



# City of Cincinnati

801 Plum Street  
Cincinnati, OH 45202

## Agenda

### Budget and Finance Committee

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

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Monday, February 3, 2025

1:00 PM

Council Chambers, Room 300

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### PRESENTATIONS

#### Cincinnati Municipal Airport – Lunken Field

Greg Long, Interim Director, Department of Transportation and Engineering

Jaime Edrosa, Division Manager – Lunken Airport, Department of Transportation and Engineering

#### AGENDA

#### PRESENTATION

1. [202500155](#) **PRESENTATION** submitted by Sheryl M. M. Long, City Manager, dated 1/27/2025, regarding the Cincinnati Municipal Airport - Lunken Field.

**Sponsors:** City Manager

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

#### MOTIONS

2. [202500136](#) **MOTION**, submitted by Vice Mayor Kearney, **WE MOVE** that the Administration provide a report within two (2) weeks reviewing the plan by Pig Works to acquire and renovate 792 E. McMillan in Walnut Hills for use as its headquarters with \$340,000 in funding from the Capital Project Fund. This report should include a brief summary of the project, past requests and funding of the project by the City of Cincinnati, any pertinent information from the Administration on the project, and a final recommendation by the Administration as to whether to fund the project. (STATEMENT ATTACHED)

**Sponsors:** Kearney

**Attachments:** [202500136](#)

3. [202500137](#) **MOTION**, submitted by Vice Mayor Kearney, **WE MOVE** that the

Administration provide a report within two (2) weeks reviewing the plan by the Winton Hills Community Council to acquire and renovate the Mother of Christ Church, located at 5301 Winneste Avenue Cincinnati, Ohio 45232 in Winton Hills, for use as a community hub and resource center with \$250,000 in funding from the Capital Project Fund. This report should include a brief summary of the project, past requests and funding of the project by the City of Cincinnati, any pertinent information from the Administration on the project, and a final recommendation by the Administration as to whether to fund the project. (STATEMENT ATTACHED)

**Sponsors:** Kearney

**Attachments:** [202500137](#)

4. [202500138](#) **MOTION**, submitted by Councilmember Owens, **WE MOVE** that the Administration provide a report within two (2) weeks review the American Sign Museum's Solar Conversion Project for possible usage from the Capital Project Fund. This report should include a brief summary of the project, past asks for funding and administrative support of the project by the City of Cincinnati, any additional information the city administration deems pertinent to the project, and a final recommendation by the administration as to whether or not fund the project. (STATEMENT ATTACHED)

**Sponsors:** Owens

**Attachments:** [202500138](#)

5. [202500184](#) **MOTION**, submitted by Councilmember Jeffreys, **WE MOVE** that the Administration provide a report within two (2) weeks on leveraging the FY25 Carryover Budget Capital Project Fund for Police, Fire and DPS fleet needs. (STATEMENT ATTACHED)

**Sponsors:** Jeffreys

**Attachments:** [Motion](#)

### **MUNICIPAL CODE CHANGES**

6. [202500052](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 1/23/2025, **MODIFYING** Chapter 402, "Airport," by **AMENDING** Section 402-24, "Lunken Airport Use Fees," to authorize the City Manager to establish fees for the landing, parking, and mooring of aircraft, for special events, and other uses including the United States Customs and Border Protection facility at Lunken Airport.

**Sponsors:** City Manager

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

### **GRANTS AND DONATIONS**

7. [202500150](#) **ORDINANCE**, submitted by Mayor Aftab Pureval and Councilmember Albi, from Emily Smart Woerner, City Solicitor, **AUTHORIZING** the City Manager to apply for a grant up to \$50,000 from the Bloomberg Philanthropies Mayors Challenge grant program to support a grocery delivery pilot program in Cincinnati.

**Sponsors:** Mayor and Albi

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

8. [202500149](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 1/29/2025, **AUTHORIZING** the establishment of new capital improvement program project account no. 980x164x251624, "Shillito's West Remediation - ODOD Grant," to provide additional asbestos abatement to real property located at 137 W. Seventh Street in the Central Business District of Cincinnati; **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$1,063,080 from the Ohio Department of Development through the Hamilton County Land Reutilization Corporation and the Port of Greater Cincinnati Development Authority to newly established capital improvement program project account no. 980x164x251624, "Shillito's West Remediation - ODOD Grant," to provide additional asbestos abatement to real property located at 137 W. Seventh Street in the Central Business District of Cincinnati.

**Sponsors:** City Manager

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

9. [202500158](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 1/29/2025, **AUTHORIZING** the establishment of new capital improvement program project account no. 980x164x251620, "ODOD Poste II Assessment - Grant," for Voluntary Action Program-compliant environmental assessments and preparation of a remedial action plan for the real property located at 750, 752, and 758 E. McMillan Street in the Walnut Hills neighborhood of Cincinnati ("the Poste II site assessment"); and **AUTHORIZING** the City Manager to accept and appropriate a grant of up to \$205,131 from the Ohio Department of Development through the Port of Greater Cincinnati Development Authority to newly established capital improvement program project account no. 980x164x251620, "ODOD Poste II Assessment - Grant," for the Poste II site assessment.

**Sponsors:** City Manager

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

10. [202500159](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 1/29/2025, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$108,000 from the FY 2024 Ohio Drug Law Enforcement Fund through the Ohio Department of Public Safety, Office of Criminal Justice Services, to provide resources for personnel costs related to investigations conducted pursuant to Title III of the Federal Omnibus Crime Control and Safe Streets Act of 1968; and **AUTHORIZING** the Director of Finance to deposit the grant funds into Law Enforcement Grant Fund 368, Project Account No. 25ODLE.

**Sponsors:** City Manager

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

11. [202500151](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 1/29/2025, **AUTHORIZING** the establishment of capital improvement program project account no. 980x199x251925, "Camp Washington Skate Park - ODNR Grant," to provide grant resources for the construction of a skate park at the Camp Washington Recreation Area; **AUTHORIZING** the City Manager to accept and appropriate a grant of up to \$300,000 from the Land and Water Conservation Fund (ALN 15.916), awarded by the Ohio Department of Natural Resources, to newly established capital improvement program project account no. 980x199x251925, "Camp Washington Skate Park - ODNR Grant," to provide resources for the construction of a skate park at the Camp Washington Recreation Area; and **AUTHORIZING** the Director of Finance to deposit the grant resources into newly established capital improvement program project account no. 980x199x251925, "Camp Washington Skate Park - ODNR Grant."

**Sponsors:** City Manager

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

12. [202500152](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 1/29/2025, **AUTHORIZING** the City Manager to accept and appropriate a donation of up to \$18,250 from the University of Cincinnati Physicians to provide resources for necessary training equipment for the Cincinnati Fire Department's Paramedic School; and **AUTHORIZING** the Director of Finance to deposit the donated funds into Fire Grants and Donations Fund revenue account no. 472x8571.

**Sponsors:** City Manager

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

### **COMMUNITY INVESTMENT AREA AGREEMENT**

13. [202500162](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 1/29/2025, **APPROVING AND AUTHORIZING** the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement with 510 W Liberty, LLC, thereby authorizing a twelve-year tax exemption for 100 percent of the value of improvements made to real property located at 510 W. Liberty Street in the West End neighborhood of Cincinnati, in connection with the remodeling of two existing buildings into approximately 5,875 square feet of residential space consisting of approximately 13 residential rental units, at a total remodeling cost of approximately \$766,717.

**Sponsors:** City Manager

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

ADJOURNMENT

Date: January 27, 2025

To: Members of the Budget & Finance Committee 202500155  
From: Sheryl M. M. Long, City Manager  
Subject: Presentation – Cincinnati Municipal Airport – Lunken Field

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Attached is the presentation for Cincinnati Municipal Airport – Lunken Field for the Budget & Finance Committee.

cc: Gregory D. Long, Interim Director  
Department of Transportation and Engineering

# Cincinnati Municipal Airport – Lunken Field

Budget and Finance Committee Presentation

# Discussion Items

- **Operations**
- **Enterprise Fund / Sources of Revenue / Net Operating Income**
- **Strategic Business Plan**
- **Airport Layout Plan (ALP) Update**
- **Airport Capital Improvement Plan (ACIP)**
- **Runway Decommissioning Project**
- **Drainage Plan Project**
- **Terminal Development**
- **Customs Border Protection Facility (temporary and permanent)**
- **LAOAB (Lunken Airport Oversight Advisory Board)**

# Lunken Operations

- 1 operation = 1 landing or 1 takeoff
- CY 2024 Operations were flat year over year ending at 122,131 or 335 per day.
- CY 2023 Operations were 122,608 or 336 per day

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	TOTAL
2022	7618	7342	9353	9845	11237	11729	10783	10671	10634	10431	7835	7722	115200
2023	7809	8653	9151	10964	12425	10966	12515	11408	11436	10577	9458	7246	122608
2024	5604	8948	8506	11121	12819	12686	11179	12546	11039	11655	8242	7786	122131



# Enterprise Fund / Sources of Revenue / Net Operating Income

## Enterprise Fund:

- Lunken Airport is an Enterprise Fund within the City's budgetary framework
- Lunken Airport's O&M budget is funded through its revenue sources
- Local match funding for FAA grants are also funded through its revenue sources

## Sources of Revenue:

- Rents (Land and Facilities)
- Landing Fees
- Fuel Flowage Fees
- 1% of Gross Revenue
- Outside Grants – FAA & ODOT

## Net Operating Income:

- FY 2024 – Ended at \$604,382.45 (Need to maintain funds to pay for local matches)

# Strategic Business Plan (SBP)

- Lunken Airport will issue a Request for Proposals (RFP) for a firm to develop a SBP.
- The SBP will explore strategies and identify feasible recommendations to enhance the Airport's financial performance, economic development, and operations.

# Airport Layout Plan (ALP)

- The ALP was updated in 2024 (first update since 1989)
- The ALP is a plan for an airport that shows:
  - Boundaries and proposed additions to all areas owned or controlled by the sponsor for airport purposes
  - The location and nature of existing and proposed airport facilities and structures
  - The location on the airport of existing and proposed non-aviation areas and improvements
- Future improvements must be implemented in accordance with an FAA-approved ALP



# Airport Capital Improvement Plan (ACIP)

\* Colors denote different Fiscal Years for Airport grant funding

- The Lunken Airport ACIP was recently updated to match the FAA-approved ALP.
- The ACIP highlights the airport's needs over a 3-year (minimum) funding cycle.

	Project Description	Non Primary Entitlement Before	FAA FY	BIL/AIG Before	Total Cost
1	Airport Drainage Study (Phase 1 - Preliminary Design & DBE Plan)	\$227,245.00	25	\$3,309,000.00	\$1,387,302.00
2	Airfield Safety Mitigation Measure (removes 450+/- ft of aligned TWY) and Obstruction Removal (Hangar 3 and Engineer's Building) - Environmental and Design	\$377,245.00	26	\$2,842,063.00	\$150,000.00
3	New Taxiway B (Phase 1 - Preliminary Design)	\$377,245.00	26	\$2,699,563.00	\$250,000.00
4	Part 77 Obstruction Survey Action Items (Construction/Removal Including any Environment)	\$377,245.00	26	\$2,462,063.00	\$175,000.00
5	Airfield Safety Mitigation Measure (removes 450+/- ft of aligned TWY) and Obstruction Removal (Hangar 3 and Engineer's Building) - Construction	\$527,245.00	27	\$2,295,813.00	\$600,000.00
6	Airport Pavement Condition and Management Plan	\$527,245.00	27	\$1,725,813.00	\$100,000.00
7	New Taxiway B (Phase 2 - Design)	\$413,245.00	27	\$1,725,813.00	\$1,000,000.00
8	Airport Drainage Study (Phase 2 - Design)	\$413,245.00	27	\$825,813.00	\$490,000.00
9	Taxiway A Reconstruct (Design)	\$413,245.00	27	\$384,813.00	\$398,000.00
10	New Taxiway B (Phase 3a - Construction - site prep/earthwork/grading/etc)	\$563,245.00	28	\$26,613.00	\$590,000.00
11	Airport Drainage Study (Phase 3 - Construction)	\$208,795.00	29	\$63.00	\$5,000,000.00
12	New Taxiway B (Phase 3B - Construction)	\$208,795.00	29	\$63.00	\$10,000,000.00
13	Taxiway C Reconstruct (Phase 1 - Design)	\$208,795.00	29	\$63.00	\$1,000,000.00
14	New Taxiway B (Phase 3C - Construction)	\$358,795.00	30	\$63.00	\$10,000,000.00
15	Taxiway A Reconstruct (Phase 2 - Construction)	\$238,795.00	31	\$63.00	\$10,000,000.00
16	Taxiway C Reconstruct (Phase 2 - Construction)	\$208,795.00	32/33	\$63.00	\$10,000,000.00

# Runway Decommissioning Project

- Runway 3L-21R permanently closed on July 11, 2024
- Airfield layout changes began in September 2024
- Changes included: pavement removal, lighting, signage, and pavement marking modifications, navigational equipment removal and painting
- Total project cost is approximately \$1.5M (\$1.372M FAA Grant, with a \$76k local match from ODOT and \$76K local match from the Airport's Enterprise Fund)
- Material/equipment procurement delays have pushed the project completion to Spring 2025
- Land once needed as a protection zone for the runway will now be available for development

# Drainage Plan Study Project

- Lunken Airport is challenged by the presence of the Little Miami River to the east and the Ohio River to the south
- The levee surrounding the airport was decertified for not meeting today's design standards
- To set up the airport for future maximum development a Drainage Plan Study Project has been kicked off to identify all the sources of water, ways to mitigate the water, and the infrastructure that will need to be installed to support development
- DOTE is applying for an FAA grant to pay for the bulk of the project's costs
- Final cost of study project is TBD; current estimate is \$1.4M
- Tentative start is 1<sup>st</sup> quarter 2025 with an estimated completion of 18 months

# Terminal Development

- The City received a proposal to develop the Airport Terminal Building through a Request for Proposals (RFP) for a replacement restaurant
- The current scope for the development includes a restaurant, a bar, an event space and a hotel
- The City is finalizing the terms of the lease agreement with the developer
- Multi-departmental City effort led by the Department of Community & Economic Development (DCED)



# Customs Border Protection (CBP) Facility

- In partnership with Procter & Gamble an approved temporary General Aviation (GA) CBP facility was opened at their hangar in January 2024
- The facility processed 203 aircraft and 1,000+ crew and passengers in a 12-month period
- Lunken Airport has until May 29, 2027, to open a permanent CBP facility
- The permanent facility is expected to adhere to all federal design standards
- The standards call for a 3,000 ft<sup>2</sup> administration area and a 10,000 ft<sup>2</sup> aircraft ramp space
- Lunken Airport has identified a potential facility with an expiring lease and will be issuing a Request for Proposals (RFP) to analyze the feasibility of the facility's compliance with federal standards

# Lunken Airport Oversight Advisory Board (LAOAB)

- The LAOAB members are appointed by the mayor to review operations, capital improvements, development, and growth at Lunken Airport and to advise and make recommendations to City Council
- Nine members are appointed, each for three-year terms
- The Board is required to be composed of:
  - Four community representatives
  - Three Lunken user-group representatives (i.e., Fixed-Base Users, Corporate Users General Aviation/Private Users)
  - One environmental/recreational representative
  - One at-large representative
- The board has regularly scheduled meetings on the second Monday of every other month
- Meetings are conducted online, and the link is available on the airport's website

# Questions?

**Jaime Edrosa**

jaime.edrosa@cincinnati-oh.gov

513-709-2761

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**Your feedback is important to us.**

**Please visit our website for more information.**

**<https://www.cincinnati-oh.gov/dote/lunken-airport/>**



202500136

**Jan-Michele Lemon Kearney**  
*Vice Mayor*

January 21, 2025

## MOTION

*To Review and Make a Funding Recommendation for the acquisition and renovation of 792 E. McMillan in Walnut Hills to be used as the headquarters for Pig Works.*

**WE MOVE** that the Administration provide a report within two (2) weeks reviewing the plan by Pig Works to acquire and renovate 792 E. McMillan in Walnut Hills for use as its headquarters with \$340,000 in funding from the Capital Project Fund. This report should include a brief summary of the project, past requests and funding of the project by the City of Cincinnati, any pertinent information from the Administration on the project, and a final recommendation by the Administration as to whether to fund the project.

  
\_\_\_\_\_  
Vice Mayor Jan-Michele Lemon Kearney

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## STATEMENT

Pig Works is seeking \$340,000 from the city of Cincinnati to assist with the purchase and renovation of the property located at 792 E. McMillan. The property will serve as the permanent headquarters for Pig Works, the organization behind the Flying Pig Marathon and numerous other events that contribute to Cincinnati's health and fitness ecosystem. This funding is critical to the success of their long-term plans, which include expanding their base of operations and making a meaningful impact on the Walnut Hills community. With this location, Pig Works will centralize operations, improve efficiency, and create a dedicated space for staff and community outreach efforts.

### **Community Impact**

This move will significantly benefit Walnut Hills by:

1. **Driving Economic Growth:** By bringing more events and participants to the area, Pig Works aims to stimulate local businesses and contribute to the economic vitality of Walnut Hills.
2. **Promoting Health and Wellness:** Pig Works is committed to fostering fitness, movement, and healthy living throughout Cincinnati, particularly in historically underserved neighborhoods such as Walnut Hills.
3. **Revitalizing the Property:** Renovations to 792 E. McMillan will modernize the building, making it a valuable asset to the community and supporting ongoing revitalization efforts.

### **Why Funding is Needed**

The \$340,000 requested will help close the funding gap for the acquisition and renovation of the property, allowing Pig Works to move forward with their development plans. Support from the city would complete the financing needed for this project and ensure its success.

CAL → Budget & Finance

J-MCK





202500137

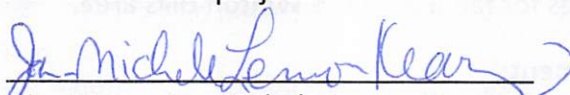
**Jan-Michele Lemon Kearney**  
*Vice Mayor*

January 21, 2025

## MOTION

*To Review and Make a Funding Recommendation for the acquisition and renovation of the Mother of Christ Church, located at 5301 Winneste Avenue Cincinnati, Ohio 45232 in Winton Hills, to be used as a multi-purpose community hub and resource center, meeting space, and training center for adults and youth in the Winton Hills community.*

**WE MOVE** that the Administration provide a report within two (2) weeks reviewing the plan by the Winton Hills Community Council to acquire and renovate the Mother of Christ Church, located at 5301 Winneste Avenue Cincinnati, Ohio 45232 in Winton Hills, for use as a community hub and resource center with \$250,000 in funding from the Capital Project Fund. This report should include a brief summary of the project, past requests and funding of the project by the City of Cincinnati, any pertinent information from the Administration on the project, and a final recommendation by the Administration as to whether to fund the project.

  
Vice Mayor Jan-Michele Lemon Kearney

_____	_____
_____	_____
_____	_____
_____	_____

## STATEMENT

The Winton Hills Community Council plans to utilize the Mother of Christ Church, located at 5301 Winneste Avenue Cincinnati, Ohio 45232 in Winton Hills, as a multipurpose community hub and cultural center. This facility will address several critical needs of the Winton Hills neighborhood, including:

1. Community Services and Support:

- Establish a centralized location for essential services such as food security initiatives, job training, and educational workshops.
- Provide meeting spaces for neighborhood organizations, youth programs, and resident support groups.
- Continue to be a polling place for Winton Hills residents to vote.

2. Cultural and Historical Preservation:

- Honor the rich history and legacy of the community of Winton Hills as well as the community-based institutions such as Mother of Christ Church.
- Recognize the unique culture and heritage of the historic local farming community.

3. Youth and Family Engagement:

- Create a safe space for after-school activities, mentoring programs, and recreational opportunities for families in the Winton Hills area.

4. Economic Development:

- Support local entrepreneurs and small businesses by offering incubator, workshops, and community events.
- Create a space for skill-building programs, workforce development, and financial literacy education to empower residents.

5. Faith-Based Collaboration:

- Offer opportunities for interfaith partnerships, spiritual support, and community healing in collaboration with local faith leaders.

By acquiring this property, the Winton Hills Community Council aims to ensure that it continues to serve as a vital resource for the community, fostering empowerment, resilience, and unity among residents.

The Winton Hills Community Council is deeply committed to preserving the legacy of the Mother of Christ Church while transforming it into a space that uplifts and serves the entire Winton Hills community.



CAL → Budget & Finance  
J-mck



202500138

**Meeka D. Owens**  
Cincinnati City Council

January 22<sup>nd</sup>, 2025

### American Sign Museum Solar Conversion Capital Project

**WE MOVE** that the administration provide a report within two (2) weeks review the American Sign Museum's Solar Conversion Project for possible usage from the Capital Project Fund. This report should include a brief summary of the project, past asks for funding and administrative support of the project by the City of Cincinnati, any additional information the city administration deems pertinent to the project, and a final recommendation by the administration as to whether or not fund the project.

Councilmember Meeka D. Owens

### STATEMENT

The American Sign Museum, named in February 2024 as the #5 Pop Culture Museum in the Country, has become a staple of the Camp Washington neighborhood during its 25 years of operation. This incredible city amenity holds over 1,000 signs and objects on display, welcomes over 68,000 visitors annually, with 60% of those visitors coming from outside of the Cincinnati region.

Recently the Museum embarked on a capital expansion project which doubled the size of its facility to 40,000 square feet, created an 8,000 square foot classroom area for education purposes, and the largest sign-related library in the country.

The American Sign Museum is yet again looking for ways to grow in innovation and creativity by converting to solar power. Due to the number of light components on its signs, the Museum's average monthly electric bill can run as high as \$7,000. Through this project the American Sign Museum which is in a Justice 40 area of our city, where 70% are energy burdened, 72% are housing burdened, and 77% of residents live below 200% Federal Poverty Line, the museum aims to become the first Cincinnati-area Museum to convert to solar power. aligning closely with the 2023 Green Cincinnati Plan. This neighborhood takes pride in the American Sign Museum and this project will reenforce that neighborhood pride.

DR  
1-22-23  
CAL

*[Handwritten signature]*



**Mark Jeffreys**  
Councilmember

January 29, 2025

## MOTION

### *Capital Needs for Police, Fire & DPS Fleet*

WE MOVE that the Administration provide a report within two (2) weeks on leveraging the FY25 Carryover Budget Capital Project Fund for Police, Fire and DPS fleet needs.

## STATEMENT

Recent events have highlighted the urgent need for the City of Cincinnati to invest in its Cincinnati Fire and Department of Public Works (DPS) fleet. This asks for a report on how to best leverage the Capital Project Fund account to invest in that fleet, including recommendations of the types of trucks that should be purchased.

In early November 2024, Cincinnati's Fire Engine 5 in Over-the-Rhine was out of commission for almost 12 hours. With some ladder trucks as old as 1999, and engine trucks from 2003, the need to invest in new fleet is urgent. Lead times on some fire trucks are years out.

Similarly, the recent snow emergency demonstrated a need to invest in our DPS snow fleet. With ~25% of trucks breaking down, and some that have parts that are no longer being made, we clearly have a capital need for new trucks.

Given that the proceeds from the sale of the Cincinnati Southern Railway are restricted from being used for fleet replacement since it is not considered current infrastructure, the City of Cincinnati needs to identify other sources of funds for these investments.

A handwritten signature in blue ink that reads "Mark Jeffreys".

Councilmember Mark Jeffreys

For Bileave to 2/3 Budget and Finance

DT





Date: January 23, 2025

To: Mayor and Members of City Council 202500052  
From: Sheryl M. M. Long, City Manager  
Subject: EMERGENCY ORDINANCE – LUNKEN AIRPORT USE FEES

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Attached is an emergency ordinance captioned as follows:

**MODIFYING** Chapter 402, “Airport,” by AMENDING Section 402-24, “Lunken Airport Use Fees,” to authorize the City Manager to establish fees for the landing, parking, and mooring of aircraft, for special events, and other uses including the United States Customs and Border Protection facility at Lunken Airport.

Lunken Airport, as an enterprise agency, charges land use fees as a means to generate revenue to recover costs associated with operating and maintaining the airfield. These fees, which include landing, parking, and mooring of aircraft, were last revised in 1999 and need to be updated. This Ordinance authorizes the City Manager to increase these fees and establish a new United States Customs and Border Protection Inspection fee. It also provides flexibility to make adjustments to these fees as necessary.

Because Lunken Airport’s fee structure does not achieve the highest possible cost recovery, it is important to allow the City Manager to establish new fees and charges without delay.

The reason for the emergency ordinance is the immediate need to allow the City Manager to establish and promulgate fees and charges for Lunken Airport so that the City may begin to recover the full cost and expense of the use of Lunken Airport at the earliest possible date.

The Administration recommends passage of the attached ordinance.

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

**EMERGENCY**

**JRS**

**- 2025**

**MODIFYING** Chapter 402, “Airport,” by **AMENDING** Section 402-24, “Lunken Airport Use Fees,” to authorize the City Manager to establish fees for the landing, parking, and mooring of aircraft, for special events, and other uses including the United States Customs and Border Protection facility at Lunken Airport.

WHEREAS, fees are an existing means Lunken Airport uses to recover costs and expenses it directly and indirectly incurs in connection with the landing, parking, and mooring of aircraft, for special events, and other uses including for the United States Customs and Border Protection facility (“Customs facility”) at Lunken Airport; and

WHEREAS, the Cincinnati Municipal Code currently establishes specific fees for Lunken Airport, but the fees have not been updated since 1999, do not reflect the current structure and best practices for airports, and the existing fee framework has not proved flexible enough to enable Lunken Airport to recover the full cost and expense for the landing, parking, and mooring of aircraft, for special events, and other uses including the Customs facility; and

WHEREAS, Council wishes to establish a clear, dynamic, and effective framework for Lunken Airport’s fees by authorizing the City Manager to establish fees that recover the costs and expenses associated with the landing, parking, and mooring of aircraft, for special events, and other uses including the Customs facility at Lunken Airport; now, therefore,

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

Section 1. That existing Section 402-24, “Lunken Airport Use Fees,” of the Cincinnati Municipal Code is hereby amended to read as follows:

**Sec. 402-24. - Lunken Airport Use Fees.**

~~Any person operating a scheduled or non-scheduled commercial flight using Lunken Airport shall pay to the city of Cincinnati a fee based on the licensed standard gross weight of the aircraft, as follows:~~

**LANDING FEES**

Gross Takeoff Weight	Piston	Turbo Prop	Jet
Multi Engine to 5,999	\$ 4.55	N/A	N/A
6,000 to 7,999	5.20	\$ 5.85	N/A

8,000 to 9,999	5.85	6.50	N/A
10,000 to 11,999	6.50	7.15	N/A
12,000 to 14,999	7.80	8.45	\$ 10.40
15,000 to 17,999	8.45	9.10	11.70
18,000 to 25,999	9.10	9.75	13.00
26,000 to 33,999	9.75	10.40	14.30
34,000 to 41,999	10.40	11.05	15.60
42,000 to 49,999	14.30	17.55	20.80
50,000 to 65,999	20.80	24.05	26.00
66,000 to 74,999	27.30	30.55	33.80
75,000 and over	33.80	37.05	39.00

(a) ~~*Use for Landing:* Fees shall be paid for using Lunken Airport for the first landing of each aircraft in any one calendar day. Such fees shall be collected by either the city or by persons authorized by the director. When collections are made by authorized persons, such persons shall keep accurate records of such collections subject to audit by the city and such persons shall make monthly reports of collections and shall pay 70 percent of total collections to the city; reports and payments shall be made on or before the 10th day of the next subsequent month. When collections are made by the city, fees may be billed on the first of each month for the operations of the previous month and shall be due and payable within 10 days. Fees shall not be applicable to scheduled air carriers operating under certificates of convenience and necessity, issued under the Federal Aviation Act of 1958, as amended, and under a contract with the City of Cincinnati for the use of the field. Likewise, fees shall not be applicable to aircraft based at Lunken Airport nor to governmental aircraft.~~

~~An operation will be considered commercial when either revenue passengers or cargo, or both are loaded or discharged at Lunken Airport.~~

(b) ~~*Parking Aircraft:* Fees shall be paid for each use of non-leased areas for parking of aircraft. Such fees shall be collected by the city or by persons authorized by the director. When collections are made by authorized persons, such persons shall keep accurate records of such collections subject to audit by the city and such persons shall make monthly reports of collections and shall pay 70 percent of total collections to the city; reports and payments must be made on or before the 10th day of the next subsequent month. When collections are made by the city, fees may be billed on the first of each month for the operations of the previous month and shall be due and payable within 10 days. Fees shall not be applicable to based aircraft for which provision has been made with the director for a monthly rate; fee shall not be applicable to governmental aircraft.~~

(c) ~~*Aircraft Parking Areas and Fees* are as follows:~~

~~Parking Area "A" is adjacent to the administration building consisting of the area shown as Parking Area "A" on the plat approved by and on file with the director.~~



The following fees shall apply to aircraft parked over night during the 10-hour period from 10 p.m. till 8 a.m. and shall apply for each subsequent 10-hour overnight period.

PARKING FEES

Gross Takeoff Weight	Piston	Turbo Prop	Jet
Multi Engine to 5,999	\$ 6.50	N/A	N/A
6,000 to 7,999	6.50	N/A	N/A
8,000 to 9,999	6.50	\$ 6.80	N/A
10,000 to 11,999	6.50	6.80	N/A
12,000 to 14,999	7.15	7.45	\$ 7.80
15,000 to 17,999	7.80	8.10	8.45
18,000 to 25,999	7.80	8.45	9.10
26,000 to 33,999	8.10	9.75	10.40
34,000 to 41,999	8.10	9.75	10.40
42,000 to 49,999	10.40	11.15	11.70
50,000 to 65,999	11.70	12.35	13.00
66,000 to 74,999	13.00	13.65	14.30
75,000 and over	15.60	16.25	16.90
All Single Engine Aircraft	6.50	6.50	6.50

Parking Area "B" consists of all other non-leased land areas at Lunken Airport. The following fees shall apply to aircraft parked overnight during the 10-hour period from 10 p.m. to 8 a.m. and shall apply for each subsequent 10-hour overnight period:

Weight of Aircraft	Fees
Up to 12,499 lbs	\$ 4.00
12,500 to 34,999 lbs.	6.00
35,000 to 55,000 lbs.	8.00
Over 55,000 lbs.	10.00

(d) ~~Mooring Fees for Lighter than Air Airship Operations:~~ Any person mooring a lighter than air airship at Lunken Airport shall pay to the City of Cincinnati a mooring fee of \$50.00 per 24-hour period or any part thereof per airship moored.

(e) ~~Tie-down Fees:~~ Any person conducting a service of tying down aircraft may be permitted by the city to use a defined area of non-leased land for conducting said tie-down service.

Any person conducting a service of tying down aircraft on non-leased land shall pay to the city \$5 per aircraft per night up to a maximum of \$55 per aircraft per month. Each person operating such tie-down service on non-leased land shall keep accurate records subject to audit by the city

~~and such persons shall make monthly reports of collections and make payments on or before the 10th day of every month for the operations of the preceding month.~~

- (a) **Airport Usage Fees and Charges.** To ensure compliance with federal grant assurances, and to make Lunken Airport as financially self-sustaining as possible, the city manager or the city manager’s designee is authorized to establish fees and charges in a fair and reasonable amount necessary to recover the costs and expenses incurred by Lunken Airport, or estimated to be incurred by Lunken Airport, in connection with the use of the airport’s facilities by third parties, including but not limited to, landing fees, aircraft and vehicle parking fees, tie-down fees, mooring fees, and a United States Customs and Border Protection Federal Inspection fee. The city manager shall promulgate rules and regulations concerning the fees and charges to be collected. The city manager shall make the fees and charges along with the rules and regulations available on the city’s website and the website for Lunken Airport.
- (b) **Exempt from Fees.** The city manager may exempt aircraft based at Lunken Airport from the payment of fees and charges, if such aircraft are based at Lunken Airport under a lease or rental agreement and are registered at Lunken Airport with the Federal Aviation Administration. The city manager shall exempt any federal, state, or local government aircraft from the fees and charges.

Section 2. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to allow the City Manager to establish and promulgate fees and charges for Lunken Airport so that the City may begin to recover the full cost and expense of the use of Lunken Airport at the earliest possible date.

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

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

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

\_\_\_\_\_  
Additions indicated by underline; Deletions indicated by strikethrough.

202500150

**Date:** January 29, 2025

**To:** Mayor Aftab Pureval and Councilmember Anna Albi  
**From:** Emily Smart Woerner, City Solicitor *EESW*  
**Subject:** **Ordinance – Bloomberg Philanthropies Mayors Challenge Grant Application**

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Transmitted herewith is an ordinance captioned as follows:

**AUTHORIZING** the City Manager to apply for a grant of up to \$50,000 from the Bloomberg Philanthropies Mayors Challenge grant program to support a grocery delivery pilot program in Cincinnati.

EESW/IMD(dmm)  
Attachment  
414541



# City of Cincinnati

IMD

EESW

## An Ordinance No. \_\_\_\_\_

- 2025

**AUTHORIZING** the City Manager to apply for a grant of up to \$50,000 from the Bloomberg Philanthropies Mayors Challenge grant program to support a grocery delivery pilot program in Cincinnati.

WHEREAS, a grant of up to \$50,000 is available from the Bloomberg Philanthropies Mayors Challenge grant program to provide resources to support a grocery delivery pilot program in Cincinnati; and

WHEREAS, a grocery delivery pilot program will help reduce food insecurity in the City of Cincinnati by increasing access to nutritious food options for low-income and vulnerable residents; and

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

WHEREAS, the grant application deadline was December 20, 2024, and the City has already applied for the grant, but no grant resources will be accepted without further approval by Council; and

WHEREAS, if the City receives the grant and completes the grocery delivery pilot program, the City may be eligible for an additional \$1,000,000 award to support the program, and another ordinance will be presented to Council for approval if the City receives the additional award; and

WHEREAS, applying for grant resources to support a grocery delivery pilot program is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” and strategy to “[m]ake sustainable access to and use of fresh, healthy food a priority in all neighborhoods” as well as the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” and strategy to “[u]nite our communities” as described on pages 181 – 192 and 207 – 212 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is authorized to apply for a grant of up to \$50,000 from the Bloomberg Philanthropies Mayors Challenge grant program to support a grocery delivery pilot program in Cincinnati.

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

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

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

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

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

January 29, 2025

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

202500149

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

**Subject:** Emergency Ordinance – DCED: Shillito’s West Grant

Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the establishment of new capital improvement program project account no. 980x164x251624, “Shillito’s West Remediation – ODOD Grant,” to provide additional asbestos abatement to real property located at 137 W. Seventh Street in the Central Business District of Cincinnati; **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$1,063,080 from the Ohio Department of Development through the Hamilton County Land Reutilization Corporation and the Port of Greater Cincinnati Development Authority to newly established capital improvement program project account no. 980x164x251624, “Shillito’s West Remediation – ODOD Grant,” to provide additional asbestos abatement to real property located at 137 W. Seventh Street in the Central Business District of Cincinnati.

Approval of this Emergency Ordinance authorizes the City Manager to accept and appropriate \$1,063,080 from the Ohio Department of Development (ODOD) through the Port of Greater Cincinnati Development Authority to newly established capital improvement program project account no. 980x164x251624, “Shillito’s West Remediation – ODOD Grant” for additional asbestos abatement to real property located at 137 W. Seventh Street in the Central Business District of Cincinnati.

Shillito’s West is a City-owned property at 137 W. Seventh Street that previously received ODOD grant funding for asbestos remediation, which was completed in 2023. A recent inspection of the property found additional asbestos-containing material in the thermal system insulation pipe, floor tile and mastic, ceiling panels, and other areas, necessitating additional efforts to abate the remaining asbestos. As a local match, \$354,393 will be used from existing capital improvement program project account no. 980x164x231610, “Commercial & Industrial Public Improvements.”

Securing grant funding for the Shillito’s West asbestos remediation project is in accordance with the “Compete” goal to “[f]oster a climate conducive to growth, investment, stability, and opportunity” as described on page 103 of Plan Cincinnati. (2012).

The reason for the emergency is the immediate need to meet established grant deadlines.

The Administration recommends passage of this Emergency Ordinance.

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



Attachment

## EMERGENCY

CNS

- 2025

**AUTHORIZING** the establishment of new capital improvement program project account no. 980x164x251624, “Shillito’s West Remediation – ODOD Grant,” to provide additional asbestos abatement to real property located at 137 W. Seventh Street in the Central Business District of Cincinnati; and **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$1,063,080 from the Ohio Department of Development through the Hamilton County Land Reutilization Corporation and the Port of Greater Cincinnati Development Authority to newly established capital improvement program project account no. 980x164x251624, “Shillito’s West Remediation – ODOD Grant,” to provide additional asbestos abatement to real property located at 137 W. Seventh Street in the Central Business District of Cincinnati.

WHEREAS, the Shillito’s West building is a City-owned property located at 137 W. Seventh Street in the Central Business District of Cincinnati; and

WHEREAS, a 2019 asbestos survey identified extensive quantities of asbestos throughout the Shillito’s West building, including but not limited to, the drywall joint compound, floor mastic, floor tiles, pipe insulation, duct seam tape, and window glazing; and

WHEREAS, this property previously received Ohio Department of Development (“ODOD”) grant funding for asbestos remediation, and the asbestos abatement work was completed in 2023; and

WHEREAS, a recent inspection of the property found additional asbestos-containing material in the thermal system insulation pipe, floor tile and mastic, ceiling panels, and other areas, necessitating additional efforts to abate all remaining asbestos-containing materials; and

WHEREAS, the Hamilton County Land Reutilization Corporation and the Port of Greater Cincinnati Development Authority (collectively “the Port”) have been awarded a \$1,063,080 grant from ODOD for the Shillito’s West asbestos remediation project; and

WHEREAS, the City intends to enter into a subrecipient agreement with the Port to implement the remediation project and provide \$354,393 in matching funds, which includes \$170,231 of prior eligible expenses and \$184,162 of newly committed funding from existing capital improvement program project account no. 980x164x231610, “Commercial & Industrial Public Improvements,” and slightly exceeds the 25 percent match amount required by ODOD; and

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

WHEREAS, securing grant funding for the Shillito’s West asbestos remediation project is in accordance with the “Compete” goal to “[f]oster a climate conducive to growth, investment, stability, and opportunity” as described on page 103 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the establishment of new capital improvement program project account no. 980x164x251624, “Shillito’s West Remediation – ODOD Grant,” is authorized to provide additional asbestos abatement to real property located at 137 W. Seventh Street in the Central Business District of Cincinnati.

Section 2. That the City Manager is authorized to apply for, accept, and appropriate a grant of up to \$1,063,080 from the Ohio Department of Development through the Hamilton County Land Reutilization Corporation and the Port of Greater Cincinnati Development Authority to newly established capital improvement program project account no. 980x164x251624, “Shillito’s West Remediation – ODOD Grant,” to provide additional asbestos abatement to real property located at 137 W. Seventh Street in the Central Business District of Cincinnati.

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

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

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

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

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



January 29, 2025

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

202500158

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

**Subject: Emergency Ordinance – DCED: Poste II Grant**

Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the establishment of new capital improvement program project account no. 980x164x251620, “ODOD Poste II Assessment – Grant,” for Voluntary Action Program-compliant environmental assessments and preparation of a remedial action plan for the real property located at 750, 752, and 758 E. McMillan Street in the Walnut Hills neighborhood of Cincinnati (“the Poste II site assessment”); and **AUTHORIZING** the City Manager to accept and appropriate a grant of up to \$205,131 from the Ohio Department of Development through the Port of Greater Cincinnati Development Authority to newly established capital improvement program project account no. 980x164x251620, “ODOD Poste II Assessment – Grant,” for the Poste II site assessment.

Approval of this Emergency Ordinance authorizes the City Manager to accept and appropriate up to \$205,131 from the Ohio Department of Development (ODOD) through the Port of Greater Cincinnati Development Authority to newly established capital improvement program project account no. 980x164x251620, “ODOD Poste II Assessment – Grant,” for the Poste II site assessment.

The City acquired 750, 752, and 758 E. McMillan Street in the Walnut Hills neighborhood for redevelopment purposes in 2010. Prior to the city’s ownership of 752 and 758 E. McMillan Street, the structures were used as dry cleaners. As a result, the City needs to complete Voluntary Action Program-compliant environmental assessments and prepare a remedial action plan to inform remediation and/or seek potential redevelopment opportunities at the sites. As a local match, \$68,467 will be used from existing capital improvement program project account no. 980x164x231610, “Commercial & Industrial Public Improvements.”

Securing grant funding for the Poste II site assessment and development of a remediation action plan project is consistent with the “Compete” goal to “[f]oster a climate conducive to growth, investment, stability, and opportunity” as described on page 103 of Plan Cincinnati. (2012).

The reason for the emergency is the need to meet established grant deadlines.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment



**EMERGENCY**

CNS

- 2025

**AUTHORIZING** the establishment of new capital improvement program project account no. 980x164x251620, “ODOD Poste II Assessment – Grant,” for Voluntary Action Program-compliant environmental assessments and preparation of a remedial action plan for the real property located at 750, 752, and 758 E. McMillan Street in the Walnut Hills neighborhood of Cincinnati (“the Poste II site assessment”); and **AUTHORIZING** the City Manager to accept and appropriate a grant of up to \$205,131 from the Ohio Department of Development through the Port of Greater Cincinnati Development Authority to newly established capital improvement program project account no. 980x164x251620, “ODOD Poste II Assessment – Grant,” for the Poste II site assessment.

WHEREAS, in 2010, the City acquired 750, 752, and 758 E. McMillan Street in the Walnut Hills neighborhood of Cincinnati for redevelopment purposes; and

WHEREAS, prior environmental assessments revealed that structures at 752 and 758 E. McMillan Street were formerly used as dry cleaners, though the structures at those locations have since been demolished; and

WHEREAS, due to the former use of 752 and 758 E. McMillan Street as dry cleaners, the City needs to complete Voluntary Action Program-compliant environmental assessments and prepare a remedial action plan to inform remediation and/or seek potential redevelopment opportunities at the sites (“the Poste II site assessment”); and

WHEREAS, the Hamilton County Land Reutilization Corporation and the Port of Greater Cincinnati Development Authority (collectively “the Port”) have been awarded a \$205,131 grant from the Ohio Department of Development (“ODOD”) for the Poste II site assessment; and

WHEREAS, the City intends to enter into a subrecipient agreement with the Port to implement the Poste II site assessment and provide \$68,467 of matching funds, the 25 percent match amount required by ODOD, which includes \$6,202 of future City staff time and \$62,265 of newly committed resources from existing capital improvement program project account no. 980x164x231610, “Commercial & Industrial Public Improvements”; and

WHEREAS, securing grant funding for the Poste II site assessment and development of a remediation action plan project is consistent with the “Compete” goal to “[f]oster a climate conducive to growth, investment, stability, and opportunity” as described on page 103 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the establishment of new capital improvement program project account no. 980x164x251620, “ODOD Poste II Assessment – Grant,” is authorized for Voluntary Action

Program-compliant environmental assessments and preparation of a remedial action plan for the real property located at 750, 752, and 758 E. McMillan Street in the Walnut Hills neighborhood of Cincinnati (“the Poste II site assessment”).

Section 2. That the City Manager is authorized to accept and appropriate a grant of up to \$205,131 from the Ohio Department of Development through the Port of Greater Cincinnati Development Authority to newly established capital improvement program project account no. 980x164x251620, “ODOD Poste II Assessment – Grant,” for the Poste II site assessment.

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

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

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

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

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

January 29, 2025

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

202500159

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

**Subject: Ordinance – Police: FY 2024 Ohio Drug Law Enforcement Grant**

---

Attached is an Ordinance captioned:

**AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$108,000 from the FY 2024 Ohio Drug Law Enforcement Fund through the Ohio Department of Public Safety, Office of Criminal Justice Services, to provide resources for personnel costs related to investigations conducted pursuant to Title III of the Federal Omnibus Crime Control and Safe Streets Act of 1968; and **AUTHORIZING** the Director of Finance to deposit the grant funds into Law Enforcement Grant Fund 368, Project Account No. 25ODLE.

This Ordinance authorizes the City Manager to apply for, accept, and appropriate a grant of up to \$108,000 from the FY 2024 Ohio Drug Law Enforcement Fund through the Ohio Department of Public Safety (ODPS), Office of Criminal Justice Services (OCJS), to provide resources for personnel costs related to investigations conducted pursuant to Title III of the Federal Omnibus Crime Control and Safe Streets Act of 1968. This Ordinance also authorizes the Director of Finance to deposit the grant funds into Law Enforcement Grant Fund 368, Project Account No. 25ODLE.

Electronic surveillance is cost-intensive, progressive, and requires tremendous amounts of employee time. These grant resources will supplement Cincinnati Police Department (CPD) resources to aid in the disruption and dismantling of drug trafficking organizations operating in Cincinnati, thereby reducing illicit drug distribution, decreasing overdoses and overdose fatalities, and reducing drug-related violence and crime.

The grant requires matching resources of up to \$36,000. This match will be provided from CPD investigators' on-duty time. There are no new FTEs/full time equivalents associated with this grant.

The City has already applied for this grant, but no funds will be accepted without approval by the City Council.

Acceptance of this grant is in accordance with the "Live" goal to "[c]reate a more livable community" as described on pages 156-163 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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



Attachment

**AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$108,000 from the FY 2024 Ohio Drug Law Enforcement Fund through the Ohio Department of Public Safety, Office of Criminal Justice Services, to provide resources for personnel costs related to investigations conducted pursuant to Title III of the Federal Omnibus Crime Control and Safe Streets Act of 1968; and **AUTHORIZING** the Director of Finance to deposit the grant funds into Law Enforcement Grant Fund 368, Project Account No. 25ODLE.

WHEREAS, a grant of up to \$108,000 is available from the Ohio Department of Public Safety, Office of Criminal Justice Services, to fund personnel costs related to investigations conducted pursuant to Title III of the Federal Omnibus Crime Control and Safe Streets Act of 1968, which establishes procedures for lawful electronic surveillance; and

WHEREAS, electronic surveillance is cost-intensive, progressive, and requires a tremendous amount of employee time; and

WHEREAS, this grant will supplement Cincinnati Police Department (“CPD”) resources to aid in the disruption and dismantling of drug trafficking organizations operating in Cincinnati, thereby reducing illicit drug distribution, decreasing overdoses and overdose fatalities, and reducing drug-related violence and crime; and

WHEREAS, this grant requires an in-kind match of up to \$36,000 in value, which will be provided through CPD investigators’ on-duty time; and

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

WHEREAS, the City has already applied for this grant, but no funds will be accepted without approval by Council; and

WHEREAS, acceptance of this grant is in accordance with the “Live” goal to “[c]reate a more livable community” as described on pages 156-163 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is authorized to apply for, accept, and appropriate a grant of up to \$108,000 from the FY 2024 Ohio Drug Law Enforcement Fund through the Ohio Department of Public Safety, Office of Criminal Justice Services to provide resources for

personnel costs related to investigations conducted pursuant to Title III of the Federal Omnibus Crime Control and Safe Streets Act of 1968.

Section 2. That the Director of Finance is authorized to deposit the grant resources into Law Enforcement Grant Fund 368, Project Account No. 25ODLE.

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

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

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

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

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



January 29, 2025

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

202500151

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

**Subject: Emergency Ordinance – CRC: Camp Washington Skate Park Grant**

Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the establishment of capital improvement program project account no. 980x199x251925, “Camp Washington Skate Park – ODNR Grant,” to provide grant resources for the construction of a skate park at the Camp Washington Recreation Area; **AUTHORIZING** the City Manager to accept and appropriate a grant of up to \$300,000 from the Land and Water Conservation Fund (ALN 15.916), awarded by the Ohio Department of Natural Resources, to newly established capital improvement program project account no. 980x199x251925, “Camp Washington Skate Park – ODNR Grant,” to provide resources for the construction of a skate park at the Camp Washington Recreation Area; and **AUTHORIZING** the Director of Finance to deposit the grant resources into newly established capital improvement program project account no. 980x199x251925, “Camp Washington Skate Park – ODNR Grant.”

Approval of this Emergency Ordinance would authorize the City Manager to accept and appropriate a grant in the amount of up to \$300,000 from the Land and Water Conservation Fund awarded by the Ohio Department of Natural Resources (ODNR) to newly established capital improvement program project account no. 980x199x251925, “Camp Washington Skate Park – ODNR Grant,” for a skate park at the Camp Washington Recreation Area.

On October 25, 2023, the City Council passed Ordinance No. 0350-2023, which authorized the City Manager to apply for a grant from the Land and Water Conservation Fund awarded by the ODNR to construct a new skate park at the Camp Washington Recreation Area. The City was awarded a grant of up to \$300,000 and Council authorization is required to accept and appropriate these grant resources. The grant requires a fifty percent local match, which will be provided by resources available in existing capital improvement program project account no. 980x199x241900, “Outdoor Facility Renovation.” There are no new FTEs/full time equivalents required by the grant.

Securing grant resources for the construction of a skate park is in accordance with the “Live” goal to “[b]uild a robust public life” and strategy to “[d]evelop and maintain inviting and engaging public spaces to encourage social interaction between different types of people” as described on pages 147-152 of Plan Cincinnati (2012).

The reason for the emergency is to ensure that the required work will be completed within the established grant timeline.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment



**EMERGENCY**

**MSS**

**-2025**

**AUTHORIZING** the establishment of capital improvement program project account no. 980x199x251925, “Camp Washington Skate Park – ODNR Grant,” to provide grant resources for the construction of a skate park at the Camp Washington Recreation Area; **AUTHORIZING** the City Manager to accept and appropriate a grant of up to \$300,000 from the Land and Water Conservation Fund (ALN 15.916), awarded by the Ohio Department of Natural Resources, to newly established capital improvement program project account no. 980x199x251925, “Camp Washington Skate Park – ODNR Grant,” to provide resources for the construction of a skate park at the Camp Washington Recreation Area; and **AUTHORIZING** the Director of Finance to deposit the grant resources into newly established capital improvement program project account no. 980x199x251925, “Camp Washington Skate Park – ODNR Grant.”

WHEREAS, on October 25, 2023, Council passed Ordinance No. 350-2023 authorizing the City Manager to apply for a grant from the Land and Water Conservation Fund (ALN 15.916), awarded by the Ohio Department of Natural Resources, to provide resources to construct a new skate park at the Camp Washington Recreation Area; and

WHEREAS, the City was awarded a grant of up to \$300,000 from the Land and Water Conservation Fund, and Council authorization is required to accept and appropriate the grant resources; and

WHEREAS, the grant requires a local match of fifty percent, which will be provided from existing resources in capital improvement program project account no. 980x199x241900, “Outdoor Facility Renovation”; and

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

WHEREAS, securing grant resources for the construction of a skate park is in accordance with the “Live” goal to “[b]uild a robust public life” and strategy to “[d]evelop and maintain inviting and engaging public spaces to 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 capital improvement program project account no. 980x199x251925, “Camp Washington Skate Park – ODNR Grant,” is established to provide grant resources for the construction of a skate park at the Camp Washington Recreation Area.

Section 2. That the City Manager is authorized to accept and appropriate a grant of up to \$300,000 from the Land and Water Conservation Fund, awarded by the Ohio Department of



Natural Resources, to newly established capital improvement program project account no. 980x199x251925, “Camp Washington Skate Park – ODNR Grant,” to provide resources for the construction of a skate park at the Camp Washington Recreation Area.

Section 3. That the Director of Finance is authorized to deposit the grant resources into newly established capital improvement program project account no. 980x199x251925, “Camp Washington Skate Park – ODNR Grant.”

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

Section 5. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is to ensure that the required work will be completed within the established grant timeline.

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

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

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

January 29, 2025

**To:** Mayor and Members of City Council 202500152  
**From:** Sheryl M. M. Long, City Manager  
**Subject:** **Ordinance – Cincinnati Fire Department (CFD): UC Physicians Monetary Donation**

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Attached is an Ordinance captioned:

**AUTHORIZING** the City Manager to accept and appropriate a donation of up to \$18,250 from the University of Cincinnati Physicians to provide resources for necessary training equipment for the Cincinnati Fire Department's Paramedic School; and **AUTHORIZING** the Director of Finance to deposit the donated funds into Fire Grants and Donations Fund revenue account no. 472x8571.

Approval of this Ordinance would authorize the City Manager to accept and appropriate a donation of up to \$18,250 from the University of Cincinnati (UC) Physicians for the purpose of providing resources for necessary training equipment for the Cincinnati Fire Department's Paramedic School. This Ordinance further authorizes the Finance Director to deposit the donated funds into Fire Grants and Donations Fund revenue account no. 472x8571.

The Cincinnati Fire Department owns, manages, and administers the Paramedic School program and its equipment. UC Physicians provide instructional support for paramedic training. UC Physicians has traditionally purchased training equipment with program fees, but new rules restrict their ability to make the necessary capital purchases. This donation will serve as a reimbursement to the Fire Department for the purchase of a simulation mannequin and other training equipment.

There are no new FTEs/full time equivalents or matching funds associated with the donation.

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

The Administration recommends passage of this Ordinance.

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



Attachment

**AUTHORIZING** the City Manager to accept and appropriate a donation of up to \$18,250 from the University of Cincinnati Physicians to provide resources for necessary training equipment for the Cincinnati Fire Department’s paramedic school; and **AUTHORIZING** the Director of Finance to deposit the donated funds into Fire Grants and Donations Fund revenue account no. 472x8571.

WHEREAS, the Cincinnati Fire Department (“CFD”) owns, manages, and administers the Paramedic School program and its equipment; and

WHEREAS, University of Cincinnati Physicians (“UC Physicians”) provides instructional support for paramedic training; and

WHEREAS, UC Physicians traditionally has paid for the necessary training equipment for the paramedic school through program fees, but new rules do not allow it to make the necessary capital purchases so UC Physicians would prefer to make a donation to CFD to reimburse it for the purchase of a simulation mannequin and other training equipment; and

WHEREAS, acceptance of the donation requires no matching funds, and there are no FTEs/full time equivalents associated with the donation; and

WHEREAS, acceptance of the donated funds is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” and strategy to “[u]nite our communities” as described on pages 209 - 212 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is authorized to accept and appropriate a donation of up to \$18,250 from the University of Cincinnati Physicians to provide resources for necessary training equipment for the Cincinnati Fire Department’s paramedic school.

Section 2. That the Director of Finance is authorized to deposit the donated funds into Fire Grants and Donations Fund revenue account no. 472x8571.

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

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

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

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Aftab Pureval, Mayor

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

**January 29, 2025**

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

202500162

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

**Subject: Emergency Ordinance – Approving and Authorizing a CRA Tax Exemption Agreement with 510 W Liberty, LLC**

---

Attached is an Emergency Ordinance captioned:

**APPROVING AND AUTHORIZING** the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement with 510 W Liberty, LLC, thereby authorizing a twelve-year tax exemption for 100 percent of the value of improvements made to real property located at 510 W. Liberty Street in the West End neighborhood of Cincinnati, in connection with the remodeling of two existing buildings into approximately 5,875 square feet of residential space consisting of approximately 13 residential rental units, at a total remodeling cost of approximately \$766,717.

**STATEMENT**

**HOUSING:** The additional housing units this project will help alleviate Cincinnati’s strained housing market and will activate a vacant and blighted building in the West End neighborhood.

**BACKGROUND/CURRENT CONDITIONS**

The project is located at 510 and 512 W Liberty Street in the West End neighborhood. The project consists of two vacant three-story buildings. Once completed, the buildings will consist of 13 market-rate residential units that will be naturally affordable to households not exceeding 50% AMI. The unit will consist of studio apartments and one-bedroom apartments.

**DEVELOPER INFORMATION**

510 W Liberty LLC is an Ohio-based company, owned by Stuart Naeny, Michael Basch, and Allison Naeny. The parties will serve as the general contractor and developer of the project. Their prior development experience includes the substantial renovation of 1405 Walnut Street into three units and 18 Mulberry Street which was a 13 units renovation that was completed in July of 2024.

**RECOMMENDATION**

The Administration recommends approval of this Emergency Ordinance. This is an emergency ordinance because the CRA is needed as a condition to close on financing.

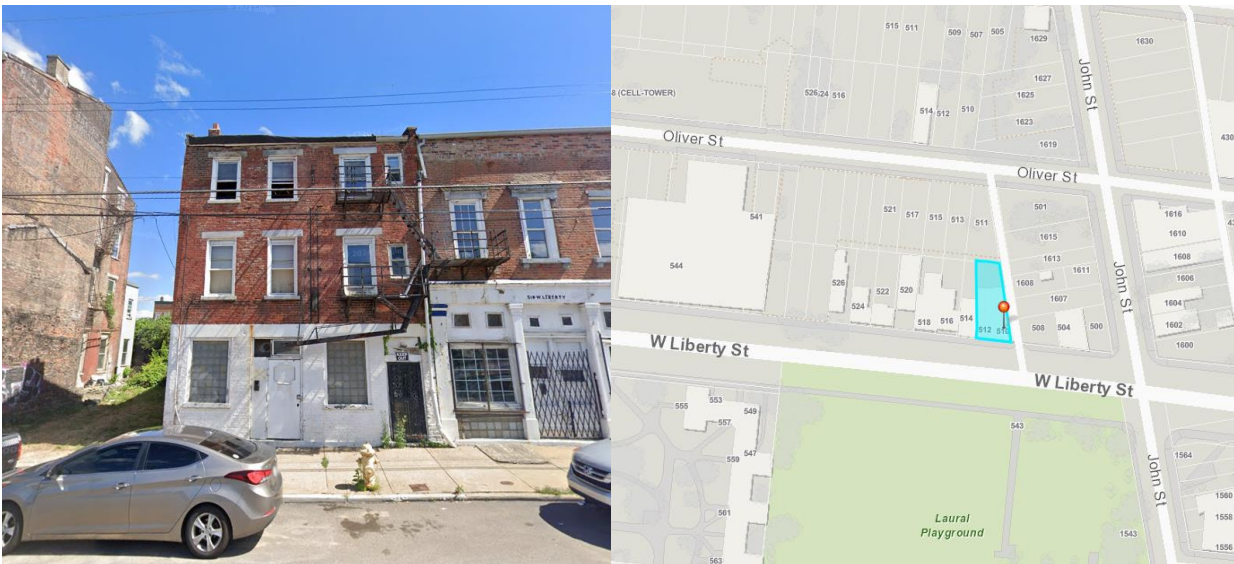
Attachment: Project Outline and Proposed Incentive

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

**Project Outline**

Project Name	510 W Liberty Street CRA
Street Address	510 W Liberty Street
Neighborhood	West End
Property Condition	Vacant Buildings
Project Type	Rehabilitation
Project Cost	Hard Construction Costs: \$766,717 Acquisition Costs: \$4,500 Soft Costs: \$73,100 Total Project Cost: \$844,317
Private Investment	Developer Equity: \$168,864
Sq. Footage by Use	Residential: 5,875 Office: 0 SF
Number of Units and Rent Ranges	6 studio units at \$830 each, 7 one-bedroom units at \$875 each
Median 1-BD Rent Affordable To	Salary: \$33,200 - 35,000 City Job Classification: Health Caseworker, Card Punch Operator, Wastewater Collect Pipelayer
Jobs and Payroll	Created FTE Positions: 0 Total Payroll for Created FTE Positions: 0 Average Salary for Created FTE Positions: 0 Construction FTE Positions: 37 Total Payroll for Construction FTE Positions: \$327,000
Location and Transit	Located within West End Transit Score: 66
Community Engagement	Yes and a letter of support was secured specifically for any zone changes or variances needed .
Plan Cincinnati Goals	Live Initiative Area Goal 3 (p. 164) Sustain Initiative Area Goal 2 (p.193)

**Project Image and Site Map**



### Proposed Incentive

Incentive Terms	12-year, net 52%
Incentive Application Process	Commercial CRA – Neighborhood
“But For” (0-3 points)	Without Abatement: 4% rate of return (stabilized) With Abatement: 8% rate of return (stabilized) Project would not proceed without an abatement and the CRA is needed to secure the private financing. (3 points)
Environmental Building Certification (0-5 points)	Not Applicable
VTICA (0-8 points)	Streetcar VTICA – 15% (8 points)
SBE/MBE/WBE Goals	SBE Goal of 30%
Planning Commission Approval	Not Applicable
Other Incentives & Approvals	Not Applicable

### Potential Taxes Forgone & Public Benefit

<b>Taxes Forgone</b>	<b>Value</b>
Annual Net Incentive to Developer	\$6,299
Total Term Incentive to Developer	\$75,588
City's Portion of Property Taxes Forgone (Term)	\$0
City's TIF District Revenue Forgone (Term)	\$106,115

<b>Public Benefit</b>		<b>Value</b>
CPS PILOT	Annual	\$3,997
	Total Term	\$47,970
VTICA	Annual	\$1,817
	Total Term	\$21,804
Income Tax Total Term (Maximum)		\$114,332
Total Public Benefit (CPS PILOT, VTICA, Income Tax)		\$184,106

<b>Total Public Benefit ROI*</b>	\$2.44
<b>City's ROI**</b>	\$1.08

\* This figure represents the total dollars returned for public purposes (City/Schools/Other) over the benefit received.

\*\*This figure represents the total dollars returned for City/ over the City's property taxes forgone.

### For Reference: 2024 Cincinnati MSA Area Median Income Limits

AMI	1	2	3	4	5	6	7	8
<b>30%</b>	\$22,050	\$25,200	\$28,350	\$31,450	\$34,000	\$36,500	\$39,000	\$41,550
<b>50%</b>	\$36,700	\$41,950	\$47,200	\$52,400	\$56,600	\$60,800	\$65,000	\$69,200
<b>60%</b>	\$44,040	\$50,340	\$56,640	\$62,880	\$67,920	\$72,960	\$78,000	\$83,040
<b>80%</b>	\$58,700	\$67,100	\$75,500	\$83,850	\$90,600	\$97,300	\$104,000	\$110,700



**EMERGENCY**

**MAH**

**- 2025**

**APPROVING, AND AUTHORIZING** the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement with 510 W Liberty, LLC, thereby authorizing a twelve-year tax exemption for 100 percent of the value of improvements made to real property located at 510 W. Liberty Street in the West End neighborhood of Cincinnati, in connection with the remodeling of two existing buildings into approximately 5,875 square feet of residential space consisting of approximately 13 residential rental units, at a total remodeling cost of approximately \$766,717.

WHEREAS, to encourage the development of real property and the acquisition of personal property, Council by Ordinance No. 274-2017 passed on September 27, 2017, designated the area within the corporate boundaries of the City of Cincinnati as a “Community Reinvestment Area” pursuant to Ohio Revised Code (“R.C.”) Sections 3735.65 through 3735.70 (the “Statute”); and

WHEREAS, Ordinance No. 275-2017 passed by Council on September 27, 2017, as amended by Ordinance No. 339-2018, passed by Council on October 31, 2018, sets forth certain additional policies, conditions, and limitations regarding newly constructed or remodeled commercial and residential structures in the Community Reinvestment Area; and

WHEREAS, effective October 23, 2017, the Director of Development of the State of Ohio determined that the area within the corporate boundaries of the City of Cincinnati contains the characteristics set forth in the Statute and confirmed such area as a Community Reinvestment Area under the Statute; and

WHEREAS, 510 W Liberty, LLC (the “Company”) desires to remodel two existing buildings on real property at 510 W. Liberty Street located within the corporate boundaries of the City of Cincinnati into approximately 5,875 square feet of residential space consisting of approximately 13 residential rental units (the “Improvements”), provided that the appropriate development incentives are available to support the economic viability of the Improvements; and

WHEREAS, to provide an appropriate development incentive for the Improvements, the City Manager has recommended a Community Reinvestment Area Tax Exemption Agreement, in substantially the form of Attachment A to this ordinance, to authorize a real property tax exemption for the Improvements in accordance with the Statute; and

WHEREAS, the property is located within the Cincinnati City School District; and

WHEREAS, the Board of Education of the Cincinnati City School District (the “Board of Education”), pursuant to that certain Tax Incentive Agreement effective as of April 28, 2020 (as may be amended, the “Board of Education Agreement”), has approved exemptions of up to 100 percent of Community Reinvestment Area projects, waived advance notice and the right to review such projects, and waived sharing or allocation of municipal income taxes in connection with such projects; and

WHEREAS, pursuant to the Board of Education Agreement, the Company has entered into (or will enter into) an agreement with the Board of Education requiring the Company to pay the Board of Education amounts equal to 33 percent of the exempt real property taxes; and

WHEREAS, the City’s Department of Community and Economic Development estimates that the real property tax exemption for the Improvements will provide an annual net benefit to the Company in the amount of approximately \$27,256; and

WHEREAS, the Company has represented that it has entered into (or will enter into) a voluntary tax incentive contribution agreement with a third-party organization for amounts equal to 15 percent of the exempt real property taxes, which funds shall be committed by the third-party organization to facilitate permanent improvements and neighborhood services furthering redevelopment in the neighborhood of the Improvements and to support affordable housing on a citywide basis; and

WHEREAS, the Improvements do not involve relocation of part or all of the Company’s operations from another county or municipal corporation in Ohio or, if there is relocation, notice has been given per R.C. Section 3735.673; now, therefore,

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

Section 1. That Council approves a Community Reinvestment Area Tax Exemption Agreement with 510 W Liberty, LLC (the “Agreement”), thereby authorizing a twelve-year tax exemption for 100 percent of the assessed value of improvements to be made to real property located at 510 W. Liberty Street in Cincinnati, as calculated by the Hamilton County Auditor, in connection with the remodeling of two existing buildings into approximately 5,875 square feet of residential space consisting of approximately 13 residential rental units, to be completed at a total remodeling cost of approximately \$766,717.

Section 2. That Council authorizes the City Manager:

- (i) to execute the Agreement on behalf of the City of Cincinnati (the “City”) in substantially the form of Attachment A to this ordinance;
- (ii) to submit on behalf of Council annual reports on the Agreement to the Director of the Ohio Department of Development, in accordance with Ohio Revised Code Section 3735.672, and to the Board of Education of the Cincinnati City School District, as necessary; and
- (iii) to take all necessary and proper actions to fulfill the City’s obligations under the Agreement.

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to allow the remodeling described in this ordinance and the corresponding revitalization of the City of Cincinnati and the benefits to the City's economic welfare to begin at the earliest possible time.

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

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

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

Community Reinvestment Area Tax Exemption Agreement

This Community Reinvestment Area Tax Exemption Agreement (this "Agreement") is made and entered into as of the Effective Date (as defined on the signature page hereof) by and between the CITY OF CINCINNATI, an Ohio municipal corporation (the "City"), and 510 W LIBERTY, LLC, an Ohio limited liability company (the "Company").

Recitals:

- A. The City, through the adoption of Ordinance No. 274-2017 on September 27, 2017, designated the entire City of Cincinnati as a Community Reinvestment Area to encourage the development of real property and the acquisition of personal property in that area, pursuant to Ohio Revised Code Sections 3735.65 through 3735.70 (the "Statute").
- B. In accordance with the Statute, the Ohio Director of Development has forwarded to the City the Director's determination dated October 23, 2017, stating that the findings contained in Ordinance No. 274-2017 are valid and that the entire City is a Community Reinvestment Area under the Statute. By such determination, the Director of Development of the State of Ohio determined that the area within the corporate boundaries of the City of Cincinnati contains the characteristics set forth in the Statute and confirmed such area as a Community Reinvestment Area under the Statute.
- C. The Council of the City of Cincinnati has also passed Ordinance No. 275-2017 as of September 27, 2017, as amended by Ordinance No. 339-2018, passed on October 31, 2018, Ordinance No. 370-2020, passed on November 12, 2020, Ordinance No. 24-2022, passed on February 2, 2022, and Ordinance No. 28-2024, passed on January 31, 2024 (as amended, the "Commercial Policy Ordinance"), which sets forth certain additional policies, conditions and limitations regarding newly constructed or remodeled commercial and residential structures in the Community Reinvestment Area.
- D. The Company is the sole owner of certain real property within the City, located at 510 W. Liberty Street, Cincinnati, Ohio 45214 (the "Property"), as further described in Exhibit A (Legal Description of Property) hereto. Notwithstanding the foregoing, the Property shall not include any residential condominiums being developed in connection with the Project (as defined below) (the "Excluded Property"), and the Company acknowledges and agrees that the City's Community Reinvestment Area program entails separate applications by the owner of any residential condominium units included within the Project. For the avoidance of doubt, the Excluded Property shall not be exempt under this Agreement; however, this provision shall not be deemed to prohibit any owners from time to time of any Excluded Property from separately applying for a tax abatement in accordance with applicable law.
- E. The Company has proposed the remodeling of the buildings located on the Property, within the boundaries of the City of Cincinnati, as more fully described in Section 1 herein (the "Project"); provided that the appropriate development incentives are available to support the economic viability of the Project.
- F. The Statute provides that if any part of a project is to be used for commercial or industrial purposes, including projects containing five or more dwelling units, in order to be eligible for tax exemption the City and the Company must enter into an agreement pursuant to Ohio Revised Code Section 3735.671 prior to commencement of construction or remodeling.
- G. The City, having appropriate authority under the Statute for this type of project, agrees (as provided herein and subject to all conditions herein) to provide the Company with the tax exemption incentives stated herein, available under the Statute, for development of the Project.

- H. The Company has submitted to the City an application for this tax exemption agreement (the "Application"), a copy of which is attached hereto as Exhibit B, has remitted with the Application the City application fee of \$1,250 made payable to the City.
- I. The Director of the City's Department of Community and Economic Development has recommended approval of the Application on the basis that the Company is qualified by financial responsibility and business experience to create and preserve employment opportunities and improve the economic climate of the City.
- J. The Board of Education of the Cincinnati City School District (the "Board of Education"), pursuant to that certain *Tax Incentive Agreement* effective as of April 28, 2020, has approved exemptions of up to 100% of Community Reinvestment Area projects, waived advance notice and right to review such projects, and waived sharing or allocation of municipal income taxes in connection with such projects.
- K. The Company has entered into (or will enter into) an agreement with the Board of Education requiring the Company to pay the Board of Education amounts equal to 33% of the full amount of exempt real property taxes that would have been paid to Hamilton County if this Agreement were not in effect (the "Board of Education Agreement").
- L. The Company represents and warrants to the City that the Company and its major tenants, if any, do not intend to relocate part or all of their operations to the City from another county or municipal corporation in the State of Ohio (the "State").
- M. The Company represents that within the past 3 years neither the Company, any related member of the Company, nor any entity to which the Company is a successor has discontinued operations at a project site in the State during the term of a property tax exemption agreement (under Ohio Revised Code Section 3735.671, 5709.62, 5709.63 or 5709.632) applicable to that site, and the Company acknowledges that misrepresentation hereunder will result in voiding of this Agreement.
- N. The Company represents and warrants to the City that the Company is not subject to an Enterprise Zone Agreement with the City of Cincinnati for the Property or the Project.
- O. The Company acknowledges that the West End neighborhood is a rising neighborhood in need of resources for development, neighborhood improvements, amenities, and organizations oriented towards neighborhood services. The Company anticipates that future development, improvements, amenities and organizations will contribute to the quality and vitality of the neighborhood, therefore increasing the value of the Property and directly and indirectly contributing to the Project's success. The Project's success, in turn, will benefit the neighborhood. Although this feedback effect will promote the revitalization and redevelopment of the City, it could also impact the affordability of property in the area. Therefore, in support of the West End neighborhood and with the intention of preserving and improving the availability of quality, reliable affordable housing on a City-wide basis, as a material inducement to the City to enter into this Agreement, the Company hereby represents to the City that it will enter into a voluntary tax incentive contribution agreement ("VTICA") with a City-designated third-party non-profit administrative organization (the "Third-Party Administrator") to contribute to the Third-Party Administrator an amount equal to 15% of the real property taxes that would have been payable on the abated property but for the City-authorized tax abatement (the "VTICA Contribution"). Half of such VTICA Contribution is to be committed by the Third-Party Administrator to facilitate permanent improvements and neighborhood services furthering urban redevelopment in the West End neighborhood and the other half of such VTICA Contribution is to be committed by the Third-Party Administrator in supporting quality affordable housing on a City-wide basis. The Company hereby represents and warrants that it will pay the VTICA Contribution for the full term of the abatement.

- P. This Agreement has been authorized by Ordinance No. \_\_\_\_\_-2025, passed by Cincinnati City Council on \_\_\_\_\_, 2025.
- Q. In determining to recommend and authorize this Agreement, the Department of Community and Economic Development and City Council, respectively, have acted in material reliance on the Company's representations in the Application and herein regarding the Project including, but not limited to, representations relating to the number of jobs to be created and/or retained by the Company, the Board of Education Agreement, the VTICA Contribution, and the Project's effect in promoting the general welfare of the people of Cincinnati by, for example, encouraging the development of real property located in the Community Reinvestment Area and thereby promoting economic growth and vitality in Cincinnati.

NOW, THEREFORE, pursuant to Ohio Revised Code Section 3735.67(A) and in conformity with the format required under Ohio Revised Code Section 3735.671, in consideration of the mutual covenants contained herein and the benefit to be derived by the parties from the execution hereof, the parties agree as follows:

Section 1. Project. Upon issuance of the necessary zoning and building approvals, the Company agrees to remodel two existing buildings on the Property into approximately 5,875 square feet of residential space consisting of approximately 13 residential rental units (the "Improvements") at an estimated aggregate cost of \$766,717 to commence after the execution of this Agreement and to be completed no later than August 1, 2026; *provided*, however, that the Director of the Department of Community and Economic Development (the "Housing Officer") may, in his or her discretion, extend such deadline for a period of up to 12 months by written notice if, in the Director's judgment, the Company is proceeding in good faith towards completion. The remodeling shall be in compliance with applicable building code requirements and zoning regulations. In addition to the foregoing, (A) the Project shall comply with the Americans with Disabilities Act, together with any and all regulations or other binding directives promulgated pursuant thereto (collectively, the "**ADA**"), and (B) if (i) any building(s) within the Project is subject to the accessibility requirements of the ADA (e.g., by constituting a "place of public accommodation" or another category of structure to which the ADA is applicable) and (ii) such building(s) is not already required to meet the Contractual Minimum Accessibility Requirements (as defined below) pursuant to the ADA, applicable building code requirements, or by any other legal requirement, then the Company shall cause such building(s) to comply with the Contractual Minimum Accessibility Requirements in addition to any requirements pursuant to the ADA and the applicable building code or legal requirement. As used herein, "**Contractual Minimum Accessibility Requirements**" means that a building shall, at a minimum, include (1) at least one point of entry (as used in the ADA), accessible from a public right of way, with respect to which all architectural barriers (as used in the ADA) to entry have been eliminated, and (2) if such accessible point of entry is not a building's primary point of entry, conspicuous signage directing persons to such accessible point of entry.

Section 2. Real Property Tax Exemption. Subject to the satisfaction of the conditions set forth in this Agreement, the City approves exemption from real property taxation, pursuant to and to the fullest extent authorized by the Statute, of 100% of the amount by which the Improvements increase the assessed value of the Property as determined by the Hamilton County Auditor, for a period of 12 years, provided that the Company shall have entered into the Board of Education Agreement. Within 120 days after completion of the Project (unless otherwise extended in writing by the City's Housing Officer), the Company must file the appropriate application for tax exemption with the City's Housing Officer. The Company is solely responsible to take this action. Upon receipt of the application for tax exemption, the City will proceed with the exemption authorized by this Agreement. In accordance with Ohio Revised Code Section 3735.67, the exemption is conditioned on verification by the Housing Officer of (A) the completion of remodeling, (B) the cost of remodeling, (C) the facts asserted in the application for exemption, and (D) if a remodeled structure is a structure of historical or architectural significance as designated by the City, state or federal government, that the appropriateness of the remodeling has been certified in writing by the appropriate agency. If the required verification is made, the Housing Officer will forward the exemption application to the Hamilton County Auditor with the necessary certification by the Housing Officer. Subject to the conditions set forth in this Agreement, the exemption commences the first

tax year for which the Improvements would first be taxable were the Improvements not exempted from taxation. The dates provided in this paragraph refer to tax years in which the subject property is assessed, as opposed to years in which taxes are billed. No exemption shall commence after tax year 2027 nor extend beyond the earlier of (i) tax year 2038 or (ii) the end of the 12<sup>th</sup> year of exemption.

Section 3. Use; Maintenance; Inspections. The Company shall use the Property solely for the purposes described in Section 1 hereof and shall properly maintain and repair the Property throughout the period of tax exemption authorized herein. The Company authorizes the Housing Officer, or the Housing Officer's designees, to enter upon the Property as reasonably required to perform property inspections in accordance with Ohio Revised Code Section 3735.68.

Section 4. Compliance with Board of Education Agreement. As a condition of the tax exemption authorized under this Agreement, the Company agrees to enter into and comply with its obligation under the Board of Education Agreement.

Section 5. Duty of Company to Pay Taxes. As required by Ohio Revised Code Section 3735.671(B)(3), the Company shall pay such real property taxes as are not exempted under this Agreement and are charged against the Property and shall file all tax reports and returns as required by law. If the Company fails to pay such taxes or file such returns and reports, exemptions from taxation granted or authorized under this Agreement are rescinded beginning with the year for which such taxes are charged or such reports or returns are required to be filed and continuing thereafter.

Section 6. Company Certifications Regarding Non-Delinquency of Tax Obligations. As required by Ohio Revised Code Section 3735.671(B)(4), the Company certifies that at the time this Agreement is executed, the Company does not owe any delinquent real or tangible personal property taxes to any taxing authority of the State, and does not owe delinquent taxes for which the Company is liable under Ohio Revised Code Chapters 5735, 5739, 5741, 5743, 5747 or 5753, or if such delinquent taxes are owed, the Company currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State or an agent or instrumentality thereof, has filed a petition in bankruptcy under 11 U.S.C. §101, et seq., or such a petition has been filed against the Company. For the purposes of this certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the Ohio Revised Code governing payment of those taxes.

Section 7. Covenant of Satisfaction of Tax and Other Obligations. In accordance with Ohio Revised Code Section 9.66, (A) the Company affirmatively covenants that it does not owe: (i) any delinquent taxes to the State or to a political subdivision of the State; (ii) any moneys to the State or a State agency for the administration or enforcement of any environmental laws of the State; or (iii) any other moneys to the State, a State agency or a political subdivision of the State that are past due, regardless of whether the amounts owed are being contested in a court of law or not; (B) the Company authorizes the City and/or the State to inspect the personal financial statements of the Company, including tax records and other similar information not ordinarily open to public inspection; and (C) the Company authorizes the Ohio Environmental Protection Agency and the Ohio Department of Taxation to release information to the City and or other State departments in connection with the above statements. As provided by statute, a knowingly false statement under this section may be prosecuted as a first degree misdemeanor under Ohio Revised Code Section 2921.13, may render the Company ineligible for any future economic development assistance from the State or any political subdivision of the State, and will result in the City requiring the Company's repayment of any assistance provided by the City in connection with the Project.

Section 8. City Cooperation. As required by Ohio Revised Code Section 3735.671(B), upon specific request from the Company, the City shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve and maintain exemptions from taxation granted under this Agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions.

Section 9. Continuation of Exemptions. As provided in Ohio Revised Code Section 3735.671(B)(7), if for any reason the City revokes the designation of the City of Cincinnati as a Community Reinvestment Area, entitlements granted under this Agreement shall continue for the number of years specified under this Agreement, unless the Company materially fails to fulfill its obligations under this Agreement and the City terminates or modifies the exemptions from taxation authorized pursuant to this Agreement.

Section 10. City Not Liable. The Company acknowledges that the exemption authorized in this Agreement is subject to approval and implementation by the appropriate state and/or county taxing authorities. The Company acknowledges that the City does not give any guarantee or assurance that the exemption approved in this Agreement will be so approved, and the Company agrees that in no event shall the Company seek to hold the City liable in any way in the event such exemption is not granted or implemented.

Section 11. Small Business Enterprise Program.

A. Compliance with Small Business Enterprise Program. The policy of the City is that a fair share of contracts be awarded to Small Business Enterprises (as such term is defined in Cincinnati Municipal Code (“CMC”) Section 323-1-S, “SBEs”). Pursuant to CMC Section 323-11, the City’s annual goal for SBE participation shall be 30% of the City’s total dollars spent for construction (as such term is defined in CMC Section 323-1-C4), supplies (as such term is defined in CMC Section 323-1-S5), services (as such term is defined in CMC Section 323-1-S) and professional services (as such term is defined in CMC Section 323-1-P2). Accordingly, the Company shall use its best efforts and take affirmative steps to achieve the City’s goal of voluntarily meeting 30% SBE participation. A list of SBEs may be obtained from the City’s Department of Economic Inclusion. The Company may refer interested firms to the City’s Department of Economic Inclusion for review and possible certification as an SBE. The Company shall comply with the provisions of CMC Chapter 323, including without limitation taking at least the following affirmative steps:

(i) Including qualified SBEs on solicitation lists.

(ii) Assuring that SBEs are solicited whenever they are potential sources.

The Company must advertise, on at least two separate occasions, both in local minority publications and in other local newspapers of general circulation, invitations to SBEs to provide services, to supply materials, or to bid on construction contracts, as applicable.

(iii) When economically feasible, dividing total requirements into small tasks or quantities so as to permit maximum SBE participation.

(iv) If any subcontracts are to be let, the Company shall require the prime contractor (if different from the Company) to take the above affirmative steps.

(v) Prior to the commencement of work under any subcontracts, the Company shall provide to the City a list of such subcontractors, including information as to the dollar amount of the subcontracts and such other information as may be requested by the City. The Company shall update the report monthly.

(vi) The Company shall periodically document its best efforts and affirmative steps to meet the above SBE participation goals by submitting such information as may be requested from time to time by the City.

B. Remedies for Noncompliance with Small Business Enterprise Program. Failure of the Company or its contractors and subcontractors to take the affirmative steps specified above, to provide fair and equal opportunity to SBEs, or to provide technical assistance to SBEs as may be necessary to reach SBE participation as set out in CMC Chapter 323 may be construed by the City as failure of the Company to use its best efforts, and, in addition to other remedies under this Agreement, may be a cause for the City to file suit in Common Pleas Court to enforce specific performance of the terms of this Section. The provisions of CMC Section 323-99 are hereby incorporated by reference into this Agreement.



Section 12. Jobs. The Company represents that, as of the date of the execution of this Agreement, the Company has no existing employment at the Property or in the State.

Section 13. Job Creation and Retention.

A. Jobs to be Created by Company. The Company agrees to use its best efforts to create (i) 37 full-time temporary construction jobs, and (ii) 1 part-time permanent job at the Property in connection with the Project. In the case of the construction jobs, the job creation and retention period shall be concurrent with remodeling, and in the case of the other jobs described herein, the job creation period shall begin upon completion of remodeling and shall end 3 years thereafter.

B. Company's Estimated Payroll Increase. The Company's increase in the number of employees will result in approximately (i) \$327,000 of additional annual payroll prior to the completion of the Project with respect to the full-time temporary construction jobs, and (ii) \$10,000 of additional annual payroll with respect to the part-time permanent job.

C. Community Reinvestment Area Employment. The Company shall (i) adopt hiring practices to ensure that at least 25% of the new employees shall be residents of the City of Cincinnati and (ii) give preference to residents of the City relative to residents of the State who do not reside in the City when hiring new employees under this Agreement.

D. Posting Available Employment Opportunities. To the extent allowable by law, the Company shall use its best efforts to post available employment opportunities within the Company's organization or the organization of any subcontractor working with the Company with the Ohio Means Jobs Center, 1916 Central Parkway, Cincinnati, Ohio 45214-2305, through its Employer Services Unit Manager at 513-746-7200.

Section 14. Equal Employment Opportunity. This Agreement is subject to the City's Equal Employment Opportunity Program contained in CMC Chapter 325. The Equal Employment Opportunity Clause in CMC Section 325-9 is incorporated by reference in this Agreement. The term "Company" is substituted for "Contractor" throughout CMC Section 325-9 in the context of this Agreement.

Section 15. Compliance with Immigration and Nationality Act. In the performance of its obligations under this Agreement, the Company agrees to comply with the provisions of the Immigration and Nationality Act codified at 8 U.S.C. §§ 1324a(a)(1)(A) and (a)(2). Any noncompliance with such provisions shall be solely determined by either the federal agencies authorized to enforce the Immigration and Nationality Act or the U.S. Attorney General, in accordance with Executive Order 12989 of the U.S. President dated February 13, 1996, and as amended by Executive Order 13465 of the U.S. President dated June 6, 2008.

Section 16. Default. As provided in Ohio Revised Code Section 3735.671(B)(7), if the Company materially fails to fulfill its obligations under this Agreement, or if the City determines that the certification as to delinquent taxes required by this Agreement (Section 6 hereof) or the covenant of satisfaction of tax and other obligations (Section 7 hereof) is fraudulent, the City may terminate or modify the exemptions from taxation granted or authorized under this Agreement and may require the repayment by the Company of the amount of taxes that would have been payable had the Improvements not been exempted from taxation pursuant to this Agreement. A modification of exemption may be in the form of reduction in the number of years that eligible property is exempt and/or a reduction in the exemption percentage. The City shall provide written notice to the Company prior to finding the Company in default under this section. The notice shall provide the Company with not less than 30 days to cure the default prior to City termination or modification of the exemptions under this Agreement. The City may extend the cure period as reasonably necessary under the circumstances. In the event of such termination or modification, the City is authorized to so notify the appropriate taxing authorities in order to effect the termination or modification. If repayment of previously exempt taxes is required by the City under this Section, such amount shall be paid as directed by the City within 30 days of written demand. The City

may secure repayment of such taxes by a lien on the Property in the amount required to be repaid. Such a lien shall attach, and may be perfected, collected, and enforced, in the same manner as a mortgage lien on real property, and shall otherwise have the same force and effect as a mortgage lien on real property. Amounts due and not paid when due under this Section 16 shall bear interest at the rate specified in Ohio Revised Code Section 1343.03(A) (as in effect on the date of the City's payment demand).

Section 17. Annual Review and Report. As required by Ohio Revised Code Sections 3735.671(B)(5) and 5709.85, the Company shall provide to the City's Tax Incentive Review Council (or to the City Manager if so requested by the City) any information reasonably required by the Council or the City Manager to evaluate the Company's compliance with this Agreement, including returns filed pursuant to Ohio Revised Code Section 5711.02 if requested by the Council or City Manager. The performance of the Company's obligations stated in this Agreement shall be subject to annual review by the City's Tax Incentive Review Council (the "Annual Review and Report"). The Company shall submit information for the Annual Review and Report to the City no later than March 1 of each year.

Section 18. Revocation.

A. Generally. Pursuant to Ohio Revised Code Section 3735.68, the housing officer shall make annual inspections of the properties within the community reinvestment area upon which are located structures or remodeling for which an exemption has been granted under Ohio Revised Code Section 3735.67. If the housing officer finds that the property has not been properly maintained or repaired due to the neglect of the Company, the housing officer may revoke the exemption at any time after the first year of exemption. If the Company has materially failed to fulfill its obligations under this Agreement, or if the owner is determined to have violated division (E) of that section (see Section 18(B) of this Agreement), City Council, subject to the terms of the agreement, may revoke the exemption at any time after the first year of exemption. The housing officer or City Council shall notify the county auditor and the Company that the tax exemption no longer applies. If the housing officer or legislative authority revokes a tax exemption, the housing officer shall send a report of the revocation to the community reinvestment area housing council and to the tax incentive review council established pursuant to section 3735.69 or 5709.85 of the Revised Code, containing a statement of the findings as to the maintenance and repair of the property, failure to fulfill obligations under the written agreement, or violation of division (C) of Ohio Revised Code Section 3735.671, and the reason for revoking the exemption.

B. Prior Statutory Violations. The Company represents and warrants to the City that it is not prohibited by Ohio Revised Code Section 3735.671(C) from entering into this Agreement. As required by Ohio Revised Code Section 3735.671(B)(7), exemptions from taxation granted or authorized under this Agreement shall be revoked if it is determined that the Company, any successor to the Company or any related member (as those terms are defined in division (C) of Ohio Revised Code Section 3735.671) has violated the prohibition against entering into this Agreement under division (C) of Ohio Revised Code Section 3735.671 or under Ohio Revised Code Sections 5709.62, 5709.63, or 5709.632 prior to the time prescribed by that division or either of those sections.

Section 19. False Statements; Penalties; Material Representations.

A. Generally. As required in connection with Ohio Revised Code Section 9.66(C), the Company affirmatively covenants that it has made no false statements to the State or the City in the process of obtaining approval for this Agreement. If any representative of the Company has knowingly made a false statement to the State or the City to obtain approval for this Agreement, or if the Company fails to provide any information expressly required under the Application, the Company shall be required to immediately return all benefits received under this Agreement (by payment of the amount of taxes exempted hereunder, paid as directed by the City within 30 days of written demand) and the Company shall be ineligible for any future economic development assistance from the State, any State agency or any political subdivision of the State pursuant to

Ohio Revised Code Section 9.66(C)(1). Amounts due and not paid under this Section 19 shall bear interest at the rate of 12% per year. Any person who provides a false statement to secure economic development assistance (as defined in Ohio Revised Code Section 9.66) may be guilty of falsification, a misdemeanor of the first degree, pursuant to Ohio Revised Code Section 2921.13(F)(1), which is punishable by fine of not more than \$1,000 and/or a term of imprisonment of not more than 6 months.

B. Material Representations – Board of Education Agreement and VTICA. The Parties acknowledge and agree that a material failure by the Company to comply with its representations concerning the Board of Education Agreement or VTICA Contribution shall constitute an event of default for purposes of Section 16 (Default) and the basis for revocation under Section 18 (Revocation). Subject to the terms of the VTICA, if the VTICA is unenforceable for reasons of infeasibility or otherwise, the Company shall enter into alternative arrangements providing for the economic equivalent of the VTICA Contribution. Such arrangements may include, but are not limited to, providing for the economic equivalent of the VTICA Contribution through formation of a special improvement district. For purposes of this Section 19.B, alternative arrangements must result in services substantially similar to those that would have been supported through the VTICA and at a value that is the economic equivalent of the VTICA Contribution, which value shall not be required to exceed the VTICA Contribution amount that would have been payable by the Company. Any determination of infeasibility or mechanism for providing alternative arrangements is subject to approval by the City at its sole discretion. Nothing in this Section 19.B shall operate to limit the City's enforcement authority under this Agreement including, without limitation, Section 16, Section 18, and Section 19.A.

Section 20. Conflict of Interest. The Company covenants that, to the Company's knowledge, no employee of the City has any personal interest, direct or indirect, in any matters pertaining to the Project, and the Company agrees to take appropriate steps to prevent any employee of the City from obtaining any such interest throughout the term of this Agreement.

Section 21. Annual Fee. The Company shall pay an annual fee of \$500 or 1% of the annual taxes exempted under this Agreement, whichever is greater, but not to exceed \$2,500 per annum. This fee is due with submission of the information for Annual Review and Report by March 1 of each year.

Section 22. Discontinued Operations. As provided in Ohio Revised Code Section 3735.671(C), if, prior to the expiration of the term of this Agreement, the Company discontinues operations at the Project so that the Property is no longer being used for the purposes described in Section 1 hereof, then the Company, its successors, and any related member shall not enter into an agreement under Ohio Revised Code Sections 3735.671, 5709.62, 5709.63 or 5709.632, and no legislative authority shall enter into such an agreement with the Company, its successors or any related member prior to the expiration of 3 years after the discontinuation of operations. As used in this Section 22, "successors" and "related member" shall have the meanings set forth in Ohio Revised Code Section 3735.671(C).

Section 23. Notices. Unless otherwise specified herein, each party shall address written notices, demands and communications in connection with this Agreement to the other party as follows (or to such other address as is communicated in accordance with this Section):

To the City:

City of Cincinnati  
Attention: Director of the Department of Community and Economic Development  
Centennial Plaza Two, Suite 700  
805 Central Avenue  
Cincinnati, Ohio 45202

To the Company:

510 W Liberty, LLC  
Attn: Stuart Naeny  
8718 Sturbridge Dr.  
Cincinnati, Ohio 45236

If the Company sends a notice to the City alleging that the City is in default under this Agreement, the Company shall simultaneously send a copy of such notice to: City Solicitor, City of Cincinnati, 801 Plum Street, Room 214, Cincinnati, Ohio 45202.

Section 24. Acknowledgment of City Participation. The Company agrees to acknowledge the support of the City on construction signs, project and exhibition signage, and any publicity such as that appearing on the internet, television, cable television, radio, or in the press or any other printed media. In identifying the City as a Project partner, the Company shall use either the phrase "Project Assistance by the City of Cincinnati" or a City of Cincinnati logotype or other form of acknowledgement that has been approved in advance in writing by the City.

Section 25. Entire Agreement. This Agreement and the Exhibits attached hereto constitute the entire agreement between the City and the Company with respect to the subject matter herein, superseding any prior or contemporaneous agreement with respect thereto.

Section 26. Governing Law. This Agreement is entered into and is to be performed in the State. The City and the Company agree that the law of the State of Ohio shall govern the rights, obligations, duties and liabilities of the parties to this Agreement and shall govern the interpretation of this Agreement.

Section 27. Waiver. The City's waiver of any breach by the Company of any provision of this Agreement shall not constitute or operate as a waiver by the City of any other breach of such provision or of any other provisions, nor shall any failure or delay by the City to enforce any provision hereof operate as a waiver of such provision or of any other provision.

Section 28. Severability. This Agreement shall be severable; if any part or parts of this Agreement shall for any reason be held invalid or unenforceable by a court of competent jurisdiction, all remaining parts shall remain binding and in full force and effect.

Section 29. Amendment. This Agreement may be modified or amended only by a written agreement duly executed by the parties hereto or their representatives.

Section 30. Non-Assignment. As required by Ohio Revised Code Section 3735.671(B)(6), this Agreement is not transferable or assignable by the Company without the express written approval of the City Manager of the City. If the Company has entered into a Board of Education Agreement or VTICA in connection with the Property, the City shall not approve the assignment of this Agreement unless the assignee has assumed the Company's remaining obligations under the Board of Education Agreement and VTICA, as applicable. Failure to assign or otherwise perform the Company's obligations under the Board of Education Agreement or VTICA upon transfer of the Property during the term of the tax abatement authorized by this Agreement shall be basis for revocation of the tax exemption under Section 18.

Section 31. Recording. At its election, the City may record this Agreement at the City's expense in the Hamilton County Recorder's Office.

Section 32. Legislative Action Required. As provided in Ohio Revised Code Section 3735.671, the Company and the City acknowledge that this Agreement must be approved by formal action of the City Council of the City as a condition for this Agreement to take effect. Notwithstanding

anything to the contrary herein, this Agreement shall take effect after the later of the date of such approval or the final date of execution of this Agreement by all parties.

Section 33. Additional Representations and Warranties of Company. The Company represents and warrants that (a) it is duly organized and existing and it has full power and authority to take, and has taken, all action necessary to execute and deliver this Agreement and any other documents required or permitted to be executed or delivered by it in connection with this Agreement, and to fulfill its obligations hereunder; (b) no notices to, or consents, authorizations or approvals of, any person are required (other than any already given or obtained) for its due execution, delivery and performance of this Agreement; and (c) this Agreement has been duly executed and delivered by it and constitutes the legal, valid and binding obligation of the Company.

Section 34. Certification as to Non-Debarment. The Company represents that neither it nor any of its principals is presently debarred by any federal, state, or local government agency. In completing the Project, the Company shall not solicit bids from any contractors or subcontractors who are identified as being debarred by any federal, state, or local government agency. If the Company or any of its principals becomes debarred by any federal, state, or local government agency during the term of this Agreement, the company shall be considered in default under this Agreement.

Section 35. Appeals. Pursuant to Ohio Revised Code Section 3735.70, a person aggrieved under the Statute or this Agreement may appeal to the community reinvestment area housing council, which shall have the authority to overrule any decision of a housing officer. Appeals may be taken from a decision of the council to the court of common pleas of the county where the area is located.

Section 36. Wage Enforcement.

(i) Applicability. Council passed Ordinance No. 22-2016 on February 3, 2016, which ordained Chapter 326 (Wage Enforcement) of the Cincinnati Municipal Code (the "Wage Enforcement Chapter"). The Wage Enforcement Chapter was then amended by Ordinance No. 96-2017, passed May 17, 2017. As amended, the Wage Enforcement Chapter imposes certain requirements upon persons entering into agreements with the City whereby the City provides an incentive or benefit that is projected to exceed \$25,000, as described more particularly in the Wage Enforcement Chapter. Cincinnati Municipal Code Section 326-5 requires that the language below be included in contracts subject to the Wage Enforcement Chapter.

(ii) Required Contractual Language. Capitalized terms used, but not defined, in this clause (ii) have the meanings ascribed thereto in the Wage Enforcement Chapter.

(a) This contract is or may be subject to the Wage Enforcement provisions of the Cincinnati Municipal Code. These provisions require that any Person who has an Agreement with the city or with a Contractor or Subcontractor of that Person shall report all Complaints or Adverse Determinations of Wage Theft and Payroll Fraud (as each of those terms is defined in Chapter 326 of the Cincinnati Municipal Code) against the Contractor or Subcontractors to the Department of Economic Inclusion within 30 days of notification of the Complaint or Adverse Determination.

(b) If this contract is subject to the Wage Enforcement provisions of Chapter 326 of the Cincinnati Municipal Code, the Person entering into this contract is required to include provisions in solicitations and contracts regarding a Development Site that all employers, Contractors or Subcontractors performing or proposing to perform work on a Development Site provide an initial sworn and notarized "Affidavit Regarding Wage Theft and Payroll Fraud" on a form prescribed by the city manager or his or her designee and, within 30 days of an Adverse Determination or Complaint of Wage Theft or Payroll Fraud, shall provide an "Amended Affidavit Regarding Wage Theft and Payroll Fraud" on a form prescribed by the city manager or his or her designee.

(c) If this contract is subject to the Wage Enforcement provisions of Chapter 326 of the Cincinnati Municipal Code, the Person entering into this contract is required to authorize, and does hereby specifically authorize, any local, state or federal agency, court, administrative body or other entity investigating a complaint of Wage Theft or Payroll Fraud against the Person (collectively "investigative bodies") to release to the City's Department of Economic Inclusion any and all evidence, findings, complaints and determinations associated with the allegations of Wage Theft or Payroll Fraud upon the City's request and further authorizes such investigative bodies to keep the City advised regarding the status of the investigation and ultimate determination. If the investigative bodies require the Person to provide additional authorization on a prescribed form or in another manner, the Person shall be required to provide such additional authorization within 14 days of a request by the City.

(d) If this Agreement is subject to the Wage Enforcement provisions of Chapter 326 of the Cincinnati Municipal Code, the Person entering into this Agreement shall include in its contracts with all Contractors language that requires the Contractors to provide the authorizations set forth in subsection (c) above and that further requires each Contractor to include in its contracts with Subcontractors those same obligations for each Subcontractor and each lower tier subcontractor.

(e) If this Agreement is subject to the Wage Enforcement provisions of Chapter 326 of the Cincinnati Municipal Code, the Person entering into this Agreement shall post a conspicuous notice on the Development Site throughout the entire period work is being performed pursuant to the Agreement indicating that the work being performed is subject to Cincinnati Municipal Code Chapter 326, Wage Enforcement, as administered by the City of Cincinnati Department of Economic Inclusion. Such notice shall include contact information for the Department of Economic Inclusion as provided by the department.

(f) Under the Wage Enforcement provisions, the City shall have the authority, under appropriate circumstances, to terminate this contract or to reduce the incentives or subsidies to be provided under this contract and to seek other remedies, including debarment.

Section 37. Legal Requirements. In completing and operating the Project, the Company shall comply with all applicable statutes, ordinances, regulations, and rules of the government of the United States, State of Ohio, County of Hamilton, and City of Cincinnati.

Section 38. Counterparts and Electronic Signatures. This Agreement may be executed by the parties hereto in two or more counterparts and each executed counterpart shall be considered an original but all of which together shall constitute one and the same instrument. This Agreement may be executed and delivered by electronic signature.

Remainder of this page intentionally left blank. Signature page follows.

Executed by the parties on the dates indicated below, effective as of the later of such dates (the "Effective Date").

CITY OF CINCINNATI,  
an Ohio municipal corporation

510 W LIBERTY, LLC,  
an Ohio limited liability company

By: \_\_\_\_\_  
Sheryl M. M. Long, City Manager

Date: \_\_\_\_\_, 2025

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

Printed Name: \_\_\_\_\_

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

Date: \_\_\_\_\_, 2025

Authorized by resolution dated \_\_\_\_\_

Approved as to Form:

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

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

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

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

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

**Exhibit A to CRA Agreement**

LEGAL DESCRIPTION OF PROPERTY

**Formerly described as follows:**

Situated in the City of Cincinnati, County of Hamilton and State of Ohio: And known as being in the following described real estate, to wit:

The following real estate, situate in Cincinnati, Hamilton County, Ohio, and being more particularly described as follows:

All that lot of land known as Lot No. 44 and part of Lot 45 in Block "D" of Wade and Dudley's Subdivision of said Block in Section 19, Township 3, Fractional Range 2 of the Miami Purchase, beginning at the Northwest corner of Liberty Street and Snyder Alley;

Thence Westwardly on the North side of Liberty Street, forty-four (44) feet;

Thence Northwardly eighty-seven and one-half (87 1/2) feet;

Thence Eastwardly thirty (30) feet to said alley;

Thence along the West side of said alley to the place of beginning.

Also all that portion of Lot No. 45 in the same Block, Subdivision, Township and Range as the above Lot No. 44, and lying next adjacent on the West to the South portion thereof, and described as follows:

Beginning in the North line of Liberty Street at a point in the Southwest corner of Lot No. 44 as above conveyed;

Thence Northwardly along the West line thereof twenty (20) feet to a point;

Thence Southwardly twenty (20) feet to a point in the North line of Liberty Street two (2) feet West of the Southwest corner of said Lot No. 44, and thence east along the North line of Liberty Street two (2) feet to the point of beginning; said property being known and numbered Five Hundred Ten (510) and Five Hundred Twelve (512) West Liberty Street, Cincinnati, Ohio.

[Legal Description of Property Continues on the Following Page]



Now described as follows:

Situate in Section 19, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being all of Lot 44 and part of Lot 45 of the Ambrose Dudley's Subdivision as recorded in Deed Book 99, Pg. 146 and being all of a tract conveyed to Hamilton County Land Reutilization Corporation in O.R. 13827, Pg. 385 and being more particularly described as follows:

Beginning at the intersection of the west line of Snyder Alley, 10.5' R/W and the north line of W. Liberty Street, 50' R/W and being 0.2 feet north and 0.3 feet west of an existing building corner; thence with the north line of said W. Liberty Street, North 84°01'23" West, 46.00 feet to a point being 0.1 feet west of an existing building corner; thence with the east line of a tract conveyed to LDK Properties, LLC in O.R. 11525, Pg. 1447 and also generally along the west face of an existing three story building the following two courses; North 04°41'17" East, 19.85 feet to a point; thence North 01°02'59" West, 68.73 feet to a set 5/8" iron pin with a plastic cap stamped "JDF 7902"; thence with the south line of a tract conveyed to MRCD Synergies, LLC in O.R. 10523, Pg. 1786, South 84°01'23" East, 30.00 feet to a set cross notch in the west line of said Snyder Alley; thence with the west line of said Snyder Alley, South 09°47'00" East, 91.51 feet to the Place of Beginning. Containing 0.0753 Acres of land more or less. Bearings based on NAD83(2011). Subject to all legal highways, easements and restrictions of record. This description is based on a survey performed under the direction of James D. Fago, Ohio Reg. No. 7902.

**Address: 510 W. Liberty Street, Cincinnati, Ohio 45214**  
**Parcel No.: 133-0006-0175-00**

{00412217-5}

**Exhibit B to CRA Agreement**  
APPLICATION FOR TAX EXEMPTION

TO BE ATTACHED