ratification.** All terms of the Interlocal Agreement not amended hereby or not inconsistent herewith shall remain in full force and effect and by this reference are incorporated herein as if fully rewritten herein, and the Agreement, as amended hereby, is hereby ratified by the parties.
- 3) This Amendment may be executed in counterparts; and a facsimile, PDF or electronic signature shall be deemed to be, and shall have the same force and effect as, an original signature.

[SIGNATURE PAGES FOLLOWS]

IN WITNESS WHEREOF, the parties have executed this Amendment on the dates indicated below the signatures, effective on the latest of such dates (the "**Amendment Effective Date**").

BOONE COUNTY WATER DISTRICT

By: _____
_____, Chairperson
Date: _____, 2021

BOONE-FLORENCE WATER COMMISSION

By: _____
_____, Chairperson
Date: _____, 2021

CITY OF FLORENCE

By: _____
Diane E. Whalen, Mayor
Date: _____, 2021

[CINCINNATI SIGNATURE PAGE FOLLOWS]

Execution of this First Amendment is authorized by Ordinance No. ____-2021, dated ____2021.

CITY OF CINCINNATI

By: _____
Paula Boggs-Muething, City Manager

Date: _____, 2021

Recommended by:

Cathy B. Bailey, Director
Greater Cincinnati Water Works

Approved as to form by:

Assistant City Solicitor

Certification of Funds:

Date: _____

Funding: _____

Amount: _____

By: _____

Karen Alder, Finance Director

**SECOND AMENDMENT
to WATER SERVICE AGREEMENT
(GCWW service to Boone-Florence Water Commission)**

This *Second Amendment to Water Service Agreement* ("**Second Amendment**") is made by and between the CITY OF CINCINNATI, OHIO ("**Cincinnati**"), the BOONE-FLORENCE WATER COMMISSION ("**Water Commission**"), the BOONE COUNTY WATER DISTRICT ("**Boone**"), and the CITY OF FLORENCE, KENTUCKY ("**Florence**") effective on the Second Amendment Effective Date as defined on the signature page hereof.

RECITALS:

- A. Cincinnati, Water Commission, Boone and Florence are parties to a certain *Water Service Agreement* dated March 2, 1999, subsequently amended by a *First Amendment to the Water Service Agreement* dated August 1, 2008 (as amended, the "**Agreement**") for Cincinnati to provide efficient and cost-effective wholesale water service to Boone, Florence and the Water Commission.
- B. The Agreement has been approved pursuant to KRS 65.260 by the Attorney General of the Commonwealth of Kentucky as an Interlocal Cooperative Agreement authorized by KRS Chapter 65.210 through 65.300 and the parties acknowledge they may enter into such agreements or contracts for a period not exceeding (50) years under KRS 74.490.
- C. BFWC plans to initiate a water visioning process with other regional water stakeholders to understand, plan for and address such issues as water security and meeting the long-term water needs of their constituents.
- D. The Agreement provides for a term of 29 years with a current expiration date of March 2, 2028, and the parties desire to extend the term by five years to expire in 2033 in order to allow for the visioning planning process and any longer term water infrastructure planning needs. The terms *Water System Infrastructure Maintenance Agreement* dated March 9, 2006 between the Boone-Florence Water Commission and the City of Cincinnati is also being amended by a separate instrument to reflect a similar expiration date.
- E. Capitalized terms in this Amendment shall have the meaning defined in the Agreement, unless another definition is provided in this Amendment.

NOW, THEREFORE, in consideration of the promises, covenants and agreements contained herein, the parties hereby amend the Agreement as follows:

- 1) **Term.** The first sentence of Section 2 (*Agreement Duration, Termination, and Default*) shall be amended and restated as follows:

"This Agreement shall be in force for a period of 34 years commencing on March 2, 1999."

- 2) **Ratification.** All terms of the Agreement not amended hereby or not inconsistent herewith shall remain in full force and effect and by this reference are incorporated herein as if fully rewritten herein, and the Agreement, as amended hereby, is hereby ratified by the parties.

3) This Amendment may be executed in counterparts; and a facsimile, PDF or electronic signature shall be deemed to be, and shall have the same force and effect as, an original signature.

[SIGNATURE PAGES FOLLOWS]

IN WITNESS WHEREOF, the parties have executed this Amendment on the dates indicated below the signatures, effective on the latest of such dates (the "**Second Amendment Effective Date**").

BOONE COUNTY WATER DISTRICT

By: _____
_____, Chairperson

Date: _____, 2021

BOONE-FLORENCE WATER COMMISSION

By: _____
_____, Chairperson

Date: _____, 2021

CITY OF FLORENCE

By: _____
Diane E. Whalen, Mayor

Date: _____, 2021

[CINCINNATI SIGNATURE PAGE FOLLOWS]

Execution of this Second Amendment is authorized by Ordinance No. ____-2021, dated ____2021.

CITY OF CINCINNATI

By: _____
Paula Boggs-Muething, City Manager

Date: _____, 2021

Recommended by:

Cathy B. Bailey, Director
Greater Cincinnati Water Works

Approved as to form by:

Assistant City Solicitor

Certification of Funds:

Date: _____
Funding: _____
Amount: _____
By: _____
Karen Alder, Finance Director

FIRST AMENDMENT
to INTERLOCAL COOPERATIVE AGREEMENT
(Cooperation for water service to City of Florence and Boone County)

This *First Amendment to Interlocal Cooperative Agreement* (“**Amendment**”) is made by and between the CITY OF CINCINNATI, OHIO (“**Cincinnati**”), the BOONE-FLORENCE WATER COMMISSION (“**Water Commission**”), the BOONE COUNTY WATER DISTRICT (“**Boone**”), and the CITY OF FLORENCE, KENTUCKY (“**Florence**”) effective on the First Amendment Effective Date as defined on the signature page hereof.

RECITALS:

- A. Cincinnati, Water Commission, Boone and Florence are parties to a certain *Interlocal Cooperative Agreement* dated effective March 2, 1999 (“**Interlocal Agreement**”) to establish the terms for cooperation to plan, design, and construct a major water transmission system for efficient, cost-effective delivery of treated water from the Cincinnati water system under the Ohio River to a reservoir and master meter site in Boone County, with water then pumped into the water distribution lines of Florence and Boone.
- B. The parties also previously entered into a *Water Service Agreement* dated March 2, 1999, subsequently amended by a *First Amendment to the Water Service Agreement* dated August 1, 2008 (as amended, the “**Water Agreement**”) for Cincinnati to provide wholesale water service to Boone, Florence and the Water Commission.
- C. The Interlocal Agreement and the Water Agreement each currently provide for an expiration date of March 2, 2028.
- D. The parties desire to amend the Interlocal Agreement and the Water Agreement in order to extend their terms by five years to expire in 2033 in order to allow for BFWC to complete a water visioning planning process with regional stakeholders to address and plan for the water security and the long-term water needs of their constituents and to determine any longer term water infrastructure needs that may need to be incorporated into future water service arrangements.
- E. Capitalized terms in this Amendment shall have the meaning defined in the Interlocal Agreement unless another definition is provided herein.

NOW, THEREFORE, in consideration of the promises, covenants and agreements contained herein, the parties hereby amend the Interlocal Agreement as follows:

- 1) **Duration of Agreement.** Section 2 (*Duration of Agreement*) shall be amended and restated in its entirety as follows:

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- 2) **Ratification.** All terms of the Interlocal Agreement not amended hereby or not inconsistent herewith shall remain in full force and effect and by this reference are incorporated herein as if fully rewritten herein, and the Agreement, as amended hereby, is hereby ratified by the parties.
- 3) This Amendment may be executed in counterparts; and a facsimile, PDF or electronic signature shall be deemed to be, and shall have the same force and effect as, an original signature.

[SIGNATURE PAGES FOLLOWS]

IN WITNESS WHEREOF, the parties have executed this Amendment on the dates indicated below the signatures, effective on the latest of such dates (the “**Amendment Effective Date**”).

BOONE COUNTY WATER DISTRICT

By: _____
_____, Chairperson
Date: _____, 2021

BOONE-FLORENCE WATER COMMISSION

By: _____
_____, Chairperson
Date: _____, 2021

CITY OF FLORENCE

By: _____
Diane E. Whalen, Mayor
Date: _____, 2021

[CINCINNATI SIGNATURE PAGE FOLLOWS]

Execution of this First Amendment is authorized by Ordinance No. ____-2021, dated ____2021.

CITY OF CINCINNATI

By: _____
Paula Boggs-Muething, City Manager

Date: _____, 2021

Recommended by:

Cathy B. Bailey, Director
Greater Cincinnati Water Works

Approved as to form by:

Assistant City Solicitor

Certification of Funds:

Date: _____
Funding: _____
Amount: _____
By: _____
Karen Alder, Finance Director

**SECOND AMENDMENT
to WATER SERVICE AGREEMENT**
(GCWW service to Boone-Florence Water Commission)

This *Second Amendment to Water Service Agreement* (“**Second Amendment**”) is made by and between the CITY OF CINCINNATI, OHIO (“**Cincinnati**”), the BOONE-FLORENCE WATER COMMISSION (“**Water Commission**”), the BOONE COUNTY WATER DISTRICT (“**Boone**”), and the CITY OF FLORENCE, KENTUCKY (“**Florence**”) effective on the Second Amendment Effective Date as defined on the signature page hereof.

RECITALS:

- A. Cincinnati, Water Commission, Boone and Florence are parties to a certain *Water Service Agreement* dated March 2, 1999, subsequently amended by a *First Amendment to the Water Service Agreement* dated August 1, 2008 (as amended, the “**Agreement**”) for Cincinnati to provide efficient and cost-effective wholesale water service to Boone, Florence and the Water Commission.
- B. The Agreement has been approved pursuant to KRS 65.260 by the Attorney General of the Commonwealth of Kentucky as an Interlocal Cooperative Agreement authorized by KRS Chapter 65.210 through 65.300 and the parties acknowledge they may enter into such agreements or contracts for a period not exceeding (50) years under KRS 74.490.
- C. BFWC plans to initiate a water visioning process with other regional water stakeholders to understand, plan for and address such issues as water security and meeting the long-term water needs of their constituents.
- D. The Agreement provides for a term of 29 years with a current expiration date of March 2, 2028, and the parties desire to extend the term by five years to expire in 2033 in order to allow for the visioning planning process and any longer term water infrastructure planning needs. The terms *Water System Infrastructure Maintenance Agreement* dated March 9, 2006 between the Boone-Florence Water Commission and the City of Cincinnati is also being amended by a separate instrument to reflect a similar expiration date.
- E. Capitalized terms in this Amendment shall have the meaning defined in the Agreement, unless another definition is provided in this Amendment.

NOW, THEREFORE, in consideration of the promises, covenants and agreements contained herein, the parties hereby amend the Agreement as follows:

- 1) **Term.** The first sentence of Section 2 (*Agreement Duration, Termination, and Default*) shall be amended and restated as follows:

“This Agreement shall be in force for a period of 34 years commencing on March 2, 1999.”

- 2) **Ratification.** All terms of the Agreement not amended hereby or not inconsistent herewith shall remain in full force and effect and by this reference are incorporated herein as if fully rewritten herein, and the Agreement, as amended hereby, is hereby ratified by the parties.

- 3) This Amendment may be executed in counterparts; and a facsimile, PDF or electronic signature shall be deemed to be, and shall have the same force and effect as, an original signature.

[SIGNATURE PAGES FOLLOWS]

IN WITNESS WHEREOF, the parties have executed this Amendment on the dates indicated below the signatures, effective on the latest of such dates (the “**Second Amendment Effective Date**”).

BOONE COUNTY WATER DISTRICT

By: _____
_____, Chairperson

Date: _____, 2021

BOONE-FLORENCE WATER COMMISSION

By: _____
_____, Chairperson

Date: _____, 2021

CITY OF FLORENCE

By: _____
Diane E. Whalen, Mayor

Date: _____, 2021

[CINCINNATI SIGNATURE PAGE FOLLOWS]

Execution of this Second Amendment is authorized by Ordinance No. ____-2021, dated ____2021.

CITY OF CINCINNATI

By: _____
Paula Boggs-Muething, City Manager

Date: _____, 2021

Recommended by:

Cathy B. Bailey, Director
Greater Cincinnati Water Works

Approved as to form by:

Assistant City Solicitor

Certification of Funds:

Date: _____
Funding: _____
Amount: _____
By: _____
Karen Alder, Finance Director

March 3, 2021

To: Mayor and Members of City Council **202100832**

From: Paula Boggs Muething, City Manager

Subject: Emergency Ordinance – Stanbery Park Capital Resources from Ohio Department of Natural Resources

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager to accept and appropriate State of Ohio Capital Budget in the amount of \$80,000 as authorized by Senate Bill 310, Ohio Department of Natural Resources, Parks and Recreation Improvement Fund 7035, Appropriation Item C725E2, “Local Parks, Recreation, and Conservation Projects” into existing capital improvement program project account no. 980x203x182019, “Stanbery Park Pavilion – State of Ohio Capital”; and further **AUTHORIZING** the Finance Director to deposit the State of Ohio Capital Budget funding into existing capital improvement program project account no. 980x203x182019, “Stanbery Park Pavilion – State of Ohio Capital.”

This Emergency Ordinance will authorize the City Manager to accept and appropriate \$80,000 of State of Ohio Capital Budget funding from the Ohio Department of Natural Resources as authorized by Senate Bill 310 into existing capital improvement program project account no. 980x203x182019, “Stanbery Park Pavilion – State of Ohio Capital.” This Emergency Ordinance also authorizes the Finance Director to deposit the State of Ohio Capital Budget funding into existing capital improvement program project account no. 980x203x182019, “Stanbery Park Pavilion – State of Ohio Capital.”

The improvements at Stanbery Park include the construction of the Kyle Plush Pavilion consisting of a covered stage and storage building facing the center lawn of Stanbery Park.

Constructing the Kyle Plush Pavilion in Stanbery Park is in accordance with the “Live” goal to “build a robust public life” and strategy to “develop and maintain inviting and engaging public spaces that encourage social interaction between different types of people” as described on pages 147 – 152 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to receive grant funds to cover expenses related to improvements at Stanbery Park.

cc: Christopher A. Bigham, Assistant City Manager
Karen Alder, Finance Director

Attachment



EMERGENCY

CFG

- 2021

AUTHORIZING the City Manager to accept and appropriate State of Ohio Capital Budget funding in the amount of \$80,000 as authorized by Senate Bill 310, Ohio Department of Natural Resources, Parks and Recreation Improvement Fund 7035, Appropriation Item C725E2, “Local Parks, Recreation, and Conservation Projects” into existing capital improvement program project account no. 980x203x182019, “Stanbery Park Pavilion – State of Ohio Capital”; and further **AUTHORIZING** the Finance Director to deposit the State of Ohio Capital Budget funding into existing capital improvement program project account no. 980x203x182019, “Stanbery Park Pavilion – State of Ohio Capital.”

WHEREAS, Section 126.14 of the Ohio Revised Code, “Controlling board to approve release of appropriation for purchase of real estate or other capital project,” permits the Director of the State of Ohio’s Office of Budget and Management to determine and release appropriations for specific capital projects; and

WHEREAS, funding was awarded for Stanbery Park Pavilion through the State Capital Budget process, and the City will use them to support costs associated with improvements at Stanbery Park, including construction of the Kyle Plush Pavilion, consisting of a covered stage and storage building facing the center lawn of Stanbery Park; and

WHEREAS, these funds do not require any local matching funds, and there are no new FTEs associated with acceptance of these funds; and

WHEREAS, the construction of the Kyle Plush Pavilion is in accordance with the “Live” goal to “build a robust public life,” and strategy to “develop and maintain inviting and engaging public spaces that encourage social interaction between different types of people” as described on pages 147-152 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 funding in the amount of \$80,000, as authorized by the State of Ohio Capital Budget adopted by Senate Bill 310, into existing capital improvement program project account no. 980x203x182019, “Stanbery Park Pavilion – State of Ohio Capital,” for the purpose of providing funding for improvements at Stanbery Park, including construction of the Kyle Plush Pavilion.

Section 2. That the Director of Finance is hereby authorized to deposit \$80,000 in State of Ohio Capital Budget funding into existing capital improvement program project account no. 980x203x182019, “Stanbery Park Pavilion – State of Ohio Capital.”

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

Section 4. 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 receive grant funds to cover expenses related to improvements at Stanbery Park.

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

March 3, 2021

To: Mayor and Members of City Council **202100834**
From: Paula Boggs Muething, City Manager
Subject: Ordinance – Seasingood Employee Recognition Program Grant

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to apply for, accept, and appropriate a grant in an amount not to exceed \$5,000 from the Murray & Agnes Seasingood Good Government Foundation for the purpose of administering an Employee Recognition Program; and **AUTHORIZING** the Finance Director to deposit the grant funds into Department of Human Resources Employee Relations Fund 310.

Approval of this Ordinance authorizes the City Manager to apply for, accept, and appropriate a grant of up to \$5,000 from the Murray & Agnes Seasingood Good Government Foundation for the purpose of administering an Employee Recognition Program. Approval of this Ordinance will further authorize the Finance Director to receive and deposit the grant funds into Department of Human Resources Employee Relations Fund 310.

This grant will allow for the administration of a City Employee Recognition Program, which will recognize the achievements of City staff who are faced with increasingly complicated and demanding work environments, particularly during the COVID-19 pandemic, through employee awards, promotional items, and an event.

This grant does not require additional FTE or matching funds.

The Administration recommends passage of this Ordinance.

cc: Christopher A. Bigham, Assistant City Manager
Karen Alder, Finance Director

Attachment

AUTHORIZING the City Manager to apply for, accept, and appropriate a grant in an amount not to exceed \$5,000 from the Murray & Agnes Seasongood Good Government Foundation for the purpose of administering an Employee Recognition Program; and **AUTHORIZING** the Finance Director to deposit the grant funds into Department of Human Resources Employee Relations Fund 310.

WHEREAS, there is a grant available from the Murray & Agnes Seasongood Good Government Foundation that will allow for the administration of a City Employee Recognition Program to recognize the achievements of City staff faced with increasingly complicated and demanding work environments particularly during the COVID-19 pandemic through employee awards, promotional items, and an event; and

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

WHEREAS, the grant application deadline is April 15, 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 apply for, accept, and appropriate a grant in an amount not to exceed \$5,000 from the Murray & Agnes Seasongood Good Government Foundation for the purpose of administering an Employee Recognition Program.

Section 2. That the Finance Director is hereby authorized to receive and deposit the grant funds into Department of Human Resources Employee Relations Fund 310.

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

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

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

March 3, 2021

To: Mayor and Members of City Council 202100842
From: Paula Boggs Muething, City Manager
Subject: **Emergency Ordinance – Appropriation of Coronavirus Response and Relief Supplemental Appropriations for Rental Assistance**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the appropriation of the sum of \$9,072,946 to the COVID-19 Fund 473 City Manager’s Office non-personnel operating budget account no. 473x101x7400 for the purpose of providing reimbursement of or resources for an Emergency Rental Assistance program as part of the City’s COVID-19 response; and **AUTHORIZING** the City Manager to contract with third-parties and take other actions to quickly implement an Emergency Rental Assistance program.

This Emergency Ordinance would appropriate the sum of \$9,072,946 to the COVID-19 Fund 473 City Manager’s Office non-personnel operating budget account no. 473x101x7400.

Ordinance No. 0025-2021 authorized the acceptance of funds from the United States Department of Treasury as provided by the Coronavirus Response and Relief Supplemental Appropriations Act for the purpose of providing resources for an Emergency Rental Assistance program to assist households that are unable to pay rent and utilities due to the COVID-19 pandemic.

This Emergency Ordinances also authorize the City Manager to contract with third-parties and take other actions to quickly implement an Emergency Rental Assistance program. To deploy these funds quickly, the City Administration intends to enter into a partnership with Cincinnati-Hamilton County Community Action Agency (CAA). This partnership will build off the experience that the CAA has derived from running other assistance programs during the pandemic and has the added benefit of leveraging additional Emergency Rental Assistance program funding that the CAA will receive from the State of Ohio. This arrangement avoids unnecessary duplication of programming for deployment of the same federal funds and will result in simpler public messaging on where to access assistance. The City Administration will provide the City Council with additional details on the proposed partnership in Committee.

The reason for the emergency is the immediate need to accomplish the authorized COVID-19 related reimbursements and expenditures.

The Administration recommends passage of this Emergency Ordinance.

cc: Christopher A. Bigham, Assistant City Manager
Karen Alder, Finance Director

Attachment

EMERGENCY

ZDS

- 2021

AUTHORIZING the appropriation of the sum of \$9,072,946 to Fund 473, “COVID-19,” City Manager’s Office non-personnel operating budget account no. 473x101x7400 for the purpose of providing reimbursement of, or resources for, certain non-personnel expenditures for an Emergency Rental Assistance program as part of the City’s COVID-19 response; and AUTHORIZING the City Manager to contract with third parties and take other actions to quickly implement an Emergency Rental Assistance program.

WHEREAS, the City is eligible to receive additional funding from the United States Department of the Treasury pursuant to the Coronavirus Response and Relief Supplemental Appropriations Act; and

WHEREAS, Ordinance No. 0025-2021 authorized the acceptance of funds from the United States Department of Treasury as provided by the Coronavirus Response and Relief Supplemental Appropriations Act for the purpose of providing resources for an Emergency Rental Assistance program to assist households that are unable to pay rent and utilities; and

WHEREAS, the additional funds received by the City will be used to establish an Emergency Rental Assistance program to assist households that are unable to pay rent and utilities due to the COVID-19 pandemic; now, therefore,

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

Section 1. That the sum of \$9,072,946 is hereby appropriated to Fund 473, “COVID-19.” City Manager’s Office non-personnel operating budget account no. 473x101x7400 for the purpose of providing reimbursement of, or resources for, certain non-personnel expenditures for an Emergency Rental Assistance program related to COVID-19 response.

Section 2. That the City Manager is authorized to contract with third parties and take other actions to quickly implement an Emergency Rental Assistance program.

Section 3. That the proper City officials are hereby authorized to do all things necessary and proper to implement the provisions of Sections 1 through 2 herein.

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 accomplish the authorized COVID-19 related reimbursements and expenditures.

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

20200226

Date: December 10, 2020

To: Councilmember Greg Landsman
From: Andrew W. Garth, Interim City Solicitor *AWG*
Subject: **Emergency Ordinance – Balanced Development Project Scorecard**

Transmitted herewith is an emergency ordinance captioned as follows:

ESTABLISHING a City Council policy for evaluating real property tax incentives authorized by the City of Cincinnati.

AWG/SSB/(lnk)
Attachment
320756

City of Cincinnati

SSB

AWB

An Ordinance No. _____

- 2020

ESTABLISHING a City Council policy for evaluating real property tax incentives authorized by the City of Cincinnati.

WHEREAS, City Council has the authority to declare up to 100% of the increase in the assessed value of improvements to be exempt from real property taxation by means of (i) project-based tax increment financing incentives pursuant to Ohio Revised Code (“ORC”) Sections 5709.40(B) and 5709.41; and (ii) “Community Reinvestment Area” incentives pursuant to ORC Sections 3735.65 through 3735.70; and

WHEREAS, Motion No. 201901811, as adopted by this Council on December 11, 2019, recommended updates to how the City Administration evaluates the public benefits created by projects receiving real property tax incentives pursuant to the aforementioned ORC provisions, with a focus on prioritizing projects that create good, local jobs; preserve and/or create affordable housing; minimize displacement of residents and businesses; and/or commit to project-specific inclusion goals; and

WHEREAS, to incentivize balanced development throughout the City of Cincinnati as recommended in the aforementioned Motion, City Council desires to adopt a *Project Scorecard*, a copy of which is attached hereto as Attachment A, to assist City Council in evaluating development projects when qualifying real property tax exemptions or abatements are recommended; now, therefore,

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

Section 1. That City Council adopts the *Project Scorecard* attached to this ordinance as Attachment A, which establishes a City Council policy relating to qualifying real property tax abatements and exemptions.

Section 2. That Council intends that the *Project Scorecard* be prepared by the Administration as a policy tool to be utilized for evaluating the public benefits associated with economic and community development projects for which (a) the total estimated costs of the project exceed \$5,000,000, and (b) the proposed City assistance includes a real property tax incentive authorized pursuant to Ohio Revised Code (“ORC”) Section 5709.40(B), ORC Section 5709.41, or ORC Sections 3735.65 through 3735.70 with a present value exceeding \$3,000,000.

Council desires that the Administration present project-based scorecard information for Council consideration as part of the Administration’s recommendation to Council. Council intends that the Administration have latitude to create additional criteria and update the *Project Scorecard* as appropriate to ensure the City’s tax incentives support the City’s residents and neighborhoods while attracting local investment. City Council further acknowledges that the *Project Scorecard* process is a policy tool to guide City Council decision making and does not diminish the Administration’s executive authority under the Charter of the City of Cincinnati, which authority includes the power to determine whether and on what terms to recommend development deals for Council consideration.

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

Passed: _____, 2020

John Cranley, Mayor

Attest: _____
Clerk

ATTACHMENT A

PROJECT SCORECARD

Do total costs of the Project exceed \$5 million? Yes No

Does the present value of proposed City assistance exceed \$3 million? Yes No

CATEGORY	APPLICABLE?	EXCEEDS	MEETS
<p><u>BALANCED HOUSING PRODUCTION</u></p> <ul style="list-style-type: none"> Project creates or preserves, low-income (51%-80% AMI) housing units and/or very low-income housing units (31%-50% AMI) to the extent financially feasible given project conditions. Project creates or preserves extremely low-income housing units (0%-30% AMI) to the extent financially feasible given project conditions. Project creates a mixture of extremely low (0%-30% AMI), very low (31%-50% AMI), and/or low-income (51%-80% AMI) housing units with workforce/middle housing units (81%-120% AMI) and/or market-rate units to the extent financially feasible given project conditions. Project creates additional market-rate or workforce/middle income (81%-120% AMI) housing units that promote a balanced, mixed-income neighborhood without displacing existing lower income residents. 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><u>IMPROVEMENT OF VACANT, BLIGHTED AND/OR UNDERUTILIZED PROPERTIES</u></p> <ul style="list-style-type: none"> Project replaces a vacant and/or underutilized property and adds net-new housing units without displacing existing residents. Project activates a previously vacant building or property. Project eliminates a blighted parcel or parcels (as defined in Ohio Revised Code Section 1.08). Project enhances an underutilized site (i.e. vacant parcel or surface parking lot) and adds new amenities (like housing, office, commercial, community space, etc.) to the neighborhood. Project will involve remediation of a brownfield site or involves mitigation of previously existing site conditions that make redevelopment difficult. 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><u>ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT</u></p> <ul style="list-style-type: none"> Project will obtain requisite level of U.S. Green Building Council Leadership in Energy and Environmental Design Silver, Gold or Platinum or Living Building Challenge Net Zero or Petal (which must comply with the requirements of LBC). 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><u>VOLUNTARY TAX INCENTIVE CONTRIBUTION</u></p> <ul style="list-style-type: none"> Applicant has represented that it (i) will contribute at least 15% of the exempted value of the improvements either in support streetcar operations or to further 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

neighborhood improvements in the neighborhood of the project and affordable housing city-wide and (ii) will execute an agreement with a third-party memorializing such contribution.			
<p><u>INCLUSION</u></p> <ul style="list-style-type: none"> • Applicant has committed to using good-faith efforts to achieve 17% MBE and 10% WBE utilization goals for construction contracts related to the Project consistent with Chapter 324 of the Cincinnati Municipal Code. • Applicant will (or will cause the end-user to) adopt hiring policies to ensure at least 25% of any new employees hired are residents of the City and such policies will give preference to residents of the City. • Applicant has participated, is participating, or will participate in the City’s program advancing minority development professionals. 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><u>COMMUNITY OUTREACH</u></p> <ul style="list-style-type: none"> • Applicant has engaged all necessary stakeholders in the community (i.e. the applicable community council and the neighborhood CDC, if applicable). • In the interest of mitigating displacement directly associated with the Project, Applicant has engaged any and all tenants, businesses, and persons that as a direct result of the Project may be entitled to relocation benefits pursuant to Chapter 740 of the Cincinnati Municipal Code. 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><u>LIVING WAGES</u></p> <ul style="list-style-type: none"> • Applicant has committed that all jobs created by the Project (during construction and after) will comply with the City’s Living Wage Policy. • Applicant has represented that it will engage a partner in the Labor community on construction of the Project to ensure good wages and career training. 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><u>JOB CREATION AND RETENTION</u></p> <ul style="list-style-type: none"> • Project will create and/or retain significant jobs and payroll. • Project will create and/or retain small/neighborhood business jobs and payroll. • Project will create and/or retain more than 10 jobs per acre. 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><u>PLACE-BASED INVESTMENT</u></p> <ul style="list-style-type: none"> • Project is located in a Federally designated NRSA and/or Opportunity Zone. • Project is located within 1/2 mile of a Neighborhood Business District. • Project is located along a transit corridor. • Project encourages traditional compact, walkable neighborhood development. • Project is placed within a federally designated Hub Zone. 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><u>TRANSFORMATIVE PROJECT</u></p> <ul style="list-style-type: none"> • Project fills a neighborhood need and/or adds a new community asset (i.e. retail, commercial, grocery, housing). 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<ul style="list-style-type: none"> • Project saves or preserves existing community asset. • Project creates or enhances a public space to be utilized by the community. • Project creates/repairs City infrastructure. • Project is within a “Targeted Neighborhood” as defined in Ordinance No. 275-2017, as amended. • Project is a “Catalytic Project” as defined in Ordinance No. 275-2017, as amended. 			
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This Project Scorecard is intended to be utilized as a starting point for discussions of certain public benefits created by applicable projects, and is not intended to prevent or discourage the City Administration from presenting projects for Council consideration that do not meet the criteria listed herein. Acknowledging that projects may have benefits that are not captured in the criteria set forth in this Project Scorecard, Council encourages the City Administration to bring forth all worthy projects.

202100839

Date: February 23, 2021

To: Councilmember Greg Landsman
From: Andrew W. Garth, City Solicitor *AWG*
Subject: **Emergency Ordinance – Balanced Development Project Scorecard (B
VERSION)**

Transmitted herewith is an emergency ordinance captioned as follows:

ESTABLISHING a City Council policy for evaluating real property tax incentives authorized by the City of Cincinnati.

AWG/SSB/(lnk)
Attachment
320756

City of Cincinnati

SSB/B

AWB

An Ordinance No. _____

- 2021

ESTABLISHING a City Council policy for evaluating real property tax incentives authorized by the City of Cincinnati.

WHEREAS, City Council has the authority to declare up to 100% of the increase in the assessed value of improvements to be exempt from real property taxation by means of (i) project-based tax increment financing incentives pursuant to Ohio Revised Code (“ORC”) Sections 5709.40(B) and 5709.41; and (ii) “Community Reinvestment Area” incentives pursuant to ORC Sections 3735.65 through 3735.70; and

WHEREAS, Motion No. 201901811, as adopted by this Council on December 11, 2019, recommended updates to how the City Administration evaluates the public benefits created by projects receiving real property tax incentives pursuant to the aforementioned ORC provisions, with a focus on prioritizing projects that create good, local jobs; preserve and/or create affordable housing; minimize displacement of residents and businesses; and/or commit to project-specific inclusion goals; and

WHEREAS, to incentivize balanced development throughout the City of Cincinnati as recommended in the aforementioned Motion, City Council desires to adopt a *Priorities Rubric*, a copy of which is attached hereto as Attachment A, to (i) communicate City Council’s policy objectives to developers applying for City incentives; (ii) assist City Council in evaluating development projects when qualifying real property tax exemptions or abatements are recommended; and (iii) establish certain City Council policy objectives that can be memorialized and monitored as part of an eventual incentive agreement between the City and the developer; now therefore,

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

Section 1. That City Council adopts the *Priorities Rubric* attached to this ordinance as Attachment A, which establishes a City Council policy relating to qualifying real property tax abatements and exemptions.

Section 2. That Council intends that the *Priorities Rubric* be prepared by the Administration as a policy tool to be utilized for evaluating the public benefits associated with economic and community development projects for which (a) the total estimated costs of the project exceed \$5,000,000, and (b) the proposed City assistance includes a real property tax

incentive authorized pursuant to Ohio Revised Code (“ORC”) Section 5709.40(B), ORC Section 5709.41, or ORC Sections 3735.65 through 3735.70 with a present value exceeding \$3,000,000. Council desires that the Administration (i) include the form *Priorities Rubric* as part of its applicable incentive applications and (ii) present project-based rubric information for Council consideration as part of the Administration’s recommendation to Council. Council intends that the Administration have latitude to create additional criteria and update the *Priorities Rubric* as appropriate to ensure the City’s tax incentives support the City’s residents and neighborhoods while attracting local investment. City Council further acknowledges that the *Priorities Rubric* process is a policy tool to guide City Council decision making and does not diminish the Administration’s executive authority under the Charter of the City of Cincinnati, which authority includes the power to (1) determine whether and on what terms to recommend development deals for Council consideration and (2) enforce any such related agreement.

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

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

ATTACHMENT A

PRIORITIES RUBRIC

Do total costs of the Project exceed \$5 million? Yes No

Does the present value of proposed City assistance exceed \$3 million? Yes No

CATEGORY	APPLICABLE?	EXCEEDS	MEETS
<p><u>BALANCED HOUSING PRODUCTION</u></p> <ul style="list-style-type: none"> Project creates or preserves, low-income (51%-80% AMI) housing units and/or very low-income housing units (31%-50% AMI) to the extent financially feasible given project conditions. Project creates or preserves extremely low-income housing units (0%-30% AMI) to the extent financially feasible given project conditions. Project creates a mixture of extremely low (0%-30% AMI), very low (31%-50% AMI), and/or low-income (51%-80% AMI) housing units with workforce/middle housing units (81%-120% AMI) and/or market-rate units to the extent financially feasible given project conditions. Project creates additional market-rate or workforce/middle income (81%-120% AMI) housing units that promote a balanced, mixed-income neighborhood without displacing existing lower income residents. 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><u>IMPROVEMENT OF VACANT, BLIGHTED AND/OR UNDERUTILIZED PROPERTIES</u></p> <ul style="list-style-type: none"> Project replaces a vacant and/or underutilized property and adds net-new housing units without displacing existing residents. Project activates a previously vacant building or property. Project eliminates a blighted parcel or parcels (as defined in Ohio Revised Code Section 1.08). Project enhances an underutilized site (i.e. vacant parcel or surface parking lot) and adds new amenities (like housing, office, commercial, community space, etc.) to the neighborhood. Project will involve remediation of a brownfield site or involves mitigation of previously existing site conditions that make redevelopment difficult. 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><u>ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT</u></p> <ul style="list-style-type: none"> Project will obtain requisite level of U.S. Green Building Council Leadership in Energy and Environmental Design Silver, Gold or Platinum or Living Building Challenge Net Zero or Petal (which must comply with the requirements of LBC). 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><u>VOLUNTARY TAX INCENTIVE CONTRIBUTION</u></p> <ul style="list-style-type: none"> Applicant has represented that it (i) will contribute at least 15% of the exempted value of the improvements either in support streetcar operations or to further 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<p>neighborhood improvements in the neighborhood of the project and affordable housing city-wide and (ii) will execute an agreement with a third-party memorializing such contribution.</p>			
<p><u>INCLUSION</u></p> <ul style="list-style-type: none"> • Applicant has committed to using good-faith efforts to achieve 17% MBE and 10% WBE utilization goals for construction contracts related to the Project consistent with Chapter 324 of the Cincinnati Municipal Code. • Applicant will (or will cause the end-user to) adopt hiring policies to ensure at least 25% of any new employees hired are residents of the City and such policies will give preference to residents of the City. • Applicant has participated, is participating, or will participate in the City's program advancing minority development professionals. 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><u>COMMUNITY OUTREACH</u></p> <ul style="list-style-type: none"> • Applicant has engaged all necessary stakeholders in the community in an open and public process, as early as feasible. DCED made information available to Applicant regarding best practices for community engagement. • In the interest of mitigating displacement directly associated with the Project, Applicant has engaged any and all tenants, businesses, and persons that as a direct result of the Project may be entitled to relocation benefits pursuant to Chapter 740 of the Cincinnati Municipal Code. 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><u>LIVING WAGES</u></p> <ul style="list-style-type: none"> • Applicant has committed that all jobs created by the Project (during construction and after) will comply with the City's Living Wage Policy. • Applicant has represented that it will engage a partner in the Labor community on construction of the Project to ensure good wages and career training. 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><u>JOB CREATION AND RETENTION</u></p> <ul style="list-style-type: none"> • Project will create and/or retain significant jobs and payroll. • Project will create and/or retain small/neighborhood business jobs and payroll. • Project will create and/or retain more than 10 jobs per acre. 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><u>PLACE-BASED INVESTMENT</u></p> <ul style="list-style-type: none"> • Project is located in a Federally designated NRSA and/or Opportunity Zone. • Project is located within 1/2 mile of a Neighborhood Business District. • Project is located along a transit corridor. • Project encourages traditional compact, walkable neighborhood development. • Project is placed within a federally designated Hub Zone. 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<p><u>HISTORIC PRESERVATION</u></p> <ul style="list-style-type: none"> • Project will directly lead to the preservation of a historic structure. • Project will create increased market activity and investment that will support and encourage preservation of proximate historic structures. 	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>		
<p><u>TRANSFORMATIVE PROJECT</u></p> <ul style="list-style-type: none"> • Project fills a neighborhood need and/or adds a new community asset (i.e. retail, commercial, grocery, housing). • Project saves or preserves existing community asset. • Project creates or enhances a public space to be utilized by the community. • Project creates/repairs City infrastructure. • Project is within a “Targeted Neighborhood” as defined in Ordinance No. 275-2017, as amended. • Project is a “Catalytic Project” as defined in Ordinance No. 275-2017, as amended. 	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>		

This Priorities Rubric is intended to be utilized as a starting point for discussions of certain public benefits created by applicable projects, and is not intended to prevent or discourage the City Administration from presenting projects for Council consideration that do not meet the criteria listed herein. Acknowledging that projects may have benefits that are not captured in the criteria set forth in this Priorities Rubric, Council encourages the City Administration to bring forth all worthy projects.



Greg Landsman
Councilmember

January 25 2021

CRA's and the New Scorecard

MOTION

WE MOVE that if there is a conflict between the ordinance containing the Balanced Development Scorecard policy passed in connection herewith and the existing commercial CRA policy in Ordinance No. 275-2017, it's the policy of Council that the Balanced Development scorecard policy applies.

Councilmember Greg Landsman

February 5, 2021

Re: Responses to Questions for Proposed Development Scorecard (Item 202002226)

Dear Councilmember Landsman:

You introduced Item 202002226 on December 11, 2020, which is a legislative proposal to establish as a Council policy the use of a development scorecard for certain development projects. This item has been held for additional discussion at Budget and Finance Committee. The purpose of this letter is to respond to several questions directed at the Administration regarding the proposal. Your questions are set out below in **bold type** and the responses are beneath.

- 1. Each bulleted item needs its own line for clarity purposes. Would the Administration have any issue with that?**
- 2. There is interest in actual scoring, which the Administration would ideally recommend. This as opposed to the current language of simply meets or exceeds. We would ask that the Administration to weigh-in on this, if not propose scoring options.**
- 3. Is it possible for multiple people to review and score a project? We would want the Administration to weigh-in on this, too.**

Covering Questions 1-3: A statement of clear and consistent Council policy goals will provide guidance to the Administration in preparing communications and presenting projects to Council. These clear policy goals will also provide notice and certainty to the development community. There are many forms such guidance could take, but if a scorecard is Council's chosen method for clarifying policy goals then the Administration recommends that it should be designed to act as a benchmarking tool that facilitates a structured qualitative analysis of projects. A scorecard requiring a proscriptive or quantitative analysis will have unintended consequences such as providing misleading results because community and economic development projects are individually unique with variable public benefits. Therefore, the Administration would not recommend or support changes to the current scorecard structure that require numerical scoring, multiple reviews, or singular bulleted items.

- 4. Language could be added to ensure that the scorecard is used and presented to Council with recommendations for each relevant project. Are there any issues with this, and if not, does the Administration have suggested language for an updated ordinance?**

The proposed ordinance would set Council expectations of the Administration on the content and analysis of presentations and communications to Council for development projects. Council enforcement occurs through (1) questions and requests during Administration presentations to Council and Committee or (2) voting down items that do not utilize the scorecard.

5. Can the Administration speak to “compliance” and how the City will ensure that commitments are monitored and kept?

Many items covered in the proposed scorecard will be captured in a project’s development contract—either through specific representations and warranties or through contractual covenants. These items are enforced like any other requirement of the contract and are monitored by City staff. Any items that are required by ordinance or other law are incorporated into a contract through a requirement that the developer comply with all laws. Some items may not be appropriate to include in the contract as a requirement but could be included in the recitals to the contract as important background.

6. Can we add specific language around historic preservation, and if so, would the Administration recommend language?

A Council goal around historic preservation could be articulated in the scorecard, like any other public policy goal. In general, the efficacy of the scorecard will be highest if it can create certainty by presenting an accurate and clear picture of all Council goals and priorities for development projects and is updated from time to time.

7. On community engagement, there is a request that we require specific actions. That said, we want to get the Administration’s position on this. Also on this same issue, there is interest in adding language to this section regarding early notice to a community. Is that something the Administration should do or the developer?

The Administration will provide a memorandum on community engagement policies in the next two weeks, addressing issues of notice, role of developers, and other actions.

8. There is interest in training on the scorecard, TIFs, CRAs, and VITCA. What does the Administration think, and should we add to the ordinance?

As described in the recent FYI memorandum regarding the roles of the Administration, Mayor, and Council, the Administration is formalizing Councilmember training and onboarding. If passed, the scorecard and its function could be incorporated into those sessions. General information on community and economic development activities, including incentives, can be incorporated into that training as well.

9. There has been a request that the Administration discuss with Council its work on the Balanced Development Report and its findings, as well as how development deals are evaluated and/or scored now.

The Administration will have staff available on Monday at Budget and Finance to discuss the Balanced Development Report and practices for evaluation of development deals. The Administration provided information last week to Council regarding DCED's process for underwriting large development deals, which is provided as an attachment.

Sincerely,

A handwritten signature in blue ink that reads "Paula Boggs Muething". The signature is written in a cursive, flowing style.

Paula Boggs Muething
City Manager

Attachment

INCENTIVE APPLICATION REVIEW GUIDANCE DOCUMENT

1. Application Receipt & Review

- a. Confirming Receipt – Once an analyst has received an incentive application for review, the applicant should be contacted to let them know that review of the application has started and the analyst may have questions for them soon.
- b. Checking for completeness – The initial review of an application should be to confirm that the entire application including all application fields have been completed, application signed, and any required certifications initialed/signed. After initial review, the analyst should confirm the internal consistency of the application. Ex: Do the jobs and payroll information make sense? Do the total sources of funds equal the total uses of funds? Etc.
- c. Follow-up on incomplete items – If application fields are inaccurate or incomplete, the applicant must revise the application document and resubmit as this is the official application document. If the inaccurate or incomplete information is in an attachment, the applicant can provide correct information by email or in a supplemental document. If the applicant has not provided attachments to the application that you need based on the incentive request, inform the applicant which attachments they will need to provide. It is strongly recommended that you send emails listing the information that you are missing and that you cannot proceed in your review until the information is provided. This ensures that you have documented that the application is waiting on action by the applicant.
- d. Application Fees – Most incentive requests have a City Council mandated application fee. While the fee should be submitted with the application, as it is non-refundable, there may be situations where the fee can be requested after the application is submitted (but before any agreement is sent to City Council). Examples of these situations would include company recruitment (where an official application has not been completed) and incentive applications where the applicant has requested a different incentive than the City intends to offer (TIF vs CRA). As a general practice, all application fees should be collected with the application unless your division manager has approved of a delay due to the unique circumstance involved.

2. Application Attachments

- a. Document types – Organization Information

- i. Articles of Organization / Articles of Incorporation / Certificate of Partnership – The applicant should be a legal entity recognized in the State of Ohio. The applicant should provide the document from the State of Ohio verifying they are a legal entity in the state. For an LLC this would be Articles of Organization; for a Corporation this would be Articles of Incorporation; and for a Partnership this would be a Certificate of Partnership. Note that out-of-state entities would have a different registration to provide. This will confirm the exact legal entity who is applying for an incentive and prevents the City from drafting a contract with a non-existent entity.
 - ii. Corporate Bylaws / Operating Agreement – While not required by Ohio law, most organizations will have an agreement that spells out how the organization functions, who makes decisions for the organization and how profits are distributed. This is helpful to understand who controls an entity and who receives the profits from the business.
 - iii. Corporate Resolution / Authorization to Sign – While the company’s operating agreement or bylaws may state who can sign for the company, a Corporate Resolution or Authorization to Sign will state which individual is authorized to bind the company for a specific transaction. This will help confirm that the person signing the incentive agreement for the City has been authorized by the company to bind the company.
 - iv. Development Team Resumes – The resumes of a development team will include their relevant experience in the field related to the incentive request. This is useful for determining whether the project team has sufficient experience to undertake the project that they are proposing. It’s helpful to see if the development group has worked with other Department staff members so they can be used as an internal reference for past performance.
 - v. Information on Completed Projects – While development team resumes show the individual experience of the principals involved in the applicant project, the information on completed projects should show the projects that the development team has previously completed together.
- b. Document types – Review to Determine Financial Need of Incentive
- i. Real Estate/Business Operating Pro-forma – Whether the application is from a developer proposing a real estate project or a business owner requesting loan/grant assistance, an operating pro-forma will show the revenue and expense projections the applicant is making for the project.
 - ii. Sources & Uses of Funds – The budget provided by the applicant should show in detail the investment that the applicant is proposing to make and what sources that the applicant intends to use to make the

investment. A budget that is overly simplified should not be accepted when the application is being reviewed for financial need.

- iii. Evidence of Secured Financing (Bank & Private) – Depending on the sources of funds listed in the budget, the applicant should provide evidence of commitment from each of those sources. Whether the applicant provides a bank financing letter or term sheet may depend on the financing institution and how far along the applicant is in their discussions with the lender. The applicant should also be able to provide evidence that they have the equity proposed in their budget with a letter from the financing institution who holds their capital. The form of evidence of secured financing for other sources will depend on the specific source. These documents help confirm that an applicant is financially capable of performing the project that they are proposing.
 - iv. Business Tax Returns – If the applicant is an existing business, the tax return type will depend on the type of business. The most common types of business returns are the 1120 (C-Corp), 1120s (S-Corp), and 1065 (partnership) and if the owner files the business on their personal return it would be a Schedule C. These returns will show the business expenses as represented to the IRS including personnel costs, owner’s compensation, cost of goods, etc. and will be very helpful in determining business viability for a loan. In some cases, it may be best to confirm with City income tax that a company is in good standing with income tax and has filed returns from their City address for the past few years. City income tax returns can also help set a baseline payroll figure for job creation tax credits.
 - v. Profit & Loss Statement / Income Statement – If the applicant is an existing business, the profit and loss/income statement shows the revenue and expense details for a business for a full year or portion thereof. Similar to tax returns, these documents will show details of how the business is receiving and spending cash for the purposes of determining the appropriateness of an incentive.
 - vi. Balance Sheet – If the applicant is an existing business, the balance sheet will show the current assets and liabilities of the business. This information is helpful for determining collateral of a business.
 - vii. Cost documentation (supporting project “gap”) – Some incentive application requests will have certain abnormal project costs which are the basis for the incentive application request. In these cases, the applicant should provide contractor cost estimates or other documentation that shows the details of the cost.
- c. Document types – Additional Project Information
- i. Property Legal Description – This is the information contained in the property deed(s) where the applicant is requesting a real estate property incentive, or if any of the City agreements/docs will require a legal description (mortgages, covenants, easements, TIF ordinance,

etc). A legal description is obtained either through the deed for an existing property or by a survey for a new consolidated parcel to be created. The burden is on the applicant to provide the legal description when necessary. For property-based incentives, the legal description is included in the contract and it saves time in the contract drafting process if this information can be provided with the application.

- ii. Proposed Renderings – These are computer images by an architect or designer of the proposed project as built. While not every applicant will pay for a rendering of their project to be created, project renderings are useful to provide visual depictions of the proposed project to City Council and the public.
- iii. Development Site Plan – This is a plan of how the building(s) will be laid out and will usually include a breakdown of each floor (if different). This helps to show the layout of the project as proposed and may help explain additional costs in the budget (ex: a building layout must be completely changed in reuse).
- iv. Documentation of LEED or other certification pursuit – If the applicant is pursuing an environmental designation that requires registration prior to construction, they would provide this registration. This supports an applicant’s request for an incentive based on an environmental designation.
- v. Documentation of Community Support – If the applicant has already received support from community organizations, they should provide the letters of support and/or CBA (sometimes applicable) from those organizations. This is helpful to show that the project has the support of the community prior to consideration by City Council.
- vi. Company Employment Information – The applicant may need to provide more granular employment information than the application document contains. An attachment may show additional information on job roles, salaries, current locations, current residences, etc. and may be helpful to determining the appropriate incentive offer.
- vii. Verification of tenant/end user commitment – If the applicant is a developer who is relying on a company to lease the space prior to commencing construction, it is important to understand the commitment level of the tenant. While commitment of an tenant is not required, it helps determine the most advantageous proposal in a competitive process as well as whether or not a proposal is viable or realistic.
- viii. Market Feasibility Stud(ies) – Part of gauging whether the applicant’s proposal is economically feasible is to review any market studies that they have conducted for their lender to support the project. These may include hotel studies to prove room demand and residential studies to prove rents within an area.
- ix. Evidence of Site Control – The applicant must have evidence of site control of the property or an adequate plan to obtain site control by

the time an agreement would be executed. If the applicant does have site control, then a deed may be submitted. Otherwise the applicant must present a plausible plan to acquire site control within an acceptable timeframe. This could come in the form of a deed, purchase option, lease agreement, or other similar document

- d. How to determine necessary attachments to application?
 - i. Organization Information – At minimum, the City needs to know the legal entity it will be contracting with and who is authorized to sign. Information on the project team and their past experience is recommended. In rare circumstances, the City may need information on how the entity is structured and who controls the entity.
 - ii. Financial Need Review – At minimum the applicant should be providing a budget with their sources and uses of funds to complete the capital project along with evidence of the private financing they have secured. An operating pro-forma is required to determine the financial need of an applicant if the offer is to be based on financial need to make the investment. Note that the tax returns, profit & loss statement, and balance sheet would only be requested in the rare circumstance that a business is requesting a loan or other direct subsidy.
 - iii. Additional Project Information – A legal description is needed for all property tax incentives. If an applicant has a site plan, project rendering or community support letter, those should be provided with the application. If the company is pursuing LEED certification for a CRA application, that registration should be provided.

3. Incentive Timeline

- a. Collecting a complete application & supporting documents (timing dependent on applicant)
 - i. Until the CED receives a complete incentive application with all necessary supporting documents, CED is under no time constraint to act on the application.
 - ii. It's important to quickly review submitted materials (within 2-3 days of receipt) and let applicants know of what documents/information they are still missing. Email is preferred correspondence, so you can document notification of missing items if an applicant is concerned about timely response to the application. Each time you receive new information for an application, you should respond with further questions or confirmation of receipt within 2-3 days.
- b. Application review and offer approval by CED (4 weeks)
 - i. Once staff has received and reviewed all application materials and reviewed CED policies on the relevant incentives requested, reviewer will discuss with their manager and craft a recommendation for Director approval.

- ii. Staff may also utilize services of NDC as a second review of the application materials to confirm CED position on the appropriate level of incentive.
- c. Sending an offer or denial to an applicant– Optional
 - i. Once CED Director has approved of an incentive offer, an offer letter can be crafted to notify the applicant of the incentive CED intends to propose to City Council. Note that offer letters are not required.
 - ii. Offer letters should be signed by Director.
 - iii. If an applicant is not eligible for an incentive, a denial letter should be drafted for signature by the Director as soon as ineligibility has been determined. The denial letter should be run by Law before being sent out and should provide a reason for denial. Note that application fees are generally non-refundable.
- d. Obtaining legal agreements & ordinance
 - i. Once the offer letter has been received and accepted by the applicant, a Request for Legal Services (RLS) should be sent to Law including the accepted offer letter and all application materials received. (See the RLS Standard Operating Procedure for instructions on submitting an RLS.)
 - ii. If timing is a concern, CED staff should request that their manager prioritize the RLS with Law.
- e. Council Approval process
 - i. From City Manager Approval to passage by full Council is approx. 4 weeks. Consult the council approval process guide for details on required meetings.

4. Offer Letters/Term Sheets

- a. When are they useful?
 - i. Offer letters and term sheets are useful in confirming CED’s official offer to a business and the business’s initial acceptance of that offer.
 - ii. Offer letters are best suited for simple incentives like CRA tax abatements and JCTCs.
 - iii. Term sheets are better suited for complicated financing structures like construction loans (NOFA) and tax increment financing structures.
 - iv. Term sheets can simplify the drafting of development agreements by listing all relevant deal points at a high level and save time in later negotiations.
- b. What should they include??
 - i. Offer letters should include: the rate and term of the incentive, a post incentive retention term (if any), the contingencies of the incentive (Company commitments to investment, jobs and payroll; Council approval etc.), and the date by which the offer must be accepted.
 - ii. Term sheets can cover more complex issues like financing terms, involvement of additional parties (Port Authority), and coordination

with other City Departments, in addition to the basic information included in an offer letter.

5. Incentive-Specific Diligence Items

a. Pre-Council:

- i. Required Notifications for CRAs for Businesses moving from outside Cincinnati – The Ohio Revised Code Section 3735.673 requires that if a business is relocating from another Ohio jurisdiction to receive a CRA abatement, that the City must notify that jurisdiction of the City's intent to enter into a CRA agreement with the company prior to consideration of the legislation by City Council. CED has a form letter for this notification when it is applicable. It is best to make your applicant aware of this requirement when it applies before you send the notice.
- ii. Required Notification of CPS for CRAs and TIFs – The City's master agreement with Cincinnati Public Schools requires notification by the City of incentives prior to their consideration by City Council. Law has provided a template letter to send to CPS with the draft agreement attached.
- iii. Planning Commission for real estate transfers/leases – Planning Commission is required to approve of real estate sales and leases (including conveyance-reconveyance transactions for TIF) prior to consideration of the legislation by City Council. Planning Commission must normally occur before the ordinance is introduced to City Council. To get on the Planning Department agenda, send an email to the designated Planning Department representative (as identified by your Division Manager) with details about the real estate sale or lease and a request to be on the agenda. Generally these requests must be submitted 16 days in advance of the next Planning Commission meeting.

b. Post-Council

- i. Required ODSA application fee (CRA) – Due to the time between an initial application and Council approval, the check for ODSA should not be submitted to the City by the applicant until after Council approval to ensure the check does not expire before the City sends it to ODSA.
- ii. Required School Board PILOT Agreement (CRA) – The School Board PILOT boilerplate should be revised appropriately and sent to the company for signature of two original copies. These can be submitted to the staff in Monitoring and Compliance, who will send the originals to the school board for signature, and return one to the Company when it is signed.
- iii. VTICA (if required for CRA) – Two originals of the Voluntary Tax Incentive Contribution Agreement (VTICA) should be signed by the company. They can be submitted to the staff in Monitoring and

Compliance, who will send the originals to Downtown Cincinnati, Inc. (for Streetcar Operations VTICAs) or the Third-party Administrator (for Neighborhood VTICAs), and return one to the company when they have been executed.

- iv. Hand-off to Monitoring and Compliance should occur after the above agreements are signed by the company, and before Completion Applications (for CRAs and TIFs) are submitted.

MAJOR PROJECTS

Submittal Package

city of
CINCINNATI
COMMUNITY &
ECONOMIC DEVELOPMENT



FINANCIAL REVIEW

The applicant will submit the following information and reports to DCED or DCED’s FA for evaluation of the proposed development project: Please provide the following required items as a corresponding attachment. If you believe a particular item is not applicable to your project, please address the item by including an explanation of why you believe it is not applicable. Please ensure that all sections of the application are complete and that **ALL REQUIRED ATTACHMENTS LISTED BELOW ARE SUBMITTED/ ADDRESSED WITH YOUR APPLICATION**. Please check all items that are included. If an item is left unaddressed by the Applicant, the reviewing department cannot complete its review of the application.

	(1) PROJECT PROGRAM
<input type="checkbox"/>	a. Gross and rentable building square footage (total and by Project component/use)
<input type="checkbox"/>	b. Building specifications to the extent they are currently available (e.g., anticipated levels of finish, materials, construction type, etc.)
<input type="checkbox"/>	c. Amenities (e.g., pool, lobby, rooftop, park, etc.)
	(2) ECONOMIC DEVELOPMENT OUTCOMES
<input type="checkbox"/>	Please outline economic development outcomes, including jobs created/retained, impacts to City infrastructure and operations, and other outcomes (social, environmental, financial benefits). Clearly outline a plan for economic inclusion. Describe the projects’ alignment with City initiatives, goals, and priorities. Include an estimated leverage ratio as defined by DCED.
	(3) MARKET STUDY/SUPPORT FOR PROGRAM AND REVENUE ASSUMPTIONS
<input type="checkbox"/>	Please provide a market study or other detailed documentation regarding the following program and operating assumptions:
<input type="checkbox"/>	a. Number of supportable square feet, units, or hotel keys
<input type="checkbox"/>	b. Market rents for residential or Average Daily Rate for hotel projects
<input type="checkbox"/>	c. Anticipated absorption and stabilized occupancy
<input type="checkbox"/>	d. Operating expenses and estimate of operating expense recoveries, if applicable
<input type="checkbox"/>	e. Retail/commercial/industrial program (size and type)
<input type="checkbox"/>	f. Retail/commercial/industrial income/rents (please indicate if NNN, gross or other)

<input type="checkbox"/>	g. Parking assumptions (number of parking spaces per unit and/or per square footage of commercial/industrial space; parking rates)
<input type="checkbox"/>	h. Other revenue, as applicable
	(4) DOCUMENTATION OF LEVEL OF TENANT COMMITMENTS
<input type="checkbox"/>	For commercial/industrial projects, please provide a matrix of targeted tenants, including the status of discussions (preliminary, Letter of Intent (LOI), draft lease, etc.) and the anticipated required tenant improvement allowance for each tenant.
	(5) PROJECT SCHEDULE
<input type="checkbox"/>	Please provide timing detail, including anticipated key dates for each major project event: construction start, occupancy, stabilization and any others as applicable.
	(6) DEVELOPMENT TEAM
<input type="checkbox"/>	Please Provide information and applicable documentation on key individuals involved in bringing project to market, as well as the legal ownership structure for the project.
<input type="checkbox"/>	a. Corporate Resolution, Articles of Incorporation, and an Operating Partnership Agreement for entity applying for assistance showing who is authorized to sign for the organization
<input type="checkbox"/>	b. Resumes of owners and/or key managers or partners. In the case of Real Estate development, provide information for the entire development team (developer, architect, contractor, leasing/sales agent, LEED certifications, etc.)
<input type="checkbox"/>	c. Names, addresses, photos and a brief description of recent projects completed by the development team of similar type and size to that proposed in this application.
	(7) SITE AND BUILDING PLANS AND SPECS
<input type="checkbox"/>	Please provide the most recent site and building plans and specifications, including detail regarding number and square footage of residential units, commercial/industrial square footage, gross and rentable building area for each component of development (e.g., apartment, office, commercial), and on-site parking spaces to the extent they are currently available. Please include renderings and a location map of the proposed project.

<input type="checkbox"/>	<p>(8) STATUS OF ENTITLEMENTS AND SPECIAL DESIGNATIONS OR CERTIFICATIONS</p> <p>Please provide information on the status of the project’s entitlements (e.g., zoning, Planned Development (PD) or other applications). If the project is pursuing any special designations or certifications (e.g., National Register of Historic Places, LEED certification), please indicate the status of those applications and provide relevant supporting documentation.</p>
<input type="checkbox"/>	<p>(9) PROJECT FINANCIAL INFORMATION</p>
<input type="checkbox"/>	<p>a. Detailed Development Budget Please provide a detailed development budget (in Microsoft Excel format with live formulas) encompassing the total project cost. It should include all cost assumptions and a description of the data sources used to inform cost estimates. Please provide copies of such data sources, as available (e.g., contractor estimates, engineer’s opinions, brokerage contract proposals, etc.). Where appropriate, detailed Hard Costs should include estimates on a per square foot or per unit basis, including estimated</p>
<input type="checkbox"/>	<p>parking costs per space.</p> <p>b. Ten-Year Cash Flow Pro Forma Please provide a pro forma for the project (in Microsoft Excel format with live formulas) indicating cash flow after debt service and anticipated</p>
<input type="checkbox"/>	<p>returns both with and without the requested City assistance.</p>
<input type="checkbox"/>	<p>i. The pro forma should clearly outline absorption, income, expense, financing and reversion assumptions.</p>
<input type="checkbox"/>	<p>ii. If capitalized reserves are included in the development budget, please indicate the amount expended by year within the pro forma.</p>
<input type="checkbox"/>	<p>iii. If there is an interest-only period extending into the operations period, include these payments within the cash flow and indicate when the debt service will reflect permanent loan payments.</p>
<input type="checkbox"/>	<p>iv. The pro forma should include any appropriate return calculations.</p> <p>v. Please include an anticipated amortization schedule for permanent financing and a construction period draw schedule indicating the timing of sources and uses of funds.</p>

<input type="checkbox"/>	<p>c. Sources of Funds and Status</p> <p>Please include documentation (e.g., preliminary, LOI, Term Sheet) on the status of debt, equity, and any other financing sources. Documentation should include any financing requirements of lenders or equity partners, such as a minimum debt coverage ratio. If the project includes Historic Preservation Tax Credits, New Markets Tax Credits, and/or Low Income Housing Tax Credits, please include any available documentation related to tax credit assumptions (e.g., term sheets indicating interest and pricing from investors).</p>
<input type="checkbox"/>	<p>(10) CITY FINANCIAL ASSISTANCE REQUEST, STRUCTURE AND PROJECTION</p> <p>Please include a clear narrative outlining the reasons the requested assistance is needed to make the project feasible. Please also provide a detailed description of the requested City financing amount and structure, for the entire term of the assistance request (live Excel model). Any underlying assumptions should be outlined including, as applicable:</p>
<input type="checkbox"/>	<p>a. Property tax payments and TIF increment</p>
<input type="checkbox"/>	<p>b. Term and percentage of abatement</p>
<input type="checkbox"/>	<p>c. Stabilized real estate valuation and basis for assumption</p>
<input type="checkbox"/>	<p>d. Stabilized sales tax generation and basis for assumption</p>
<input type="checkbox"/>	<p>e. Tax rate(s)</p>
<input type="checkbox"/>	<p>Incentive Fees</p> <p>Commercial CRA: Initial - \$1,250, Annual - \$500 or 1% of abatement</p> <p>TIF: Initial - \$15,000</p> <p>JCTC: Initial - \$3,000, Annual - \$1,500</p>
<input type="checkbox"/>	<p>(11) LAND VALUE/ACQUISITION DOCUMENTATION</p> <p>Please provide an executed copy of your land purchase contract(s), a recent “as is” land appraisal(s), and any other documentation to justify the purchase price of the project parcels, including sales comps. If applicable, include any information regarding Environmental Site Assessment (EIS).</p>

<input type="checkbox"/>	Please indicate any line items in the development budget that are costs to be paid to Developer affiliates and indicate the services to be performed. Examples of such costs may include development, construction management and brokerage fees.
<input type="checkbox"/>	Please define plans for anticipated public outreach. To the extent possible, summarize previous phases of the project or previous community engagement.

NOT APPLICABLE

If you believe a particular item is not applicable to your project, please address the item here by explaining why you believe it is not applicable.

Peaslee's

Equitable Development Rubric

and what it has to offer in this moment



Creating an Inclusionary Housing Policy

The end goal is to establish requirements so that private development makes a meaningful contribution to affordable housing.

1

2

3

4

5



**Diagnose
the local
problem and
needs**

**Study
policies
nationwide**

**Create a
local
framework**

**Re-engage
community
in vetting
the
approach**

**Test
feasibility
with good
data; adjust
accordingly**

1 Diagnose the Local Problem and Needs

- MANY local studies and assessments



- Decades of resident experience in Cincinnati neighborhoods
- Years of community dialogue across greater Cincinnati

The Rubric Addresses:

- Inequity, *specific* to need

At least 25% of project units are affordable at 60% Area Median Income (AMI) or less

OR
At least 10% of project units are affordable at 30% AMI or less

local living wage rates established by the City of Cincinnati, AND meet the criteria for federal Section 3 Business Concerns

- Lack of Transparency

Category	Name of Subsidy	Please check one				Estimated Value
		Desired but not yet in process	In-process	Granted and finalized	Not being considered for this project	
Public Funding or Grant		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

- Lack of Meaningful Community Engagement

• In addition to presentation at community council, developer holds a public input session that meets the following standards:

2 Study Policies Nationwide

- National experts



**GROUND
SOLUTIONS
NETWORK**
strong communities
from the ground up

PolicyLink

- 900 programs across U.S.
- Analysis and lessons learned over time

The Rubric:

- Uses firm, but flexible, requirements

TOTAL _____ out of _____ points

- Adapts to different needs and possibilities across geography

For wealthy and quickly gentrifying neighborhoods, projects should earn a minimum score of 75%.

- Weighs the impact of incentives

3 Create Local Framework

- Public subsidies are bigger and more freely used than in vast majority of cities
- Softer or more mixed market than many other cities
- Jobs and wages are the other side of the affordable housing coin; other measures also important in fostering equity
- Local expertise in housing and labor

The Rubric:

- Focuses on value exchange for current subsidies
- Allows opt-out of affordable units ONLY if comparable value is provided in jobs/wages
- Uses weighted scoring system to generate a holistic score on equity for every large project

1 pt.

2 pts.

3 pts.

4 pts.

- Meaningfully engages community councils

4 Re-engage Community in Vetting

- Input from community organizations with expertise
- Multiple open public input sessions with working groups
- Work with community councils on education, implementation, and developing supportive tools
- Years of public presentation and dialogue

The Rubric is:

- Endorsed/used by 3 community councils:
Walnut Hills, Over-the-Rhine, Evanston
- Being used by community groups and coalitions in:
Lower Price Hill, Northside, South Fairmount, North Fairmount, English Woods, Millvale, South Cumminsville
- Endorsed by array of organizations:
Affordable Housing Advocates, Applied Information Resources, Inc., Cincinnati Educational Justice Coalition, Cincinnati Interfaith Workers Center, Co-Op Cincy, Community Matters, Gen-H, Greater Cincinnati Coalition for the Homeless, Intercommunity Justice and Peace Center, Marianist Social Justice Collaborative, Mass Action for Black Liberation, MUSE: Cincinnati Women's Choir, Over-the-Rhine Community Housing, Praxis Matters, Youth at the Center

5 Test Feasibility and Adjust

- Inclusionary Housing Calculator



- Pro formas and completed Developer Questionnaires

The Rubric:

- Has support from national data and detailed assessments of similar cities like Detroit and Pittsburgh



- Could be more thoroughly tested and tweaked with better collection of local data
- Offers a solid backbone for a Cincinnati policy

The 3 Things that Will Advance the Work

	1. Information-Gathering	2. Assessment	3. Policy Requirement(s)
What the Rubric Framework offers	Developer Questionnaire	Equitable Development Rubric	Minimum scores, by neighborhood, in exchange for public subsidies
Where City Council seems to be	Ready	Interested	Not ready yet
Where the "Balanced Development Scorecard" fits	Not specific enough but could be with adaptation	Not helpful enough for overall evaluation; would need major overhaul	Does not offer

Info on Public Subsidies

Balanced Development Scorecard

Do total costs of the Project exceed \$5 million? Yes No

Does the present value of proposed City assistance exceed \$3 million? Yes No

Peaslee's Developer Questionnaire

SUBSIDIES

Please indicate all forms of public subsidy that may be utilized for this project, their current statuses within the project, and the estimated monetary value that each would bring to the project.

Category	Name of Subsidy	Please check one				Estimated Value
		Desired but not yet in process	In-process	Granted and finalized	Not being considered for this project	
Public Funding or Grant		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Zoning Change/Variance		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Infrastructure Assistance		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Land Dedication or Write-Down		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Tax Abatement		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Tax Credit		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Tax-Exempt Debt		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Tax Increment Financing (TIF)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Info on Housing Affordability

Balanced Development Scorecard

APPLICABLE?	EXCEEDS	MEETS
Yes <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
No <input type="checkbox"/>		

BALANCED HOUSING PRODUCTION

- Project creates or preserves, low-income (51%-80% AMI) housing units and/or very low-income housing units (31%-50% AMI) to the extent financially feasible given project conditions.
- Project creates or preserves extremely low-income housing units (0%-30% AMI) to the extent financially feasible given project conditions.
- Project creates a mixture of extremely low (0%-30% AMI), very low (31%-50% AMI), and/or low-income (51%-80% AMI) housing units with workforce/middle housing units (81%-120% AMI) and/or market-rate units to the extent financially feasible given project conditions.
- Project creates additional market-rate or workforce/middle income (81%-120% AMI) housing units that promote a balanced, mixed-income neighborhood without displacing existing lower income residents.

Peaslee's Developer Questionnaire

For each level of Area Median Income

Affordable at 61-80% AMI						Total at this level
Unit Type	Studio	1BR	2BR	3BR	4BR+	
Total Monthly Cost Target	\$909 - \$1,210	\$1,027 - \$1,368	\$1,167 - \$1,554	\$1,348 - \$1,796	\$1,504 - \$2,004	
Square Ft. Per Unit						
Monthly Rent Per Unit						
Estimated Monthly Utility Cost Per Unit						
Total Monthly Cost						
Number of Units						

Summary

Summary of Rental Affordability		
Affordability Level	Number of Units	Percentage of Total Project Units
Affordable at or below 30% AMI		
Affordable at 31-60% AMI		
Affordable at 61-80% AMI		
Affordable above 80% AMI		

Info on Jobs and Wages

Balanced Development Scorecard

APPLICABLE?	EXCEEDS	MEETS
Yes <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
No <input type="checkbox"/>		

(applied to each of the 3 sections below)

JOB CREATION AND RETENTION

- Project will create and/or retain significant jobs and payroll.
- Project will create and/or retain small/neighborhood business jobs and payroll.
- Project will create and/or retain more than 10 jobs per acre.

LIVING WAGES

- Applicant has committed that all jobs created by the Project (during construction and after) will comply with the City's Living Wage Policy.
- Applicant has represented that it will engage a partner in the Labor community on construction of the Project to ensure good wages and career training.

INCLUSION

- Applicant has committed to using good-faith efforts to achieve 17% MBE and 10% WBE utilization goals for construction contracts related to the Project consistent with Chapter 324 of the Cincinnati Municipal Code.
- Applicant will (or will cause the end-user to) adopt hiring policies to ensure at least 25% of any new employees hired are residents of the City and such policies will give preference to residents of the City.
- Applicant has participated, is participating, or will participate in the City's program advancing minority development professionals.

Peaslee's Developer Questionnaire

Standard	Basic Description	Will meet standard		Number of jobs that meet standard
		For Construction Jobs	For Post-Construction Jobs	
Cincinnati Wage Theft Ordinance	All employers must be free of any outstanding case of wage theft, which is when an employer illegally underpays workers for their labor	<input type="checkbox"/>	<input type="checkbox"/>	
Ohio Prevailing Wage Contractor Responsibilities	All contractors must meet established industry standards for fair pay and benefits within the trades	<input type="checkbox"/>		
Cincinnati Responsible Bidder criteria and requirements	All contractors must actively offer or contribute to state-approved apprenticeship program	<input type="checkbox"/>		
Federal Section 3 Business Concerns criteria	All employers must prioritize the hiring of local, low-income residents		<input type="checkbox"/>	
City of Cincinnati local Living Wage rates	Employers must meet established City standards for local Living Wage rates	<input type="checkbox"/>	<input type="checkbox"/>	
City of Cincinnati Equal Employment Opportunity Program	All employers demonstrate commitment to non-discrimination practices in hiring	<input type="checkbox"/>	<input type="checkbox"/>	

Please list any contractors or commercial tenants in the project that qualify for any of the following designations, as defined by the Cincinnati Municipal Code:

- Minority Business Enterprise [Click here to enter text.](#)
- Women Business Enterprise [Click here to enter text.](#)
- Minority Women Business Enterprise [Click here to enter text.](#)
- Emerging Local Business Enterprise [Click here to enter text.](#)
- Small Local Business Enterprise [Click here to enter text.](#)

The Need for Transparency

- City Council's commitment to transparency in development has never been more important

Our asks of you:

- Include the Developer Questionnaire content in the proposed tool; use it for detailed information-gathering on every project receiving public subsidy
- Make information publicly available and easily accessed
- Ensure that final legislation is more properly named and represented to the public



Greg Landsman
Councilmember

Balanced Development Scorecard Packet

The following is a packet containing all relevant documents relating to the Balanced Development Scorecard, including an Executive Summary, drafted Motions, Proposed Updates, and the Scorecard itself.



Greg Landsman
Councilmember

January 25, 2021

Executive Summary: Ushering in an Era of ‘Balanced Development’

These five ordinances and motions emerged from the Administration’s Balanced Development Report and Council’s motion on new laws and policies that will help to ensure that we continue to attract new investments and jobs while lifting up and protecting our residents and businesses.

Ordinance: New ‘Balanced Development’ Scorecard

This ordinance will establish a new ‘Balanced Development’ scorecard for commercial projects that seek support from the City of Cincinnati, including TIF funding and CRAs.

- **Local jobs and Good Wages:** projects will be asked to have a local partner and plan to hire locally, with measurable goals, to include both local workers and good wages the project’s pre-construction, construction, and post-construction opportunities.
- **Inclusion:** the new scorecard also incentivizes the inclusion of local businesses, MBEs, and minority developer partnerships.
- **Affordable Housing:** puts affordable housing projects at the front of the line for support.
- **Community Engagement and Anti-Displacement:** includes meaningful engagement with the community, including commitments to protect existing residents and businesses

Motion: CRAs and the New Scorecard

WE MOVE that if there is a conflict between the ordinance containing the Balanced Development Scorecard policy passed in connection herewith and the existing commercial CRA policy in Ordinance No. 275-2017, it’s the policy of Council that the Balanced Development scorecard policy applies.

Motion: Minority Real Estate Development Capacity Building Program

WE MOVE that the Administration draft legislation establishing a Minority Real Estate Development Capacity Building Program to support the mentorship of minority real estate



Greg Landsman

Councilmember

development professionals. This program should lift up and provide additional opportunities for minority developers, especially Black real estate professionals who have the potential to be leaders of new minority-led commercial development firms. This is part of the City’s larger “Balanced Development” efforts to ensure real inclusion of development efforts in Cincinnati.

The proposed program, requiring ~\$150,000 in funding, would extend opportunities for minority developers to actively participate in and shape an inclusive growth strategy for the City—one that integrates the new Balanced Development Scorecard proposed by my office.

The program would draw from similar successful efforts in Detroit, wherein they created an “Equitable Development Initiative.” Our efforts should build on best practice efforts such as this one, as well as others around the Country (spelled out in the Administration’s 2020 Balanced Development Report to Council).

New scorecard incentivizes participation in the program. The program should consider the Customized Development Academy offered by the National Development Council (NDC).

The NDC develops specific curriculum based on community needs and local policy objectives. Overall the program seeks to build capacity of traditionally underrepresented individuals in real estate development. Starting with a cohort of individuals with some real estate experience the program teaches participants commercial (including multi-family of 4+ units) Development Finance and development concepts.

This is done through a combination of classroom learning, case studies, topical “deep dives” using local speakers and possibly undertaking a capstone project. This work teaches critical skills and development principles, and connects participants with local experts on issues from environmental law, navigating local zoning and site plan processes, hiring an architect, raising equity and hiring construction professionals.

In Detroit, the Equitable Development Initiative was expanded to provide the proposed NDC training, technical assistance, mentorships, networking opportunities, and even extends into project financing. The initiative especially focuses on African-American Detroiters seeking to develop multi-family rental units, though some mixed-use developments and even a food hall concept make up part of the first cohort. There were 28 people in the inaugural class, which began in February 2018. It remains in its pilot two-year window. Just as it adjusted course to include a training component, Capital Impact plans to continue monitoring the project to see how it can be made better. But the impetus remains on creating a more equitable development and real estate industry throughout Detroit.



Greg Landsman
Councilmember

MOTION: Targeted Per-Property Waiver on Parking, Density for Affordable Housing Projects.

Similar to actions taken in Memphis and Minneapolis, according to the City's 2020 Balanced Development Report, WE MOVE that the City pursue zoning changes to allow for per-property waivers on parking minimums and density requirements for affordable housing projects.

MOTION: Debt-Forgiveness and Maintaining Affordability

WE MOVE that the Administration draft legislation, if necessary, to allow the Department of Community and Economic Development (DCED) to create a formal internal policy to best leverage the City's debt forgiveness capacity, in order to 1. Better preserve existing affordable housing, and 2. Help finance new affordable housing options in the City.



Greg Landsman
Councilmember

January 25 2021

Establishing a Minority Real Estate Development Program ***MOTION***

WE MOVE that the Administration draft legislation establishing a Minority Real Estate Development Capacity Building Program to support the mentorship of minority real estate development professionals. This program should lift up and provide additional opportunities for minority developers, especially Black real estate professionals who have the potential to be leaders of new minority-led commercial development firms. This is part of the City’s larger “Balanced Development” efforts to ensure real inclusion of development efforts in Cincinnati.

The proposed program, requiring ~\$150,000 in funding, would extend opportunities for minority developers to actively participate in and shape an inclusive growth strategy for the City—one that integrates the new Balanced Development Scorecard proposed by my office.

The program would draw from similar successful efforts in Detroit, wherein they created an “Equitable Development Initiative.” Our efforts should build on best practice efforts such as this one, as well as others around the Country (spelled out in the Administration’s 2020 Balanced Development Report to Council).

Councilmember Greg Landsman



Greg Landsman
Councilmember

January 25 2021

Debt Forgiveness and Affordable Housing
MOTION

WE MOVE that the Administration draft legislation, if necessary, to allow the Department of Community and Economic Development (DCED) to create a formal internal policy to best leverage the City's debt forgiveness capacity, in order to 1. Better preserve existing affordable housing, and 2. Help finance new affordable housing options in the City.

Councilmember Greg Landsman



Greg Landsman
Councilmember

January 25 2021

Parking and Density Policy Changes to Support Affordable Housing
MOTION

Similar to actions taken in Memphis and Minneapolis, according to the City's 2020 Balanced Development Report, **WE MOVE** that the City pursue zoning changes to allow for per-property waivers on parking minimums and density requirements for affordable housing projects.

Councilmember Greg Landsman



Greg Landsman
Councilmember

January 25 2021

CRA's and the New Scorecard

MOTION

WE MOVE that if there is a conflict between the ordinance containing the Balanced Development Scorecard policy passed in connection herewith and the existing commercial CRA policy in Ordinance No. 275-2017, it's the policy of Council that the Balanced Development scorecard policy applies.

Councilmember Greg Landsman



Greg Landsman
Councilmember

February 3rd 2021

Request of the Administration: The Balanced Development Scorecard

We've gotten good feedback on the Balanced Development Scorecard. Our goal is to make improvements to the Scorecard next week. That said, we hope that the Administration could respond to the questions/requests below at the upcoming B&F committee on 2/8:

1. Each bulleted item needs its own line for clarity purposes. Is this acceptable?
2. There is interest in actual scoring—assigning a numerical value or points—as opposed to the current language of “simply meets” or “exceeds.” This We ask the Administration to weigh-in on this, if not propose scoring options.
3. Is it possible for multiple people to review and score a project?
4. Can the Administration speak to “compliance” and how the City will ensure that commitments are monitored and kept?
5. Does the Administration take issue with language around historic preservation? If not, does the Administration recommend any specific language?
6. Does the Administration take issue with language being added to ensure that the scorecard is used and presented to Council with recommendations for *each relevant project*? If not, does the Administration have suggested language for an updated ordinance?
7. There are requests that we require specific *actions* regarding community engagement, such as giving early notice to a community. If that were to materialize, is that something the Administration should do or the developer?
8. There is interest in training on the scorecard, TIFs, CRAs, and VITCA. What does the Administration think? Should we add to the ordinance?
9. There has been a request that the Administration discuss with Council its work on the Balanced Development Report and its findings, as well as how development deals are evaluated and/or scored now.

Date: December 10, 2020

To: Councilmember Greg Landsman
From: Andrew W. Garth, Interim City Solicitor *AWG*
Subject: **Emergency Ordinance – Balanced Development Project Scorecard**

Transmitted herewith is an emergency ordinance captioned as follows:

ESTABLISHING a City Council policy for evaluating real property tax incentives authorized by the City of Cincinnati.

AWG/SSB/(lnk)
Attachment
320756

City of Cincinnati

SSB

AWB

An Ordinance No. _____

- 2020

ESTABLISHING a City Council policy for evaluating real property tax incentives authorized by the City of Cincinnati.

WHEREAS, City Council has the authority to declare up to 100% of the increase in the assessed value of improvements to be exempt from real property taxation by means of (i) project-based tax increment financing incentives pursuant to Ohio Revised Code (“ORC”) Sections 5709.40(B) and 5709.41; and (ii) “Community Reinvestment Area” incentives pursuant to ORC Sections 3735.65 through 3735.70; and

WHEREAS, Motion No. 201901811, as adopted by this Council on December 11, 2019, recommended updates to how the City Administration evaluates the public benefits created by projects receiving real property tax incentives pursuant to the aforementioned ORC provisions, with a focus on prioritizing projects that create good, local jobs; preserve and/or create affordable housing; minimize displacement of residents and businesses; and/or commit to project-specific inclusion goals; and

WHEREAS, to incentivize balanced development throughout the City of Cincinnati as recommended in the aforementioned Motion, City Council desires to adopt a *Project Scorecard*, a copy of which is attached hereto as Attachment A, to assist City Council in evaluating development projects when qualifying real property tax exemptions or abatements are recommended; now, therefore,

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

Section 1. That City Council adopts the *Project Scorecard* attached to this ordinance as Attachment A, which establishes a City Council policy relating to qualifying real property tax abatements and exemptions.

Section 2. That Council intends that the *Project Scorecard* be prepared by the Administration as a policy tool to be utilized for evaluating the public benefits associated with economic and community development projects for which (a) the total estimated costs of the project exceed \$5,000,000, and (b) the proposed City assistance includes a real property tax incentive authorized pursuant to Ohio Revised Code (“ORC”) Section 5709.40(B), ORC Section 5709.41, or ORC Sections 3735.65 through 3735.70 with a present value exceeding \$3,000,000.

Council desires that the Administration present project-based scorecard information for Council consideration as part of the Administration’s recommendation to Council. Council intends that the Administration have latitude to create additional criteria and update the *Project Scorecard* as appropriate to ensure the City’s tax incentives support the City’s residents and neighborhoods while attracting local investment. City Council further acknowledges that the *Project Scorecard* process is a policy tool to guide City Council decision making and does not diminish the Administration’s executive authority under the Charter of the City of Cincinnati, which authority includes the power to determine whether and on what terms to recommend development deals for Council consideration.

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

Passed: _____, 2020

John Cranley, Mayor

Attest: _____
Clerk

ATTACHMENT A

PROJECT SCORECARD

Do total costs of the Project exceed \$5 million? Yes No

Does the present value of proposed City assistance exceed \$3 million? Yes No

CATEGORY	APPLICABLE?	EXCEEDS	MEETS
<p><u>BALANCED HOUSING PRODUCTION</u></p> <ul style="list-style-type: none"> Project creates or preserves, low-income (51%-80% AMI) housing units and/or very low-income housing units (31%-50% AMI) to the extent financially feasible given project conditions. Project creates or preserves extremely low-income housing units (0%-30% AMI) to the extent financially feasible given project conditions. Project creates a mixture of extremely low (0%-30% AMI), very low (31%-50% AMI), and/or low-income (51%-80% AMI) housing units with workforce/middle housing units (81%-120% AMI) and/or market-rate units to the extent financially feasible given project conditions. Project creates additional market-rate or workforce/middle income (81%-120% AMI) housing units that promote a balanced, mixed-income neighborhood without displacing existing lower income residents. 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><u>IMPROVEMENT OF VACANT, BLIGHTED AND/OR UNDERUTILIZED PROPERTIES</u></p> <ul style="list-style-type: none"> Project replaces a vacant and/or underutilized property and adds net-new housing units without displacing existing residents. Project activates a previously vacant building or property. Project eliminates a blighted parcel or parcels (as defined in Ohio Revised Code Section 1.08). Project enhances an underutilized site (i.e. vacant parcel or surface parking lot) and adds new amenities (like housing, office, commercial, community space, etc.) to the neighborhood. Project will involve remediation of a brownfield site or involves mitigation of previously existing site conditions that make redevelopment difficult. 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><u>ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT</u></p> <ul style="list-style-type: none"> Project will obtain requisite level of U.S. Green Building Council Leadership in Energy and Environmental Design Silver, Gold or Platinum or Living Building Challenge Net Zero or Petal (which must comply with the requirements of LBC). 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><u>VOLUNTARY TAX INCENTIVE CONTRIBUTION</u></p> <ul style="list-style-type: none"> Applicant has represented that it (i) will contribute at least 15% of the exempted value of the improvements either in support streetcar operations or to further 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

neighborhood improvements in the neighborhood of the project and affordable housing city-wide and (ii) will execute an agreement with a third-party memorializing such contribution.			
<p><u>INCLUSION</u></p> <ul style="list-style-type: none"> Applicant has committed to using good-faith efforts to achieve 17% MBE and 10% WBE utilization goals for construction contracts related to the Project consistent with Chapter 324 of the Cincinnati Municipal Code. Applicant will (or will cause the end-user to) adopt hiring policies to ensure at least 25% of any new employees hired are residents of the City and such policies will give preference to residents of the City. Applicant has participated, is participating, or will participate in the City's program advancing minority development professionals. 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><u>COMMUNITY OUTREACH</u></p> <ul style="list-style-type: none"> Applicant has engaged all necessary stakeholders in the community (i.e. the applicable community council and the neighborhood CDC, if applicable). In the interest of mitigating displacement directly associated with the Project, Applicant has engaged any and all tenants, businesses, and persons that as a direct result of the Project may be entitled to relocation benefits pursuant to Chapter 740 of the Cincinnati Municipal Code. 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><u>LIVING WAGES</u></p> <ul style="list-style-type: none"> Applicant has committed that all jobs created by the Project (during construction and after) will comply with the City's Living Wage Policy. Applicant has represented that it will engage a partner in the Labor community on construction of the Project to ensure good wages and career training. 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><u>JOB CREATION AND RETENTION</u></p> <ul style="list-style-type: none"> Project will create and/or retain significant jobs and payroll. Project will create and/or retain small/neighborhood business jobs and payroll. Project will create and/or retain more than 10 jobs per acre. 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><u>PLACE-BASED INVESTMENT</u></p> <ul style="list-style-type: none"> Project is located in a Federally designated NRSA and/or Opportunity Zone. Project is located within 1/2 mile of a Neighborhood Business District. Project is located along a transit corridor. Project encourages traditional compact, walkable neighborhood development. Project is placed within a federally designated Hub Zone. 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><u>TRANSFORMATIVE PROJECT</u></p> <ul style="list-style-type: none"> Project fills a neighborhood need and/or adds a new community asset (i.e. retail, commercial, grocery, housing). 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<ul style="list-style-type: none"> • Project saves or preserves existing community asset. • Project creates or enhances a public space to be utilized by the community. • Project creates/repairs City infrastructure. • Project is within a “Targeted Neighborhood” as defined in Ordinance No. 275-2017, as amended. • Project is a “Catalytic Project” as defined in Ordinance No. 275-2017, as amended. 			
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This Project Scorecard is intended to be utilized as a starting point for discussions of certain public benefits created by applicable projects, and is not intended to prevent or discourage the City Administration from presenting projects for Council consideration that do not meet the criteria listed herein. Acknowledging that projects may have benefits that are not captured in the criteria set forth in this Project Scorecard, Council encourages the City Administration to bring forth all worthy projects.

PROJECT SCORECARD

Do total costs of the Project exceed \$5 million? Yes No

Does the present value of proposed City assistance exceed \$3 million? Yes No

CATEGORY	APPLICABLE?	EXCEEDS	MEETS
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neighborhood improvements in the neighborhood of the project and affordable housing city-wide and (ii) will execute an agreement with a third-party memorializing such contribution.			
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<p><u>COMMUNITY OUTREACH</u></p> <ul style="list-style-type: none"> Applicant has engaged all necessary stakeholders in the community (i.e. the applicable community council and the neighborhood CDC, if applicable). In the interest of mitigating displacement directly associated with the Project, Applicant has engaged any and all tenants, businesses, and persons that as a direct result of the Project may be entitled to relocation benefits pursuant to Chapter 740 of the Cincinnati Municipal Code. 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><u>LIVING WAGES</u></p> <ul style="list-style-type: none"> Applicant has committed that all jobs created by the Project (during construction and after) will comply with the City’s Living Wage Policy. Applicant has represented that it will engage a partner in the Labor community on construction of the Project to ensure good wages and career training. 	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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This Project Scorecard is intended to be utilized as a starting point for discussions of certain public benefits created by applicable projects, and is not intended to prevent or discourage the City Administration from presenting projects for Council consideration that do not meet the criteria listed herein. Acknowledging that projects may have benefits that are not captured in the criteria set forth in this Project Scorecard, Council encourages the City Administration to bring forth all worthy projects.

Wright, Angela

From: Weber, William
Sent: Friday, February 26, 2021 3:38 PM
To: Wright, Angela
Subject: Proposed transmittal e-mail

Councilmember Landsman,

On behalf of the City Manager's Office, please find attached an illustrative example of a completed rubric and corresponding transmittal for a hypothetical project. The purpose of this communication is to provide a demonstration of how the City Administration would apply the proposed rubric and present project information to Council.

Robert, please submit and include this e-mail and attachments as a communication for the Budget and Finance agenda for 3/1/2021



William "Billy" Weber
Chief of Staff
801 Plum Street, Suite 104
Cincinnati, Ohio 45202
(o) 513.352.3318
(c) 513.315.6071
william.weber@cincinnati-oh.gov

March 1, 2021

To: Mayor and Members of City Council

From: Paula Boggs Muething, City Manager

Subject: **EMERGENCY ORDINANCE – DEVELOPMENT AGREEMENT
WITH NEIGHBORHOOD DEVELOPERS, LLC (ILLUSTRATIVE
PURPOSES ONLY)**

Attached is an Emergency Ordinance captioned as follows:

AUTHORIZING the City Manager to execute a *Development Agreement* with Neighborhood Developers, LLC pertaining to the redevelopment of property located in the Northside neighborhood of Cincinnati, and providing for City assistance to the project in the form of a rebate of a portion of the service payments in lieu of taxes imposed in connection with a proposed 30-year property tax exemption for improvements pursuant to Ohio Revised Code Section 5709.41, subject to the passage by this Council of a separate ordinance authorizing such tax exemption.

BACKGROUND

The ABC Development project involves the redevelopment of three vacant buildings adjacent to the neighborhood business district in Northside. Neighborhood Developers, LLC acquired the properties over the course of two years. Two of the buildings are uninhabitable in their current state and will be razed for construction of a new large-scale mixed-use building offering residential and flexible-office space. The third building will be renovated into an apartment building which offers efficiencies and 1-2-bedroom units.

DEVELOPER INFORMATION

Neighborhood Developers, LLC is a joint venture between Partners First, LLC a regional development firm, and Queen City Built, LLC, a Cincinnati-based minority-owned development company. The development team specializes in urban infill, mixed-use, and multifamily residential buildings, and this will be their first project

in Cincinnati. Partners First, LLC has previously demonstrated success developing mixed-use infill projects in Indianapolis, Louisville, and Nashville, while Queen City Built, LLC offers expertise renovating two- and three-family properties in the City.

PROJECT DESCRIPTION

Pursuant to the Development Agreement between the City of Cincinnati and Neighborhood Developers, LLC, the project will include 150 residential units, 10,000 square feet of street-level retail space, 7,500 square feet of flexible office space, and a surface parking lot. The total project cost is estimated to be \$30 million.

PRIORITIES RUBRIC

Pursuant to the *Priorities Rubric* established by City Council, this project is achieving the following policy objectives as outlined herein:

- **Balanced Housing Production**
The ABC Development project will create 100 market-rate residential units and 50 affordable residential units. The mixture of affordable residential units will include 25 units available to low-income and 25 middle/workforce income households, otherwise stated as earning 51-80% and 81-120% of the area median income (AMI), respectively.
- **Improvement of Vacant, Blighted, and/or Underutilized Properties**
This project involves the complete transformation of three vacant buildings which have historically been subject to code enforcement and police response actions. These properties have a blighting effect on the surrounding neighborhood, and present health and safety concerns to residents. Two of the buildings will be razed to accommodate construction of a new large-scale mixed-use building offering residential and flexible-office space. Project will revitalize one long-vacant building, which will be converted into residential rental units. The commercial reuses of these properties provide an additional amenity to the neighborhood.
- **Environmentally Sustainable Development**
Obtaining LEED certification or equivalent is not feasible for the development due to financial constraints and increased development costs associated with obtaining such status.
- **Voluntary Tax Incentive Contribution**
As a material representation of the Development Agreement, Neighborhood Developers, LLC has committed to a 15% contribution of the exempted value of the improvements in support of neighborhood improvements in the neighborhood of the project and affordable housing city-wide. The value of this contribution is estimated to be \$2,500,000.
- **Inclusion**
Neighborhood Developers, LLC is a joint venture between Partners First, LLC and Queen City Built, LLC. The principals of Queen City Built, LLC graduated from the 2021 Cohort of Minority Developer Training in the City of Cincinnati. Further,

Neighborhood Developers, LLC will publicly present the bidding opportunities for the project, as well as will present the bidding opportunities through the City’s Meet & Confer process.

- **Community Engagement**
Neighborhood Developers LLC engaged with the Northside Community Council through their formal meeting process on three occasions. Separately the development team worked with the local CDC and Business Association to formulate alignment between the development concept and specific area needs.
- **Living Wages**
The project developer has committed to comply with the City’s Living Wage Policy. All temporary and permanent jobs created by the Project will meet or exceed \$15/hour.
- **Place-Based Investment**
This project will contribute to the vitality of the NBD by creating residential units and commercial space immediately adjacent and within walking distance to the NBD. The project’s location on Main Street is accessible by a number of City bus routes.
- **Transformative Project**
The project delivers assets to the community in the form of new retail space and unique commercial space for flexible office users which is proximate to newly created housing stock. The project eliminates a significant and long-term blight that has had negative safety impacts on nearby residents as evidenced by CPD runs to the location. The project will reduce deployment of City resources to secure and respond to safety hazards resulting from the existing property conditions.

PROPOSED INCENTIVE

This Emergency Ordinance authorizes the City Manager to execute the Development Agreement with Neighborhood Development, LLC. The City intends to exempt improvements to the Property from real estate taxation under Section 5709.41 of the Ohio Revised code for 30 years. From the service payments, Neighborhood Development, LLC will make a 33% annual payment to the School Board and a 15% annual VTICA payment, as reflected in the following Summary.

SUMMARY	
Forgone Public Benefit if Project Does not Proceed	
CPS PILOT (Forgone New Revenue)	(\$5,515,196)
VTICA (Forgone New Revenue)	(\$2,506,907)
Income Tax (Forgone New Revenue)	(\$157,500)
Total Public Benefit Lost	(\$8,179,604)
Incentive Value	
Annual Net Incentive to Developer	\$289,687
Total Term Incentive to Developer	\$8,690,612
City's Portion of Property Taxes Forgone	\$2,156,963

Public Benefit	
CPS PILOT	
Annual CPS Pilot	\$183,840
Total Term CPS PILOT	\$5,515,196
VTICA	
Annual VTICA	\$83,564
Total Term VTICA	\$2,506,907
Income Tax (Max)	\$157,500
Total Public Benefit (CPS PILOT/VTICA /Income Tax)	\$8,179,604
Total Public Benefit ROI*	\$0.94
City's ROI*	\$3.79

RECOMMENDATION

The Administration recommends approval of this Emergency Ordinance.

Attachments:

- A. Property Location and Photographs
- B. Council Priorities Rubric

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

Attachment A: Property Location and Photographs

Attachment B: Council Priorities Rubric

PRIORITIES RUBRIC

PROJECT: ABC Development Project (Illustration Only)

Do total costs of the Project exceed \$5 million? Yes No

Does the present value of proposed City assistance exceed \$3 million? Yes No

CATEGORY	APPLICABLE?	EXCEEDS	MEETS
<p><u>BALANCED HOUSING PRODUCTION</u></p> <ul style="list-style-type: none"> Project creates or preserves, low-income (51%-80% AMI) housing units and/or very low-income housing units (31%-50% AMI) to the extent financially feasible given project conditions. Project creates or preserves extremely low-income housing units (0%-30% AMI) to the extent financially feasible given project conditions. Project creates a mixture of extremely low (0%-30% AMI), very low (31%-50% AMI), and/or low-income (51%-80% AMI) housing units with workforce/middle housing units (81%-120% AMI) and/or market-rate units to the extent financially feasible given project conditions. Project creates additional market-rate or workforce/middle income (81%-120% AMI) housing units that promote a balanced, mixed-income neighborhood without displacing existing lower income residents. 	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>IMPROVEMENT OF VACANT, BLIGHTED AND/OR UNDERUTILIZED PROPERTIES</u></p> <ul style="list-style-type: none"> Project replaces a vacant and/or underutilized property and adds net-new housing units without displacing existing residents. Project activates a previously vacant building or property. Project eliminates a blighted parcel or parcels (as defined in Ohio Revised Code Section 1.08). Project enhances an underutilized site (i.e. vacant parcel or surface parking lot) and adds new amenities (like housing, office, commercial, community space, etc.) to the neighborhood. Project will involve remediation of a brownfield site or involves mitigation of previously existing site conditions that make redevelopment difficult. 	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><u>ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT</u></p> <ul style="list-style-type: none"> Project will obtain requisite level of U.S. Green Building Council Leadership in Energy and Environmental Design Silver, Gold or Platinum or Living Building Challenge Net Zero or Petal (which must comply with the requirements of LBC). 	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<p>VOLUNTARY TAX INCENTIVE CONTRIBUTION</p> <ul style="list-style-type: none"> Applicant has represented that it (i) will contribute at least 15% of the exempted value of the improvements either in support streetcar operations or to further neighborhood improvements in the neighborhood of the project and affordable housing city-wide and (ii) will execute an agreement with a third-party memorializing such contribution. 	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>
<p>INCLUSION</p> <ul style="list-style-type: none"> Applicant has committed to using good-faith efforts to achieve 17% MBE and 10% WBE utilization goals for construction contracts related to the Project consistent with Chapter 324 of the Cincinnati Municipal Code. Applicant will (or will cause the end-user to) adopt hiring policies to ensure at least 25% of any new employees hired are residents of the City and such policies will give preference to residents of the City. Applicant has participated, is participating, or will participate in the City's program advancing minority development professionals. 	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>
<p>COMMUNITY OUTREACH</p> <ul style="list-style-type: none"> Applicant has engaged all necessary stakeholders in the community in an open and public process, as early as feasible. DCED can provide information regarding best practices upon an applicant's request. In the interest of mitigating displacement directly associated with the Project, Applicant has engaged any and all tenants, businesses, and persons that as a direct result of the Project may be entitled to relocation benefits pursuant to Chapter 740 of the Cincinnati Municipal Code. 	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>
<p>LIVING WAGES</p> <ul style="list-style-type: none"> Applicant has committed that all jobs created by the Project (during construction and after) will comply with the City's Living Wage Policy. Applicant has represented that it will engage a partner in the Labor community on construction of the Project to ensure good wages and career training. 	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>
<p>JOB CREATION AND RETENTION</p> <ul style="list-style-type: none"> Project will create and/or retain significant jobs and payroll. Project will create and/or retain small/neighborhood business jobs and payroll. Project will create and/or retain more than 10 jobs per acre. 	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>
<p>PLACE-BASED INVESTMENT</p> <ul style="list-style-type: none"> Project is located in a Federally designated NRSA and/or Opportunity Zone. Project is located within 1/2 mile of a Neighborhood Business District. Project is located along a transit corridor. Project encourages traditional compact, walkable neighborhood development. 	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>

<ul style="list-style-type: none"> Project is placed within a federally designated Hub Zone. 			
HISTORIC PRESERVATION			
<ul style="list-style-type: none"> Project will directly lead to the preservation of a historic structure. Project will create increased market activity and investment that will support and encourage preservation of proximate historic structures. 	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TRANSFORMATIVE PROJECT			
<ul style="list-style-type: none"> Project fills a neighborhood need and/or adds a new community asset (i.e. retail, commercial, grocery, housing). Project saves or preserves existing community asset. Project creates or enhances a public space to be utilized by the community. Project creates/repairs City infrastructure. Project is within a "Targeted Neighborhood" as defined in Ordinance No. 275-2017, as amended. Project is a "Catalytic Project" as defined in Ordinance No. 275-2017, as amended. 	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

This Priorities Rubric is intended to be utilized as a starting point for discussions of certain public benefits created by applicable projects, and is not intended to prevent or discourage the City Administration from presenting projects for Council consideration that do not meet the criteria listed herein. Acknowledging that projects may have benefits that are not captured in the criteria set forth in this Priorities Rubric, Council encourages the City Administration to bring forth all worthy projects.

March 8, 2021

To: Mayor and Members of City Council 202100899
From: Paula Boggs Muething, City Manager
Subject: **Implementation of Tax Increment Financing District Policy for Affordable Housing**

Reference Document # 202001976

Cincinnati City Council at its session on June 24, 2020, passed Ordinance No. 0206-2020 which required:

Section 2. That City Council requests that the City Administration prepare a report no later than September 8, 2020 with recommendations for the immediate adoption of the policy established by this ordinance, including without limitation, (i) a method by which the amount expended on affordable housing projects from the TIF Districts each year is publicly available and (ii) the number of years an affordable housing project must meet the requirements set forth herein.

BACKGROUND

City Council Ordinance No. 0206-2020 established a policy of setting aside 25% of revenues collected within tax increment financing incentive districts (TIF District) established pursuant to Section 5709.40(C) of the Ohio Revised Code for affordable housing projects within the districts.

IMPLEMENTATION

The Department of Community & Economic Development (DCED) will entertain requests from developers and local non-profit corporations to use TIF District funds to acquire property for the construction or renovation of affordable housing or to otherwise develop affordable housing units through a formal request by submission of a financial assistance application. This method of request for assistance is similar to our already established process of requests for tax abatements, property sales, or job creation tax credits. Requests can be made throughout the year as projects are identified and all other sources of funding are secured, such as Historic Tax Credits or Low-Income Housing Tax Credits.

DCED also has an existing process for identifying and vetting potential affordable housing projects requesting gap financing from the City in its Notice of Funding Availability (NOFA). DCED's NOFA program is funded annually by City Council through the allocation of Federal

funding from the Community Development Block Grant program and HOME Investment Partnerships (HOME) program and from City Capital funding. Pending funding availability, DCED issues one NOFA each fiscal year that is split into two rounds - one in late winter (February/March) and the other in the summer (June/July). For projects recommended for funding through the NOFA process, if appropriate for a given project DCED may offer TIF District funding for projects located within a given TIF District, as TIF District funding for housing construction is limited by state law for use within the applicable TIF District. The addition of TIF District funding for affordable housing to the NOFA process will create an additional resource for affordable housing and stretch other existing resources to projects outside of TIF Districts.

CURRENT BALANCE & PROJECTED REVENUES

A current balance and three-year projection of TIF District resources set aside for affordable housing is included as an attachment. The projections were only made for the TIF Districts approved in 2003 and 2005 which had sufficient history to make an educated projection of future revenues. No projections could be made for the Districts created in 2019 due to lack of revenue derived from these districts to date. The Affordable Balance (Year End) for 2020 in the attachment is the current balance of the resources allocated under Ordinance 206-2020. The Revenue listed for 2021, 2022 and 2023 is the projected future revenue based on historic trends for those districts net of existing liabilities. The Affordable Balance (Year End) for 2021, 2022, and 2023 is the total of the prior year's balance with the addition of the projected revenue. Note that while the projections are based on historic trend data for each of the TIF Districts, the actual amounts collected will differ from these projections based on variations in market conditions and property values.

TERMS OF ASSISTANCE

The intention is that the TIF District funding will be deployed as loans to selected projects. Unlike traditional bank financing, DCED will be able to provide flexible loan terms that will make more projects feasible. Such terms may include full or partial forgiveness. Loans will be awarded for up to 40% of the total project cost not to exceed \$1 million. DCED will require periods of affordability which range from 10 years to 20 years depending on the project and the requirements of the other project funding sources (HOME, Low Income Housing Tax Credits (LIHTC), etc.); however, in no circumstances will the affordability period be less than 10 years. For appropriations of TIF District funding DCED will highlight the recommended target Area Median Income as well as the required affordability period when City Council considers legislation to appropriate TIF District funding for a project.

This memo is for informational purposes.

Attachment: TIF District Projections Feb 2021

Copy: Markiea L. Carter, Interim Director, Department of Community and Economic Development *MLC*

Attachment A

		Year	2020	2021	2022	2023
Queensgate	District 1	Revenue	\$27,019.38	\$69,174.96	\$69,174.96	\$68,948.72
		Affordable Housing Balance (Year End)	\$249,558.71	\$318,733.67	\$387,908.63	\$456,857.35
Downtown South/Riverfront	District 2	Revenue	\$64,590.18	\$112,443.30	\$368,379.01	\$374,158.90
		Affordable Housing Balance (Year End)	\$1,082,346.52	\$1,194,789.82	\$1,563,168.83	\$1,937,327.73
Downtown-OTR West	District 3	Revenue	\$334,431.09	\$449,706.39	\$901,118.10	\$901,285.60
		Affordable Housing Balance (Year End)	\$1,613,249.82	\$2,062,956.21	\$2,964,074.31	\$3,865,359.91
Downtown-OTR East	District 4	Revenue	\$412,667.81	\$1,323,744.30	\$1,345,444.30	\$1,365,994.30
		Affordable Housing Balance (Year End)	\$3,238,963.76	\$4,562,708.06	\$5,908,152.36	\$7,274,146.66
Carthage	District 5	Revenue	\$2,567.77	\$5,144.42	\$5,144.42	\$5,144.42
		Affordable Housing Balance (Year End)	\$75,706.87	\$80,851.29	\$85,995.71	\$91,140.13
Walnut Hills	District 6	Revenue	\$0.00	\$0.00	\$0.00	\$0.00
		Affordable Housing Balance (Year End)	\$385,654.11	\$385,654.11	\$385,654.11	\$385,654.11
East Walnut Hills	District 7	Revenue	\$0.00	\$196,457.20	\$197,644.70	\$198,732.20
		Affordable Housing Balance (Year End)	\$571,374.83	\$767,832.03	\$965,476.73	\$1,164,208.93
Clifton-University Heights	District 8	Revenue	\$0.00	\$187,285.92	\$190,792.17	\$194,542.17
		Affordable Housing Balance (Year End)	\$1,094,040.40	\$1,281,326.32	\$1,472,118.49	\$1,666,660.66
Corryville	District 9	Revenue	\$26,845.63	\$215,400.51	\$217,150.51	\$230,150.51
		Affordable Housing Balance (Year End)	\$741,983.51	\$957,384.02	\$1,174,534.53	\$1,404,685.04
Bond Hill	District 10	Revenue	\$31,693.66	\$57,088.30	\$57,088.30	\$57,088.30
		Affordable Housing Balance (Year End)	\$183,330.39	\$240,418.69	\$297,506.99	\$354,595.29
Evanston	District 11	Revenue	\$0.00	\$18,618.78	\$19,412.16	\$21,456.78
		Affordable Housing Balance (Year End)	\$221,749.92	\$240,368.70	\$259,780.86	\$281,237.64
N/A	N/A	N/A				
		N/A				
	District 13	Revenue	\$0.00	\$0.00	\$0.00	\$0.00

West Price Hill	District	Affordable Housing Balance (Year End)	\$5,028.18	\$5,028.18	\$5,028.18	\$5,028.18
Riverside-Sedamsville-Price Hill	District 14	Revenue	\$0.00	\$0.00	\$0.00	\$0.00
		Affordable Housing Balance (Year End)	\$33,441.36	\$33,441.36	\$33,441.36	\$33,441.36
East Price Hill	District 15	Revenue	\$0.00	\$0.00	\$0.00	\$0.00
		Affordable Housing Balance (Year End)	\$74,819.48	\$74,819.48	\$74,819.48	\$74,819.48
Lower Price Hill	District 16	Revenue	\$0.00	\$0.00	\$0.00	\$0.00
		Affordable Housing Balance (Year End)	\$105,689.04	\$105,689.04	\$105,689.04	\$105,689.04
Westwood 1	District 17	Revenue	\$5,280.93	\$10,478.10	\$10,478.10	\$10,478.10
		Affordable Housing Balance (Year End)	\$44,050.13	\$54,528.23	\$65,006.33	\$75,484.43
Westwood 2	District 18	Revenue	\$0.00	\$0.00	\$0.00	\$0.00
		Affordable Housing Balance (Year End)	\$0.00	\$0.00	\$0.00	\$0.00
Madisonville	District 19	Revenue	\$0.00	\$289,552.06	\$290,708.30	\$293,933.30
		Affordable Housing Balance (Year End)	\$410,592.13	\$700,144.19	\$990,852.49	\$1,284,785.79
Oakley	District 20	Revenue	\$68,301.42	\$186,849.80	\$188,349.80	\$189,849.80
		Affordable Housing Balance (Year End)	\$522,192.04	\$709,041.84	\$897,391.64	\$1,087,241.44
Avondale	District 21	Revenue	\$0.00	\$13,959.31	\$14,309.31	\$14,681.18
		Affordable Housing Balance (Year End)	\$187,697.43	\$201,656.74	\$215,966.05	\$230,647.23
West End*	District 22	Revenue	\$0.00	\$0.00	\$0.00	\$0.00
		Affordable Housing Balance (Year End)	\$0.00	\$0.00	\$0.00	\$0.00
Pleasant Ridge*	District 23	Revenue	\$0.00	\$0.00	\$0.00	\$0.00
		Affordable Housing Balance (Year End)	\$0.00	\$0.00	\$0.00	\$0.00
Mt Auburn*	District 24	Revenue	\$0.00	\$0.00	\$0.00	\$0.00
		Affordable Housing Balance (Year End)	\$0.00	\$0.00	\$0.00	\$0.00
Northside*	District 25	Revenue	\$0.00	\$0.00	\$0.00	\$0.00
		Affordable Housing Balance (Year End)	\$0.00	\$0.00	\$0.00	\$0.00
	District 26	Revenue	\$0.00	\$0.00	\$0.00	\$0.00

Eastern River*	District	Affordable Housing Balance (Year End)	\$0.00	\$0.00	\$0.00	\$0.00
College Hill*	District 27	Revenue	\$0.00	\$0.00	\$0.00	\$0.00
		Affordable Housing Balance (Year End)	\$0.00	\$0.00	\$0.00	\$0.00
Roselawn*	District 28	Revenue	\$0.00	\$0.00	\$0.00	\$0.00
		Affordable Housing Balance (Year End)	\$0.00	\$0.00	\$0.00	\$0.00
Westwood Boudinot*	District 29	Revenue	\$0.00	\$0.00	\$0.00	\$0.00
		Affordable Housing Balance (Year End)	\$0.00	\$0.00	\$0.00	\$0.00
Mt Airy*	District 30	Revenue	\$0.00	\$0.00	\$0.00	\$0.00
		Affordable Housing Balance (Year End)	\$0.00	\$0.00	\$0.00	\$0.00
Camp Washington*	District 31	Revenue	\$0.00	\$0.00	\$0.00	\$0.00
		Affordable Housing Balance (Year End)	\$0.00	\$0.00	\$0.00	\$0.00
Spring Grove Village*	District 32	Revenue	\$0.00	\$0.00	\$0.00	\$0.00
		Affordable Housing Balance (Year End)	\$0.00	\$0.00	\$0.00	\$0.00
South Fairmount*	District 33	Revenue	\$0.00	\$0.00	\$0.00	\$0.00
		Affordable Housing Balance (Year End)	\$0.00	\$0.00	\$0.00	\$0.00
South Cumminsville*	District 34	Revenue	\$0.00	\$0.00	\$0.00	\$0.00
		Affordable Housing Balance (Year End)	\$0.00	\$0.00	\$0.00	\$0.00
Riverside*	District 35	Revenue	\$0.00	\$0.00	\$0.00	\$0.00
		Affordable Housing Balance (Year End)	\$0.00	\$0.00	\$0.00	\$0.00
North Fairmount*	District 36	Revenue	\$0.00	\$0.00	\$0.00	\$0.00
		Affordable Housing Balance (Year End)	\$0.00	\$0.00	\$0.00	\$0.00

Total Balance All Districts	\$10,841,468.62	\$13,977,371.97	\$17,852,566.11	\$21,779,010.39
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* Districts created in 2019 have insufficient revenue history to create a projection for this purpose. However actual amounts received in 2022 and 2023 will likely exceed \$0 for many of these districts.

October 21, 2020

To: Mayor and Members of City Council
From: Paula Boggs Muething, City Manager
Subject: **Implementation of Tax Increment Financing District Policy for Affordable Housing**

Reference Document # 202000851

Cincinnati City Council at its session on June 24, 2020, passed Ordinance No. 0206-2020 which required:

Section 2. That City Council requests that the City Administration prepare a report no later than September 8, 2020 with recommendations for the immediate adoption of the policy established by this ordinance, including without limitation, (i) a method by which the amount expended on affordable housing projects from the TIF Districts each year is publicly available and (ii) the number of years an affordable housing project must meet the requirements set forth herein.

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This memo is for informational purposes.

Copy: Markiea L. Carter, Interim Director, Department of Community and Economic Development *MLC*