



# City of Cincinnati

801 Plum Street  
Cincinnati, Ohio 45202

## CALENDAR

### Cincinnati City Council

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Wednesday, October 19, 2022

2:00 PM

Council Chambers, Room 300

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#### ROLL CALL

#### PRAYER AND PLEDGE OF ALLEGIANCE

#### FILING OF THE JOURNAL

#### MS. KEARNEY

1. [202201953](#) **RESOLUTION**, submitted by Vice Mayor Kearney, from Emily Smart Woerner, City Solicitor, **RECOGNIZING** and honoring Michele Young for her exceptional leadership as a tireless advocate, attorney, and breast cancer survivor who brought together legislators, survivors, and scientists to ensure that every Ohio woman has the right to early screening for breast cancer through the passage of Ohio House Bill 371, which requires coverage for advanced screenings and for screening decisions to be left to radiologists.

**Recommendation** PASS

**Sponsors:** Kearney

2. [202201960](#) **RESOLUTION**, submitted by Vice Mayor Kearney, from Emily Smart Woerner, City Solicitor, **RECOGNIZING** and honoring Sherry Hughes for her exceptional leadership as a community and health advocate and as a passionate breast cancer survivor who works tirelessly to educate and raise awareness about breast cancer to everyone, including women of color, who according the American Cancer Society, are 40% more likely to die of breast cancer than other women and are twice as likely to die if they are over age 50.

**Recommendation** PASS

**Sponsors:** Kearney

3. [202201918](#) **ORDINANCE (EMERGENCY)**, submitted by Vice Mayor Kearney, from Emily Smart Woerner, City Solicitor, **AUTHORIZING** the City Manager to accept and appropriate a donation in an amount of up to \$15,000 from the Greater Cincinnati Foundation to the City Manager's Office General Fund non-personnel operating budget account no. 050x101x7400 for the purpose of providing resources for a two-year membership with the Government Alliance on Race and Equity; and further **AUTHORIZING** the Director of Finance to deposit the donated funds into General Fund revenue account no. 050x8571.

**Recommendation** BUDGET AND FINANCE COMMITTEE

**Sponsors:** Kearney

4. [202201938](#) **MOTION**, submitted by Vice Mayor Kearney, **WE MOVE** that City Council approve the appropriations from the FY'22 carryover funds as stated in the City

Manager's October 17, 2022 "FY 2022 Carryover - Additional Recommendations" Memo with the following exception: The sum of \$1,994,178 suggested for a Catalytic Neighborhood Capital Investment Program would be allocated as follows: Queen Mother's Market Cooperative (servicing Walnut Hills, and other neighborhood groceries): \$500,000. (BALANCE ON FILE IN THE CLERK'S OFFICE) (STATEMENT ATTACHED).

**Recommendation** BUDGET AND FINANCE COMMITTEE

**Sponsors:** Kearney

## MS. KEARNEY

## MS. PARKS

5. [202201934](#) **MOTION**, submitted by Vice Mayor Kearney and Councilmember Parks, **WE MOVE** that City Council require that the \$5 million from the FY'22 carryover budget allocated to the Affordable Housing Trust Fund will be deposited into Fund 439. (STATEMENT ATTACHED)

**Recommendation** BUDGET AND FINANCE COMMITTEE

**Sponsors:** Kearney and Parks

6. [202201945](#) **MOTION**, submitted by Vice Mayor Kearney and Councilmember Parks, **WE MOVE** that City administration work with 3CDC, the Master Developer for the City of Cincinnati's Convention Center District Development Project, to establish a minority/women developer mentorship program to augment agreed upon diversity and inclusion goals for the Convention Center District Development Project and create pathways to growth for minority and women developers. (BALANCE ON FILE IN THE CLERK'S OFFICE) (STATEMENT ATTACHED)

**Recommendation** BUDGET AND FINANCE COMMITTEE

**Sponsors:** Kearney and Parks

## MS. OWENS

## MR. HARRIS

7. [202201917](#) **ORDINANCE**, submitted by Councilmembers Owens and Harris, from Emily Smart Woerner, City Solicitor, **MODIFYING** the provisions of Chapter 914, "Unlawful Discriminatory Practices," of the Cincinnati Municipal Code by **AMENDING** Section 914-1-S1, "Sex"; and **ORDAINING** new Section 914-1-S2, "Sexual or Reproductive Health Decisions."

**Recommendation** PUBLIC SAFETY & GOVERNANCE COMMITTEE

**Sponsors:** Owens and Harris

## CITY MANAGER

8. [202201902](#) **REPORT**, dated 10/19/2022 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for OTI LLC, DBA Old Timber Inn, 4330 Spring Grove Avenue. (#6589523, D5 D6, Transfer) [Objections: Yes]

Recommendation FILESponsors: City Manager

9. [202201906](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 10/19/2022, **AUTHORIZING** the City Manager to execute a *Grant of Easement* in favor of Market House, LLC, pursuant to which the City of Cincinnati will grant an access easement across a portion of City-owned real property in Over-the-Rhine.

Recommendation BUDGET AND FINANCE COMMITTEESponsors: City Manager

10. [202201907](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 10/19/2022, **APPROVING AND AUTHORIZING** the City Manager to execute a *Community Reinvestment Area Tax Exemption Agreement* with WDC, LLC, thereby authorizing a 10-year tax exemption for 100% of the value of improvements made to real property located at 1400 and 1408 Walnut Street, 106 and 110 E. 14th Street, and 1400 Clay Street in the Over-the-Rhine neighborhood of Cincinnati, in connection with the remodeling of 5 historic buildings into approximately 2,466 square feet of commercial space and approximately 13,746 square feet of residential space consisting of 24 residential units, at a total construction cost of approximately \$3,790,500.

Recommendation BUDGET AND FINANCE COMMITTEESponsors: City Manager

11. [202201915](#) **REPORT**, dated 10/19/2022, submitted Sheryl M. M. Long, City Manager, regarding Removal of Rush Hour Parking Restrictions (Updated).

Recommendation CLIMATE, ENVIRONMENT & INFRASTRUCTURE COMMITTEESponsors: City Manager

12. [202201916](#) **REPORT**, dated 10/19/2022, submitted Sheryl M. M. Long, City Manager, regarding Leading Pedestrian Intervals.

Recommendation CLIMATE, ENVIRONMENT & INFRASTRUCTURE COMMITTEESponsors: City Manager

13. [202201919](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 10/19/2022, **AUTHORIZING** the City Manager to apply for a grant in the amount of up to \$500,000 from the United States Environmental Protection Agency, the Brownfields Community-Wide Assessment Grant (ALN 66.818), through the Environmental Protection Agency's Brownfields Assessment Grant Program.

Recommendation

BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

14. [202201920](#) **REPORT**, dated 10/19/2022 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Parkhurst Dining LLC, DBA Atrium Market, 201 E 4th Street. (#67007340020, C1 C2, New) [Objections: None]

Recommendation FILESponsors: City Manager

15. [202201921](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 10/19/2022, **AMENDING** Ordinance No. 0202-2022 to allow the City to provide for the defeasance of a portion of the City's outstanding general obligation bonds.  
**Recommendation** BUDGET AND FINANCE COMMITTEE  
**Sponsors:** City Manager
16. [202201922](#) **REPORT**, dated 10/19/2022 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for G2 Coffee Lounge & Bistro LLC, 151 W 4th Street. (#2975606, D3, New) [Objections: None]  
**Recommendation** FILE  
**Sponsors:** City Manager
17. [202201923](#) **REPORT**, dated 10/19/2022 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Five Iron Golf Cincinnati LLC, 80 W 5th Street. (#2749488, D1 D2 D3 D6, Transfer) [Objections: None]  
**Recommendation** FILE  
**Sponsors:** City Manager
18. [202201924](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 10/19/2022, **APPROVING AND AUTHORIZING** the City Manager to execute a *Community Reinvestment Area Tax Exemption Agreement* with 2378 Park Owner, LLC, thereby authorizing a 15-year tax exemption for 100% of the value of improvements made to real property located at 2378 Park Avenue in the Walnut Hills neighborhood of Cincinnati, in connection with the remodeling of an existing building into approximately 26,078 square feet of residential space, consisting of 35 affordable residential rental units, at a total construction cost of approximately \$2,362,838.  
**Recommendation** BUDGET AND FINANCE COMMITTEE  
**Sponsors:** City Manager
- BUDGET AND FINANCE COMMITTEE**
19. [202201885](#) **REPORT**, dated 10/5/2022, submitted Sheryl M. M. Long, City Manager, regarding FY 2022 Carryover to FY 2023 Report.  
**Recommendation** APPROVE & FILE  
**Sponsors:** City Manager
20. [202201888](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 10/5/2022, **AUTHORIZING** the transfer of the sum of \$1,624,471 from the unappropriated surplus of General Fund 050 to the unappropriated surplus of Working Capital Reserve Fund 754 for the purpose of increasing the City's working capital reserve; **AUTHORIZING** the transfer of the sum of \$17,609,147 from the unappropriated surplus of General Fund 050 to balance sheet reserve account no. 050x2585, "Economic Downturn Reserve," for the purpose of increasing the City's emergency reserve; **AUTHORIZING** the transfer of the sum of \$2,830,482 from the unappropriated surplus of General Fund 050 to balance sheet reserve account no. 050x2580, "Reserve for Weather Events,

Other Emergency and One-Time Needs,” for the purpose of providing resources for unanticipated emergencies including those caused by unusual weather events, in order to increase the City’s reserve; ESTABLISHING new capital improvement program project account no. 980x162x231645, “Affordable Housing Trust Funding - GF CO,” for the purpose of providing resources for a one-time contribution to the City’s Affordable Housing Trust Fund; AUTHORIZING the transfer of the sum of \$5,000,000 from the unappropriated surplus of General Fund 050 to newly created capital improvement program project account no. 980x162x231645, “Affordable Housing Trust Funding - GF CO,” for the purpose of providing a one-time contribution to the City’s Affordable Housing Trust Fund; AUTHORIZING the transfer and appropriation of the sum of \$2,000,000 from the unappropriated surplus of General Fund 050, the source of which is the FY 2022 Carryover Balance, to the City Manager’s Office personnel operating budget account no. 050x101x7500 for the purpose of providing a one-time contribution to address the City’s pension obligation to the Cincinnati Retirement System; RENAMING balance sheet reserve account no. 050x2535 within the General Fund 050 from “Emergency Reserve” to “Reserve for Operating Budget Contingencies”; AUTHORIZING the transfer of the sum of \$500,000 from the unappropriated surplus of the General Fund 050 to the newly renamed balance sheet reserve account no. 050x2535, “Reserve for Operating Budget Contingencies,” for the purpose of providing resources for subsequent appropriation for one-time unforeseen operating needs that arise during the remainder of the ongoing fiscal year; AUTHORIZING the transfer and appropriation of the sum of \$250,000 from the balance sheet reserve account 050x2535, “Reserve for Operating Budget Contingencies,” to the various General Fund operating budget accounts according to the attached Schedule A of the General Fund Operating Budget Schedule of Appropriation for the purpose of providing one-time funds for the following: the Emergency Communications Center to extend the Alternate Response to Crisis mental health pilot program with Police Dispatch until the end of FY 2023 (\$140,000); the Cincinnati Police Department for Downtown Event Deployment Overtime (\$60,000); the Law Department for expungement efforts (\$25,000); and the Cincinnati Recreation Commission for the lifeguard recruitment and retention pay program (\$25,000); AUTHORIZING the transfer and appropriation of the sum of \$26,103,292 from the unappropriated surplus of General Fund 050 to various capital improvement program project accounts according to Schedule B of the Capital Budget Schedule of Transfer; ESTABLISHING new capital improvement program project account no. 980x164x231619, “Neighborhood Business District Support - GF CO,” for the purpose of providing resources for neighborhood projects that were submitted through the City’s Neighborhood Business District Improvement Program (“NBDIP”) or the Neighborhood Business District Support Grant Program but did not receive funding due to limited resources; AUTHORIZING the transfer of the sum of \$1,500,000 from the unappropriated surplus of General Fund 050 to newly created capital improvement program project account no. 980x164x231619, “Neighborhood Business District Support - GF CO,” for the purpose of providing resources for neighborhood projects that were submitted through the City’s NBDIP or the Neighborhood Business District Support Grant Program but did not receive funding due to limited resources; ESTABLISHING new capital improvement program project account no. 980x164x231618, “Convention Center District -

GF CO,” for the purpose of providing resources for improvements to the Convention Center District; AUTHORIZING the transfer of the sum of \$7,000,000 from the unappropriated surplus of General Fund 050 to newly created capital improvement program project account no. 980x164x231618, “Convention Center District - GF CO,” for the purpose of providing resources for improvements to the Convention Center District; ESTABLISHING new capital improvement program project account no. 980x164x231617, “OTR Outdoor Improvements - GF CO,” for the purpose of providing resources for outdoor improvements to the Ziegler Park area in Over-the-Rhine; AUTHORIZING the transfer of the sum of \$3,500,000 from the unappropriated surplus of General Fund 050 to newly created capital improvement program project account no. 980x164x231617, “OTR Outdoor Improvements - GF CO,” for the purpose of providing resources for outdoor improvements to the Ziegler Park area in Over-the-Rhine; ESTABLISHING new capital improvement program project account no. 980x164x231627, “CEAI - GF CO,” for the purpose of providing resources for Community Economic Advancement Initiatives (“CEAI”) for business district investment in the Bond Hill and Roselawn neighborhoods; AUTHORIZING the transfer of the sum of \$250,000 from the unappropriated surplus of General Fund 050 to newly created capital improvement program project account no. 980x164x231627, “CEAI - GF CO,” for the purpose of providing resources for CEAI for business district investment in the Bond Hill and Roselawn neighborhoods; ESTABLISHING new capital improvement program project account no. 980x164x231626, “Minority Business Accelerator-Ascend - GF CO,” for the purpose of providing resources to support the Lincoln & Gilbert initiative for minority business investment in Cincinnati; AUTHORIZING the transfer of the sum of \$1,000,000 from the unappropriated surplus of General Fund 050 to newly created capital improvement program project account no. 980x164x231626, “Minority Business Accelerator-Ascend - GF CO,” for the purpose of providing resources to support the Lincoln & Gilbert initiative for minority business investment in Cincinnati; AMENDING Ordinance No. 0196-2022 to identify the source of the unappropriated surplus as being FY 2022 Carryover Balance; AMENDING Ordinance No. 0224-2022 to identify the source of the unappropriated surplus as being FY 2022 Carryover Balance; AMENDING Ordinance No. 0257-2022 to identify the source of the unappropriated surplus as being FY 2022 Carryover Balance; AMENDING Ordinance No. 0278-2022 to identify the source of the unappropriated surplus as being FY 2022 Carryover Balance; ESTABLISHING new balance sheet reserve account no. 050x3440 within the General Fund 050, “Infrastructure and Capital Project Reserve,” for the purpose of providing resources for subsequent appropriation by Council for identified one-time infrastructure and capital projects for identified urgent needs or as part of the next annual budget cycle; AUTHORIZING the transfer of the sum of \$7,294,178 from the unappropriated surplus of the General Fund 050 to the newly established balance sheet reserve account no. 050x3440, “Infrastructure and Capital Project Reserve,” for the purpose of providing resources for subsequent appropriation by Council for identified one-time infrastructure and capital projects for identified urgent needs or as part of the next annual budget cycle; and DECLARING certain projects to be for a public purpose, all for the purpose of carrying out the Capital Improvement Program.

**Recommendation** PASS EMERGENCY

**Sponsors:** City Manager

21. [202201895](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 10/12/2022, **AUTHORIZING** the City Manager to accept and appropriate a grant of up to \$29,779 from the Ohio Urban Transit Program awarded by the Ohio Department of Transportation to the Streetcar Operations Fund non-personnel operating budget account no. 455x236x7200 for the purpose of providing resources for preventative maintenance on the streetcar system; and **AUTHORIZING** the Director of Finance to deposit the grant resources into Special Revenue Fund 455, "Streetcar Operations" revenue account no. 8534.

**Recommendation** PASS

**Sponsors:** City Manager

22. [202201896](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 10/12/2022, **Authorizing** a payment of \$33,800 to the Personnel Research and Development Corporation dba PRADCO from the Cincinnati Police Department ("CPD") General Fund non-personnel operating budget account no. 050x227x4200x7289 as a moral obligation for psychological services provided to police recruits from May 2022 to June 2022; **AUTHORIZING** a payment of \$16,824 to Axon Enterprise, Inc. from the CPD General Fund non-personnel operating budget account no. 050x222x1710x7289 as a moral obligation for outstanding charges for the annual assurance plan related to CPD's body-worn camera systems; and **AUTHORIZING** a payment of \$6,307 to Cincinnati State Technical and Community College from the CPD General Fund non-personnel operating budget account no. 050x226x3310x7289 as a moral obligation for CPR recertification training provided to 901 CPD officers between December 2021 and April 2022.

**Recommendation** PASS EMERGENCY

**Sponsors:** City Manager

23. [202201897](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 10/12/2022, **AUTHORIZING** the City Manager to accept an in-kind donation of a marker from The Lafayette Trail, Inc. valued at approximately \$1,550 for the purpose of installing the marker on City Park property in commemoration of the 200th anniversary of the Marquis de Lafayette's visit to Cincinnati on May 19, 1825; and **AUTHORIZING** the City Manager to execute a donation agreement with The Lafayette Trail, Inc. to accept the marker.

**Recommendation** PASS

**Sponsors:** City Manager

24. [202201898](#) **ORDINANCE**, submitted by Sheryl M. M. Long, City Manager, on 10/12/2022, **AUTHORIZING** the City Manager to accept and appropriate a donation in the amount of \$1,000 from the Mt. Washington Community Council for the purpose of hosting community events in the Mt. Washington Recreation Center service area; and **AUTHORIZING** the Finance Director to deposit the donated funds into Fund 319, "Contributions for Recreation Purposes," revenue account no. 319x8571.

**Recommendation** PASS

**Sponsors:** City Manager

25. [202201899](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on

10/12/2022, **AUTHORIZING** the transfer and appropriation of the sum of \$45,000 from the unappropriated surplus of Madisonville Equivalent Fund 498 to the Department of Transportation and Engineering Madisonville Equivalent Fund non-personnel operating budget account no. 498x232x7200 the purpose of providing resources for a traffic study, which will determine appropriate improvements to promote pedestrian safety and access within the study area of Madison Road between Medpace Way and Camargo Road in the Madisonville neighborhood; and **DECLARING** the related expenditures from non-personnel operating budget account no. 498x232x7200 to constitute a “Public Infrastructure Improvement” (as defined by Section 5709.40(A)(8) of the Ohio Revised Code), that will benefit and/or serve the District 19 - Madisonville Incentive District, subject to compliance with ORC Sections 5709.40 through 5709.43.

**Recommendation**

PASS

**Sponsors:**

City Manager

26. [202201900](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 10/12/2022, **AUTHORIZING** the City Manager to accept and appropriate a donation of \$4,000 from the University of Cincinnati to existing capital improvement program project account no. 980x232x222313, “Neighborhood Gateways/Greenways Imprvmnt,” for the purpose of providing resources for the design, fabrication, and installation of four new identification signs connecting the Ohio Avenue Steps to the Paw Paw Alley Steps between Ohio Avenue, Van Lear Alley, and Vine Street.

**Recommendation** PASS EMERGENCY**Sponsors:**

City Manager

27. [202201913](#) **MOTION**, submitted by Councilmember Harris, **WE MOVE** that the City Administration allocate \$15,000 for the 2023 Housing Solutions Summit and \$15,000 for a Black Developers Conference from one-time budget contingencies, the final adjustment ordinance, or any other funds the administration finds appropriate. (STATEMENT ATTACHED)

**Recommendation** ADOPT**Sponsors:**

Harris

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

28. [202201914](#) **MOTION**, dated 10/05/2022, submitted by Vice Mayor Kearney and Councilmember Johnson, **WE MOVE** that the administration prepare a REPORT on the Hamilton County Court’s “Housing Docket” to determine if disparate treatment exists for property owners according to the demographic factors of race, gender, age or zip code. The REPORT is to include available data from the past five (5) years on race, gender, age, address, and zip code for the following: 1. Citations issued by the City’s Department of Building & Inspections for housing code violations. 2. Housing code violations penalties



added to the property owner's property tax. 3. Housing code violation penalties that resulted in foreclosure. 4. Housing code violation cases referred to the Hamilton County Court's "Housing Docket". 5. Actions taken on defendant-property owners in the Hamilton County Court on the "housing docket" involving any of the following: a. Issuance of electronic monitoring devices ("ankle bracelets"). b. Jail time. c. Transfer of title from the defendant-property owner to another owner or entity 1) The name of the entity that acquired title. 2) The status of the property: vacant land, occupied dwelling, vacant dwelling, other. 6. Any other information that the administration deems pertinent in determining whether property owners are treated disparately according to race, gender, age, address, or zip code. WE MOVE that the administration give an update on the status of the REPORT at the October 18, 2022 Public Safety and Governance Committee, present data gathered to date (e.g., information that the City has on citations as listed in Items 1, 2 and 3 above, and suggest a time frame for the completed report. (STATEMENT ATTACHED)

**Recommendation**

ADOPT

**Sponsors:**

Kearney and Johnson

29. [202201892](#) **MOTION**, submitted by Councilmembers Keating and Johnson, **WE MOVE** that the administration provide a report before the end of 2022 providing an update of the partnership between the City of Cincinnati and University of Cincinnati. The last presentation was May 17, 2022, since that date, a new school year has begun with record enrollment and a new City Manager is in place. (BALANCE ON FILE IN THE CLERK'S OFFICE).

**Recommendation** ADOPT**Sponsors:**

Keating and Johnson

30. [202201875](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 10/5/2022, **MODIFYING** the salary range schedule for the classification of Sign Painter by amending Section 620 of Division 1, Chapter 307 of the Cincinnati Municipal Code, in order to ensure that the new salary range is consistent with the level of responsibility of this position and competitive with similar positions across internal and external job markets.

**Recommendation** PASS EMERGENCY**Sponsors:**

City Manager

**ANNOUNCEMENTS**

Adjournment

**Date:** October 18, 2022

**To:** Vice Mayor Jan-Michele Lemon Kearney  
**From:** Emily Smart Woerner, City Solicitor *EESW*  
**Subject:** **Resolution – Recognizing and Honoring Michele Young for her Work in Raising Breast Cancer Awareness**

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Transmitted herewith is a resolution captioned as follows:

**RECOGNIZING** and honoring Michele Young for her exceptional leadership as a tireless advocate, attorney, and breast cancer survivor who brought together legislators, survivors, and scientists to ensure that every Ohio woman has the right to early screening for breast cancer through the passage of Ohio House Bill 371, which requires coverage for advanced screenings and for screening decisions to be left to radiologists.

EESW/CMZ(lb)  
Attachment  
372439

**RESOLUTION NO. \_\_\_\_\_ - 2022**

**RECOGNIZING** and honoring Michele Young for her exceptional leadership as a tireless advocate, attorney, and breast cancer survivor who brought together legislators, survivors, and scientists to ensure that every Ohio woman has the right to early screening for breast cancer through the passage of Ohio House Bill 371, which requires coverage for advanced screenings and for screening decisions to be left to radiologists.

WHEREAS, in 2018, Michele Young was diagnosed with stage 4 breast cancer, and after her diagnosis, she worked to change how women in Ohio were screened for breast cancer, which included changing Ohio laws that stopped women, especially those with dense breasts, from having access to the affordable screening technology that would have allowed for an early diagnosis and increased chance of survival; and

WHEREAS, according to the National Cancer Institute, more than 40% of women aged 40 and over have dense breast tissue, making it harder for doctors to detect breast cancer in mammograms, and before Michele’s advocacy and leadership, many additional screenings other than a mammogram, including magnetic resonance imaging, were not covered by health insurance policies, and because of her tireless commitment to changing the status quo when an inequality is identified, Michele vowed to change this policy; and

WHEREAS, through her advocacy, Michele partnered with renowned physicians from UC Health: Dr. Elyse Lower, Dr. Mary Mahoney, and Dr. Annie Brown, breast cancer survivors, and Ohio State Representatives Jean Schmidt (R-Loveland) and Sedrick Denson (D-Cincinnati) who would eventually co-sponsor House Bill 371, and with the support of this all-star team, they advocated and helped shepherd Ohio House Bill 371 through the legislature; and to ensure the bill’s passage and protect the lives of women for generations to come, Michele and this team advocated for months by delivering pink carnations throughout the Statehouse, testified before committees, and knocked on the doors of legislators to advocate for the bill’s passage; and

WHEREAS, thanks to the work of Michele, UC Health, Representatives Jean Schmidt and Sedrick Denson, and countless others, this collaborative effort was signed into law by Governor Mike DeWine June 24, 2022, ensuring that all women in Ohio have the right to: 1.) an annual mammogram, 2.) coverage of supplemental screenings, 3.) a clear notification of breast density and 4.) advanced screening decisions made by radiologists and not insurance; and House Bill 371 extends private insurance and Medicaid coverage to include 3D mammography (tomosynthesis) for breast cancer screening and one mammogram every year, removes age limitations for screening mammography, provides additional coverage for supplemental screening for women with dense breasts or additional risk factors, and improves the dense breast notification letter to patients; and

WHEREAS, Michele now celebrates three years of long-term complete remission and is determined to continue her advocacy with the additional time she has been granted, and Michele and her team at UC Health are on a mission to provide the right to early detection to all women in the United States; and

WHEREAS, Michele joins breast cancer survivors Katie Couric and Kristen Dahlgren, who are also taking up the cause of early detection and sharing their stories in hopes of passing national legislation for every woman to be granted the right to lifesaving care; and Michele hopes to continue her work to make Ohio's breast cancer bill a national model, a policy change that could save the lives of more than 40,000 women, mothers, wives, daughters, sisters, and friends every year; and

WHEREAS, Michele leads her life by serving others, and the City of Cincinnati recognizes the powerful and positive impact Michele has had in our community and throughout the state for women, families, and all those affected by a diagnosis of breast cancer through her advocacy as a friend and attorney, her leadership and tireless commitment to improving the health of our citizens and the health of women in the State of Ohio, and for her advocacy to expand House Bill 371 nationwide; now, therefore,

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

Section 1. That the Mayor and this Council hereby recognize Michele Young for her many contributions to the City of Cincinnati, her tireless efforts to uplift our community, and her advocacy to improve the health of citizens of the City of Cincinnati, State of Ohio, and nationwide.

Section 2. That this resolution be spread upon the minutes of Council and a copy be provided to Michele Young by the Council Office of Vice Mayor Jan-Michele Lemon Kearney.

Passed: \_\_\_\_\_, 2022

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

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

Submitted by Vice Mayor Jan-Michele Lemon Kearney

**Date:** October 18, 2022

**To:** Vice Mayor Jan-Michele Lemon Kearney  
**From:** Emily Smart Woerner, City Solicitor *EESW*  
**Subject:** **Resolution – Recognizing and Honoring Sherry Hughes for her Work in Raising Breast Cancer Awareness**

---

Transmitted herewith is a resolution captioned as follows:

**RECOGNIZING** and honoring Sherry Hughes for her exceptional leadership as a community and health advocate and as a passionate breast cancer survivor who works tirelessly to educate and raise awareness about breast cancer to everyone, including women of color, who according to the American Cancer Society, are 40% more likely to die of breast cancer than other women and are twice as likely to die if they are over age 50.

EESW/CMZ(lb)  
Attachment  
372438

## RESOLUTION NO. \_\_\_\_\_ - 2022

**RECOGNIZING** and honoring Sherry Hughes for her exceptional leadership as a community and health advocate and as a passionate breast cancer survivor who works tirelessly to educate and raise awareness about breast cancer to everyone, including women of color, who according to the American Cancer Society, are 40% more likely to die of breast cancer than other women and are twice as likely to die if they are over age 50.

WHEREAS, Sherry Hughes lost her mother, Lille, to breast cancer when she was just a young girl and has been a lifelong advocate for breast cancer screenings, self-breast examination, genetic testing, and additional breast imaging such as the breast MRI, which detected Sherry's cancer when nothing else did; and

WHEREAS, Sherry was diagnosed with invasive ductal carcinoma in July 2019, and she credits divine intervention, her relentless self-advocacy, and her close relationship with her OBGYN for playing a major role in the early discovery of her cancer; and

WHEREAS, Sherry's work, advocacy, and commitment to our community's health continues in her role as Director of Strategic Community Engagement and Spokesperson for Cincinnati Cancer Advisors ("CCA") and as a Patient Brand Ambassador for Nerlynx, a prescription medication for HER2+ breast cancer; and

WHEREAS, through her work at CCA, Sherry and her team provide free second opinion consultation and referrals, precision oncology evaluations, and genetic risk assessments, and CCA leverages expert oncology innovations, trials, and clinical studies to improve the care of its patients, and with world-class oncologists and clinicians who are dedicated to helping all cancer patients in the Greater Cincinnati Region and beyond, Sherry and CCA ensure that patients receive the best plan of care to improve their outcomes; and

WHEREAS, along with her advocacy and commitment to our community's health, Sherry contributed to the passage of Ohio House Bill 371, the "Breast Cancer Law," as a proponent, speaker, and advocate; and

WHEREAS, Sherry has served the Greater Cincinnati region as a trusted meteorologist/journalist for more than 25 years, and Sherry's career as a meteorologist/journalist over the past two-plus decades has led her to cities including Tampa, Phoenix, and Raleigh-Durham; and as a native of South Carolina, Sherry graduated from the University of South Carolina's School of Journalism and Mississippi State University's Broadcast Meteorology Program; and she is a long-standing member and holds the Television Seal of Approval from the American Meteorological Society and is a member of the National Weather Association and The Greater Cincinnati and National Association of Black Journalists; and

WHEREAS, Sherry is a mentor with the Cincinnati Youth Collaborative, is an American Cancer Society ResearchHERS Ambassador, serves as a Cincinnati Parks Foundation Women’s Committee member, a Cincinnati Chapter of the Links Incorporated member, a University of South Carolina Alumni Life member, and a University of Cincinnati College-Conservatory of Music Power Board member, and Sherry’s commitment to our community is further demonstrated by her generously serving as an emcee, host, and guest speaker for many community events; and

WHEREAS, Sherry is an outstanding example of a dedicated leader who works tirelessly to improve and serve our community through her continued commitment to our community in all her capacities — from advocating for cancer patients and survivors by raising awareness, to serving as a trusted and beloved local meteorologist/journalist; and

WHEREAS, the City of Cincinnati recognizes the powerful and positive impact Sherry continues to have in our community, especially for women, families, and all those affected by a diagnosis of breast cancer; now, therefore,

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

Section 1. That the Mayor and this Council hereby recognize Sherry Hughes for her many contributions to the City of Cincinnati, her continued and longstanding dedication to our community, and her advocacy to improve the health of citizens of the City of Cincinnati.

Section 2. That this resolution be spread upon the minutes of Council and a copy be provided to Sherry Hughes by the Council Office of Vice Mayor Jan-Michele Lemon Kearney.

Passed: \_\_\_\_\_, 2022

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

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

Submitted by Vice Mayor Jan-Michele Lemon Kearney

**Date:** October 13, 2022

**To:** Vice Mayor Jan-Michele Lemon Kearney  
**From:** Emily Smart Woerner, City Solicitor *EESW*  
**Subject:** **Emergency Ordinance – Greater Cincinnati Foundation Donation for Government Alliance on Race and Equity (GARE) Membership**

---

Transmitted herewith is an emergency ordinance captioned as follows:

**AUTHORIZING** the City Manager to accept and appropriate a donation in an amount of up to \$15,000 from the Greater Cincinnati Foundation to the City Manager’s Office General Fund non-personnel operating budget account no. 050x101x7400 for the purpose of providing resources for a two-year membership with the Government Alliance on Race and Equity; and further **AUTHORIZING** the Director of Finance to deposit the donated funds into General Fund revenue account no. 050x8571.

EESW/AKS(lb)  
Attachment  
371563





**EMERGENCY**

**City of Cincinnati**

AKS

EESW

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

- 2022

**AUTHORIZING** the City Manager to accept and appropriate a donation in an amount of up to \$15,000 from the Greater Cincinnati Foundation to the City Manager’s Office General Fund non-personnel operating budget account no. 050x101x7400 for the purpose of providing resources for a two-year membership with the Government Alliance on Race and Equity; and further **AUTHORIZING** the Director of Finance to deposit the donated funds into General Fund revenue account no. 050x8571.

WHEREAS, there is a donation available from the Greater Cincinnati Foundation (“GCF”) in the amount of up to \$15,000 for the purpose of providing resources for a two-year membership with the Government Alliance on Race and Equity (“GARE”); and

WHEREAS, GARE is a national network comprised of over 400 government members aimed at achieving racial equity and provides numerous resources to members, including a resource sharing portal, weekly and monthly learning events, an annual membership conference, and other opportunities to interact with members; and

WHEREAS, GCF approached the City to offer the donation as occurred with other grants provided by the GCF to the City in past years; and

WHEREAS, acceptance of the donation requires no local match and there are no new FTEs associated with this donation; and

WHEREAS, this ordinance is in accordance with the “Live” goals to “[b]uild a robust public life” and “[c]reate a more livable community,” as described on pages 149 and 156 of *Plan Cincinnati* (2012); now, therefore,

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

Section 1. That the City Manager is hereby authorized to accept and appropriate a donation in an amount of up to \$15,000 from the Greater Cincinnati Foundation to the City Manager’s Office General Fund non-personnel operating budget account no. 050x101x7400 for the purpose of providing resources for a two-year membership with the Government Alliance on Race and Equity.

Section 2. That the Director of Finance is hereby authorized to deposit the donated funds into the General Fund revenue account no. 050x8571.

Section 3. That the proper City officials are authorized to use and expend the sum of up to \$15,000 in accordance with Sections 1 and 2 hereof.

Section 4. That this ordinance shall be an emergency measure necessary for the preservation of public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to accept the GCF donation and join GARE in order to utilize resources aimed at achieving racial equity as soon as possible.

Passed: \_\_\_\_\_, 2022

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

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

# City of Cincinnati

## Council



Melissa Autry, CMC  
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308  
Cincinnati, Ohio 45202  
Phone (513) 352-3246  
Fax (513) 352-2578

October 17, 2022

### MOTION

WE MOVE that City Council approve the appropriations from the FY '22 carryover funds as stated in the City Manager's October 17, 2022 "FY 2022 Carryover – Additional Recommendations" Memo with the following exception: The sum of \$1,994,178 suggested for a Catalytic Neighborhood Capital Investment Program would be allocated as follows:

Queen Mother's Market Cooperative (servicing Walnut Hills, and other neighborhood groceries):	\$500,000
Imperial Theatre (to revitalize the Mohawk Neighborhood)	\$494,178
ROMAC (located in the West End neighborhood and serving residents throughout the City of Cincinnati)	\$500,000
YWCA Battered Women's Shelter (located in Avondale and Serving women throughout Cincinnati and in five Counties)	\$500,000
<b>TOTAL:</b>	<b>\$1,994,178</b>

  
Jan-Michele Lemon Kearney

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**STATEMENT**

The suggestion for a competitive process as envisioned by the Catalytic Neighborhood Capital Investment Program is admirable and provides a good model for such a program in the future. However, the projects listed above will service multiple neighborhoods and have a present need for immediate funding. Moreover, the advocates for the projects have made numerous requests to City Council, in some cases, consistently for the past two years. They have jumped through the hoops that City Council requested, including making presentations to committees and meeting with the Department of Community and Economic Development. Finally, each neighborhood with a project request was to submit their top three projects to the City administration at the end of last month, and there is a \$1.5 million line item in the budget to fund these projects.

CAL → Budget & Finance  
J-MCK

# City of Cincinnati Council



Melissa Autry, CMC  
Clerk of Council

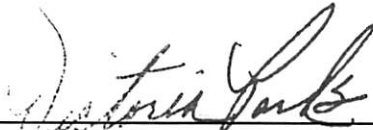
Office of the Clerk

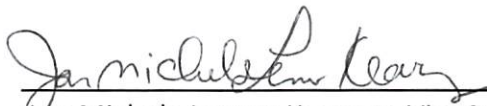
801 Plum Street, Suite 308  
Cincinnati, Ohio 45202  
Phone (513) 352-3246  
Fax (513) 352-2578

October 17, 2022

## MOTION

**WE MOVE** that City Council require that the \$5 million from the FY '22 carryover budget allocated to the Affordable Housing Trust Fund will be deposited into Fund 439.

  
\_\_\_\_\_  
Victoria Parks, President *Pro Tem*

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

## Statement

The Affordable Housing Trust Fund, specifically Fund 439, requires that funds from the AHTF service housing for 60% AMI or less, and 50% of the funds must provide for those at 50% AMI or less.

B&F

B

*[Handwritten signature]*



Office of the Clerk

801 Plum Street, Suite 308  
Cincinnati, Ohio 45202  
Phone (513) 352-3246  
Fax (513) 352-2578

October 17, 2022

### MOTION

*Minority/Women Developer Mentoring Program  
for the Convention Center District Development Project*

**WE MOVE** that City administration work with 3CDC, the Master Developer for the City of Cincinnati's Convention Center District Development Project, to establish a minority/women developer mentorship program to augment agreed upon diversity and inclusion goals for the Convention Center District Development Project and create pathways to growth for minority and women developers. The following steps shall be taken:


1. **Create M/WBE Database:** City of Cincinnati administration in collaboration with 3CDC and other appropriate organizations shall identify local certified MBEs and WBEs headquartered in Cincinnati ("Identified M/WBEs") and create a database of all such firms ("M/WBE Database"). The M/WBE Database shall be a fluid document that will be regularly updated to include both general information about each company as well the type of projects, size of projects, and role in those projects that the companies have been involved in and other information helpful in determining current capabilities. M/WBE firms that are not headquartered in Cincinnati, but could partner with local M/WBE firms, could be included in the database.
2. **Inform M/WBEs about opportunities early in the process:** 3CDC shall proactively meet with Identified M/WBEs, in person or virtually, to discuss the opportunities with the Convention Center District Development Project and relevant scopes of work required in order to better determine the Identified M/WBEs' current performance capabilities and opportunities for



growth. Such meetings shall be documented as part of the M/WBE Database.

3. **Assess gaps/needs/barriers to inclusion:** Based on the information gathered, 3CDC shall match selected M/WBE firms' capabilities to the scopes of work required and identify any gaps or needs that may create barriers to successful performance. Barriers should be addressed as follows:
  - a. **Access to capital:** City administration and 3CDC will explore creating a revolving fund as a source for low cost bridge capital to give M/WBEs the ability to carry payroll, up-front cost of materials, and other expenses.
    - i. The fund could be managed internally by the City of Cincinnati, or by a third-party partner (e.g., the Cincinnati Development Fund).
    - ii. 3CDC and City administration shall make recommendations for a funding source or sources for the revolving fund, such as a small percentage (0.5%) of the developers' fees, for example.
    - iii. Additionally, 3CDC will determine if there are other financial support structures that can provide equitable coverage for the M/WBEs.
  - b. **Capacity needs:** 3CDC shall develop strategies for key majority firms ("Majority Firm Partners") to mentor M/WBE firms by creating opportunities for M/WBEs to be involved with the Majority Firm Partners in all phases of the Convention Center District Development Project.
  - c. **Bonding:** When necessary, 3CDC will negotiate for the prime contractor to carry 100% of the bond to enable the smaller M/WBE subcontractors to participate in the Convention Center District Development Project.

**WE MOVE FURTHER** that the minority/women developer mentorship program created for equity inclusion in the Convention Center District Development Project be used as a pilot with the goal of expanding the program into other large-scale (\$5 million or more) development projects.

  
Jan-Michele Lemon Kearney, Vice Mayor

  
Victoria Parks, President Pro Tem

## **Statement**

The Convention Center District Development Project provides a tremendous opportunity for growth for M/WBEs. Before being chosen as the master developer for this project, 3CDC, through its president & CEO, agreed to assist the City with the creation of a minority and women developer mentorship program as part of the diversity and inclusion plan. The goal is to create transformative opportunities for M/WBEs, beginning with the Convention Center District Development Project.

CAL → Budget & Finance  
J-mck

202201917  
**Date:** October 13, 2022

**To:** Councilmember Meeka Owens and Councilmember Reggie Harris  
**From:** Emily Smart Woerner, City Solicitor *EESW*  
**Subject:** **Ordinance – Modifying Chapter 914 of the Cincinnati Municipal Code  
Sexual or Reproductive Health Decisions**

---

Transmitted herewith is an ordinance captioned as follows:

**MODIFYING** the provisions of Chapter 914, “Unlawful Discriminatory Practices,” of the Cincinnati Municipal Code by **AMENDING** Section 914-1-S1, “Sex”; and **ORDAINING** new Section 914-1-S2, “Sexual or Reproductive Health Decisions.”

EESW/IMD(lb)  
Attachment  
369241

**City of Cincinnati**  
**An Ordinance No. \_\_\_\_\_**

IMD

EESW

- 2022

**MODIFYING** the provisions of Chapter 914, “Unlawful Discriminatory Practices,” of the Cincinnati Municipal Code by **AMENDING** Section 914-1-S1, “Sex”; and **ORDAINING** new Section 914-1-S2, “Sexual or Reproductive Health Decisions.”

WHEREAS, the City of Cincinnati wishes to be a welcoming and inclusive environment for all people and therefore seeks to prohibit wrongful discrimination in all forms; and

WHEREAS, the Cincinnati Municipal Code occasionally must be updated to provide rights and protections that express the intention and purpose of the laws of the City of Cincinnati; and

WHEREAS, legislative bodies throughout the United States have taken action to expand their protections regarding an individual’s sexual or reproductive health decisions; and

WHEREAS, Council desires to update Chapter 914 of the Cincinnati Municipal Code, “Unlawful Discriminatory Practices,” to provide protections regarding an individual’s sexual or reproductive health decisions; now, therefore,

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

Section 1. That existing 914-1-S1, “Sex,” of the Cincinnati Municipal Code is hereby amended to read as follows:

**Sec. 914-1-S1. - Sex,**

“Sex,” as well as phrases such as “based on sex” or “because of sex,” shall include but not be limited to a person’s sex assigned at birth; sexual orientation; sex characteristics; gender identity; gender expression; pregnancy, childbirth, or related medical condition; breastfeeding status; sexual or reproductive health decisions; and all forms of “sex” and sex stereotypes recognized under the Civil Rights Act of 1964, as amended.

Section 2. That existing Section 914-1-S1, “Sex,” of the Cincinnati Municipal Code is hereby repealed.

Section 3. That new Section 914-1-S2, “Sexual or Reproductive Health Decisions,” of the Cincinnati Municipal Code is hereby added and ordained to read as follows:

**Sec. 914-1-S2. - Sexual or Reproductive Health Decisions.**

For the purposes of Chapter 914, the term “sexual or reproductive health decisions” means any decision by an individual to receive or not receive services or products related to sexual and reproductive health including, but not limited to, contraception, sterilization, fertility treatment or procedures, pregnancy testing, family planning services or counseling, abortion, sexually transmitted disease testing or prevention or treatment, hormone therapy including that which alters gender expression or affirms gender identity, or medical treatments that affirm gender identity. Nothing in this provision shall be construed to require an employer to provide health insurance benefits for sexual or reproductive health services or products that are not otherwise required by federal, state, or local law.

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

Passed: \_\_\_\_\_, 2022

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

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

\_\_\_\_\_  
Deletions are indicated by strikethrough; additions are indicated by underline.

**Date:** October 19, 2022

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

202201902

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

**Subject:** **Liquor License – Transfer of Ownership**

---

***FINAL RECOMMENDATION REPORT***

**OBJECTIONS:** Cincinnati Police Department, Department of Buildings & Inspections

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

**APPLICATION:** 6589523  
**PERMIT TYPE:** TRFO  
**CLASS:** D5 D6  
**NAME:** OTI LLC  
**DBA:** OLD TIMBER INN  
4330 SPRING GROVE AV  
CINCINNATI, OH 45223

On August 31, 2022, Spring Grove Community Council was notified of this application and do not object.



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Police Department Approval

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David M. Laing, Assistant City Prosecutor  
Law Department - Recommendation  
Objection                      No Objection

**MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY:** October 21, 2022

**Date:** September 15, 2022  
**To:** Lieutenant Colonel Teresa A. Theetge, Interim Police Chief  
**From:** Sergeant Craig R. Copenhaver, District 5 Violent Crimes Squad  
**Copies to:**  
**Subject:** **RENEWAL, TRANSFER OR ISSUANCE OF LIQUOR LICENSES**

**PATROL BUREAU MEMO #:** 22-418

**DISTRICT INVESTIGATING LIQUOR PERMIT PREMISE:** District Five

**PERMIT #:** 2686074

**TYPE OF PERMIT APPLIED FOR:** Transfer of Ownership

**PERMIT NAME & ADDRESS:**

<b>Name:</b>	OTI LLC
<b>Address:</b>	4330 Spring Grove Av

**APPLICANTS NAME(S):** Daniel Mouch

**INSPECTION / INVESTIGATION INFORMATION:**

<b>Officer:</b>	P. O. Jennifer Hoff
<b>Date:</b>	09/15/2022
<b>Findings:</b>	<p>Officers conducted an inspection at the Old Timber Inn at 4330 Spring Grove Av for the application of a D5 and D6 liquor permit. The equipment and fixtures on the premises were not structurally sound or clean. The electrical system was not safe, there were open electronic boxes behind the bar. There was clutter and trash in the back area. The coolers and freezers were not sanitary or running throughout the bar. The two bathrooms were not sanitary. The womens sink had a link which prohibited the flow of water out of the faucet. The liquor license had an incorrect date printed on it and stated that they applied for the license on 6/01/2021 however this owner did not purchase this bar until February of 2022. The owner believes it was a misprint and has agreed to call for a corrected license. There is no food license because the health department has not been out to this location yet. The owner stated the health department will be out sometime within the next few weeks. They have yet to create a menu and therefore had no prices listed. This bar is not operating yet and still needs some more work. The owner was very compliant and has agreed to fix all of these issues by 10/14/22.</p>

**COMMUNITY COUNCIL NOTIFIED:**

<b>Name 1:</b> Sarah Thomas	<b>Date:</b> 9/15/2022	<b>Notified by:</b> phone
<b>Phone:</b> 5132533480	<b>E-mail:</b>	



Name 2:

Date:

Notified by: (select from menu)

Phone:

E-mail:

**DISPOSITION OF THE COMMUNITY COUNCIL:**

NO OBJECTIONS       OBJECTION: Attached Letter with Community Council Letterhead

**DISPOSITION OF THE DISTRICT:**

NO OBJECTIONS      OBJECTION: If objection checked, a narrative is required below

**REASON FOR OBJECTION:**

The owner is very cooperative and has agreed to fix all of the problems and I am confident that he will. Until he does fix the problems, I object to the liquor permit. I told the owner I would return 10/14/22 to see if he is complaint and if he is then hes been advised to reapply. This owner bought the property after the original owner passed away. The property had not been very well maintained so the new owner has been working very hard to get it in good working order but he needs more time before its safe and clean.

CBC  
JNH/CRC



9/20  
OBJECTION  
MULTIPLE ISSUES NOTED  
JNH/48

# City of Cincinnati



September 28, 2022

To: Teresa Theetge, Interim Police Chief  
From: Eugene Lackey, Division Manager, Permits & Inspections  
Submit: 4330 SPRING GROVE AV - Liquor License Application

---

Investigations discloses that the Liquor License be **DISAPPROVED**

**OTI LLC  
DBA OLD TIMBER INN  
4330 SPRING GROVE  
CINCINNATI OH 45223**

The above location meets building and zoning requirements, and the application is approved from those standpoints.

Application No: 6589523

Permit Type: TRFO D5 D6

Name: **OTI LLC  
DBA OLD TIMBER INN  
4330 SPRING GROVE  
CINCINNATI OH 45223**

A handwritten signature in blue ink that reads "Eugene Lackey".

**Eugene Lackey  
Division Manager  
Department of Buildings & Inspections**

EL/tjl



September 30, 2022

**OTI LLC  
DBA OLD TIMBER INN  
4330 SPRING GROVE  
CINCINNATI OH 45223**

Dear Applicant:

This Department was recently required to recommend approval or disapproval of your Liquor License Application application at 4330 SPRING GROVE AV

Investigation discloses that the application is **DISAPPROVED - Unacceptable fire separation and door hardware, IBI inspection required, Exits obstructed**

A copy of this correspondence is being sent this date to the Police Department apprising them of these requirements.

If you need additional information regarding this matter, please contact **George Duesing** Building Inspector, at **513-615-5458** , Monday thru Friday.

Sincerely

A handwritten signature in blue ink that reads "Eugene Lackey". The signature is written over a horizontal line.

**Eugene Lackey  
Division Manager  
Department of Buildings and Inspections**

EL/tjl



Address: 4330 SPRING GROVE AV  
 No: 2167  
 Date: 8/31/22  
 Due Date: 8/14/22  
 Inspector: GDUEBING  
 License Type: LIQUOR

ZONING				
Zoning	<u>MG</u>			
Permitted	Limited	Limitations	Legal Non-Conforming	Additional Notes
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	
INSPECTIONS				
PMCE Orders	Order #	Type of Construction	Accessed Property?	Called owner for entry?
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		<u>MASONRY</u> <u>3B</u>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Area Dimensions Length: <u>80'</u>		Width: <u>60'</u>	Area: <u>4800</u>	sq. ft.
Last Approved or Permitted Use		Other Uses in the Building:		Prior Use of Area:
<u>Restaurant/Bar</u>		<u>2nd Floor Apartment</u>		
Story of Proposed Use:				
<u>1</u>				
Building Conditions				
Type of Construction	Number of Exits		Acceptable <input type="checkbox"/> Not Acceptable <input checked="" type="checkbox"/>	
<u>MASONRY 3B</u>	<u>4</u>			
Electric	Hardware	Sanitary Facilities	HVAC	Exit Signs Emergency Lighting
Acceptable <input type="checkbox"/> Not Acceptable <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	Acceptable <input type="checkbox"/> Not Acceptable <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	Acceptable <input checked="" type="checkbox"/> Not Acceptable <input type="checkbox"/> N/A <input type="checkbox"/>	Acceptable <input checked="" type="checkbox"/> Not Acceptable <input type="checkbox"/> N/A <input type="checkbox"/>	Acceptable <input type="checkbox"/> Not Acceptable <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
Sprinklers	Fire Alarms	Plans Required		Orders being Written?
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>
Parking # of parking spaces	<u>Cabaret</u>			
<u>25</u>	Area devoted to (exclude service, mechanical and bath areas)			
Theater # of seats	Dancing (a)	Entertainment (b)	Patron Seating (c)	
Describe all unacceptable conditions identified: <u>Fire Separation, IRI Inspection, Exits obstructed, Door Hardware</u>				

APPROVED  
 DISAPPROVED

HENRY SHELTON  
 Zoning Reviewed by  
Water & Maeller  
 Inspector  
 Inspecting Supervisor

8/14/22  
 Date  
9/27/2022  
 Date  
9/27/2022  
 Date

# City of Cincinnati

## Council



Melissa Autry, CMC  
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308  
Cincinnati, Ohio 45202  
Phone (513) 352-3246  
Fax (513) 352-2578

August 29, 2022

OHIO DIVISION OF LIQUOR CONTROL  
LICENSING SECTION  
NEW PERMIT SECTION  
6606 TUSSING ROAD  
P O BOX 4005  
REYNOLDSBURG, OH 43068-9005

Dear Ohio Division of Liquor Control:

The Council of the City of Cincinnati, State of Ohio, is requesting a 30 day extension on the below cited liquor permit application:

Application No.: 6589523  
Permit Type: TRFO D5 D6  
Name: OTI LLC  
DBA OLD TIMBER INN  
4330 SPRING GROVE  
CINCINNATI OH 45223

Pursuant to R.C. 4303.26(A), City of Cincinnati City Council, through its Clerk of Council (collectively, hereinafter "the City"), respectfully requests an additional 30 days in which to respond to the Ohio Division of Liquor Control regarding whether the City will request a hearing on the subject liquor permit application. The City makes such time extension request for good cause and not for unnecessary delay. Specifically, the City requires additional time for each of its various departments and the applicable community council to review and investigate the liquor application by performing all necessary inspections and research including, but not limited to, permit applicant interviews, site premises inspections, background investigations, and historical investigations regarding the history of the permit premises and the subject location. Moreover, such extension of time would provide the applicable community council an opportunity to meet, vote, and respond back to the City by the deadline. Therefore, the City requires such time extension in order to perform its due diligence in this matter. The City respectfully requests this time extension in good faith, for good cause, and not for unnecessary delay.

Please fax the confirmation back to us as soon as possible at (513)352-2578.

Thank you for your prompt attention.

Sincerely,

Melissa Autry, CMC  
Clerk of Council

**NOTICE TO LEGISLATIVE  
AUTHORITY**

**OHIO DIVISION OF LIQUOR CONTROL**  
6808 TUSSING ROAD, P.O. BOX 4008  
REYNOLDSBURG, OHIO 43068-9008  
(614)844-2360 FAX(614)844-3188

TO

<b>6589523</b>		<b>TRFO</b>	<b>OTI LLC</b>
PERMIT NUMBER		TYPE	<b>DBA OLD TIMBER INN</b>
<b>06</b>	<b>01</b>	<b>2021</b>	<b>4330 SPRING GROVE</b>
ISSUE DATE			<b>CINCINNATI OHIO 45223</b>
<b>08</b>	<b>19</b>	<b>2022</b>	
FILING DATE			
<b>D5</b>	<b>D6</b>	PERMIT CLASSES	
<b>31</b>	<b>066</b>	<b>A</b>	<b>F28161</b>
TAX DISTRICT			RECEIPT NO.

FROM **08/23/2022**

<b>2686074</b>			<b>ELMER J FERGUSON ESTATE</b>
PERMIT NUMBER		TYPE	<b>DBA OLD TIMBER INN</b>
<b>06</b>	<b>01</b>	<b>2021</b>	<b>1ST FL &amp; BSMT &amp; BEER GARDEN</b>
ISSUE DATE			<b>4330 SPRING GROVE</b>
<b>08</b>	<b>19</b>	<b>2022</b>	<b>CINCINNATI OHIO 45223</b>
FILING DATE			
<b>D5</b>	<b>D6</b>	PERMIT CLASSES	
<b>31</b>	<b>066</b>		
TAX DISTRICT			RECEIPT NO.



MAILED **08/23/2022**

RESPONSES MUST BE POSTMARKED NO LATER THAN **09/23/2022**

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.  
REFER TO THIS NUMBER IN ALL INQUIRIES **A TRFO 6589523**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
THE HEARING BE HELD  IN OUR COUNTY SEAT.  IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title) -  Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

**CINCINNATI CLERK OF COUNCIL**  
**CITY HALL**  
**801 PLUM ST ROOM 308**  
**CINCINNATI OHIO 45202**

# City of Cincinnati Council



Melissa Autry, CMC  
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308  
Cincinnati, Ohio 45202  
Phone (513) 352-3246  
Fax (513) 352-2578

For City Bulletin

## Liquor Permit Application

From the Department of Liquor Control advising of permit application for the following:

Application No.: 6589523  
Permit Type: TRFO D5 D6  
Name: OTI LLC  
DBA OLD TIMBER INN  
4330 SPRING GROVE  
CINCINNATI OH 45223

Pursuant to Section 4303.261 of the Ohio Revised Code, Council must notify the Department of Liquor Control within thirty days if there is an objection to the above permit.

Notice of Application was received by the Clerk of Council's Office

08/29/2022

MELISSA AUTRY, CMC Clerk of Council

The last day for the State to receive an objection is

09/23/2022



October 19, 2022

**To:** Mayor and Members of City Council 202201906  
**From:** Sheryl M. M. Long, City Manager  
**Subject:** **Ordinance – Authorizing a Grant of Easement in favor of Market House, LLC**

---

Attached is an Ordinance captioned:

**AUTHORIZING** the City Manager to execute a *Grant of Easement* in favor of Market House, LLC, pursuant to which the City of Cincinnati will grant an access easement across a portion of City-owned real property in Over-the-Rhine.

#### **BACKGROUND/CURRENT CONDITIONS**

118 W. Elder Street is a City-owned property in the Over-the-Rhine neighborhood. The property contains a 3.5-story historic mixed-use building. The building was leased to and managed by the Corporation for Findlay Market (CFFM). The bottom floor is occupied by two commercial tenants, Silverglades Deli and Pet Wants, while the upper floors have been vacant for several years.

Pursuant to a Preferred Developer Agreement with OTR Holdings, Inc., a subsidiary of 3CDC, the City granted OTR Holdings, Inc. the right to solicit development proposals for the property through an open and public process. Through that process, OTR Holdings, Inc. recommended the City sell the upper floors to husband and wife Andrew Reider and Rachel Reider. The building was subdivided into a residential air lot consisting of the upper floors of 118 W. Elder Street and a street-level commercial lot at 118 W. Elder Street, which is retained by the City and leased to CFFM. The property sale of the upper floors was approved by City Council on June 27, 2018 under Ordinance No. 212-2018

The address for the newly created air parcel is 1811 Pleasant Street. Sole access to the property is from the former Pleasant Street right-of-way, in between Sellew Alley and W. Elder Street. This section of Pleasant Street was vacated in 2010 and is currently owned by the City of Cincinnati and 1811 Pleasant Street was transferred to Market House, LLC in March of 2022. A Right-of-Entry (ROE) was executed to grant temporary access to permit construction commencement, but will expire in March of 2023, or once a permanent grant of easement is executed and recorded.

## **DEVELOPER INFORMATION**

Market House, LLC is owned by Andrew and Rachel Reider. The Reiders previously lived in Over-the-Rhine and will move into the building with their children following construction completion. The Reiders will remain the sole owner of the parcel.

## **PROJECT DESCRIPTION**

Market House, LLC is in the process of renovating 1811 Pleasant Street into one owner-occupied unit, which the Reiders will occupy, and two market-rate, one-bedroom, renter-occupied units. An access easement will permit building access to the property.

The easement will be a six-foot-wide section along the west property line of the former Pleasant Street ROW, totaling approximately 480 square feet. Fair market value (FMV) is \$900.00, but the easement will be granted for \$1 as the access issue was not identified when FMV was determined for the property sale.

City Planning Commission approved the easement on August 5, 2022.

The proposed project is consistent with *Plan Cincinnati* (2012) in the Live Initiative Area's Goal to "Provide a full spectrum of housing options, and improve housing quality and affordability" (p. 164) and the Sustain Initiative Area's Strategy to "Preserve our built history" (p. 197). It is also consistent with portions of the *Over-the-Rhine Comprehensive Plan* (2002) in the Housing section and the *Brewery District Master Plan* (2013) within Goal 4: Rediscovering a Mixed-Use Economy (p. 74).

## **PROPOSED INCENTIVE**

DCED is recommending a grant of easement to Market House, LLC at the reduced price of \$1. DCED's recommendation is based on the following reasons:

- Without this easement, the owners and future tenants will not have legal access to their property.
- The access issue was not identified when FMV was determined for the property sale.
- The project will return the upper floors of the property back into productive use by renovating vacant property into three (3) housing units. This site has been dormant for several years.

## **PROJECT TEAM & TIMELINE**

The project team (listed below) will make themselves available at the request of the councilmember(s).

- Assistant City Manager: William Weber
- DCED Director: Markiea L. Carter
- Project Attorney: Charles Martinez

Grant of Easement

*Market House, LLC*

Page 3 of 4

The anticipated council timeline, which includes two Budget and Finance meetings if necessary is as follows:

- October 24, 2022: Budget and Finance (1)
- October 31, 2022: Budget and Finance (2)
- November 2, 2022: City Council for Final Approval

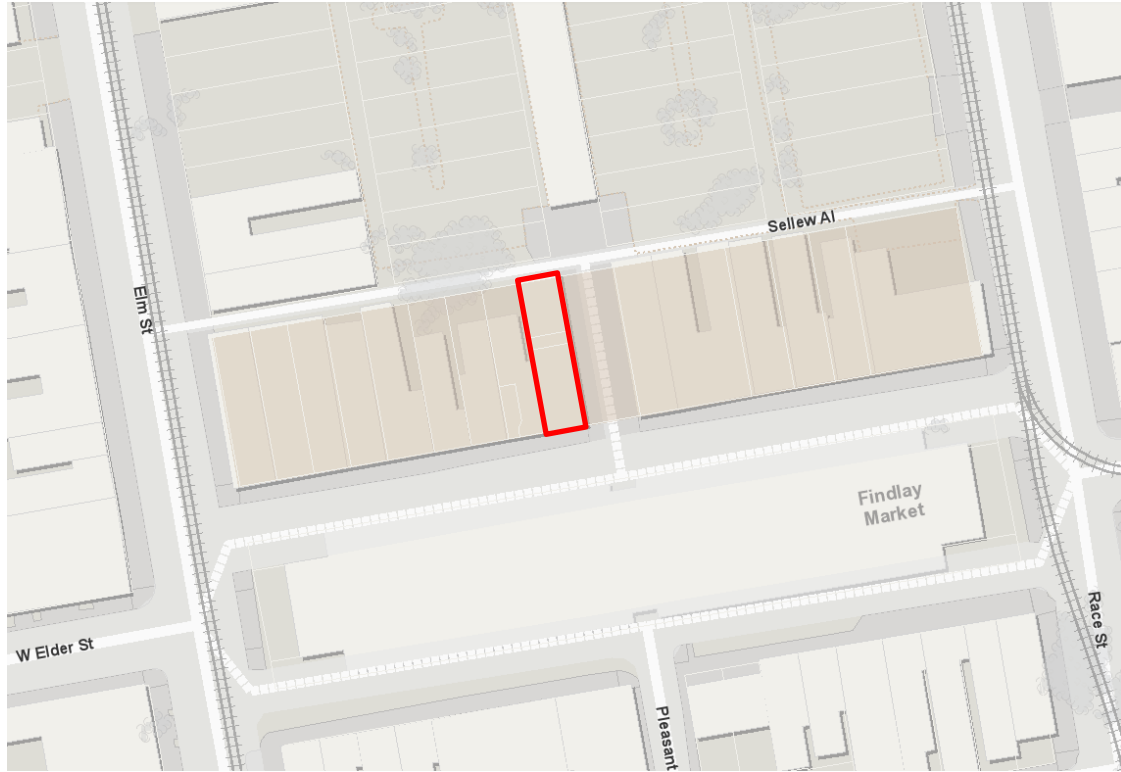
**RECOMMENDATION**

The Administration recommends approval of this Ordinance.

Attachment: A. Property location, photographs, and easement plat

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

**Attachment A: Location and Photographs**



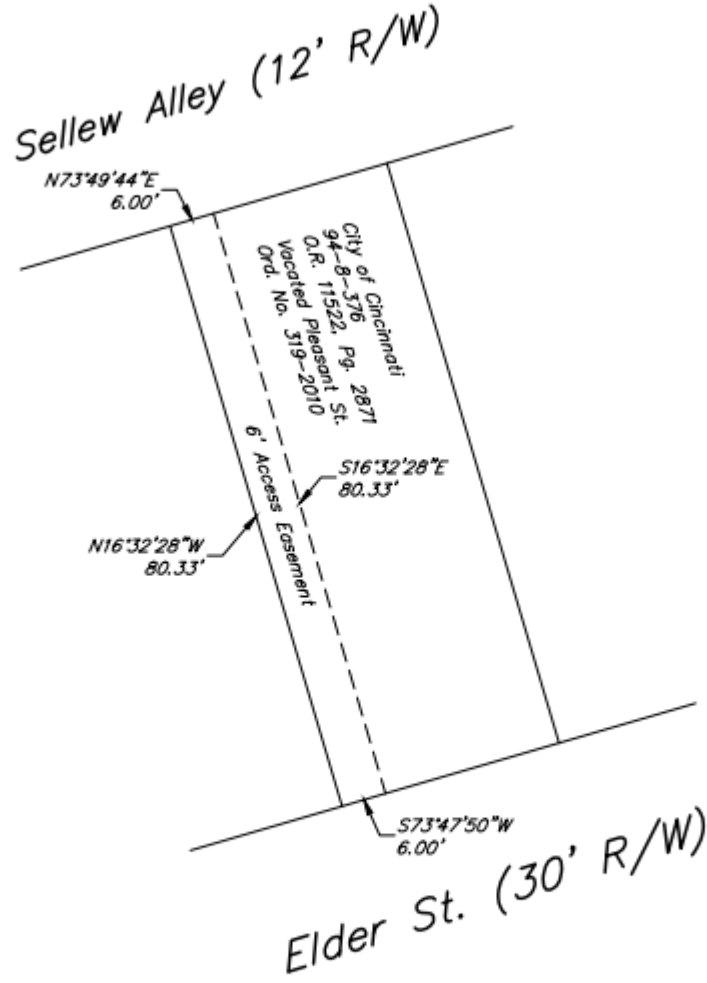
*Property Location*



*118 W. Elder Street / 1811 Pleasant Street*



Access Easement  
Parcel 94-8-376  
Easement Area = 482 s.f.



Situate in Section 13, F.R. 2, Town 3, Millcreek Township  
City of Cincinnati, Hamilton County, Ohio.

GRAPHIC SCALE



( IN FEET )

1 inch = 20 ft.

Date: June, 2022

DEPARTMENT OF  
TRANSPORTATION & ENGINEERING  
CITY OF CINCINNATI  
OHIO

Department of  
Transportation  
and Engineering  
City of Cincinnati  
City Hall  
801 Plum Street  
Cincinnati, Ohio 45202

**City of Cincinnati**  
**An Ordinance No. \_\_\_\_\_**

CHM

EESW

- 2022

**AUTHORIZING** the City Manager to execute a *Grant of Easement* in favor of Market House, LLC, pursuant to which the City of Cincinnati will grant an access easement across a portion of City-owned real property in Over-the-Rhine.

WHEREAS, pursuant to a *Quitclaim Deed* authorized by Ordinance No. 212-2018, passed by Cincinnati City Council on June 27, 2018, the City of Cincinnati (“City”) conveyed to Market House, LLC, an Ohio limited liability company (“Grantee”), all its right, title, and interest in and to an air parcel consisting of the upper floors of a building located at 1811 Pleasant Street, also known as 118 W. Elder Street (the “Benefitted Property”) at Findlay Market in the Over-the-Rhine neighborhood; and

WHEREAS, the City owns an adjoining parcel of real property identified as Hamilton County, Ohio Auditor’s Parcel ID No. 094-0008-0376-00, as more particularly described and depicted in the *Grant of Easement* attached to this ordinance as Attachment A and incorporated herein by reference (“Property”), which Property consists of vacated former public right-of-way that is under the management of the City’s Department of Public Services (“DPS”); and

WHEREAS, Grantee has undertaken a project to renovate the Benefitted Property into a residential dwelling (the “Project”), and Grantee requires an access easement across the Property to the Sellew Alley and West Elder Street public rights-of-way, as more particularly detailed in Attachment A (“Easement”); and

WHEREAS, Section 16 of Article VIII of the Ohio Constitution provides that it is in the public interest and a proper public purpose for the City to enhance the availability of adequate housing and to improve the economic and general well-being of the people of the City by providing or assisting in providing housing; and

WHEREAS, pursuant to Ordinance No. 212-2018, the Council determined that the Project is in the vital and best interests of the City and the health, safety, and welfare of its residents and in accordance with the public purposes and provisions of applicable federal, state, and local laws and requirements; and

WHEREAS, the City Manager, in consultation with DPS, has determined that granting the Easement to Grantee is not adverse to the City’s retained interest in the Property; and

WHEREAS, pursuant to Cincinnati Municipal Code Sec. 331-5, Council may authorize the encumbrance of City-owned property without competitive bidding in those cases in which it determines that it is in the best interest of the City; and

WHEREAS, the City's Real Estate Services Division has determined by an appraisal that the fair market value of the Easement is approximately \$900.00; however, the City has agreed to grant the Easement to Grantee for \$1.00 because the City will receive benefits from the Project that equal or exceed the fair market value of the Easement through the creation of temporary construction jobs and the increased availability of adequate housing in the City; and

WHEREAS, the City Planning Commission, having the authority to approve the change in the use of City-owned property, approved the Easement at its meeting on August 5, 2022; now, therefore,

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

Section 1. That the City Manager is hereby authorized to execute a *Grant of Easement* in favor of Market House, LLC, an Ohio limited liability company ("Grantee") and the owner of an air parcel consisting of the upper floors of a building located at 1811 Pleasant Street, also known as 118 W. Elder Street (the "Benefitted Property") at Findlay Market in Over-the-Rhine, in substantially the form attached to this ordinance as Attachment A and incorporated herein by reference, pursuant to which the City of Cincinnati ("City") will grant to Grantee an access easement ("Easement") across a portion of certain real property identified as Hamilton County, Ohio Auditor's Parcel ID No. 094-0008-0376-00, as more particularly described and depicted in Attachment A ("Property").

Section 2. That granting the Easement to Grantee is not adverse to the City's retained interest in the Property.

Section 3. That it is in the best interest of the City to grant the Easement without competitive bidding because, as a practical matter, no one other than Grantee, an adjoining property owner, would have any use for the Easement.

Section 4. That the fair market value of the Easement, as determined by a professional appraisal by the City's Real Estate Services Division, is approximately \$900.00; however, the City has agreed to grant the Easement to Grantee for \$1.00 because the City will receive benefits

from Grantee's renovation of the Benefitted Property into a residential dwelling that equal or exceed the fair market value of the Easement through the creation of temporary construction jobs and the increased availability of adequate housing in the City.

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

Section 6. That the City Manager and other City officials are authorized to take all necessary and proper actions to carry out the provisions of this ordinance and to fulfill the terms of the *Grant of Easement*, including, without limitation, executing any and all ancillary agreements, plats, and other real estate documents.

Section 7. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_, 2022

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

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



ATTACHMENT A

-----  
[SPACE ABOVE FOR RECORDER'S USE]

## GRANT OF EASEMENT

(access across a portion of APN 94-8-376)

This Grant of Easement is granted as of the Effective Date (as defined on the signature page hereof) by the **CITY OF CINCINNATI**, an Ohio municipal corporation, 801 Plum Street, Cincinnati, OH 45202 (the "**City**"), in favor of **MARKET HOUSE, LLC**, an Ohio limited liability company, with a tax mailing address of 4100 Brookdale Lane, Dayton, OH 45440 ("**Grantee**").

### Recitals:

A. By virtue of a *Quitclaim Deed* recorded on March 24, 2022, in OR 14631, Page 1504, Hamilton County, Ohio Records, Grantee holds title to certain real property consisting of a residential air lot comprising the upper levels of a building located at 1811 Pleasant Street, also known as 118 W. Elder Street, Cincinnati, OH 45202, as more particularly described on Exhibit A (Legal Description – Benefitted Property) and depicted on Exhibit B (Survey Plat) hereto (the "**Benefitted Property**"). Grantee purchased the Benefitted Property pursuant to a *Property Sale and Development Agreement* by and between the City and Andrew and Rachel Reider, as assigned by the aforesaid to Grantee (the "**Agreement**").

B. Pursuant to Cincinnati Municipal Ordinance No. 319-2010, passed by Cincinnati City Council on August 4, 2010, as recorded in Official Record 11522, Page 2871, Hamilton County, Ohio Records, the City vacated a portion of Pleasant Street located in the Over-the-Rhine neighborhood of Cincinnati between Sellow Alley and West Elder Street (the "**Property**"). The Property is more particularly identified as Hamilton County, Ohio Auditor's Parcel No. 094-0008-0376, and more particularly depicted on Exhibit B hereto. The Property is under the management of the City's Department of Public Services ("**DPS**").

C. As set forth by the Agreement, Grantee has undertaken a project at the Benefitted Property to renovate the upper floors of the building into a residential dwelling. The primary ingress and egress to the upper floors of the building is from the Property, and due to the vacation of the Property as public right-of-way, Grantee requires ingress and egress access rights across the Property to the public right-of-way.

D. The City Manager, in consultation with DPS, has determined that the easement will not have an adverse effect on the City's retained interest in the Property.

E. The City's Real Estate Services Division has determined that the fair market value of the easement, as determined by professional appraisal, is \$900; however, the City has agreed to grant the easement to Grantee for \$1.00, because the City will receive benefits from Grantee's renovation of the Benefitted Property that equal or exceed the fair market value of the easement and enhance the availability of adequate housing in the City.

F. City Planning Commission, having the authority to approve the change in the use of City-owned property, approved the easement at its meeting on August 5, 2022.

G. Cincinnati City Council approved the easement by Ordinance No. [ ]-2022, passed on [ ], 2022.

NOW THEREFORE, the parties do hereby agree as follows:

1. Grant of Easement. The City does hereby grant to Grantee, on the terms and conditions set forth herein, as an appurtenance to and for the benefit of the Benefitted Property, a non-exclusive access easement for access, ingress, and egress across the Property to and from the Sellow Alley and West Elder Street public rights-of-way, as more particularly depicted on Exhibit B and described on Exhibit C (Legal Description- Easement) hereto (the “**Access Easement**” or “**Access Easement Area**”, as applicable).

2. Permitted Use. Grantee, its agents, tenants, licensees, and invitees shall have the non-exclusive right to use the Access Easement Area for the sole and limited purpose of ingress and egress on foot, wheelchair, or similar ambulatory device across Property to the adjoining public rights-of-way. Grantee shall not use or permit the use of the Access Easement Area in any manner that is inconsistent with the rights granted herein or in a manner that impairs or unreasonably interferes with the rights of the City or others permitted by the City to the full use and enjoyment of the Property, as determined by the City.

3. Termination. Notwithstanding anything herein to the contrary, the Access Easement shall automatically terminate upon any permanent alteration of access to the Benefitted Property or elimination or demolition of the improvements located on the Benefitted Property such that the Access Easement would be rendered unnecessary, unless construction to replace the building improvements is commenced within 12 months thereafter.

3. Relocation of Access Easement. The City, at its sole discretion, and upon no less than 10 days prior written notice to Grantee, may relocate the Access Easement Area from time to time to a pathway of its choosing, provided that the City's Department of Buildings and Inspections determines that the relocated pathway conforms to applicable building code requirements. The City's notice of relocation of the Access Easement Area shall be accompanied by a survey drawing depicting the relocated Access Easement Area, and such notice shall automatically serve as an amendment to this instrument. The City shall have the right to execute and record an amendment to this instrument in the Hamilton County Recorder's Office to memorialize the relocated Access Easement Area.

4. Insurance; Indemnification. At all times, and in addition to whatever other insurance and bond requirements the City may from time to time require, Grantee shall maintain or cause to be maintained a policy of general liability insurance, with an insurance company reasonably acceptable to the City and naming the City as an additional insured, in an amount not less than \$300,000 per occurrence, combined single limit/\$300,000 aggregate, or in such greater amount as the City may from time to time require. Grantee shall furnish to the City a certificate of insurance evidencing such insurance upon the City's request. Grantee hereby waives all claims and rights of recovery against the City, and on behalf of Grantee's insurers, rights of subrogation, in connection with any damage to or loss of personal property, no matter how caused. Grantee shall defend (with counsel reasonably acceptable to the City), indemnify, and hold the City harmless from and against any and all claims, actions, losses, costs (including, without limitation, reasonable attorneys' fees), liability and damages suffered or incurred by, or asserted against, the City in connection with the use of the Access Easement by Grantee, its agents, tenants, licensees, and invitees.

5. Covenants Running with the Land. The provisions hereof shall run with the land and shall inure to the benefit of and be binding upon the City, Grantee, and their respective successors-in-interest and assigns.

6. Governing Law; Severability. This instrument shall be governed by and construed in accordance with the laws of the City of Cincinnati and the State of Ohio. If any provisions hereof are determined to be invalid or unenforceable by a court of law, the remainder of this instrument shall not be affected thereby, and all other provisions of this instrument shall be valid and enforceable to the fullest extent permitted by law.

7. Notices. All notices given hereunder shall be in writing and shall be sent by U.S. certified or registered mail, return receipt requested, or delivered by a recognized courier service, or by personal delivery, to the parties at their respective addresses set forth in the introductory paragraph hereof, or such other address as either party may specify from time to time by notice given in the manner prescribed herein. All notices to the City shall be addressed to the Office of the City Manager. In the event of an alleged breach by the City of this instrument, a copy of each notice of breach shall simultaneously be delivered to the Office of the City Solicitor, 801 Plum Street, Room 214, Cincinnati, OH 45202.

8. Coordinated Report Conditions (CR #17-2022). The following additional conditions shall apply: None

9. Counterparts and Electronic Signatures. This instrument may be executed by the parties hereto in two or more counterparts and each executed counterpart shall be considered an original. This instrument may be executed and delivered by electronic signature; any original signatures that are initially delivered electronically shall be physically delivered as soon as reasonably possible.

10. Exhibits. The following exhibits are attached hereto and made a part hereof:  
Exhibit A – *Legal Description - Benefitted Property*  
Exhibit B – *Survey Plat*  
Exhibit C – *Legal Description - Easement*

Executed by the parties on the respective date of acknowledgement listed below, effective as the later of such dates (the "Effective Date").

**CITY OF CINCINNATI**

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

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

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

Date: \_\_\_\_\_, 2022

STATE OF OHIO                    )  
  ) ss:  
COUNTY OF HAMILTON        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2022 by \_\_\_\_\_, the \_\_\_\_\_ of the **CITY OF CINCINNATI**, an Ohio municipal corporation, on behalf of the municipal corporation. The notarial act certified hereby is an acknowledgement. No oath or affirmation was administered to the signer with regard to the notarial act certified to hereby.

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

Approved by:

\_\_\_\_\_  
John S. Brazina, Director  
Department of Transportation and Engineering

Approved as to Form by:

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

[ Grantee Signature Page Follows ]

ACCEPTED AND AGREED TO BY:

**MARKET HOUSE, LLC,**  
an Ohio limited liability company,

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

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

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

Date: \_\_\_\_\_, 2022

STATE OF OHIO                    )  
  ) ss:  
COUNTY OF HAMILTON        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2022 by \_\_\_\_\_, the \_\_\_\_\_ of **MARKET HOUSE, LLC**, an Ohio limited liability company, on behalf of the company. The notarial act certified hereby is an acknowledgement. No oath or affirmation was administered to the signer with regard to the notarial act certified to hereby.

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

This instrument prepared by:  
City of Cincinnati Law Department  
801 Plum Street, Suite 214  
Cincinnati, OH 45202

**EXHIBIT A**

to Grant of Easement

*LEGAL DESCRIPTION - BENEFITTED PROPERTY*

**Property Address:** 1811 Pleasant Street, f/k/a 118 W. Elder Street, Cincinnati, Ohio 45202  
**Auditor's Parcel No.:** 094-0008-0441-00 ST

**SITUATE IN SECTION 13, TOWN 3, FRACTIONAL RANGE 2, MILLCREEK TOWNSHIP, CITY OF CINCINNATI, HAMILTON COUNTY, OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEING ALL OF AIR LOT 2 OF 118 WEST ELDER STREET SUBDIVISION AS RECORDED IN PLAT BOOK 480, PAGE 2 OF THE HAMILTON COUNTY, OHIO RECORDER'S OFFICE.**

**BEING SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.**

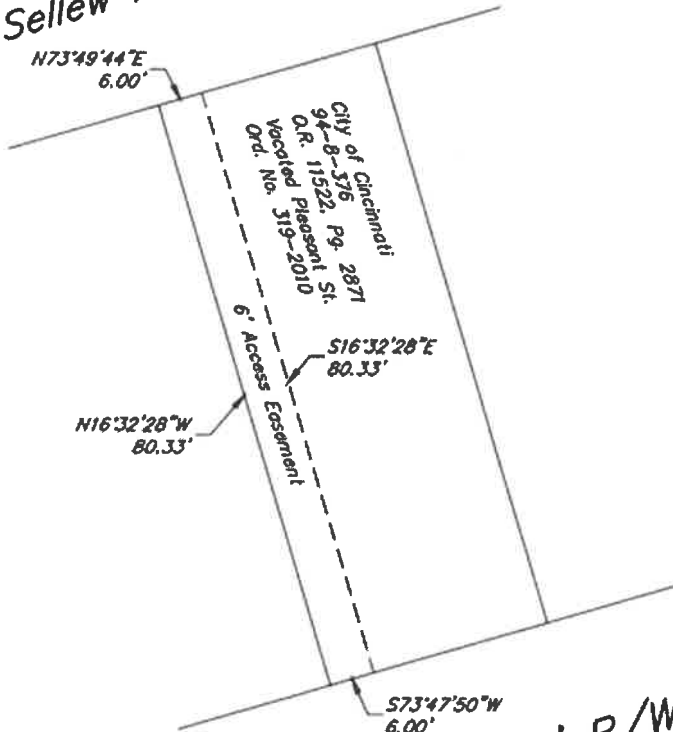
**EXHIBIT B**

to Grant of Easement

Survey Plat  
*Access Easement*  
*Parcel 94-8-376*  
*Easement Area = 482 s.f.*



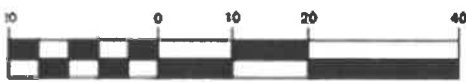
*Sellew Alley (12' R/W)*



*Elder St. (30' R/W)*

Situate in Section 13, F.R. 2, Town 3., Millcreek Township  
City of Cincinnati, Hamilton County, Ohio.

**GRAPHIC SCALE**



( IN FEET )  
1 inch = 20 ft.

Date: June, 2022

Department of  
Transportation  
and Engineering  
City of Cincinnati  
City Hall  
801 Plum Street  
Cincinnati, Ohio 45202



**EXHIBIT C**

to Grant of Easement

*Legal Description –Easement*

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to the City of Cincinnati in O.R. 11522, Pg. 2871 and being part of vacated Pleasant Street, Ord. No. 319-2010 and being more particularly described as follows:

Beginning at the intersection of the north line of Elder Street, 30' R/W and the west line of said vacated Pleasant Street; thence with the west line of said vacated Pleasant Street, North 16°32'28" West, 80.33 feet to a point in the south line of Sellew Alley, 12' R/W; thence with the south line of said Sellew Alley, North 73°49'44" East, 6.00 feet to a point; thence South 16°32'28" East, 80.33 feet to a point in the north line of said Elder Street; thence South 73°47'50" West, 6.00 feet to the Place of Beginning. Containing 482 square feet of land more or less (0.011 acres). Bearings based on Plat Book 335, Page 12. Subject to all legal highways, easements and restrictions of record.

-----  
[SPACE ABOVE FOR RECORDER'S USE]

## GRANT OF EASEMENT

(access across a portion of APN 94-8-376)

This Grant of Easement is granted as of the Effective Date (as defined on the signature page hereof) by the **CITY OF CINCINNATI**, an Ohio municipal corporation, 801 Plum Street, Cincinnati, OH 45202 (the "**City**"), in favor of **MARKET HOUSE, LLC**, an Ohio limited liability company, with a tax mailing address of 4100 Brookdale Lane, Dayton, OH 45440 ("**Grantee**").

### Recitals:

A. By virtue of a *Quitclaim Deed* recorded on March 24, 2022, in OR 14631, Page 1504, Hamilton County, Ohio Records, Grantee holds title to certain real property consisting of a residential air lot comprising the upper levels of a building located at 1811 Pleasant Street, also known as 118 W. Elder Street, Cincinnati, OH 45202, as more particularly described on Exhibit A (*Legal Description – Benefitted Property*) and depicted on Exhibit B (*Survey Plat*) hereto (the "**Benefitted Property**"). Grantee purchased the Benefitted Property pursuant to a *Property Sale and Development Agreement* by and between the City and Andrew and Rachel Reider, as assigned by the aforesaid to Grantee (the "**Agreement**").

B. Pursuant to Cincinnati Municipal Ordinance No. 319-2010, passed by Cincinnati City Council on August 4, 2010, as recorded in Official Record 11522, Page 2871, Hamilton County, Ohio Records, the City vacated a portion of Pleasant Street located in the Over-the-Rhine neighborhood of Cincinnati between Sellow Alley and West Elder Street (the "**Property**"). The Property is more particularly identified as Hamilton County, Ohio Auditor's Parcel No. 094-0008-0376, and more particularly depicted on Exhibit B hereto. The Property is under the management of the City's Department of Public Services ("**DPS**").

C. As set forth by the Agreement, Grantee has undertaken a project at the Benefitted Property to renovate the upper floors of the building into a residential dwelling. The primary ingress and egress to the upper floors of the building is from the Property, and due to the vacation of the Property as public right-of-way, Grantee requires ingress and egress access rights across the Property to the public right-of-way.

D. The City Manager, in consultation with DPS, has determined that the easement will not have an adverse effect on the City's retained interest in the Property.

E. The City's Real Estate Services Division has determined that the fair market value of the easement, as determined by professional appraisal, is \$900; however, the City has agreed to grant the easement to Grantee for \$1.00, because the City will receive benefits from Grantee's renovation of the Benefitted Property that equal or exceed the fair market value of the easement and enhance the availability of adequate housing in the City.

F. City Planning Commission, having the authority to approve the change in the use of City-owned property, approved the easement at its meeting on August 5, 2022.

G. Cincinnati City Council approved the easement by Ordinance No. [\_\_\_\_]-2022, passed on [\_\_\_\_], 2022.

NOW THEREFORE, the parties do hereby agree as follows:

1. Grant of Easement. The City does hereby grant to Grantee, on the terms and conditions set forth herein, as an appurtenance to and for the benefit of the Benefitted Property, a non-exclusive access easement for access, ingress, and egress across the Property to and from the Sellw Alley and West Elder Street public rights-of-way, as more particularly depicted on Exhibit B and described on Exhibit C (Legal Description- Easement) hereto (the “**Access Easement**” or “**Access Easement Area**”, as applicable).

2. Permitted Use. Grantee, its agents, tenants, licensees, and invitees shall have the non-exclusive right to use the Access Easement Area for the sole and limited purpose of ingress and egress on foot, wheelchair, or similar ambulatory device across Property to the adjoining public rights-of-way. Grantee shall not use or permit the use of the Access Easement Area in any manner that is inconsistent with the rights granted herein or in a manner that impairs or unreasonably interferes with the rights of the City or others permitted by the City to the full use and enjoyment of the Property, as determined by the City.

3. Termination. Notwithstanding anything herein to the contrary, the Access Easement shall automatically terminate upon any permanent alteration of access to the Benefitted Property or elimination or demolition of the improvements located on the Benefitted Property such that the Access Easement would be rendered unnecessary, unless construction to replace the building improvements is commenced within 12 months thereafter.

3. Relocation of Access Easement. The City, at its sole discretion, and upon no less than 10 days prior written notice to Grantee, may relocate the Access Easement Area from time to time to a pathway of its choosing, provided that the City’s Department of Buildings and Inspections determines that the relocated pathway conforms to applicable building code requirements. The City’s notice of relocation of the Access Easement Area shall be accompanied by a survey drawing depicting the relocated Access Easement Area, and such notice shall automatically serve as an amendment to this instrument. The City shall have the right to execute and record an amendment to this instrument in the Hamilton County Recorder’s Office to memorialize the relocated Access Easement Area.

4. Insurance; Indemnification. At all times, and in addition to whatever other insurance and bond requirements the City may from time to time require, Grantee shall maintain or cause to be maintained a policy of general liability insurance, with an insurance company reasonably acceptable to the City and naming the City as an additional insured, in an amount not less than \$300,000 per occurrence, combined single limit/\$300,000 aggregate, or in such greater amount as the City may from time to time require. Grantee shall furnish to the City a certificate of insurance evidencing such insurance upon the City’s request. Grantee hereby waives all claims and rights of recovery against the City, and on behalf of Grantee’s insurers, rights of subrogation, in connection with any damage to or loss of personal property, no matter how caused. Grantee shall defend (with counsel reasonably acceptable to the City), indemnify, and hold the City harmless from and against any and all claims, actions, losses, costs (including, without limitation, reasonable attorneys’ fees), liability and damages suffered or incurred by, or asserted against, the City in connection with the use of the Access Easement by Grantee, its agents, tenants, licensees, and invitees.

5. Covenants Running with the Land. The provisions hereof shall run with the land and shall inure to the benefit of and be binding upon the City, Grantee, and their respective successors-in-interest and assigns.

6. Governing Law; Severability. This instrument shall be governed by and construed in accordance with the laws of the City of Cincinnati and the State of Ohio. If any provisions hereof are determined to be invalid or unenforceable by a court of law, the remainder of this instrument shall not be affected thereby, and all other provisions of this instrument shall be valid and enforceable to the fullest extent permitted by law.

7. Notices. All notices given hereunder shall be in writing and shall be sent by U.S. certified or registered mail, return receipt requested, or delivered by a recognized courier service, or by personal delivery, to the parties at their respective addresses set forth in the introductory paragraph hereof, or such other address as either party may specify from time to time by notice given in the manner prescribed herein. All notices to the City shall be addressed to the Office of the City Manager. In the event of an alleged breach by the City of this instrument, a copy of each notice of breach shall simultaneously be delivered to the Office of the City Solicitor, 801 Plum Street, Room 214, Cincinnati, OH 45202.

8. Coordinated Report Conditions (CR #17-2022). The following additional conditions shall apply: None

9. Counterparts and Electronic Signatures. This instrument may be executed by the parties hereto in two or more counterparts and each executed counterpart shall be considered an original. This instrument may be executed and delivered by electronic signature; any original signatures that are initially delivered electronically shall be physically delivered as soon as reasonably possible.

10. Exhibits. The following exhibits are attached hereto and made a part hereof:  
Exhibit A – *Legal Description - Benefitted Property*  
Exhibit B – *Survey Plat*  
Exhibit C – *Legal Description - Easement*

Executed by the parties on the respective date of acknowledgement listed below, effective as the later of such dates (the "Effective Date").

**CITY OF CINCINNATI**

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

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

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

Date: \_\_\_\_\_, 2022

STATE OF OHIO                    )  
  ) ss:  
COUNTY OF HAMILTON        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2022 by \_\_\_\_\_, the \_\_\_\_\_ of the **CITY OF CINCINNATI**, an Ohio municipal corporation, on behalf of the municipal corporation. The notarial act certified hereby is an acknowledgement. No oath or affirmation was administered to the signer with regard to the notarial act certified to hereby.

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

Approved by:

\_\_\_\_\_  
John S. Brazina, Director  
Department of Transportation and Engineering

Approved as to Form by:

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

[ Grantee Signature Page Follows ]

ACCEPTED AND AGREED TO BY:

**MARKET HOUSE, LLC,**  
an Ohio limited liability company,

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

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

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

Date: \_\_\_\_\_, 2022

STATE OF OHIO                    )  
  ) ss:  
COUNTY OF HAMILTON         )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2022 by \_\_\_\_\_, the \_\_\_\_\_ of **MARKET HOUSE, LLC**, an Ohio limited liability company, on behalf of the company. The notarial act certified hereby is an acknowledgement. No oath or affirmation was administered to the signer with regard to the notarial act certified to hereby.

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

This instrument prepared by:  
City of Cincinnati Law Department  
801 Plum Street, Suite 214  
Cincinnati, OH 45202

**EXHIBIT A**

to Grant of Easement

*LEGAL DESCRIPTION - BENEFITTED PROPERTY*

**Property Address:** 1811 Pleasant Street, f/k/a 118 W. Elder Street, Cincinnati, Ohio 45202  
**Auditor's Parcel No.:** 094-0008-0441-00 ST

SITUATE IN SECTION 13, TOWN 3, FRACTIONAL RANGE 2, MILLCREEK TOWNSHIP, CITY OF CINCINNATI, HAMILTON COUNTY, OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING ALL OF AIR LOT 2 OF 118 WEST ELDER STREET SUBDIVISION AS RECORDED IN PLAT BOOK 480, PAGE 2 OF THE HAMILTON COUNTY, OHIO RECORDER'S OFFICE.

BEING SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

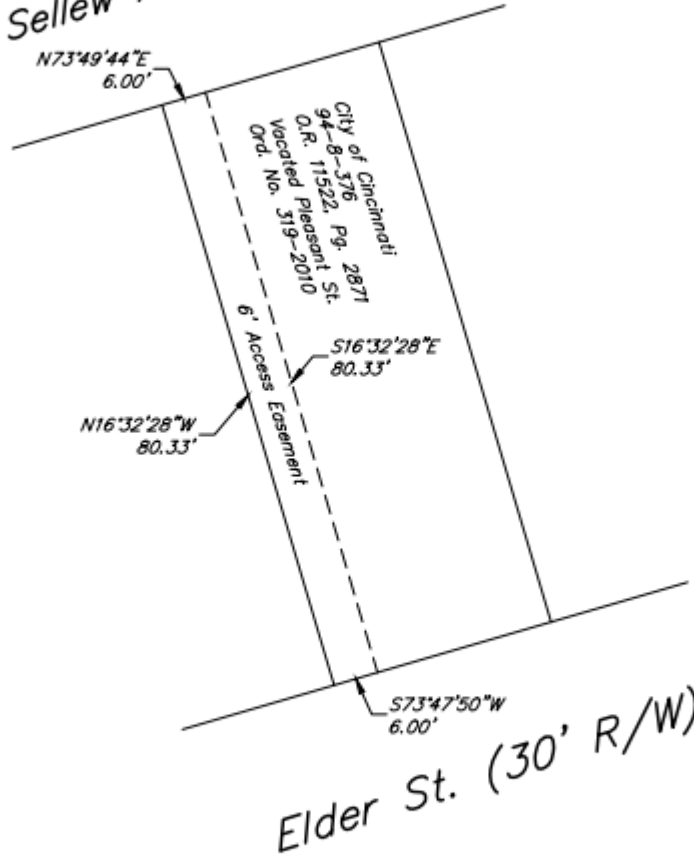
**EXHIBIT B**

to Grant of Easement

Survey Plat  
Access Easement  
Parcel 94-8-376  
Easement Area = 482 s.f.



Sellew Alley (12' R/W)



Situate in Section 13, F.R. 2, Town 3, Millcreek Township  
City of Cincinnati, Hamilton County, Ohio.

**GRAPHIC SCALE**



( IN FEET )  
1 inch = 20 ft.

Date: June, 2022

DEPARTMENT OF  
CITY OF CINCINNATI  
TRANSPORTATION & ENGINEERING

Department of  
Transportation  
and Engineering

City of Cincinnati  
City Hall  
801 Plum Street  
Cincinnati, Ohio 45202



**EXHIBIT C**

to Grant of Easement

*Legal Description –Easement*

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to the City of Cincinnati in O.R. 11522, Pg. 2871 and being part of vacated Pleasant Street, Ord. No. 319-2010 and being more particularly described as follows:

Beginning at the intersection of the north line of Elder Street, 30' R/W and the west line of said vacated Pleasant Street; thence with the west line of said vacated Pleasant Street, North 16°32'28" West, 80.33 feet to a point in the south line of Sellew Alley, 12' R/W; thence with the south line of said Sellew Alley, North 73°49'44" East, 6.00 feet to a point; thence South 16°32'28" East, 80.33 feet to a point in the north line of said Elder Street,; thence South 73°47'50" West, 6.00 feet to the Place of Beginning. Containing 482 square feet of land more or less (0.011 acres). Bearings based on Plat Book 335, Page 12. Subject to all legal highways, easements and restrictions of record.

October 19, 2022

**To:** Mayor and Members of City Council 202201907

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

**Subject:** **Emergency Ordinance – Approving and Authorizing CRA Tax Exemption Agreement with WDC, LLC**

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Attached is an Emergency Ordinance captioned:

**APPROVING AND AUTHORIZING** the City Manager to execute a *Community Reinvestment Area Tax Exemption Agreement* with WDC, LLC, thereby authorizing a 10-year tax exemption for 100% of the value of improvements made to real property located at 1400 and 1408 Walnut Street, 106 and 110 E. 14<sup>th</sup> Street, and 1400 Clay Street in the Over-the-Rhine neighborhood of Cincinnati, in connection with the remodeling of 5 historic buildings into approximately 2,466 square feet of commercial space and approximately 13,746 square feet of residential space consisting of 24 residential units, at a total construction cost of approximately \$3,790,500.

### **BACKGROUND/CURRENT CONDITIONS**

This project consists of the historic rehabilitation and renovation of five historic, vacant buildings owned by WDC, LLC clustered around the intersection of 14<sup>th</sup> Street and Walnut Street in the Over-the-Rhine neighborhood. The buildings are in disrepair and will require stabilization and a gut renovation to make the buildings habitable once again.

### **DEVELOPER INFORMATION**

WDC, LLC is an Ohio limited liability corporation operated by Ms. Marilyn Scripps. Urban Sites is acting as the developer for the project on behalf of WDC, LLC. Urban Sites has extensive experience successfully rehabilitating historic buildings in the Over-the-Rhine neighborhood and throughout the city.

### **PROJECT DESCRIPTION**

The Developer is proposing the rehabilitation of five (5) historic buildings in the Over-the-Rhine neighborhood to create 24 market-rate rental residential units and approximately 2,466 square feet of street-level commercial space divided into three (3) storefronts. The 24 residential units will consist of two (2) studios ranging from 459-557 square feet and 22 one-bedroom units ranging from 357-961 square feet. Rents will range between \$935-\$975/month for a studio and \$800-\$1,500/month for a one-bedroom. The

project is receiving state and federal historic tax credits and will be renovated to National Parks Service historic standards. Total project cost is \$4,228,334 with construction costs estimated to be \$3,790,500. The project is estimated to take 12 months to complete and will support the creation of eleven (11) full-time equivalent jobs with a total annual payroll of \$385,000 and 20 temporary construction jobs with an annual payroll of \$1,731,750.

This project achieves Goal 3 of the Live Initiative Area of *Plan Cincinnati* (2012) (pages 164-178) by providing a full spectrum of housing options and Goal 2 of the Live Initiative (pages 156-163) of creating a more livable community by activating property that has been vacant. The developer is ready to commence construction.

Rent	Affordable to Salary	City Jobs (Min Salary exceeds affordable salary)
\$800.00	\$32,000.00	Municipal Worker, Health Case Worker, Custodian, Co-Op/Student Intern, Greenspace Manager, Card Punch Operator
\$1,500.00	\$60,000.00	Traffic Engineering Tech, Senior Plant Operator, Zoning Supervisor, Fire Fighter, Pharmacist, Law Enforcement Instructor

AMI	1	2	3	4	5	6	7	8
30%	\$20,100	\$22,950	\$25,800	\$28,650	\$32,470	\$37,190	\$49,910	\$46,360
50%	\$33,450	\$38,200	\$43,000	\$47,750	\$51,600	\$55,400	\$49,250	\$63,050
60%	\$40,140	\$45,840	\$51,600	\$57,300	\$61,920	\$66,480	\$59,100	\$75,660
80%	\$53,520	\$61,120	\$68,800	\$76,400	\$82,560	\$88,640	\$78,800	\$100,880

**PROPOSED INCENTIVE**

DCED is recommending a ten-year net 52% CRA tax exemption. The exemption applies only to the increase in improvement value attributed to the construction.

Pursuant to the Commercial CRA policy established by City Council, this project is located in the Streetcar VTICA area and is therefore subject to analysis based on project underwriting, VTICA contribution, and job creation to determine abatement terms. The project merits a ten-year net 52% CRA Tax Abatement based on the following criteria:

- Project produces marginal cash-on-cash return through year 10, healthy years 11-15

- Net 15% Streetcar VTICA contribution totals to \$97,510
- Project will create 11 full-time equivalent positions that will add a total annual payroll of \$385,000 and seven temporary construction jobs will add a total annual payroll of \$650,000.
- Project provides a \$4.52 return for every dollar of City investment.

<b>SUMMARY</b>	
<b>Incentive Value</b>	
Annual Net Incentive to Developer	\$33,803
<b>Total Term Incentive to Developer</b>	<b>\$338,035</b>
<b>City's Portion of Property Taxes Forgone</b>	<b>\$0</b>
<b>City's TIF District Revenue Forgone</b>	<b>\$474,549</b>
<b>Public Benefit</b>	
CPS PILOT	
Annual CPS Pilot	\$21,452
<b>Total Term CPS PILOT</b>	<b>\$214,522</b>
VTICA	
Annual VTICA	\$9,751
<b>Total Term VTICA</b>	<b>\$97,510</b>
Income Tax (Max)	<b>\$100,472</b>
<b>Total Public Benefit (CPS PILOT/VTICA /Income Tax)</b>	<b>\$412,504</b>
Total Public Benefit ROI*	\$1.22
City's ROI*	\$0.87

\*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/VTICA over the City's property taxes forgone including TIF district revenues. Note that projects may be recommended with an ROI of less than 1 if they meet specific policy objectives of the City like creation of new housing.

## **PROJECT TEAM & TIMELINE**

The project team (listed below) will make themselves available at the request of the councilmember(s).

- Assistant City Manager: William Weber
- DCED Director: Markiea Carter
- Project Attorney: Samantha Brandenburg

The anticipated council timeline, which includes two Budget and Finance meetings if necessary is as follows:

- October 19, 2022: Introduction to City Council
- October 24, 2022: Budget and Finance (1)
- October 31, 2022: Budget and Finance (2)
- November 2, 2022: City Council for Final Approval

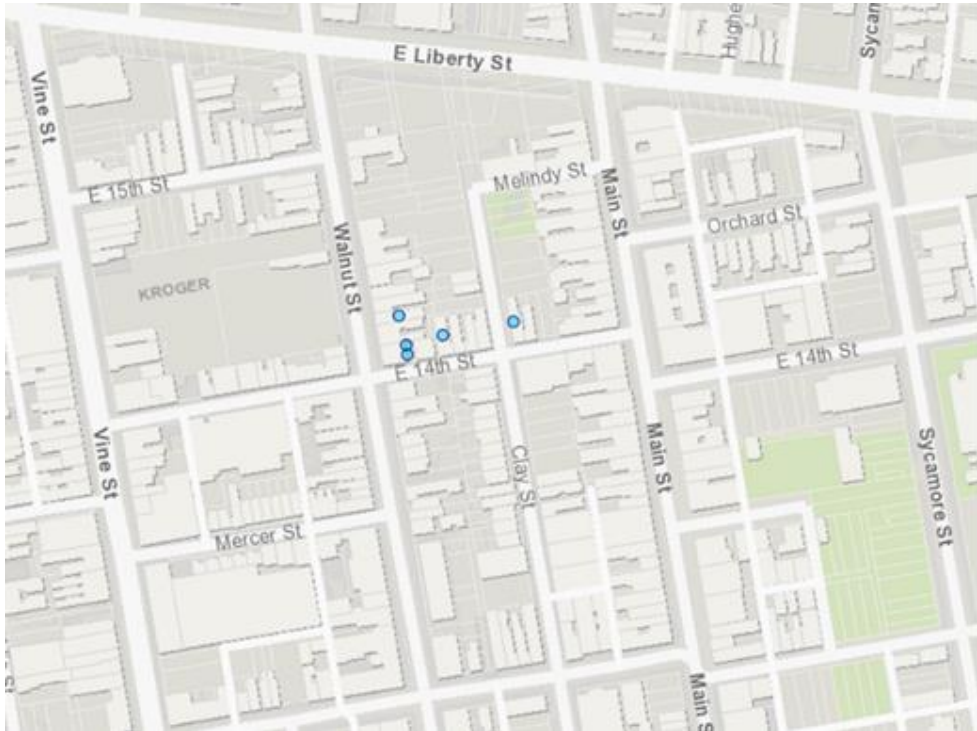
**RECOMMENDATION**

The Administration recommends approval of this Emergency Ordinance. This Ordinance is an Emergency Ordinance so the Developer can commence construction as soon as possible to retain their awarded state historic tax credits.

Attachment: A. Property location and photographs

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

**Attachment A: Location and Photographs**



*Property Location*



*1400 Walnut Street*

EMERGENCY

City of Cincinnati

EVK

EESW

An Ordinance No. \_\_\_\_\_ - 2022

**APPROVING AND AUTHORIZING** the City Manager to execute a *Community Reinvestment Area Tax Exemption Agreement* with WDC, LLC, thereby authorizing a 10-year tax exemption for 100% of the value of improvements made to real property located at 1400 and 1408 Walnut Street, 106 and 110 E. 14th Street, and 1400 Clay Street in the Over-the-Rhine neighborhood of Cincinnati, in connection with the remodeling of 5 historic buildings into approximately 2,466 square feet of commercial space and approximately 13,746 square feet of residential space consisting of 24 residential rental units, at a total construction cost of approximately \$3,790,500.

WHEREAS, to encourage the development of real property and the acquisition of personal property, the Council of the City of Cincinnati 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 (“ORC”) Sections 3735.65 through 3735.70 (the “Statute”); and

WHEREAS, Ordinance No. 275-2017 passed by this Council on September 27, 2017, as amended by Ordinance No. 339-2018, passed by this 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, WDC, LLC (the “Company”) desires to remodel 5 historic buildings on real property at 1400 and 1408 Walnut Street, 106 and 110 E. 14th Street, and 1400 Clay Street located within the corporate boundaries of the City of Cincinnati into approximately 2,466 square feet of commercial space and approximately 13,746 square feet of residential space consisting of 24 residential 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% 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% of the exempt real property taxes; 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% of the exempt real property taxes, which funds shall be committed by the third-party organization to support the streetcar that specially benefits the property; 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 ORC 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 WDC, LLC (the “Agreement”), thereby authorizing a 10-year tax exemption for 100% of the assessed value of improvements to be made to real property located at 1400 and 1408 Walnut Street, 106 and 110 E. 14th Street, and 1400 Clay Street in Cincinnati, as calculated by the Hamilton County Auditor, in connection with the remodeling of 5 historic buildings into approximately 2,466 square feet of commercial space and approximately 13,746 square feet of residential space consisting of 24 residential rental units, to be completed at a total construction cost of approximately \$3,790,500.

Section 2. That Council authorizes the City Manager:

- (i) to execute the Agreement on behalf of the City in substantially the form of Attachment A to this ordinance; and
- (ii) to forward on behalf of Council a copy of the Agreement, within fifteen (15) days after execution, to the Director of the Ohio Development Services Agency in accordance with Ohio Revised Code Section 3735.671(F); and



- (iii) to submit on behalf of Council annual reports on the Agreement to the Director of the Ohio Development Services Agency and to the Board of Education of the Cincinnati City School District in accordance with Ohio Revised Code Section 3735.672; and
- (iv) 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: \_\_\_\_\_, 2022

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

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

ATTACHMENT A

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 WDC, LLC, an Ohio limited liability company (the "Company"), an affiliate of Urban Sites.

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, and Ordinance No. 24-2022, passed on February 2, 2022 (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 1400 and 1408 Walnut Street, 106 and 110 E. 14<sup>th</sup> Street, and 1400 Clay Street, Cincinnati, Ohio 45202 (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 to remodel a building 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 (i) the City application fee of One Thousand Two Hundred Fifty Dollars (\$1,250) made payable to the City and (ii) in accordance with Ohio Revised Code Section 3735.672(C), the state application fee of Seven Hundred Fifty Dollars (\$750) made payable to the Ohio Development Services Agency ("ODSA"), to be forwarded to the ODSA with an executed copy of this Agreement.
- 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 one hundred percent (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 thirty-three percent (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 five (5) 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. City Council passed (i) Motion No. 201401368 on November 19, 2014, establishing a tax incentive policy that incentivizes each applicant for a real property tax abatement in the neighborhoods of Downtown and OTR to enter into a voluntary tax incentive contribution agreement with a third-party organization ("VTICA") for an amount equal to a percentage of the real property taxes that would have been payable on the abated property but for the City-authorized tax abatement (the "VTICA Contribution"), which funds shall be committed by a third-party organization to support the streetcar that specially benefits the abated property, and (ii) Motion No. 201501592 on December 16, 2015, which established that the VTICA Contribution to be recognized by the Director of the Department of Community and Economic Development is 15% of the real property taxes that would have been payable on the abated property but for the City-authorized tax abatement. The Commercial Policy Ordinance confirmed that such motions have not been superseded and remain the will of Council.
- P. The Company acknowledges that the Streetcar will specially benefit the Project due to (a) the Streetcar's enhancement of public transit options in such neighborhoods and (b) the anticipated increase in property values attributable to public investment in Streetcar infrastructure.

- Q. The Company represents and warrants to the City that the Company has entered or will enter into a VTICA and shall pay the VTICA Contribution each year for the full term of the abatement.
- R. This Agreement has been authorized by Ordinance No. \_\_\_\_\_-2022, passed by Cincinnati City Council on \_\_\_\_\_, 2022.
- S. 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 five historic neighboring buildings into approximately 2,466 square feet of commercial space and approximately 13,746 square feet of residential space consisting of 24 residential rental units on the Property (the "Improvements") at an estimated aggregate cost of \$3,790,500 to commence after the execution of this Agreement and to be completed no later than December 31, 2023; *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 one hundred percent (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 ten (10) 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 2024 nor extend beyond the earlier of (i) tax year 2033 or (ii) the end of the tenth (10<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(C)(2), 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(C)(3), 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 5733, 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 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(C)(4), 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(C)(5), 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.<sup>1</sup>

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 thirty percent (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 thirty percent (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

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<sup>1</sup> Note: this section will be revised prior to execution due to programmatic changes being implemented by the Department of Community and Economic Development as a result of recent legislation passed by City Council.

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) 11 full-time permanent jobs, and (ii) 20 full-time temporary construction jobs 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 three (3) years thereafter.

B. Company's Estimated Payroll Increase. The Company's increase in the number of employees will result in approximately (i) \$385,000 of additional annual payroll with respect to the full-time permanent jobs, and (ii) \$1,731,750 of additional annual payroll prior to the completion of the Project with respect to the full-time temporary construction jobs.

C. Community Reinvestment Area Employment. The Company shall (i) adopt hiring practices to ensure that at least twenty-five percent (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(C)(6), 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 thirty (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 thirty (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(C)(7) 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 (E) 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(E) from entering into this Agreement. As required by Ohio Revised Code Section 3735.671(C)(9), 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 (E) of Ohio Revised Code Section 3735.671) has violated the prohibition against entering into this Agreement under division (E) of Ohio Revised Code Section 3735.671 or under Ohio Revised Code Sections 5709.62 or 5709.63 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 thirty (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 twelve percent (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 One Thousand Dollars (\$1,000) and/or a term of imprisonment of not more than six (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 in order to support the streetcar. 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. As authorized by Ohio Revised Code Section 3735.671(D), the Company shall pay an annual fee of Five Hundred Dollars (\$500) or one percent (1%) of the annual taxes exempted under this Agreement, whichever is greater, but not to exceed Two Thousand, Five Hundred Dollars (\$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(E), 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 five (5) 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(E).

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:

Urban Sites  
Attn: Danny Lipson  
1209 Sycamore Street  
Cincinnati, Ohio 45202

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, OH 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(C)(8), 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(C)(10), 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; any original signatures that are initially delivered electronically shall be physically delivered as soon as reasonably possible.

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

WDC, LLC,  
an Ohio limited liability company

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

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

Date: \_\_\_\_\_, 2022

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

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

Date: \_\_\_\_\_, 2022

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

**Property Address:** 1408 Walnut Street, Cincinnati, Ohio 45202  
**Parcel ID No.:** 080-0001-0125-00

Situated in the County of Hamilton in the State of Ohio and in the City of Cincinnati, lying and being in Out-Lot No. 29 on the east side of Walnut Street, beginning at a point 70 feet north of Allison Street; thence running northwardly 21 feet and 6 inches; thence eastwardly 102 feet and 6 inches; thence southwardly 21 feet and 6 inches; thence westwardly 102 feet and 6 inches to the place of beginning.

**Property Address:** 1400 Walnut Street, Cincinnati, Ohio 45202  
**Parcel ID No.:** 080-0001-0268-00

SITUATE IN SECTION 18, TOWN 4, FRACTIONAL RANGE 1, CITY OF CINCINNATI, HAMILTON COUNTY, OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY OF EAST 14TH STREET WITH THE EASTERLY RIGHT OF WAY OF WALNUT STREET, BEING WITNESSED BY A SET CROSS NOTCH, WHICH BEARS SOUTH 29°27'00" WEST, 7.08 FEET; THENCE ALONG THE EASTERLY RIGHT OF WAY OF WALNUT STREET, NORTH 15°31'00" WEST, 34.00 FEET TO THE SOUTHWEST CORNER OF THE PROPERTY AS CONVEYED TO BSG2, LLC IN OFFICIAL RECORD 12012, PAGE 2141 (PARCEL 3) OF THE HAMILTON COUNTY, OHIO RECORDS, BEING WITNESSED BY A SET CROSS NOTCH, WHICH BEARS SOUTH 74°25'00" WEST, 5.00 FEET, THENCE LEAVING THE EASTERLY RIGHT OF WAY OF WALNUT STREET, ALONG THE SOUTHERLY LINE OF SAID BSG2 TRACT, NORTH 74°25'00" EAST, 49.22 FEET TO A POINT; THENCE LEAVING THE SOUTHERLY LINE OF SAID BSG2, LLC TRACT, ALONG A NEW DIVISION LINE, SOUTH 15°31'00" EAST, (PASSING A SET CROSS NOTCH AT 5.00 FEET) 34.00 FEET TO A SET CROSS NOTCH IN THE NORTHERLY RIGHT OF WAY OF EAST 14TH STREET; THENCE ALONG THE NORTHERLY RIGHT OF WAY OF EAST 14TH STREET, SOUTH 74°25'00" WEST, 49.22 FEET TO THE PLACE OF BEGINNING.

THUS CONTAINING 0.0384 ACRES OF LAND AND BEING SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

BEARINGS USED IN THIS LEGAL DESCRIPTION ARE BASED ON ORIGINAL CERTIFICATE NUMBER 20254 OF THE HAMILTON COUNTY, OHIO REGISTERED LAND RECORDS.

**Property Address:** 106 E. 14th Street, Cincinnati, Ohio 45202  
**Parcel ID No.:** 080-0001-0269-00

SITUATE IN SECTION 18, TOWN 4, FRACTIONAL RANGE 1, CITY OF CINCINNATI, HAMILTON COUNTY, OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY OF EAST 14TH STREET WITH THE EASTERLY RIGHT OF WAY OF WALNUT STREET, BEING WITNESSED BY A SET CROSS NOTCH WHICH BEARS, SOUTH 29°27'00" WEST, 7.08 FEET; THENCE ALONG THE NORTHERLY RIGHT OF WAY OF EAST 14TH STREET, NORTH 74°25'00" EAST, 49.22 FEET TO A SET CROSS NOTCH AND THE REAL PLACE OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE LEAVING THE NORTHERLY RIGHT OF WAY OF EAST 14TH STREET, ALONG A NEW DIVISION LINE, NORTH 15°31'00" WEST, (PASSING A SET CROSS NOTCH AT 29.00 FEET) 34.00 FEET TO A POINT IN THE SOUTHERLY LINE OF THE PROPERTY AS CONVEYED TO BSG2, LLC IN OFFICIAL RECORD 12012, PAGE 2141 (PARCEL 3) OF THE HAMILTON COUNTY, OHIO RECORDS; THENCE ALONG THE LINES OF SAID BSG2 TRACT, THE FOLLOWING TWO COURSES AND DISTANCES, NORTH 74°25'00" EAST, 41.04 FEET TO A SET MAG NAIL AND SOUTH 15°31'00" EAST, 34.00 FEET TO A POINT IN THE NORTHERLY RIGHT OF WAY OF EAST 14TH STREET, BEING WITNESSED BY A SET CROSS NOTCH, WHICH BEARS SOUTH 15°31'00" EAST, 5.00 FEET; THENCE LEAVING SAID BSG2 TRACT, ALONG THE NORTHERLY RIGHT OF WAY OF EAST 14TH STREET, SOUTH 74°25'00" WEST, 41.04 FEET TO THE PLACE OF BEGINNING.

THUS CONTAINING 0.0320 ACRES OF LAND AND BEING SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

**Property Address:** 110 E. 14th Street, Cincinnati, Ohio 45202  
**Parcel ID No.:** 080-0001-0144-00

**Situated in the City of Cincinnati, County of Hamilton, State of Ohio, and being more particularly described as follows:**

**Being part of Outlot No. 29 and beginning at a point in the North line of Fourteenth Street (formerly Allison Street) 60 feet 2 inches west of the northwest corner of Clay and Allison Streets; thence west along the north side of Allison Street 26 feet to a point; thence northwardly 70 feet; thence eastwardly 26 feet; thence southwardly 70 feet to the place of beginning.**



Property Address: 1400 Clay Street, Cincinnati, Ohio 45202  
Parcel ID No.: 080-0001-0170-00

SITUATED IN THE CITY OF CINCINNATI, COUNTY OF HAMILTON, AND STATE OF OHIO, ON THE NORTH SIDE OF ALLISON STREET (NOW 14TH STREET) ABOUT 192 FEET WEST OF MAIN STREET, MEASURING 20 FEET IN THE FRONT ON ALLISON STREET (NOW 14TH STREET) AND EXTENDING BACK NORTHWARDLY THE SAME WIDTH IN REAR AS IN FRONT 70 FEET, SAID LOT OF LAND IS BOUNDED ON THE EAST BY THE LOT FORMERLY OWNED BY JOHN FREY, THE CENTER OF THE BRICK WALL BUILT BY FREY IS ON THE DIVISION LINE, AND ON THE WEST BY CLAY STREET. ALSO THE STRIP OF GROUND ADJOINING THE AFORESAID LOT IN THE REAR AND DESCRIBED AS FOLLOWS TO WIT:

ALL THAT PARCEL OF LAND SITUATED IN THE CITY OF CINCINNATI MEASURING 8 FEET 6 INCHES IN FRONT OF THE EAST SIDE OF CLAY STREET AND EXTENDING BACK EASTWARDLY THE SAME WIDTH PARALLEL WITH ALLISON STREET (NOW 14TH STREET) 30 FEET AND LIES 70 FEET NORTH OF 14TH STREET, SAID PREMISES ALSO BEING KNOWN AS 1400/16 CLAY STREET.

**Exhibit B to CRA Agreement**

**APPLICATION FOR TAX EXEMPTION**

**TO BE ATTACHED TO EXECUTION VERSION**

Date: October 19, 2022

202201915

To: Mayor and Members of City Council  
From: Sheryl M.M. Long, City Manager  
Subject: REMOVAL OF RUSH HOUR PARKING RESTRICTIONS

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Reference Document #202201296

The Council at its session on June 8, 2022, referred the following item for review and report.

MOTION, dated 5/31/2022, submitted by Councilmembers Harris, Owens, Keating and Jeffreys, WE MOVE that the Administration provide a report within thirty (30) days outlining the feasibility, impact, and implementation of removing the city's rush hour parking restrictions throughout the entire city.

The following report by the Department of Transportation and Engineering (DOTE) details the feasibility of removing the city's rush hour parking restrictions.

BACKGROUND

The daily traffic patterns on many city streets see an increase in the mornings as residents commute to their workplace in and around the Central Business District and the Uptown areas and in the evening when residents travel home. Traffic patterns show that some commuters reside within the City of Cincinnati while others live in the surrounding cities, villages, and townships.

Many of Cincinnati's arterial streets are narrow four and five lane roadways with peak hour restricted parking to accommodate for the sharp increases in traffic volumes typically seen for those couple hours in the morning and evening each weekday. This practice results in using the curb lane for the movement of traffic and bus operations during peak traffic times and on-street parking and loading for abutting residences and businesses the remainder of the day.

Peak-hour parking restrictions are based on the hourly traffic volumes on the roadway, not the average daily volumes. Other considerations also include the number of bus and transit stops located along the street, the number of pedestrians along the corridor, and the distance between intersecting streets.

On many corridors the land use and traffic volumes have changed since the peak hour parking arrangements were initially implemented, which has allowed the removal of peak hour restrictions on multiple corridors in recent years.

### ADVANTAGES OF REMOVING PEAK HOUR PARKING RESTRICTIONS:

- Front door parking is available during high traffic hours, which could positively impact businesses that have no off-street parking.
- Parked cars have a positive traffic calming effect in densely developed and occupied NBD's.
- Residents would not have to move parked cars if parked in peak hour restricted travel lane.
- Congestion created by the removal of peak hour restrictions could encourage motorists to seek alternate routes.

### ADVANTAGES OF KEEPING PEAK HOUR PARKING RESTRICTIONS:

- Buses do not have to change lanes and/or maneuver in and out of traffic, thus improving the efficiency, safety, and schedule of the bus service.
- Vehicles can use the right lane to pass other vehicles waiting to turn left into side streets and driveways.
- Peak hour parking restrictions assist with emergency vehicle response time by providing space to pull over for emergency vehicles to pass.
- Reduces the potential of crashes on arterials during peak hours.

### CURRENT WORK

DOTe is in the process of reviewing the peak hour parking restrictions in all the NBDs as part of the Pedestrian Safety Program and assessing the need for peak hour restricted parking on corridors such as W. North Bend Road, northern limit of Hamilton Avenue, and streets in the Central Business District.

### SUMMARY

The removal of peak hour parking restrictions is feasible. In some situations, there is an advantage to remove the restrictions; however, in other situations, the advantage is to keep the restrictions. DOTe recommends reviewing the peak-hour parking restrictions on a street-by-street basis considering pedestrian safety, location, and community and business input.

The removal of all peak hour restricted parking in the City would require an implementation plan for each impacted street. The plan would identify the modifications needed to street signs, parking meters, pavement markings, and traffic signal equipment and timing. To develop the plans and implement the changes would take approximately 24 months.

### NEXT STEPS

1. The removal of peak hour parking restriction affects major-through roadways which amount to approximately 25% of the City's roadway network. DOTe will implement the removal of peak hour parking restriction in phases.

**Phase 1:** Complete a sign audit which will be used to identify all peak hour restricted parking locations on the effected principal and minor arterials. Milestone: 3 months.

Examples of streets include McMillan Street, Reading Road, William Howard Taft Road, Woodburn Avenue Hamilton Avenue, Glenway Avenue, W. North Bend Road, Marburg Avenue, Montgomery Road, Paddock Road, River Road, Vine Street, Colerain Avenue, and 7<sup>th</sup> Street and other streets in CBD.

**Phase 2:** Evaluation and implementation in the Neighborhood Business Districts. Milestone: 6-month project.

**Phase 3:** Evaluation and implementation in the Central Business District and OTR. Milestone: 6-month project.

**Phase 4:** Evaluation and implementation in the remainder of the city. Milestone: 9-month project

2. **Community Engagement.** DOTE will engage community councils to discuss options for the different corridors. For some locations where the changes coincide with street rehab work, options can be installed before final paving to determine the impact and approval of the change.
3. **Need for Additional Resources.** Due to current DOTE workloads, additional resources are required to reduce the 24-month timeline. DOTE estimates \$300,000.00 to hire a traffic engineering consultant to evaluate the corridors and current rush hour parking restrictions. Hiring a consultant would reduce the 24-month project timeline by 6-9 months.
4. **Future Changes.** The removal of rush hour parking restrictions will require signage changes and, in some locations, additional pavement markings and traffic signal changes. DOTE will expedite the parking restriction removal that requires only a signage change then track and remediate any issues, afterwards.

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

Date: October 19, 2022

To: Mayor and Members of City Council 202201916  
From: Sheryl M.M. Long, City Manager  
Subject: LEADING PEDESTRIAN INTERVALS

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Reference Document #202201344

The Council at its session on June 23, 2022 referred the following item for review and report.

MOTION, dated 6/6/2022, submitted by Councilmembers Jeffreys, Owens, Johnson, Cramerding and Vice Mayor Kearney, request the Administration report within ninety (90) days on a plan for rolling out leading pedestrian intervals (LPI) throughout Cincinnati's 52 neighborhoods.

**OVERVIEW**

A leading pedestrian interval (LPI) is a change to a traffic signal's timing that reduces the conflict between pedestrians and vehicular turning traffic at signalized crosswalks. A leading pedestrian interval provides pedestrians with a WALK signal 3-7 seconds before vehicles are shown a green signal. This allows pedestrians to establish their presence in the crosswalk and increase their visibility to turning motorists at the intersection. There are currently LPIs installed in the CBD, West Price Hill and Clifton communities.

**LPI PHASING AND PRIORITIZATION CRITERIA**

Installing an LPI requires staff to re-time the entire intersection, as well as any other intersections in the corridor whose signal timing is coordinated with the aforementioned signal. Due to the amount of staff time required to make these changes, DOTE plans to expand the use of LPIs in multiple phases.

Phase 1 will include the investigation and modification of signals around schools and recreation centers. There are approximately 130+ public and private schools and 23 recreation centers that will need to be investigated. Utilizing existing staff and funding resources DOTE expects to complete Phase 1 in approximately 12 months.

Phase 2 will focus on signals within neighborhood business districts (NBDs). DOTE has reviewed LPI best practices from other cities (i.e., Seattle, Los Angeles, Chicago) and determined that the implementation of LPIs in NBDs should be prioritized in the following situations:

- There is a pedestrian pushbutton.
- There has been a serious injury or fatal pedestrian crash or multiple pedestrian crashes that involve a turning vehicle in the previous three years.

- There is limited visibility between the pedestrian and motorist due to the angle of the intersection or an obstruction limiting the sight line of the crosswalk.
- There is a high number of turning vehicles (greater than 200 vehicles per hour per crosswalk).

As there are multiple traffic signals in most NBDs, DOTE expects the investigation and implementation of Phase 2 to take approximately 12 months (utilizing existing staff and funding resources).

### **SUMMARY**

DOTe will continue to provide pedestrian safety improvements at locations that have a history of incidents as well as with a systematic pedestrian safety approach. The systematic safety approach identifies locations that have a higher risk of pedestrian related crashes based on the characteristics of that location.

In addition to other pedestrian safety improvements that DOTE is currently implementing (i.e., speed cushions, curb extensions, right sizing streets), leading pedestrian intervals are a valuable tool that is being used to make our streets safer for pedestrians.

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

October 19, 2022

**To:** Mayor and Members of City Council 202201919

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

**Subject:** **Ordinance – OES: Brownfields Community-Wide Assessment Grant Application**

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Attached is an Ordinance captioned:

**AUTHORIZING** the City Manager to apply for a grant in the amount of up to \$500,000 from the United States Environmental Protection Agency, the Brownfields Community-Wide Assessment Grant (ALN 66.818), through the Environmental Protection Agency’s Brownfields Assessment Grant Program.

This Ordinance authorizes the City Manager to apply for a grant in the amount of up to \$500,000 from the United States Environmental Protection Agency (EPA), the Brownfields Community-Wide Assessment Grant (ALN 66.818), through the Environmental Protection Agency’s Brownfields Assessment Grant Program. This grant will provide resources for brownfield inventories, environmental assessments, community engagement plans, remedial action plans, and reuse and revitalization plans in environmentally vulnerable neighborhoods. The City neighborhoods targeted for this grant are in the Lower Mill Creek Industrial Corridor, including Northside, South Cumminsville, Millvale, North Fairmount, South Fairmount, Lower Price Hill, Camp Washington, and Queensgate.

The application deadline for this grant is November 22, 2022, and the Office of Environment and Sustainability (OES) may have applied for the grant prior to receiving approval from the City Council. Resources will not be accepted without Council approval.

This grant does not require matching funds or new FTEs.

Applying for the EPA Brownfields Community-Wide Assessment Grant is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” and strategy to “[c]reate a healthy environment and reduce energy consumption,” and the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community,” as described on pages 181-186 and 209 of Plan Cincinnati (2012)

The Administration recommends passage of this Ordinance.

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



Attachment



**AUTHORIZING** the City Manager to apply for a grant in the amount of up to \$500,000 from the United States Environmental Protection Agency, the Brownfields Community-Wide Assessment Grant (ALN 66.818), through the Environmental Protection Agency’s Brownfields Assessment Grant Program.

WHEREAS, the Brownfields Community-Wide Assessment Grant (ALN 66.818) is available from the United States Environmental Protection Agency’s (“EPA”) Brownfields Assessment Grant Program in an amount up to \$500,000; and

WHEREAS, this grant will provide resources for brownfield inventories, environmental assessments, community engagement plans, remedial action plans, and reuse and revitalization plans in environmentally vulnerable neighborhoods; and

WHEREAS, the City neighborhoods targeted for this grant are in the Lower Mill Creek Industrial Corridor, including Northside, South Cumminsville, Millvale, North Fairmount, South Fairmount, Lower Price Hill, Camp Washington, and Queensgate; and

WHEREAS, the application deadline for the grant is November 22, 2022, and the Office of Environment and Sustainability may have applied for the grant prior to receiving approval from City Council, but no resources will be accepted without Council’s approval; and

WHEREAS, no matching funds or new FTEs are required for acceptance of the grant; and

WHEREAS, applying for the EPA Brownfields Community-Wide Assessment Grant is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” and strategy to “[c]reate a healthy environment and reduce energy consumption,” and the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community,” as described on pages 181-186 and 209 of *Plan Cincinnati* (2012); now, therefore,

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

Section 1. That the City Manager is hereby authorized to apply for a grant in the amount of up to \$500,000 from the United States Environmental Protection Agency, the Brownfields Community-Wide Assessment Grant (ALN 66.818), through the Environmental Protection Agency’s Brownfields Assessment Grant Program.

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

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

Passed: \_\_\_\_\_, 2022

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

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

**Date:** October 19, 2022

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

202201920

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

**Subject:** Liquor License – New

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***FINAL RECOMMENDATION REPORT***

**OBJECTIONS:** None

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

**APPLICATION:** 67007340020  
**PERMIT TYPE:** NEW  
**CLASS:** C1 C2  
**NAME:** PARKHURST DINING LLC  
**DBA:** ATRIUM MARKET  
201 E 4<sup>TH</sup> ST  
CINCINNATI, OH 45202

On August 15, 2022, Downtown Residents Council was notified of this application and do not object.

  
\_\_\_\_\_  
Police Department Approval

\_\_\_\_\_  
David M. Laing, Assistant City Prosecutor  
Law Department - Recommendation  
Objection                      No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: October 21, 2022

**Date:** September 19, 2022  
**To:** Lieutenant Colonel Teresa A. Theetge, Interim Police Chief  
**From:** Captain Douglas M. Wiesman, Central Business Section Commander  
**Copies to:**  
**Subject:** RENEWAL, TRANSFER OR ISSUANCE OF LIQUOR LICENSES

**PATROL BUREAU MEMO #:** 22-416  
**DISTRICT INVESTIGATING LIQUOR PERMIT PREMISE:** Central Business Section  
**PERMIT #:** 670073240020  
**TYPE OF PERMIT APPLIED FOR:** New  
**PERMIT NAME & ADDRESS:**

<b>Name:</b>	Parkhurst Dining LLC
<b>Address:</b>	201 E 4 <sup>th</sup> Street

**APPLICANTS NAME(S):** Jeffrey Broadhurst

**INSPECTION / INVESTIGATION INFORMATION:**

<b>Officer:</b>	Sergeant Mark Kelley
<b>Date:</b>	9/19/22
<b>Findings:</b>	No Objection

**COMMUNITY COUNCIL NOTIFIED:**

<b>Name 1:</b> Allen Bunker	<b>Date:</b> 9/19/2022	<b>Notified by:</b> email
<b>Phone:</b>	<b>E-mail:</b> X	
<b>Name 2:</b>	<b>Date:</b>	<b>Notified by:</b> (select from menu)
<b>Phone:</b>	<b>E-mail:</b>	

**DISPOSITION OF THE COMMUNITY COUNCIL:**

NO OBJECTIONS    
  OBJECTION: Attached Letter with Community Council Letterhead

**DISPOSITION OF THE DISTRICT:**

NO OBJECTIONS     OBJECTION: If objection checked, a narrative is required below

**REASON FOR OBJECTION:**

No Objection.



DMW

*DMW/C164*  
*9-21-22*

*No Objection - ms/LTC4*  
*9/22/22*

# City of Cincinnati

## Council



Melissa Autry, CMC  
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308  
Cincinnati, Ohio 45202  
Phone (513) 352-3246  
Fax (513) 352-2578

August 30, 2022

OHIO DIVISION OF LIQUOR CONTROL  
LICENSING SECTION  
NEW PERMIT SECTION  
6606 TUSSING ROAD  
P O BOX 4005  
REYNOLDSBURG, OH 43068-9005

Dear Ohio Division of Liquor Control:

The Council of the City of Cincinnati, State of Ohio, is requesting a 30 day extension on the below cited liquor permit application:

Application No.: 67007340020  
Permit Type: NEW C1 C2  
Name: PARKHURST DINING LLC  
DBA ATRIUM MARKET  
201 E 4<sup>TH</sup> ST  
CINCINNATI OH 45202

Pursuant to R.C. 4303.26(A), City of Cincinnati City Council, through its Clerk of Council (collectively, hereinafter "the City"), respectfully requests an additional 30 days in which to respond to the Ohio Division of Liquor Control regarding whether the City will request a hearing on the subject liquor permit application. The City makes such time extension request for good cause and not for unnecessary delay. Specifically, the City requires additional time for each of its various departments and the applicable community council to review and investigate the liquor application by performing all necessary inspections and research including, but not limited to, permit applicant interviews, site premises inspections, background investigations, and historical investigations regarding the history of the permit premises and the subject location. Moreover, such extension of time would provide the applicable community council an opportunity to meet, vote, and respond back to the City by the deadline. Therefore, the City requires such time extension in order to perform its due diligence in this matter. The City respectfully requests this time extension in good faith, for good cause, and not for unnecessary delay.

Please fax the confirmation back to us as soon as possible at (513)352-2578.

Thank you for your prompt attention.

Sincerely,

Melissa Autry, CMC  
Clerk of Council

**NOTICE TO LEGISLATIVE  
AUTHORITY**

**OHIO DIVISION OF LIQUOR CONTROL**  
8808 TUSSING ROAD, P.O. BOX 4008  
REYNOLDSBURG, OHIO 43088-8005  
(614)844-2380 FAX(614)844-3186

TO

67007340020		NEW	PARKHURST DINING LLC	
PERMIT NUMBER		TYPE	DBA ATRIUM MARKET	
ISSUE DATE		201 E 4TH ST		
08 05 2022		CINCINNATI OH 45202		
FILING DATE				
C1 C2		PERMIT CLASSES		
31	066	A	D50261	
TAX DISTRICT			RECEIPT NO.	

FROM 08/23/2022

PERMIT NUMBER		TYPE		
ISSUE DATE				
FILING DATE				
PERMIT CLASSES				
TAX DISTRICT			RECEIPT NO.	



MAILED 08/23/2022

RESPONSES MUST BE POSTMARKED NO LATER THAN 09/23/2022

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **A NEW 6700734-0020**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
THE HEARING BE HELD  IN OUR COUNTY SEAT.  IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title) -  Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

**CINCINNATI CLERK OF COUNCIL**  
CITY HALL  
801 PLUM ST ROOM 308  
CINCINNATI OHIO 45202

CLERK OF COUNCIL  
801 PLUM ST  
CINCINNATI OHIO 45202

# City of Cincinnati Council



Melissa Autry, CMC  
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308  
Cincinnati, Ohio 45202  
Phone (513) 352-3246  
Fax (513) 352-2578

For City Bulletin

## Liquor Permit Application

From the Department of Liquor Control advising of permit application for the following:

Application No.: 67007340020  
Permit Type: NEW C1 C2  
Name: PARKHURST DINING LLC  
DBA ATRIUM MARKET  
201 E 4<sup>TH</sup> ST  
CINCINNATI OH 45202

Pursuant to Section 4303.261 of the Ohio Revised Code, Council must notify the Department of Liquor Control within thirty days if there is an objection to the above permit.

Notice of Application was received by the Clerk of Council's Office

08/30/2022

MELISSA AUTRY, CMC Clerk of Council

The last day for the State to receive an objection is

09/23/2022



October 19, 2022

202201921

To: Mayor and Members of City Council  
From: Sheryl M. M. Long, City Manager  
Subject: **Amending Ordinance for Refunding General Obligation Bond Issues**

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Transmitted herewith is an Ordinance captioned as follows:

**AMENDING** Ordinance No. 0202-2022 to allow the City to provide for the defeasance of a portion of the City's outstanding general obligation bonds.

The amendment made effective by this ordinance will allow the Finance Department to utilize cash resources to call or defease outstanding general obligation bonds. The purpose of the cash defeasance, as well as refunding the bonds as is already authorized in the ordinance, is to achieve interest savings for the City of Cincinnati.

The ordinance includes a threshold that the Finance Director will only move forward with the defeasance or refunding, if the net present value of the resulting savings is equal to at least three percent (3%) of the principal of the bonds. This savings requirement may be waived by the Finance Director upon finding that such a restructuring is in the City's overall best financial interest. The ordinance includes possible candidates for defeasance or refunding because it is dependent upon interest rates. It will not be known which bonds will be defeased or refunded until closer to the date of sale.

The Administration recommends passage of this Ordinance.

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

Attachment

**AMENDING** Ordinance No. 0202-2022 to allow the City to provide for the defeasance of a portion of the City’s outstanding general obligation bonds.

WHEREAS, on June 23, 2022, Council approved Ordinance No. 0202-2022, which provided for the issuance, sale and delivery of bonds in the principal amount of \$200,000,000 for the purpose of refunding all or a portion of certain outstanding general obligation bonds of the City; and

WHEREAS, the Director of Finance has recommended that the City have the ability to utilize cash defeasance as an option to pay the principal and/or interest of the authorized bonds in order to provide interest cost savings to provide flexibility for managing the City’s debt obligations; now, therefore,

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

Section 1. That Sections 1, 2, 4, and 10 of Ordinance 0202-2022, approved by Council on June 23, 2022, are hereby amended as follows:

SECTION 1. That it is necessary to issue bonds of the City of Cincinnati, Ohio (the “City”) in the principal amount of not to exceed \$200,000,000 for the purpose of refunding all or a portion of the Prior Bonds (such portion is referred to herein as the “Refunded Prior Bonds”), which were originally issued to pay the cost and expense of various improvements throughout the City, and refund previously outstanding bonds of the City, ~~and~~ and pay legal, advertising, printing and all expenses incidental to said improvements.

SECTION 2. That bonds of the City of Cincinnati, Ohio be issued in the principal amount of not to exceed \$200,000,000 for the purpose aforesaid. The bonds shall be designated “City of Cincinnati, Ohio Unlimited Tax Various Purpose General Obligation Refunding Bonds” (the “Series 2022B Bonds”) or as otherwise determined by the Director of Finance including the issuance of tax-exempt and/or taxable series of bonds as further provided in and set forth in the fiscal officer’s certificate (the “Fiscal Officer’s Certificate”). The final principal amount of the Series 2022B Bonds shall be established by the Director of Finance, provided that the Director of Finance has received written certification from Davenport & Company LLC, (the “Financial Advisor”) that the Refunding Savings Threshold (as defined below) has been met. “Refunding Savings Threshold” means, as a result of the refunding of the Refunded Prior Bonds with proceeds of the Series 2022B Bonds, an aggregate reduction in the debt service with respect to such Refunded Prior Bonds which has a present value at the time of sale of the Series 2022B Bonds equal to at least three percent (3.00%) of the refunded par amount of the Refunded Prior Bonds. Said Series 2022B Bonds shall be dated the date of delivery, be in the denomination of \$5,000 each, or any integral multiple thereof, designated as provided in the Fiscal Officer’s Certificate, and numbered sequentially, and shall bear interest at the rate or rates not in excess of

six per centum (6.00%) per annum, payable December 1, 2023, and semiannually thereafter on June 1 and December 1 of each year until the principal sum is paid, all as determined by the Director of Finance and set forth in the Fiscal Officer's Certificate to be executed by the Director of Finance. Provided, however, that if said Series 2022B Bonds are sold bearing a different rate or rates of interest from that hereinbefore specified, said Series 2022B Bonds shall bear such rate or rates of interest as may be accepted by the Director of Finance. Said Series 2022B Bonds shall mature or be subject to mandatory sinking fund redemption on December 1 or such other date of each year, at such times and in such amounts, all as determined by the Director of Finance, within the limitations set forth in Chapter 133 of the Ohio Revised Code, without further action by this Council of the City of Cincinnati, State of Ohio (the "Council"). The Director of Finance will determine whether the Series 2022B Bonds are callable (and associated call features) or non-callable at the time of financing, with such determination to be set forth in the Fiscal Officer's Certificate to be executed by the Director of Finance.

Notice of the call for redemption of said Series 2022B Bonds, specifying the numbers of the Series 2022B Bonds to be redeemed, shall be sent by the Bond Registrar and Paying Agent (as defined below) by registered or certified mail to the registered holders thereof, not less than thirty (30) days nor more than sixty (60) days prior to the date of redemption, upon which date all interest upon said Series 2022B Bonds or portions thereof so called shall cease except those as to which default shall be made, upon presentation, in the payment of the redemption price. Prior to any notice of call for redemption, funds for such redemption shall be on deposit with the Bond Registrar and Paying Agent and the City shall direct the Bond Registrar and Paying Agent in writing to make any notice of call for redemption.

This Council hereby finds and determines that it is necessary to provide for and authorizes the defeasance of certain Outstanding General Obligation Bonds by the deposit of cash and/or Escrow Securities into an escrow fund pursuant to an escrow trust agreement, between the City and U.S. Bank, National Association, (herein as Escrow Trustee) to be applied to the refunding of such Outstanding General Obligation Bonds, including all appurtenant interest payments and all applicable redemption premiums, as the same shall become due on the such bonds on the interest payment dates, maturity dates or earlier redemption dates thereof as further provided in such escrow trust agreement.

This Council hereby determines that the defeasance of certain Outstanding General Obligation Bonds of the City will be for a proper public and municipal purpose and in the best interests of the City.

SECTION 4. That for the purpose of providing the necessary funds to pay the interest on the foregoing issue of Series 2022B Bonds promptly when and as the same falls due, and also to provide for the discharge of said Series 2022B Bonds at maturity and for the payment of mandatory sinking fund redemptions, there shall be and is hereby levied on all the taxable property in the City of Cincinnati, in addition to all other taxes, a direct tax annually during the period said Series 2022B Bonds are outstanding, outside of the limitations imposed by Article XII, Section 2, of the Constitution of Ohio and Section 5705.02 of the Ohio Revised Code, and by virtue of Section 4 of Article VIII of the Charter, in an amount sufficient to provide for the payment of said interest, when and as the same shall fall due, and also to discharge the principal of said Series 2022B Bonds at maturity and to pay mandatory sinking fund redemptions, which

tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Constitution of Ohio.

Said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levies hereby required shall be placed in a separate and distinct fund which, together with the interest collected on the same, shall be irrevocably pledged for the payment of principal of and interest on said Series 2022B Bonds when and as the same fall due; provided, however, that to the extent that funds from other sources are available and considered appropriated for such purpose, such tax need not be levied.

With respect to certain of the Series 2022B Bonds, in addition to the tax pledge contained above, this Council, for the City, covenants to appropriate annually from lawfully available municipal income taxes, and to continue to levy and collect such municipal income taxes in, amounts necessary to meet debt service charges on the Series 2022B Bonds.

With respect to a portion of the Series 2022B Bonds, the City may covenant to annually appropriate Revenues, as defined and provided in the various ordinances identified below, as all such taxes and revenues, other than ad valorem property taxes, in amounts necessary to meet debt service charges on the Series 2022B Bonds.

SECTION 10. That with respect to the funding of any escrow or escrows necessary or appropriate in connection with the refunding of the Refunded Prior Bonds with the proceeds of the Series 2022B Bonds, or any cash defeasance by the City, the Director of Finance is hereby authorized to take any and all appropriate action for the acquisition, at the appropriate time, of U.S. government obligations for the credit of such escrow or escrows and if necessary, to execute an escrow agreement with the Bond Registrar and Paying Agent for the refunding and/or defeasance of the Refunded Prior Bonds. Such U.S. government obligations may be in the form or forms recommended in writing by the Financial Advisor to the City and approved by Dinsmore & Shohl LLP, or other nationally recognized bond counsel. The Financial Advisor is hereby specifically authorized to act as the bidding agent or to procure on behalf of the City a bidding agent, to purchase escrow securities such as open market treasuries and similar defeasance obligations for the credit of the escrow fund(s) as provided in any escrow agreement, as may be necessary, in order to fund, in part, any escrow or escrows in connection with refunding any Refunded Prior Bonds. Any attorney with Dinsmore & Shohl LLP, or other nationally recognized bond counsel, is hereby specifically authorized to execute and file on behalf of the City any subscriptions for United States Treasury Obligations, State and Local Government Series, as may be necessary, in order to fund, in part, any escrow or escrows in connection with refunding any Refunded Prior Bonds. In addition, the Fiscal Officer is hereby authorized to employ a verification agent with respect to the refunding and/or defeasance of any Outstanding General Obligation Bonds.

In addition, with respect to the defeasance of certain Outstanding General Obligation Bonds of the City by depositing cash and/or Escrow Securities into an escrow fund, such defeasance of certain Outstanding General Obligation Bonds will enable the City, in the

judgment of the Fiscal Officer, based on the written advice of the Financial Advisor, to obtain net present value debt service savings with respect to such defeasance.

Section 2. That all terms of Ordinance 0202-2022 not amended in this ordinance remain in full force and effect.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4. That the Director of Finance is hereby authorized and directed to certify a copy of this ordinance to the County Auditor of Hamilton County, Ohio, according to law.

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

Passed: \_\_\_\_\_, 2022

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

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

\_\_\_\_\_  
New ordinance language underscored. Deleted ordinance language indicated by strikethrough.

**Date:** October 19, 2022

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

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

202201922

**Subject:** Liquor License – New

---

***FINAL RECOMMENDATION REPORT***

**OBJECTIONS:** None

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

**APPLICATION:** 2975606  
**PERMIT TYPE:** NEW  
**CLASS:** D3  
**NAME:** G2 COFFEE LOUNGE & BISTRO LLC  
**DBA:** NONE LISTED  
151 W 4<sup>TH</sup> ST  
CINCINNATI, OH 45202

As of today's date, the Department of Buildings & Inspections provided no comment with their investigation.

On August 15, 2022, Downtown Residents Council was notified of this application and do not object.

  
\_\_\_\_\_  
Police Department Approval

\_\_\_\_\_  
David M. Laing, Assistant City Prosecutor  
Law Department - Recommendation  
Objection                      No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: October 21, 2022

**Date:** September 19, 2022  
**To:** Lieutenant Colonel Teresa A. Theetge, Interim Police Chief  
**From:** Captain Douglas M. Wiesman, Central Business Section Commander  
**Copies to:**  
**Subject:** **RENEWAL, TRANSFER OR ISSUANCE OF LIQUOR LICENSES**

**PATROL BUREAU MEMO #:** 22-416  
**DISTRICT INVESTIGATING LIQUOR PERMIT PREMISE:** Central Business Section  
**PERMIT #:** 2975606  
**TYPE OF PERMIT APPLIED FOR:** New  
**PERMIT NAME & ADDRESS:**

<b>Name:</b>	G2 Coffee Lounge & Bistro LLC
<b>Address:</b>	151 W 4 <sup>th</sup> St

**APPLICANTS NAME(S):** Gerald Belle

**INSPECTION / INVESTIGATION INFORMATION:**

<b>Officer:</b>	Sergeant Mark Kelley
<b>Date:</b>	9/19/22
<b>Findings:</b>	No Objection

**COMMUNITY COUNCIL NOTIFIED:**

<b>Name 1:</b> Allen Bunker	<b>Date:</b> 9/19/2022	<b>Notified by:</b> email
<b>Phone:</b>	<b>E-mail:</b> X	
<b>Name 2:</b>	<b>Date:</b>	<b>Notified by:</b> (select from menu)
<b>Phone:</b>	<b>E-mail:</b>	

**DISPOSITION OF THE COMMUNITY COUNCIL:**

**NO OBJECTIONS**    
  **OBJECTION: Attached Letter with Community Council Letterhead**

**DISPOSITION OF THE DISTRICT:**

NO OBJECTIONS     OBJECTION: If objection checked, a narrative is required below

**REASON FOR OBJECTION:**

No Objection.



DMW

*DMW  
C164  
9-21-22*

*No Objection - mg/lsc4  
9/22/22*



# City of Cincinnati

## Council



Melissa Autry, CMC  
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308  
Cincinnati, Ohio 45202  
Phone (513) 352-3246  
Fax (513) 352-2578

August 29, 2022

OHIO DIVISION OF LIQUOR CONTROL  
LICENSING SECTION  
NEW PERMIT SECTION  
6606 TUSSING ROAD  
P O BOX 4005  
REYNOLDSBURG, OH 43068-9005

Dear Ohio Division of Liquor Control:

The Council of the City of Cincinnati, State of Ohio, is requesting a 30 day extension on the below cited liquor permit application:


Application No.: 2975606  
Permit Type: NEW D3  
Name: G2 COFFEE LOUNGE & BISTRO LLC  
151 W 4<sup>TH</sup> ST  
CINCINNATI OH 45202

Pursuant to R.C. 4303.26(A), City of Cincinnati City Council, through its Clerk of Council (collectively, hereinafter "the City"), respectfully requests an additional 30 days in which to respond to the Ohio Division of Liquor Control regarding whether the City will request a hearing on the subject liquor permit application. The City makes such time extension request for good cause and not for unnecessary delay. Specifically, the City requires additional time for each of its various departments and the applicable community council to review and investigate the liquor application by performing all necessary inspections and research including, but not limited to, permit applicant interviews, site premises inspections, background investigations, and historical investigations regarding the history of the permit premises and the subject location. Moreover, such extension of time would provide the applicable community council an opportunity to meet, vote, and respond back to the City by the deadline. Therefore, the City requires such time extension in order to perform its due diligence in this matter. The City respectfully requests this time extension in good faith, for good cause, and not for unnecessary delay.

Please fax the confirmation back to us as soon as possible at (513)352-2578.

Thank you for your prompt attention.

Sincerely,



Melissa Autry, CMC  
Clerk of Council

**NOTICE TO LEGISLATIVE  
AUTHORITY**

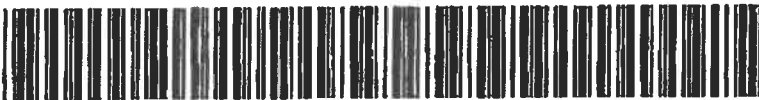
**OHIO DIVISION OF LIQUOR CONTROL**  
 8808 TUSSEING ROAD, P.O. BOX 4005  
 REYNOLDSBURG, OHIO 43068-8005  
 (614)844-2380 FAX(614)844-3188

TO

2975606		NEW	G2 COFFEE LOUNGE & BISTRO LLC	
PERMIT NUMBER		TYPE	151 W 4TH ST	
ISSUE DATE		CINCINNATI OH 45202		
07 29 2022				
FILING DATE				
D3				
PERMIT CLASSES				
31	066	A	D50156	
TAX DISTRICT			RECEIPT NO.	

FROM 08/23/2022

PERMIT NUMBER		TYPE		
ISSUE DATE				
FILING DATE				
PERMIT CLASSES				
TAX DISTRICT			RECEIPT NO.	



MAILED 08/23/2022

RESPONSES MUST BE POSTMARKED NO LATER THAN. 09/23/2022

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
 WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.  
 REFER TO THIS NUMBER IN ALL INQUIRIES A NEW 2975606

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
 THE HEARING BE HELD  IN OUR COUNTY SEAT.  IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)  Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

**CINCINNATI CLERK OF COUNCIL**  
 CITY HALL  
 801 PLUM ST ROOM 308  
 CINCINNATI OHIO 45202

6T:ZTnZZA06SZ

# City of Cincinnati

## Council



Melissa Autry, CMC  
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308  
Cincinnati, Ohio 45202  
Phone (513) 352-3246  
Fax (513) 352-2578

For City Bulletin

### Liquor Permit Application

From the Department of Liquor Control advising of permit application for the following:

Application No.: 2975606  
Permit Type: NEW D3  
Name: G2 COFFEE LOUNGE & BISTRO LLC  
151 W 4<sup>TH</sup> ST  
CINCINNATI OH 45202

Pursuant to Section 4303.261 of the Ohio Revised Code, Council must notify the Department of Liquor Control within thirty days if there is an objection to the above permit.

Notice of Application was received by the Clerk of Council's Office

08/29/2022

MELISSA AUTRY, CMC Clerk of Council

The last day for the State to receive an objection is

09/23/2022

**Date:** October 19, 2022

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

202201923

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

**Subject:** **Liquor License – Transfer (Exempt)**

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***FINAL RECOMMENDATION REPORT***

**OBJECTIONS:** None

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

**APPLICATION:** 2749488  
**PERMIT TYPE:** TREX  
**CLASS:** D1 D2 D3 D6  
**NAME:** FIVE IRON GOLF CINCINNATI LLC  
**DBA:** NONE LISTED  
80 W 5<sup>TH</sup> ST  
CINCINNATI, OH 45202

As of today's date, the Department of Buildings & Inspections provided no comment with their investigation.

On August 31, 2022, Downtown Residents Council was notified of this application and do not object.



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Police Department Approval

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David M. Laing, Assistant City Prosecutor  
Law Department - Recommendation  
Objection                      No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: October 25, 2022

**Date:** September 19, 2022  
**To:** Lieutenant Colonel Teresa A. Theetge, Interim Police Chief  
**From:** Captain Douglas M. Wiesman, Central Business Section Commander  
**Copies to:**  
**Subject:** **RENEWAL, TRANSFER OR ISSUANCE OF LIQUOR LICENSES**

**PATROL BUREAU MEMO #:** 22-416  
**DISTRICT INVESTIGATING LIQUOR PERMIT PREMISE:** Central Business Section  
**PERMIT #:** 2749488  
**TYPE OF PERMIT APPLIED FOR:** Transfer Exempt  
**PERMIT NAME & ADDRESS:**

<b>Name:</b>	Five Iron Golf Cincinnati LLC
<b>Address:</b>	80 W 5 <sup>th</sup> Street

**APPLICANTS NAME(S):** Jared Brett Solomon

**INSPECTION / INVESTIGATION INFORMATION:**

<b>Officer:</b>	Sergeant Mark Kelley
<b>Date:</b>	9/19/22
<b>Findings:</b>	No Objection

**COMMUNITY COUNCIL NOTIFIED:**

<b>Name 1:</b> Allen Bunker	<b>Date:</b> 9/19/2022	<b>Notified by:</b> email
<b>Phone:</b>	<b>E-mail:</b> X	
<b>Name 2:</b>	<b>Date:</b>	<b>Notified by:</b> (select from menu)
<b>Phone:</b>	<b>E-mail:</b>	

**DISPOSITION OF THE COMMUNITY COUNCIL:**

**NO OBJECTIONS**     
  **OBJECTION:** Attached Letter with Community Council Letterhead

**DISPOSITION OF THE DISTRICT:**

NO OBJECTIONS     OBJECTION: If objection checked, a narrative is required below

**REASON FOR OBJECTION:**

No Objection.



DMW

*DMW*  
C167  
9-21-22

No Objection - my/LTC4  
9/22/22.

# City of Cincinnati Council



Melissa Autry, CMC  
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308  
Cincinnati, Ohio 45202  
Phone (513) 352-3246  
Fax (513) 352-2578

August 24, 2022

OHIO DIVISION OF LIQUOR CONTROL  
LICENSING SECTION  
NEW PERMIT SECTION  
6606 TUSSING ROAD  
P O BOX 4005  
REYNOLDSBURG, OH 43068-9005

Dear Ohio Division of Liquor Control:

The Council of the City of Cincinnati, State of Ohio, is requesting a 30 day extension on the below cited liquor permit application:

Application No.: 2749488  
Permit Type: TREX D1 D2 D3 D6  
Name: FIVE IRON GOLF CINCINNATI LLC  
80 W FIFTH ST  
CINCINNATI OH 45202

Pursuant to R.C. 4303.26(A), City of Cincinnati City Council, through its Clerk of Council (collectively, hereinafter "the City"), respectfully requests an additional 30 days in which to respond to the Ohio Division of Liquor Control regarding whether the City will request a hearing on the subject liquor permit application. The City makes such time extension request for good cause and not for unnecessary delay. Specifically, the City requires additional time for each of its various departments and the applicable community council to review and investigate the liquor application by performing all necessary inspections and research including, but not limited to, permit applicant interviews, site premises inspections, background investigations, and historical investigations regarding the history of the permit premises and the subject location. Moreover, such extension of time would provide the applicable community council an opportunity to meet, vote, and respond back to the City by the deadline. Therefore, the City requires such time extension in order to perform its due diligence in this matter. The City respectfully requests this time extension in good faith, for good cause, and not for unnecessary delay.

Please fax the confirmation back to us as soon as possible at (513)352-2578.

Thank you for your prompt attention.

Sincerely,

Melissa Autry, CMC  
Clerk of Council

**NOTICE TO LEGISLATIVE  
AUTHORITY**

**OHIO DIVISION OF LIQUOR CONTROL**  
 8808 TUSSING ROAD, P.O. BOX 4008  
 REYNOLDSBURG, OHIO 43088-8008  
 (614)844-2380 FAX(614)844-3166

TO

2749488		TREX	FIVE IRON GOLF CINCINNATI LLC	
02 01 2020		PERMIT NUMBER	80 W FIFTH ST	
08 22 2022		ISSUE DATE	CINCINNATI OH 45202	
D1 D2 D3 D6		PERMIT CLASSES		
31	066	A	F28170	
TAX DISTRICT		RECEIPT NO.		

FROM 08/24/2022 SAFEKEEPING

2595650			EXECUTIVE SUITE LTD	
02 01 2020		PERMIT NUMBER	DBA GENUINES	
08 22 2022		ISSUE DATE	& PATIO	
D1 D2 D3 D6		PERMIT CLASSES	201 CLINT DR SUITE 1200	
23	099		PICKERINGTON OHIO 43147	
TAX DISTRICT		RECEIPT NO.		



MAILED 08/24/2022

RESPONSES MUST BE POSTMARKED NO LATER THAN 09/26/2022

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
 WHETHER OR NOT THERE IS A REQUEST FOR A HEARING  
 REFER TO THIS NUMBER IN ALL INQUIRIES **A TREX 2749488**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
 THE HEARING BE HELD  IN OUR COUNTY SEAT.  IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title) -  Clerk of County Commissioner

(Date)

Clerk of City Council

Towns

Batch #: 9

Article #: 92147969009997901644319947

Date/Time: 8/23/2022 3:58:12PM

Code: 2749488

Internal File #:

Internal Code:

24AUG22PM2:38

**CINCINNATI CLERK OF COUNCIL**  
 CITY HALL  
 801 PLUM ST ROOM 308  
 CINCINNATI OHIO 45202

CLERK OF COUNCIL

ILC 4052



# City of Cincinnati Council



Melissa Autry, CMC  
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308  
Cincinnati, Ohio 45202  
Phone (513) 352-3246  
Fax (513) 352-2578

For City Bulletin

## Liquor Permit Application

From the Department of Liquor Control advising of permit application for the following:

Application No.: 2749488  
Permit Type: TREX D1 D2 D3 D6  
Name: FIVE IRON GOLF CINCINNATI LLC  
80 W FIFTH ST  
CINCINNATI OH 45202

Pursuant to Section 4303.261 of the Ohio Revised Code, Council must notify the Department of Liquor Control within thirty days if there is an objection to the above permit.

Notice of Application was received by the Clerk of Council's Office

08/24/2022

MELISSA AUTRY, CMC Clerk of Council

The last day for the State to receive an objection is

09/26/2022

October 19, 2022

**To:** Mayor and Members of City Council 202201924  
**From:** Sheryl M.M. Long, City Manager  
**Subject:** **Emergency Ordinance – Approving and Authorizing CRA Tax Exemption Agreement with 2378 Park Owner, LLC**

---

Attached is an Emergency Ordinance captioned:

**APPROVING AND AUTHORIZING** the City Manager to execute a *Community Reinvestment Area Tax Exemption Agreement* with 2378 Park Owner, LLC, thereby authorizing a 15-year tax exemption for 100% of the value of improvements made to real property located at 2378 Park Avenue in the Walnut Hills neighborhood of Cincinnati, in connection with the remodeling of an existing building into approximately 26,078 square feet of residential space, consisting of 35 affordable residential rental units, at a total construction cost of approximately \$2,362,838.

### **BACKGROUND/CURRENT CONDITIONS**

2378 Park Avenue, LLC an affiliate of Urban Sites LLC plans to renovate the property located at 2738 Park Avenue in the Walnut Hills Neighborhood. The property has 35 former market-rate units which are being renovated and brought back to the market in line with affordable rents.

### **DEVELOPER INFORMATION**

Urban Sites is a private real estate developer with \$70M invested in the Greater Cincinnati Region. Urban Sites has a portfolio of over 90 commercial spaces (335,000SF) and 515 residential units. Many of these units have been brought to life through historic rehabilitation which has brought many new residents, new businesses, and job creation to the region.

### **PROJECT DESCRIPTION**

The renovation of this existing apartment building will bring 35 affordable units. The project consists of (17) 1-bedroom units that rent at \$911 and (18) 2-bedroom units that rent \$1,090. The total project cost is estimated to be \$3,839,745 with the construction cost estimated to be \$2,362,838. At the proposed rents, the project is affordable to households at 50-60% AMI levels. The project is estimated to take eight months to complete and will support the creation of 20 temporary construction jobs with a total payroll of \$1,250,000.

The proposed project is consistent with *Plan Cincinnati* within the Live Initiative Area’s Goals to “Create a more livable community” (p. 156) and “Provide a full spectrum of housing options and improve housing quality and affordability” (p. 164).

Rent	Affordable to Salary	City Jobs (Min Salary exceeds affordable salary)
\$911.00	\$39,640.00	Laboratory Assistant, Supervising Clerk, Clerk Typist 2,
\$1,090.00	\$43,600.00	Clerk Typist 3, Telecommunication Specialist, Fire Fighter, Paramedic 1

AMI	1	2	3	4	5	6	7	8
30%	\$20,100	\$22,950	\$25,800	\$28,650	\$32,470	\$37,190	\$49,910	\$46,360
50%	\$33,450	\$38,200	\$43,000	\$47,750	\$51,600	\$55,400	\$49,250	\$63,050
60%	\$40,140	\$45,840	\$51,600	\$57,300	\$61,920	\$66,480	\$59,100	\$75,660
80%	\$53,520	\$61,120	\$68,800	\$76,400	\$82,560	\$88,640	\$78,800	\$100,880

**PROPOSED INCENTIVE**

DCED is recommending a 15-year, net 67% CRA tax exemption. This recommendation is based on a commitment from the developer to keep the rents affordable to households at 60% of AMI households for the term of the CRA. The exemption only applies to the increase in improvement value attributed to the construction.

Pursuant to the Commercial CRA policy established by City Council, this project scored 3 points as indicated below. However, based on a commitment from the developer to keep the rents affordable to 60% of AMI households for the term of the CRA, the Department is recommending a 15-year net 67% CRA, consistent with the established City policy for Low-Income Housing Tax Credit projects and merited by the project underwriting.

Tax Abatement:

“But For” Analysis (0-3 points) *	3
LEED (0-6 points)	0
Neighborhood VTICA (1 point for contributions over 1% but less than 15% and 8 points for contributions of 15% or more)	0
<b>TOTAL</b>	<b>3</b>

\* “But For” Analysis Explanation: 3 points were awarded for the following reasons:

- Even with an abatement, the projected return on equity is at 6% for a for-profit developer for the first 15 years following renovation.
- Providing this level of abatement will lower operating costs and help maintain lower rents that will support a lower AMI household.
- Park Avenue committed to keeping the rents affordable to 60% of AMI households for the duration of the 15-year term.

<b>SUMMARY</b>	
<b>Incentive Value</b>	
Annual Net Incentive to Developer	\$29,398
<b>Total Term Incentive to Developer</b>	<b>\$440,965</b>
<b>City's Portion of Property Taxes Forgone</b>	<b>\$84,943</b>
<b>City's TIF District Revenue Forgone (Term)</b>	<b>\$480,455</b>
<b>Public Benefit</b>	
CPS PILOT	
Annual CPS Pilot	\$14,479
Total Term CPS PILOT	\$217,192
VTICA	
Annual VTICA	\$0
Total Term VTICA	\$0
Income Tax (Max)	\$15,000
<b>Total Public Benefit (CPS PILOT/VTICA /Income Tax)</b>	<b>\$232,192</b>
Total Public Benefit ROI*	\$0.53
City's ROI**	\$0.41

\*This figure represents the total dollars returned for public purposes (City/Schools/Other) over the benefit received. Note that projects may be recommended with an ROI of less than 1 if they meet specific policy objectives of the City like creation of new housing.

\*\*This figure represents the total dollars returned for City/VTICA over the City's property taxes forgone including TIF district revenues. Note that projects may be recommended with an ROI of less than 1 if they meet specific policy objectives of the City like creation of new housing.

### **PROJECT TEAM & TIMELINE**

The project team (listed below) will make themselves available at the request of the council member(s).

- Assistant City Manager: William Weber
- DCED Director: Markiea Carter
- Project Attorney: Samantha Brandenburg

The anticipated council timeline, which includes two Budget and Finance meetings if necessary is as follows:

- October 19, 2022: Introduction to City Council
- October 24, 2022: Budget and Finance (1)
- October 31, 2022: Budget and Finance (2)
- November 2, 2022: Budget and Finance

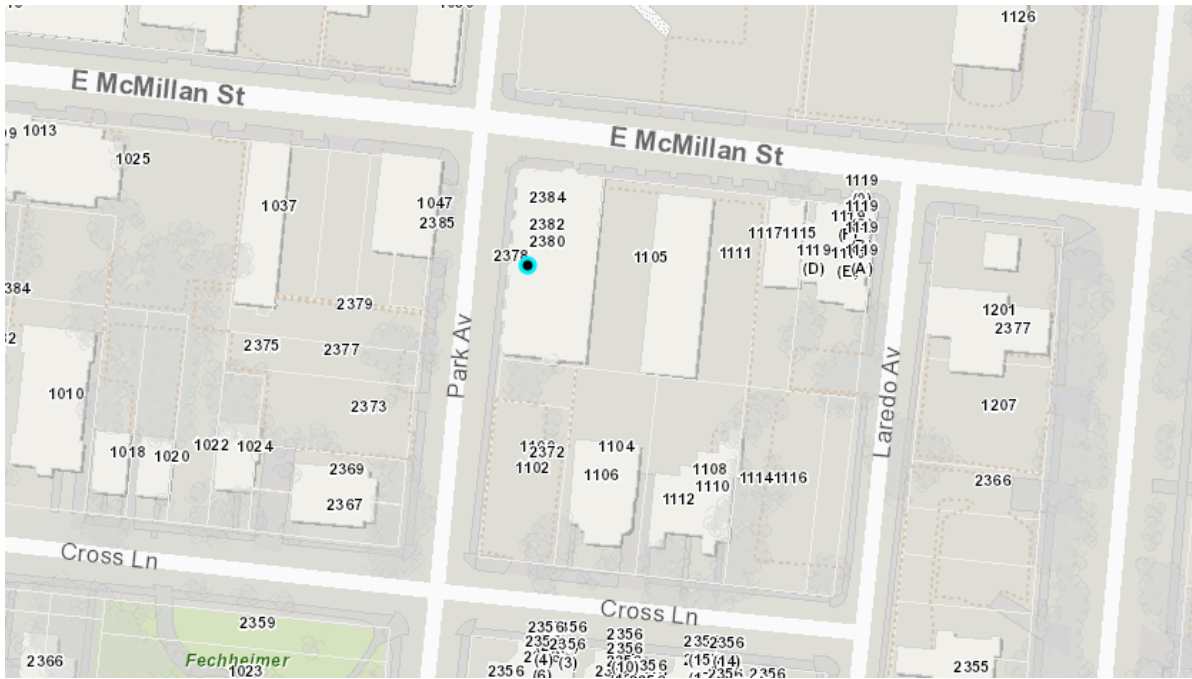
### **RECOMMENDATION**

The Administration recommends approval of this Emergency Ordinance. This is an Emergency Ordinance so construction pricing can hold stable, and renovation can begin while the weather is still suitable.

Attachment: A. Property location and photographs

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

**Attachment A: Location and Photographs**



*Property Location*



*2378 Park Avenue*

EMERGENCY

City of Cincinnati

EVK

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

-2022

EESW

**APPROVING AND AUTHORIZING** the City Manager to execute a *Community Reinvestment Area Tax Exemption Agreement* with 2378 Park Owner, LLC, thereby authorizing a 15-year tax exemption for 100% of the value of improvements made to real property located at 2378 Park Avenue in the Walnut Hills neighborhood of Cincinnati, in connection with the remodeling of an existing building into approximately 26,078 square feet of residential space, consisting of 35 affordable residential rental units, at a total construction cost of approximately \$2,362,838.

WHEREAS, to encourage the development of real property and the acquisition of personal property, the Council of the City of Cincinnati 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 ("ORC") Sections 3735.65 through 3735.70 (the "Statute"); and

WHEREAS, Ordinance No. 275-2017 passed by this Council on September 27, 2017, as amended by Ordinance No. 339-2018, passed by this 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, 2378 Park Owner, LLC (the "Company") desires to remodel an existing building on real property at 2378 Park Avenue, located within the corporate boundaries of the City of Cincinnati, into approximately 26,078 square feet of residential space, consisting of 35 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 (the "Agreement"), to authorize a real property tax exemption for the Improvements in accordance with the Statute; and

WHEREAS, the Company has represented and warranted to the City that it will, for the term of the real property exemption, lease the residential rental units to individuals with gross household income at or below 60% of Area Median Income, on the terms and conditions more particularly described in the Agreement; 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% 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% of the exempt real property taxes; 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 ORC 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 2378 Park Owner, LLC (the “Agreement”), thereby authorizing a 15-year tax exemption for 100% of the assessed value of improvements to be made to real property located at 2378 Park Avenue in Cincinnati, as calculated by the Hamilton County Auditor, in connection with the remodeling of an existing building into approximately 26,078 square feet of residential space, consisting of 35 affordable residential rental units, to be completed at a total construction cost of approximately \$2,362,838.

Section 2. That Council authorizes the City Manager:

- (i) to execute the Agreement on behalf of the City in substantially the form of Attachment A to this ordinance; and
- (ii) to forward on behalf of Council a copy of the Agreement, within fifteen (15) days after execution, to the Director of the Ohio Development Services Agency in accordance with Ohio Revised Code Section 3735.671(F); and
- (iii) to submit on behalf of Council annual reports on the Agreement to the Director of the Ohio Development Services Agency and to the Board of Education of the Cincinnati City School District in accordance with Ohio Revised Code Section 3735.672; and



- (iv) 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: \_\_\_\_\_, 2022

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

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

ATTACHMENT A

## 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 2378 PARK OWNER, LLC, an Ohio limited liability company (the "Company"), an affiliate of Urban Sites.

## 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, and Ordinance No. 24-2022, passed on February 2, 2022 (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 2378 Park Avenue, Cincinnati, Ohio 45206 (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 to remodel a building 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

(i) the City application fee of One Thousand Two Hundred Fifty Dollars (\$1,250) made payable to the City and (ii) in accordance with Ohio Revised Code Section 3735.672(C), the state application fee of Seven Hundred Fifty Dollars (\$750) made payable to the Ohio Development Services Agency ("ODSA"), to be forwarded to the ODSA with an executed copy of this Agreement.

- 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 one hundred percent (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 thirty-three percent (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 five (5) years neither the Company, nor 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 Walnut Hills neighborhood of Cincinnati is in need of assistance in creating and maintaining affordable housing. Therefore, the Company represents and warrants to the City that it will, for the term of the abatement provided pursuant hereto, lease all units at the Property to individuals with gross household income at or below 60% of Area Median Income as determined and published annually by the U.S. Department of Housing and Urban Development (the "Affordable Units") for the Cincinnati OH-KY-IN HUD Metro Area.
- P. This Agreement has been authorized by Ordinance No. \_\_\_\_\_-2022, passed by Cincinnati City Council on \_\_\_\_\_, 2022.
- 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 Affordable Units, 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 an existing building into approximately 26,078 square feet of residential space, consisting of 35 residential rental units, which include the Affordable Units, on the Property (the "Improvements") at an estimated aggregate cost of \$2,362,838 to commence after the execution of this Agreement and to be completed no later than April 24, 2024; *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 one hundred percent (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 fifteen (15) 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, and with such application submit evidence of the Company's leasing of the Affordable Units. 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 2025 nor extend beyond the earlier of (i) tax year 2039 or (ii) the end of the fifteenth (15<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(C)(2), 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(C)(3), 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 5733, 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 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(C)(4), 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(C)(5), 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.<sup>1</sup>

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 thirty percent (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 thirty percent (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, or cause to be created, 20 full-time equivalent temporary construction jobs 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.

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<sup>1</sup> Note: this section will be revised prior to execution due to programmatic changes being implemented by the Department of Community and Economic Development as a result of recent legislation passed by City Council.

B. Company's Estimated Payroll Increase. The Company's increase in the number of employees will result in approximately \$1,250,000 of additional annual payroll prior to the completion of the Project with respect to the full-time equivalent temporary construction jobs.

C. Community Reinvestment Area Employment. The Company shall (i) adopt hiring practices to ensure that at least twenty-five percent (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(C)(6), 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 thirty (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 thirty (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.

A. Generally. As required by Ohio Revised Code Sections 3735.671(C)(7) 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.

B. Affordable Units Reporting. In the event that the Company provides evidence to the City with the completion application that it will be leasing the Affordable Units for the term of the abatement provided for hereunder, then for the Annual Review and Report, the Company shall also provide the City's Tax Incentive Review Council (or the City Manager, if so requested by the City) with an affidavit certifying that it has leased the Affordable Units for the prior year and any other information requested by the Council or the City Manager to ensure compliance with the Company's representation regarding the Affordable Units.

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 (E) 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(E) from entering into this Agreement. As required by Ohio Revised Code Section 3735.671(C)(9), 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 (E) of Ohio Revised Code Section 3735.671) has violated the prohibition against entering into this Agreement under division (E) of Ohio Revised Code Section 3735.671 or under Ohio Revised Code Sections 5709.62 or 5709.63 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 thirty (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 twelve percent (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 One Thousand Dollars (\$1,000) and/or a term of imprisonment of not more than six (6) months.

**B. Material Representations – Board of Education Agreement and Affordable Units.**

The Parties acknowledge and agree that a material failure by the Company to comply with its representations concerning the Board of Education Agreement or the provision of the Affordable Units shall constitute an event of default for purposes of Section 16 (*Default*) and the basis for revocation under Section 18 (*Revocation*). 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.** As authorized by Ohio Revised Code Section 3735.671(D), the Company shall pay an annual fee of Five Hundred Dollars (\$500) or one percent (1%) of the annual taxes exempted under this Agreement, whichever is greater, but not to exceed Two Thousand, Five Hundred Dollars (\$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(E), 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 five (5) 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(E).

**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:

2378 Park Owner, LLC  
The Western and Southern Life Insurance Company  
400 Broadway, MS 37

Cincinnati, Ohio 45202  
Attn: General Counsel

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, OH 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(C)(8), 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 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. Failure to assign or otherwise perform the Company's obligations under the Board of Education Agreement 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(C)(10), 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; any original signatures that are initially delivered electronically shall be physically delivered as soon as reasonably possible.

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

**2378 PARK OWNER, LLC,**  
an Ohio limited liability company

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

By: 2378 Park Holding, LLC,  
a Delaware limited liability company,  
Its: Sole Member

Date: \_\_\_\_\_, 2022

By: Walnut Hills Interests, LLC,  
an Ohio limited liability company  
Its: Managing Member

By: \_\_\_\_\_  
Gregory W. Olson, Manager

Approved as to Form:

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

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

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

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

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

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

**Exhibit A to CRA Agreement**

LEGAL DESCRIPTION OF PROPERTY

Property Address: 2378 Park Avenue, Cincinnati, Ohio 45206  
Auditor's Parcel No.: 063-0003-0071-00

Situated in the City of Cincinnati, County of Hamilton, State of Ohio. Beginning at the southeast corner of McMillan Street and Park Avenue; thence running along the south side of McMillan Street, in an easterly direction sixty (60) feet; thence southwardly at right angles to said McMillan Street, one hundred forty (140) feet, more or less, to the North line of lands formerly owned by Joseph B. Foraker and Elizabeth Appleton; thence along the said line in a westerly direction and parallel to McMillan Street sixty (60) feet, to the east line of Park Avenue; thence along the east line of Park Avenue in a northerly direction one hundred forth (140) feet, more or less, to the place of beginning.

**Exhibit B to CRA Agreement**

**APPLICATION FOR TAX EXEMPTION**

**TO BE ATTACHED TO EXECUTION VERSION**



October 5, 2022

**TO:** Mayor and Members of City Council 202201885  
**FROM:** Sheryl M. M. Long, City Manager  
**SUBJECT:** FY 2022 Carryover to FY 2023 Report

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The following report provides an overview of the City of Cincinnati’s General Fund FY 2022 year-end balance and application of the Stabilization Funds Policy adopted by the City Council. This report also includes FY 2023 Budget considerations for discussion.

**General Fund 2022 Fiscal Year-End Balance and One-Time Uses**

As shown in the table below, the City’s General Fund ended FY 2022 with a carryover amount of \$85.1 million including \$7.2 million net FY 2021 carryover.

Utilizing the City’s Stabilization Funds Policy as recently amended to include contributions to the Cincinnati Retirement System (CRS) for unfunded pension obligations, Affordable Housing Trust Fund, and an Operating Budget Contingencies Account, \$47.5 million is available for one-time uses. Recommended one-time uses have been identified by the Administration in accordance with City Council Motion #202201471, which identified four priority areas, and the Administration’s corresponding Report (Item #202201628), which recommended a process for supporting these identified priorities.

In line with the previous report, in this carryover report the Administration is recommending investments in Deferred Infrastructure and Capital Maintenance, Neighborhood Business District Capital Support, and the proposed redevelopment of the Duke Energy Convention Center. Additionally, this report recommends investments in Over-The-Rhine for extension of Zeigler Park and improvements to address the recent gun violence in the area, continued support for the Lincoln & Gilbert minority business accelerator program, and an investment in Community Economic Advancement Initiatives (CEAI) to support its work in the Bond Hill and Roselawn neighborhoods.

The following table includes a breakdown of how the recommended carryover will apply to reserves, the Administration’s recommended one-time uses, and deduction of already passed FY 2022 reappropriations. The remaining \$7,294,178 is the balance recommended for allocation by Council amongst the remaining stated Council priorities: a possible further supplement to the Affordable Housing Trust Fund, investment in capital projects for human service organizations, or investment in capital projects supporting neighborhood development.

## Application of FY 2022 Carryover Balance

<b>Cash Basis Carryover Balance FY 2022</b>	\$ 85,100,533
<b>Uses of Carryover Balance</b>	
<b>Application of Stabilization Funds Policy:</b>	
Less General Fund Carryover Balance (1.5% of operating revenue )	\$ 8,075,902
Less Transfers to Reserve Accounts:	
General Fund Contingency Account (2.00% of operating revenue)	\$ 2,830,482
Economic Downturn Reserve (5.00% of operating revenue)	\$17,609,147
Working Capital Reserve (8.2% of operating revenue)	\$ 1,624,471
Total Reserve Transfer from Stabilization Funds Policy	\$ 22,064,100
<b>Carryover Balance Less Total Applied to Stabilization Funds Policy</b>	<b>\$ 54,960,531</b>
<b>Less Modified Waterfall Uses:</b>	
CRS Pension Contribution	\$ 2,000,000
Affordable Housing Trust Fund	\$ 5,000,000
Operating Budget Contingencies Account	\$ 500,000
<b>Total</b>	<b>\$ 7,500,000</b>
<b>Balance Available</b>	<b>\$ 47,460,531</b>
<b>Less One-Time Uses:</b>	
<b>Administration's Recommended One-Time Uses</b>	
Deferred Capital Maintenance - 55%	\$ 26,103,292
Neighborhood Business District Capital Support	\$ 1,500,000
Convention Center District Improvements	\$ 7,000,000
Over-the-Rhine (OTR) Outdoor Improvements (Inc. Ziegler Park Expansion)	\$ 3,500,000
CEAI - Bond Hill Business District Investment	\$ 250,000
Lincoln and Gilbert	\$ 1,000,000
<b>Total</b>	<b>\$ 39,353,292</b>
<b>Balance Available</b>	<b>\$ 8,107,239</b>
<b>FY 2022 Reappropriations - One-Time Uses</b>	
FY 2022 Reappropriations - Ordinance No. 0196-2022	\$ 793,111
Councilmember Landsman Reappropriation from FY 2022 - Ordinance No. 0224-2022	\$ 5,000
Vice-Mayor Kearney Reappropriation from FY 2022 - Ordinance No. 0257-2022	\$ 10,000
Councilmember Cramerding Reappropriation from FY 2022 - Ordinance No. 0278-2022	\$ 4,950
<b>Total</b>	<b>\$ 813,061</b>
<b>Balance Available</b>	<b>\$ 7,294,178</b>

### Uses of Carryover Balances

#### Application of Stabilization Funds Policy

The Government Finance Officers Association (GFOA) recommends that local governments establish a formal policy on the level of unrestricted fund balance that should be maintained in the General Fund. The City's Stabilization Funds Policy, approved by the City Council in Ordinance No. 0253-2015 and subsequently amended in Ordinance Nos. 0213-2019 and 0056-2022, incorporates the GFOA's recommended two months of general fund operating revenues, or 16.7% of annual general fund operating revenues.

Per the Stabilization Funds Policy, the following transfers will be requested via ordinance: \$1.6 million to the Working Capital Reserve Fund, \$2.8 million to the General Fund Contingency

Account, and \$17.6 million to the Economic Downturn Reserve Account. Based on the policy, \$8.1 million will remain in the General Fund balance.

FY 2021 Balances  
After Close-out Adjustments

Actual FY 2021 Revenue	\$482,836,175	
Working Capital Reserve	\$38,993,000	8.08%
General Fund Contingency Account	\$9,656,724	2.00%
Economic Downturn Reserve	\$9,310,527	1.93%
General Fund Carryover Balance (After Uses)	<u>\$7,242,543</u>	<u>1.50%</u>
Total Stabilization Policy Reserves	\$65,202,793	13.50%
30% Income Tax Reserve for Refunds	<u>\$50,015,389</u>	
Total Combined Reserves	\$115,218,182	

Balances June 30, 2022  
After Proposed Transfers

Annual Revenue	\$538,393,480	*
Working Capital Reserve	\$44,148,265	8.20%
General Fund Contingency Account	\$10,767,870	2.00%
Economic Downturn Reserve	\$26,919,674	5.00%
General Fund Carryover Balance (After Uses)	<u>\$8,075,902</u>	<u>1.50%</u>
Total Combined Reserves	\$89,911,711	16.70%
Existing Balance of Income Tax Reserve for Refunds	<u>\$50,015,389</u>	
Total Combined Reserves	\$139,927,100	

\*Includes \$67.5 million of ARPA funding.

Overall combined reserves will increase by \$24.7 million, from 13.50% in FY 2022 to 16.70% in FY 2023, excluding funds set aside for income tax refunds. To ensure fiscal stability, the Administration is committed to managing the City's operations in a prudent, responsible way through the adherence to management disciplines, including the Stabilization Funds Policy. The City must plan for and be prepared to mitigate fluctuations in demand for services as well as changes in revenues influenced by the economy and budgetary decisions made by the State of Ohio and the federal government. Especially in the face of the uncertainty caused by remote work trends and a weakened national economy, the City must be prepared for unforeseen events that could result in additional expenditure requirements or loss of revenues by maintaining prudent levels of fund balance and reserves as set forth in the Stabilization Funds Policy. The rating agencies have emphasized the importance of maintaining appropriate reserves to ensure financial stability and to retain the current bond ratings.

It should be noted that with these recommended transfers, the City will have achieved the GFOA's recommendation of 16.7% of annual General Fund operating revenue set aside in reserves. Years of careful planning and management and the support and leadership of the current Mayor and Council and previous elected officials made this possible, and the City will strive to maintain this level of reserves.

### **Amended Stabilization Funds Policy Uses**

Based on the amended Stabilization Funds Policy waterfall mechanism, the following items will be funded:

- \$5.0 million will be allocated to the Affordable Housing Trust Fund, to be deployed through the established partnership with the Cincinnati Development Fund (CDF). Additional information on that partnership and the structure of deployment are attached as Attachment A.
- \$2.0 million will be contributed to the Cincinnati Retirement System (CRS) to address unfunded pension obligations.
- \$500,000 will be allocated to a newly created Operating Budget Contingencies Account.

The Administration recommends allocating 50% (or \$250,000) from this account to the following one-time needs in the City's FY 2023 General Fund Operating Budget:

- Emergency Communications Center (ECC) Extension of Alternate Response to Crisis (ARC) mental health pilot program (\$140,000) – Funds will cover the extension of ECC's ARC pilot program with Police Dispatch through the end of FY 2023.
- Cincinnati Police Department (CPD) Downtown Deployment Overtime (\$60,000) – Funds will partially offset the expense caused by necessary additional deployment of CPD officers in the Central Business District (CBD) and Over-The-Rhine during the summer of 2022 to support special events and increase police presence to reduce violence.
- Marijuana Offense Expungement Efforts (\$25,000) – Funds will be utilized to cover court costs and filing fees of eligible individuals seeking expungement of marijuana offenses.
- Cincinnati Recreation Commission (CRC) Lifeguard Recruitment and Bonus Pay (\$25,000) – Funds will provide additional resources for a new wage and bonus pay structure for attracting and retaining CRC lifeguards for the Summer of 2023.

The Administration recommends that the remaining \$250,000 be held in reserve in the Operating Budget Contingencies Account, to cover unforeseen operating expense needs that arise during the remainder of the fiscal year.

### **Carryover Uses**

As part of the Stabilization Funds Policy, \$47,460,531 is available for one-time uses for FY 2023. Below are the Administration's recommendations on how to use these funds, based on Mayoral and the City Council priorities.

#### *Administration's Recommended One-Time Uses*

- Deferred Capital Maintenance (\$26,103,292) – In response to City Council Motion #202201639, materials related to various departments' deferred capital maintenance needs are provided in Attachment B. The recommended \$26,103,292 allocation will provide

funding to address the backlog of deferred maintenance of the City's capital assets and represents 55% of the \$47,460,531 available for one-time uses. The recommended projects include the following amounts by department:

- Enterprise Technology Solutions – \$1,703,292
  - An additional allocation of funds to replace radios used by multiple City departments, including primarily by police and fire
- City Manager's Office – \$2,000,000
  - \$1,500,000 as a dedicated funding source for Community Budget Requests (CBRs)
  - \$500,000 for communications equipment upgrades, including CitiCable
- Department of Recreation – \$5,000,000
  - \$2,500,000 for renovation of various recreation facilities
  - \$2,000,000 for pavement and Heating, Ventilation, and Air Conditioning (HVAC) improvements in various recreation facilities
  - \$500,000 for Evanston Recreation Area improvements
- Department of Parks – \$3,500,000
  - \$1,500,000 for stream stabilization efforts in California Woods
  - \$1,000,000 for renovations in the lower portion of Inwood Park
  - \$1,000,000 for erosion stabilization efforts in Smale Riverfront Park
- Department of Transportation and Engineering – \$3,900,000
  - \$2,000,000 for traffic signal infrastructure
  - \$1,400,000 for street light infrastructure, including LED conversion
  - \$500,000 for Winter Weather Spot Infrastructure maintenance (pothole repair)
- Department of Public Services – City Facilities Management (CFM) – \$5,000,000
  - \$3,500,000 for additional Fleet Facilities Renovations
  - \$1,000,000 for improvements at Public Safety facilities
  - \$500,000 for Americans with Disabilities Act (ADA) improvements at various City facilities
- Department of Public Services – Fleet Services – \$1,500,000
  - An additional allocation of funds for fleet replacements
- Department of Health – \$3,500,000
  - An additional allocation of funds for Health facilities improvements including various deferred maintenance projects and renovations at various clinics including the Bobbie Sterne Health Center, the Price Hill Health Center, the Northside Health Center, and the Burnet & King facility
- Neighborhood Business District Capital Support (\$1,500,000) – Funds will be used to provide funding for neighborhood projects that were submitted through the City's Neighborhood Business District Improvement Program (NBDIP) or the Neighborhood Business District Support Grant Program but did not receive funding from those programs due to limited resources.

- Convention Center District Improvements (\$7,000,000) – These funds will be used to pay for pre-development and design costs associated with renovation of the Duke Energy Convention Center.
- Over-the-Rhine (OTR) Outdoor Improvements (\$3,500,000) – These funds will be used to provide resources for outdoor improvements to the Ziegler Park and proximate area in OTR to help address recent violence in that area.
- Lincoln & Gilbert (\$1,000,000) – These funds will be used to continue support for the Lincoln & Gilbert minority business accelerator program.
- CEAI Capital Investment (\$250,000) – These funds will be used to support the work of Community Economic Advancement Initiatives (CEAI) in the Bond Hill and Roselawn neighborhoods.

### FY 2022 Reappropriations

The following ordinances have already been previously passed by Council, to account for reappropriation of FY 2022 expenses that were not able to be encumbered before the end of the fiscal year:

- FY 2022 Reappropriations per Ordinance No. 0196-2022 (\$793,111) – Funding provided resources for leveraged support commitments, the Black Lives Matter mural refresh, 311 service line technology purchases and advertisements, and the Cities for Financial Empowerment Grant and associated matching resources.
- Councilmember Landsman’s Reappropriation from FY 2022 (\$5,000) – One-time resources in the amount of \$5,000 were provided for the St. Vincent de Paul Society's Eviction Prevention Initiative per Ordinance No. 0224-2022.
- Vice-Mayor Kearney’s Reappropriation from FY 2022 (\$10,000) – One-time resources in the amount of \$5,000 were provided to the Christ Temple Baptist Church summer camp program and \$5,000 in one-time resources for 1N5 per Ordinance No. 0257-2022.
- Councilmember Cramerding’s Reappropriation from FY 2022 (\$4,950) – One-time resources in the amount of \$4,950 were provided for continuing legal education for Law Department personnel per Ordinance No. 0278-2022.

### City Council Funding Priorities

A balance of \$7,294,178 remains available for identified Council priorities, with allocations to be determined by Council at a later date. The following are recommendations for a process on deployment of those funds, based on the previously stated Council priorities.

- Affordable Housing Trust Fund – In addition to the contemplated \$5 million allocation discussed above, additional funds could be allocated to the partnership with the CDF for deployment for affordable housing projects through the existing structure and agreement with CDF.
- Human Service Capital Projects – Funds could be allocated to capital projects that support human service organizations. It is recommended that Council determine the amount of any

such allocation and identify a specific need that it seeks to address, then any such funding be deployed through a Request for Proposal (RFP) or other competitive process developed in partnership between the Administration and the Human Services Advisory Committee (HSAC).

- Neighborhood Capital Projects – Funds may be made available for neighborhood projects to a capital account that will support a competitive RFP process with awards for large catalytic neighborhood projects. Following the RFP process, the Administration would return to Council with recommendations for appropriations. Additional information on a proposed RFP process is included in Attachment C.

## **2023 Pending Matters**

There are several budget concerns for FY 2023 and beyond that are noteworthy. These include the following:

- COVID-19 Budget Impact – Due to the impact to income taxes and other sources of revenues related to the COVID-19 pandemic, the Approved FY 2023 General Fund Budget was balanced but not structurally balanced due to the reliance on \$18.6 million in one-time American Rescue Plan (ARP) funds. The Administration will monitor the budget closely and report back to Council during FY 2023 on how actual revenues align with revenues projected in the Approved FY 2023 Budget Update.
- FY 2024 and FY 2025 Projected Deficits – Despite the reliance on \$18.6 million of ARP funds for FY 2023, the General Fund Long-Term Forecast included in the Approved FY 2023 Budget Update document includes a General Fund preliminary deficit of \$22.0 million for FY 2024 and a preliminary deficit of \$31.4 million for FY 2025. Both fiscal years are expected to require the use of ARP funds to balance. For labor contracts not already agreed to through FY 2024, the General Fund Long-Term Forecast assumes a 3.0% wage increase for sworn and non-sworn personnel and a 5.0% increase for healthcare. If labor contract negotiations result in higher increases, the projected deficits will increase.
- Ratings Agencies – Moody’s Investors Services’ current assigned rating is Aa2 for the City’s outstanding general obligation unlimited tax (GOULT) debt, and the rating is Aa3 on the City’s outstanding non-tax revenue debt. The outlook is stable. Standard & Poor’s Ratings Services’ current assigned rating is AA for the City’s long-term unlimited-tax general obligation (GO) bonds and an AA long-term rating on the City’s non-tax revenue bonds. The outlook is stable.
- Income Tax – The FY 2023 Income Tax estimate reflects an increase of 3.95% from FY 2022 forecasted collections, based on revenue trends and the UC Economics Center’s forecast. However, the UC forecast also projects relatively flat growth in income tax revenue from FY 2024 – FY 2027. In addition, income tax revenue continues to be uncertain as employees move permanently to remote and hybrid work schedules. While there has not been a sharp increase in refund requests, there is a refund liability created to the City for a running three-year period while the employee remains eligible for a refund. It should be stressed that the City remains over reliant on income tax revenue, which makes it susceptible to long-term changes in work trends.

## **Recommendation**

The Administration requests this report be approved and filed and recommends approval of the accompanying Ordinance.

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

#### Attachments

Attachment A: CDF Affordable Housing Trust Fund Deployment Structure

Attachment B: Deferred Capital Maintenance Supplemental Information and Response to Motion #202201639

Attachment C: Proposed RFP for Neighborhood Capital Projects



## ATTACHMENT A

### **CDF Affordable Housing Trust Fund Deployment Structure**

Pursuant to Ordinance Nos. 121-2021 and 122-2021, Council designated the Housing Advisory Board to establish the City’s affordable housing policy priorities with respect to the Affordable Housing Trust Fund, designated CDF to oversee the Affordable Housing Trust Fund, and provided the Administration authority to enter into an agreement with CDF to deploy available funding. On May 13, 2022, the City Administration presented to and received feedback from the Housing Advisory Board on a proposed structure for the deployment structure with CDF. Then on August 26, 2022, the City and CDF entered into a *Funding and Management Agreement* for deployment of the City’s Affordable Housing Trust Fund. A copy of that agreement is included in this Attachment and a summary of those terms are as follows:

#### **Loan Products:**

- (i) Forgivable Loans – Upon satisfaction with the terms of the loan, the balance will be forgiven, in effect creating grant subsidy to affordable housing projects.
- (ii) Repayable Loans – Low or no-interest loans will be granted to make affordable housing projects financially feasible but will be required to be repaid. Repaid amounts will be recycled and re-lent to additional affordable housing projects.

**Eligible Uses:** Funds may be utilized for acquisition costs, hard construction costs, reasonable soft construction costs. In some more limited circumstances, the funds may be used to refinance debt or to leverage tax credit financing structures.

#### **Amount of Financing:**

- (i) Forgivable Loans – Financing of forgivable loans will be limited to the maximums below, established on a per unit basis and decreasing as the targeted AMI increases. Family-size units can receive additional funding. These amounts are intended to be studied for the first two years and revisited if adjustments are required to better achieve policy goals.

#### Forgivable Loan Maximums:

Area Median Income ("AMI") Level for Unit	Maximum Forgivable Loan per 1-2 Bedroom Unit	Maximum Forgivable Loan per 3+ Bedrooms
Up to 60% AMI	\$50,000 per unit	\$60,000 per unit
Up to 80% AMI	\$25,000 per unit	\$30,000 per unit
Up to 100% AMI	\$10,000 per unit	\$20,000 per unit

- (ii) Repayable Loans – Repayable loans may be extended at amounts above these maximums, to the extent necessary to make an affordable project financially feasible.

**Affordability Terms:** All affordability terms will be enforced with a restrictive covenant and will apply for a set term, generally for 15 years. Maximum rent limits for each affordable unit will be capped through a process utilized by HUD and the Ohio Housing Finance Agency. In addition to other requirements for enforcement and reporting on the affordability terms, any property that receives a forgivable loan will be required to grant a right of first refusal for purchase of the property, exercisable in the event of a proposed sale by either a non-profit with a mission focused on preserving affordable housing or a cooperative organization of tenants of the property. This provision is intended to preserve long-term affordability at these properties through ownership.

The Administration is recommending that Council appropriate the \$5 million in funding to the Affordable Housing Trust Fund, to be deployed through the existing contract with CDF, in alignment with the established terms.



## FUNDING AND MANAGEMENT AGREEMENT Affordable Housing Trust Fund

THIS FUNDING AND MANAGEMENT AGREEMENT (“**Agreement**”) is made as of the Effective Date (as defined on the signature page hereof) by and between the **CITY OF CINCINNATI**, an Ohio municipal corporation, the address of which is 801 Plum Street, Cincinnati, Ohio 45202 (“**City**”), and **CINCINNATI DEVELOPMENT FUND, INC.**, an Ohio nonprofit corporation, the address of which is 1224 Race Street, Cincinnati, Ohio 45202 (“**Service Provider**”).

### RECITALS:

**A.** The City desires to engage Service Provider to provide the Services as defined and described herein. The City and Service Provider desire to enter into this Agreement to memorialize the terms and conditions with respect to Service Provider performing the Services.

**B.** The goal of the Services is to increase available financing tools to encourage the production of new housing units and the preservation of existing affordable housing units, and to increase capacity within the development industry for the production of housing units. Service Provider will oversee and deploy the previously appropriated Affordable Housing Trust Fund – Fund 439 and related capital improvement program project accounts (collectively, the “**Affordable Housing Trust Fund**” or “**AHTF**”) in accordance with the terms of this Agreement. As further described herein, the businesses receiving such loans shall be referred to, collectively, as the “**Participants**”, and each, individually, as a “**Participant**”, and such loans, made in accordance with the parameters set forth herein shall be referred to, collectively, as the “**Loans**”, and each, individually, a “**Loan**”.

**C.** Section 16 of Article VIII of the Ohio Constitution provides that, to enhance the availability of adequate housing in the state and to improve the economic and general welfare of the people of the state, it is in the public interest and a proper public purpose for the state or its political subdivisions, directly or through a public authority, agency, or instrumentality, to provide grants, loans, or other financial assistance for housing in the state, for individuals and families, by the acquisition, financing, construction, leasing, rehabilitation, remodeling, improvement, or equipping of publicly- or privately-owned housing.

**D.** Execution of this Agreement was authorized by Ordinance Nos. 53-2022 and 191-2022, passed by City Council on March 2, 2022 and June 23, 2022, respectively.

**NOW, THEREFORE**, for and in consideration of the promises, covenants and agreements herein contained, the parties mutually agree as follows:

**1. SERVICES.** Subject to the terms of this Agreement, Service Provider shall, in a satisfactory and proper manner as determined by the City Manager of the City, provide the services more fully described in Exhibit A (Scope of Services) (“**Services**”) attached hereto. Service Provider does hereby acknowledge and agree that the Services to be performed under this Agreement, and the corresponding compensation provided by the City to effect the same, shall be provided and expended only within the city limits of the City of Cincinnati. To the extent that the terms of Exhibit A may contradict the foregoing in any manner, the provisions of this section shall be controlling.

**2. TERM.** This Agreement shall be effective on the Effective Date and shall continue in effect until the date of final disposition or repayment of all Loans (the “**Term**”), unless this Agreement is sooner terminated as herein provided, *provided that* Service Provider and the City acknowledge that Service Provider has certain reporting requirements as documented on Exhibit A that extend past the Term and Service Provider shall perform those obligations after the Term. Service Provider shall not originate any new Loans, as evidenced by a fully executed commitment letter between Service Provider and a

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prospective borrower, after the date that is ten years after the Effective Date (the “**Origination Date**”). The Origination Date shall be automatically extended in 3 5-year increments unless either party delivers a written notice of non-renewal no later than 6 months prior to the expiration of the current origination period. Service Provider shall obtain the City’s written consent prior to originating any new Loans after delivery of a non-renewal letter in accordance with this Section.

**3. FUNDS.** Subject to the terms and conditions of this Agreement, the City shall pay to the Service Provider for provision of the Services an amount not to exceed the sum of \$2,728,800 (the “**Funds**”) and to be utilized in accordance with the itemized amounts set forth on Exhibit B (Budget) attached hereto. The City shall disburse the Funds to Service Provider in accordance with Section 9, and Service Provider agrees to accept such amounts as full and complete compensation for provision of the Services. Service Provider shall use the Funds solely for expenses itemized on Exhibit B and for no other purpose. In the event Service Provider receives principal payments on any Loans, such proceeds shall be reinvested in the Affordable Housing Trust Fund and used in accordance with this Agreement.

**4. NOTICES.** All notices shall be personally delivered or sent by U.S. mail addressed to the parties as follows, with an electronic copy emailed to the email address listed below, or addressed in such other way in respect to either party as that party may from time to time designate. Service Provider shall promptly notify the City of any change of address. If Service Provider sends a notice to the City that the City is in default under this Agreement, Service Provider shall simultaneously send a copy of such notice by U.S. certified mail to: City Solicitor, City of Cincinnati, 801 Plum Street, Room 214, Cincinnati, Ohio 45202.

<p><u>To the City:</u>          Department of Community and Economic Development          City of Cincinnati          805 Central Avenue, Suite 700          Cincinnati, Ohio 45202          Attention: Markiea Carter, Director          Markiea.carter@cincinnati-oh.gov</p>	<p><u>To Service Provider:</u>          Cincinnati Development Fund, Inc.          1224 Race Street          Cincinnati, Ohio 45202          Attn: Joe Huber, President &amp; CEO          jhuber@cincinnati-developmentfund.org</p>
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**5. PROGRAM COLLABORATION.** No later than the date that is five years after the Effective Date, the parties will collaborate in good faith to ensure the operation of the Affordable Housing Trust Fund is meeting the program goals stated by City Council, the City Administration, and the Housing Advisory Board. Notwithstanding the foregoing, at any point during the Term, the parties may amend this Agreement, on mutually acceptable terms and conditions.

**6. UNDERWRITING GUIDELINES.** Service Prover has provided DCED for its review and approval, and DCED has approved, underwriting guidelines related to the issuance of Loans in accordance with this Agreement. Service Provider shall receive DCED’s prior written approval to make material amendments to the underwriting guidelines.

**7. INCREASED FUNDING.** If the City desires to increase the amount of Funds provided pursuant to this Agreement, in its sole and absolute discretion, then the parties will execute a Funding Letter Agreement, the form of which is attached hereto as Exhibit C (Form of Funding Letter Agreement).

**8. AUTHORIZATIONS.** All notices, approvals, authorizations, waivers, instructions, or determinations by the City shall be effective only when written and signed by the individual identified to receive notice for the City in Section 4 above or his or her designee.

**9. METHOD AND CONDITIONS OF PAYMENT.**

**A. Method of Payment.** The City shall pay Service Provider for the Services for which vouchers and similar documentation to support payment are maintained by Service Provider under procedures approved by the City.

**B. As Authorized Under Scope of Work and Budget.** Funds shall be disbursed by Service Provider only as authorized under the provisions of Exhibit A and Exhibit B hereto.

**C. Conditions of Disbursement.** The City shall make a single disbursement of the Funds on an advance basis, as soon as is practicable after the Effective Date, *provided that* Service Provider is not in default of this Agreement. The City shall make the disbursement only when Service Provider meets all of the following conditions:

- i. Submission of requisition for payment to the City on Form 37, "Claim Voucher/Invoice," or such other form as may be provided by the City Form 37, "Claim Voucher/Invoice," must be accompanied by an original affidavit certifying the usage of the Funds.
- ii. Service Provider shall establish an accounting system including reporting, vouchering and invoicing, with adequate internal controls, to assure proper accounting of receipts and disbursements by Service Provider. A copy of Service Provider's accounting system procedures or financial audit shall be kept on file in DCED. The City may require a finding by the Director of Finance or his/her designee that such an accounting system has been established. In the event such system at any time differs from the system established by Service Provider, Service Provider shall alter its system to conform to the findings of the Director of Finance or his/her designee.
- iii. Service Provider shall provide DCED with documentation or other proof of nonprofit or tax-exempt status, including IRS Sec. 501(c)(3) determination letters or other documentation acceptable to the City. The documentation shall be provided by and signed by the Chief Executive Officer or President of the board or commission that administers the corporation's business. The documentation shall include the name of Service Provider's Chief Financial Officer or equivalent position.
- iv. Service Provider shall furnish the City with a statement from Service Provider's Executive Director, President, or Chief Financial Officer or its insurer certifying that all persons handling funds related to this Agreement are covered by fidelity insurance in an amount not less than ten percent (10%) of the maximum amount payable to Service Provider hereunder. If such insurance or bond is cancelled or reduced, Service Provider shall notify the City immediately and shall be ineligible for further funding until such coverage has been obtained.

**D. Conditions Subsequent to Disbursement.** Service Provider's entitlement to the Funds is subject to the following requirements:

- i. Service Provider shall deposit all Funds received directly into a single account which shall be used for the receipt and disbursement of Funds received from the City or other sources for the purposes set forth in this Agreement.
- ii. Disbursements made by Service Provider shall be by either (x) ACH transfers or (y) numbered checks drawn on Service Provider's commercial checking account.
- iii. Compensation for employees hired under this Agreement, including wages, salaries and supplementary benefits, shall not exceed compensation paid for similar work by City employees or similar work performed in the labor market. Compensation shall be subject to adjustment by the City if, in the sole judgment of the City, these levels are

exceeded.

- iv. No payment shall be made for items designated as ineligible costs.
- v. Service Provider's monthly and final reports to the City shall be accompanied by documentation satisfactory to the City indicating expenses incurred and payments made, such as grants awarded, payroll records, invoices, time sheets indicating hours worked, contracts, receipts, canceled checks, carbons of checks or check registers and corresponding bank statements or reasonable facsimiles thereof, and such other information and supporting documentation as the City may require.

**10. PROHIBITION AGAINST PAYING FOR ANY SERVICE RENDERED OR EXPENSE INCURRED PRIOR TO MAY 1, 2021.** The compensation provided for by this Agreement may only be disbursed for Services rendered or expenses incurred on or after May 1, 2021. No Funds shall be spent for any service rendered or expense incurred prior to that date.

**11. INDEPENDENT CONTRACTOR.** Service Provider shall perform all work and services described herein as an independent contractor and not as an officer, agent, servant, or employee of the City. Service Provider shall have exclusive control of and the exclusive right to control the details of the Services and work performed hereunder and all persons performing the same and shall be solely responsible for the acts and omissions of its officers, agents, employees, contractors and subcontractors, if any. Nothing herein shall be construed as creating a partnership or joint venture between the City and Service Provider. No person performing any of the work or services described hereunder shall be considered an officer, agent, servant or employee of the City, nor shall any such person be entitled to any benefits available or granted to employees of the City.

**12. SUBCONTRACTS, SUCCESSORS, AND ASSIGNS.**

**A. Subcontracts.** Service Provider agrees that the Services shall not be subcontracted without the prior written approval of the City. The Services subcontracted hereunder shall be specified by written contract or agreement and shall be subject to each provision of this Agreement. In the event that Service Provider employs a subcontractor without first securing the City's written approval of the subcontractor by the City, the City shall have the right to stop payment to the Service Provider or withhold any of the Funds due to Service Provider until the subcontractor is approved by the City.

**B. Assignment.** Service Provider shall not assign or transfer its interest in this Agreement without the prior written consent of the City. Notwithstanding the foregoing, Service Provider may assign or transfer its interest in this Agreement to a subsidiary or affiliate entity controlled and managed by Service Provider.

**13. SERVICE PROVIDER'S INSURANCE AND INDEMNIFICATION.**

**A. Workers' Compensation.** Service Provider shall secure and maintain such insurance as will protect Service Provider from claims under the Workers' Compensation Laws.

**B. General Liability Insurance.** Service Provider shall secure and maintain such commercial general liability insurance as will protect Service Provider from claims for bodily injury, death or property damage which may arise from the performance of Service Provider's services under this Agreement, with a combined single limit for bodily injury and property damage liability of \$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate. Service Provider's insurance policy shall name the City as an additional named insured and shall contain a provision prohibiting the insurer from canceling the policy without notifying the City in writing at least 90 days prior to cancellation. Within 10 days following execution of this Agreement, Service Provider shall send proof of all such insurance to the City at the address specified above or such other address as may be specified by the City in writing from time to time.

**C. Indemnification of the City.** Service Provider shall indemnify, defend, and save City, its agents, and employees harmless from and against any and all losses, damages, claims, causes of action, settlements, costs, charges, professional fees, and liability of every kind and character arising out of or relating to the actions or inactions by Service Provider, its officers, employees, agents, contractors, and subcontractors in connection with this Agreement. Further, Service Provider shall protect and save the City harmless from any and all obligations to reimburse any government entity for disallowed costs paid by the City to Service Provider.

#### **14. COMPLIANCE WITH LAWS, REGULATIONS, AND PROGRAMS.**

**A. Generally.** Service Provider in the performance of the Services shall obtain all necessary permits, licenses, and other governmental approvals and shall comply with all applicable federal, state, and local laws, codes, ordinances, and other governmental requirements applicable to the Services, including any and all applicable rules, orders, guidelines, laws, regulations, and binding directives issued by the federal government, the State of Ohio, and/or the City pertaining to COVID-19.

**B. Compliance with Ohio Revised Code Section 149.431.** If Service Provider is a non-profit corporation, it shall comply with Section 149.431 of the Ohio Revised Code, which provides: "Any non-profit corporation or association that enters into a contract with a political subdivision shall keep accurate and complete financial records of any moneys expended in relation to the performance of the services pursuant to such contract. Such contract and financial records are deemed to be public records."

**C. Equal Employment Opportunity Program.** This Agreement is subject to the City's Equal Employment Opportunity Program contained in Chapter 325 of the Cincinnati Municipal Code. Said chapter is hereby incorporated by reference into this Agreement.

**D. Minimum Wage.** This Agreement is subject to the provisions of Ohio Revised Code Section 4111.02 relating to minimum wage.

**E. Living Wage.** If the compensation for the Services is \$20,000 or more this Agreement is subject to the Living Wage provisions of Chapter 317 of the Cincinnati Municipal Code. The provisions require that, unless specific exemptions apply or a waiver is granted all employers (as defined) under service contracts shall provide payment of a minimum wage to employees (as defined) at the applicable rates set forth in the code. Such rates shall be adjusted annually pursuant to the terms of the Code.

**F. Prompt Payment.** This Agreement is subject to the provisions of Chapter 319 of the Cincinnati Municipal Code, which provides for a "Prompt Payment System."

**G. Small Business Enterprise Program.** This Agreement is subject to the provisions of the Small Business Enterprise Program contained in Chapter 323 of the Cincinnati Municipal Code. Section 323-99 of the Cincinnati Municipal Code is hereby incorporated into this Agreement. Details concerning this program can be obtained from the Department of Economic Inclusion, Two Centennial Plaza, 805 Central Avenue, Suite 610, Cincinnati, Ohio 45202, (513) 352-3144. Service Provider shall utilize best efforts to recruit and maximize the participation of all qualified segments of the business community in subcontracting work, including the utilization of small business enterprises, including small business enterprises owned by minorities and women. This includes the use of practices such as assuring the inclusion of qualified Small Business Enterprises in bid solicitation and dividing large contracts into small contracts when economically feasible.

**H. Conflict of Interest.** Service Provider agrees to report to the City any potential conflicts of interest under any applicable laws before entering into this Agreement and agrees to report to the City any potential conflicts of interest that Service Provider discovers at any time during the Term.

- i. **Employee or Agent of City.** Service Provider agrees that no officer, employee, or agent of the City who exercises any functions or responsibilities in connection with the planning and carrying out of the program, nor any immediate family member, close business associate, or organization which is about to employ any such person, shall have any personal financial interest, direct or indirect, in Service Provider or in this Agreement, and Service Provider shall take appropriate steps to assure compliance.
- ii. **Subcontractors.** Service Provider shall not contract with any subcontractors in which it has any personal financial interest, direct or indirect. Service Provider covenants that in the performance of this Agreement no person having any conflicting interest shall be employed.

**I. Wage Enforcement.** This Agreement 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 a contractor or subcontractor of that person, shall report all complaints or adverse determinations of Wage Theft and Payroll Fraud (as defined in Chapter 326 of the Cincinnati Municipal Code) against the person, contractor or subcontractors to the Department of Economic Inclusion within 30 days of notification of the complaint or adverse determination. Under the Wage Enforcement provisions, the City shall have the authority, under certain circumstances, to terminate this Agreement or reduce the incentives or subsidies to be provided under this Agreement and to seek other remedies.

**J. Americans With Disabilities Act; Accessibility.**

- i. **Applicability.** This section may be applicable if any of the Funds are used for costs associated with construction or rehabilitation of real property (such construction or rehabilitation being a “**Project**”). Cincinnati City Council adopted Motion No. 201600188 on February 3, 2016 (the “**Accessibility Motion**”). The Accessibility Motion directs City administration to include language specifically requiring compliance with the Americans With Disabilities Act, together with any and all regulations or other binding directives promulgated pursuant thereto (collectively, the “**ADA**”), and imposing certain minimum accessibility standards on City-subsidized projects regardless of whether there are arguably exceptions or reductions in accessibility standards available under the ADA or State law.
- ii. **Requirement.** If this section is applicable per paragraph (J)(i) above, then (a) the Project shall comply with the ADA, and (b) if (1) 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 (2) such building 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 Service Provider 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 (x) 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 (y) 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.

**K. Prevailing Wage.** Service Provider shall comply, and shall cause all Participants to comply with any prevailing wage requirements that may be applicable to their Loan. In the event that the City is directed by the State of Ohio to make payments to construction workers based on violations of such re-



quirements, Service Provider shall cause Participants to make such payments or reimburse the City for such payments within sixty (60) days of demand therefor.

## **15. REPORTS, INFORMATION, AND AUDITS.**

**A. Submission of Reports.** In such form as the City may require, Service Provider shall collect, maintain, and furnish to the City data, information, and reports as may be requested that pertain to the work or services undertaken by this Agreement, the costs and obligations incurred or to be incurred in connection therewith, financial or operational controls, and/or any other matters covered by this Agreement, including without limitation, such accounting, financial, administrative, and operational statements and reports as may be required for compliance with programs and projects funded by the City, Hamilton County, the State of Ohio, or any federal agency (if applicable). If requested by the City, financial statements furnished by Service Provider shall be audited.

**B. Record Retention.** Service Provider shall, throughout the Term of this Agreement and for a minimum of 3 years after the expiration or termination of this Agreement, keep and retain all accounting, financial, administrative, and operational statements and records pertaining to all matters covered by this Agreement.

**C. Access/Right to Inspect and Audit.** Upon request during the Term of this Agreement and for a period of 3 years after the expiration or termination of this Agreement, Service Provider shall permit the City or any designee or auditor to have access to and to inspect and audit all such accounting, financial, administrative and operational books, records, and statements of Service Provider that relate or pertain to this Agreement or as necessary for the City to ensure that all funds are used for authorized purposes in compliance with laws, regulations, and the provision of contracts or grant agreements and that performance expectations and goals are achieved.

## **16. SPECIAL REPORTING REQUIREMENTS.**

**A. Quarterly Reports.** Within 45 days following the end of each quarter during the Term, Service Provider shall provide the City with a quarterly report describing the Services performed, expenses incurred, number of applications received, approved, or denied for the quarter that just ended in accordance with Exhibit A and containing such other information and supporting documentation as the City may require.

**B. Semi-Annual and Annual Reports.** Within 45 days following the end of each six-month period during the Term, Service Provider shall provide the City with a semi-annual report describing the performance of the Affordable Housing Trust Fund for the period that just ended in accordance with Exhibit A and containing such other information and supporting documentation as the City may require. No later than 120 days following the anniversary of the Effective Date each year, Service Provider shall prepare and provide to the City an annual reporting of all Participants and related projects receiving a Loan in accordance with Exhibit A and containing such other information and supporting documentation as the City may require.

**C. Participation in Status Meetings.** Service Provider shall participate in meetings providing updates to the City related to Service Provider's performance of this Agreement as reasonably requested by the City.

**D. Final Report.** Within 120 days following the end of the Term, Service Provider shall provide the City with a final report describing the Services performed, expenses incurred, and payments made during the Term and containing such other information and supporting documentation as the City may require. The final report shall be accompanied by the remaining Funds after the disposition of all Loans.

**17. CERTIFICATION AS TO NON-DEBARMENT.** Service Provider certifies that neither Service Provider nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation from the transaction covered by this Agreement. Service Provider {00356098-5}

acknowledges and agrees that if it or its principals are presently debarred, it shall not be entitled to compensation under this Agreement and it shall promptly return to the City any and all funds received pursuant to this Agreement. In such event, any and all materials received by the City pursuant to this Agreement shall be retained by the City.

#### **18. NON-PERFORMANCE AND TERMINATION.**

**A.** If, through any cause, Service Provider shall fail to fulfill in a timely and proper manner its obligations under this Agreement, or if Service Provider shall violate any of the covenants or agreements of this Agreement, the City shall have the right to terminate this Agreement by giving written notice to Service Provider specifying the effective date of the termination, at least 30 days before such effective date. In such event, all finished or unfinished documents, data, studies, reports and/or information prepared by Service Provider under this Agreement shall, at the option of the City, become the City's property, and Service Provider shall be entitled to receive equitable compensation for any work satisfactorily completed at the date of termination. Service Provider shall reimburse the City for all costs incurred by the City as a result of Service Provider's breach of this Agreement.

**B.** Any periodic payments from the City specified in this Agreement shall be contingent upon performance of contractual obligations to date, including the proper receipt of supporting receipts, invoices, reports, statements, or any other supporting information as required by the City in this Agreement. Failure to satisfactorily meet any one of the obligations of Service Provider hereunder may result in the City not approving periodic payments to Service Provider and/or filing liens as may be necessary against Service Provider's assets or future assets, until Service Provider satisfactorily fulfills its obligations under this Agreement or satisfactorily reimburses the City for any prior payments. The City also reserves the right to seek any other legal financial remedies in connection with damages the City may have suffered by reason of Service Provider's default under this Agreement until all or part of the City's prior payments have been recouped as the City deems appropriate but not to exceed the total amount of any prior payments. The City also reserves the right in the event of non-performance of this Agreement to prohibit any future or limited contractual relationships with Service Provider either directly or indirectly.

**C.** If Service Provider terminates this Agreement after the work has begun, the City shall not be required to compensate Service Provider for services/work not fully completed.

**19. OWNERSHIP OF PROPERTY.** Upon the expiration or termination of this Agreement, any and all memoranda, maps, drawings, working papers, reports, and other similar documents produced in connection with this Agreement shall become the property of the City and Service Provider shall promptly deliver such items to the City. Service Provider may retain copies for Service Provider's records.

**20. OUTSIDE CONTRACTS.** Service Provider may contract with other public and private organizations and secure donations to provide related services, except that Funds shall be used solely for the Services. Service Provider shall include notification of the execution of any such agreement in the reports required under Section 16 of this Agreement. Service Provider shall keep records of the receipts and expenditures that result from such outside funds. Said records shall be in the same general form as for the Funds provided hereunder. The City shall have the right to inspect said records at any time during reasonable business hours, provided that such inspection does not violate the terms of any agreement to which Service Provider is a party.

**21. NON-EXCLUSIVE AGREEMENT.** This is a non-exclusive Agreement. The City may procure the same or other similar Services from other service providers at any time during the Term of this Agreement.

**22. CITY IDENTIFICATION IN MARKETING ACTIVITIES.** Service Provider shall identify the City as a sponsor of activities undertaken pursuant to the terms of this Agreement on any and all stationery, informational releases, pamphlets, and brochures; and publicity, including that appearing on television or cable television, on the radio or in the press.

**23. GOVERNING LAW.** This Agreement is entered into and is to be performed in the State of Ohio. The City and Service Provider agree that the laws of the State of Ohio and City of Cincinnati shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement and shall govern the interpretation of this Agreement. All actions regarding this Agreement shall be brought in the Hamilton County Court of Common Pleas, and Service Provider agrees that venue in such court is proper. The parties hereby waive trial by jury with respect to all disputes arising under the Agreement.

**24. WAIVER.** This Agreement shall be construed in a manner that a waiver of any breach of any provision of this Agreement shall not constitute or operate as a waiver of any other breach of such provision or of any other provisions, nor shall any failure to enforce any provision hereof operate as a waiver of such provision or of any other provision.

**25. ENTIRETY.** This Agreement and the exhibits and attachments, if any, hereto constitute the entire Agreement between the parties as to the matters contained herein. Any oral representations or modifications concerning this Agreement shall be of no force and effect.

**26. SEVERABILITY.** This Agreement shall be severable, and 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.

**27. AMENDMENT.** This Agreement may be modified or amended only by a written agreement duly executed by the parties hereto or their representatives.

**28. REVERSION OF ASSETS.** Upon the expiration or termination of this Agreement, Service Provider shall transfer to the City any and all Funds remaining after the disposition and repayment or disposition of all Loans.

**29. 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; any original signatures that are initially delivered electronically shall be physically delivered as soon as reasonably possible.

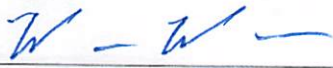
**30. EXHIBITS.** The following attachments are hereby incorporated into and made a part of this Agreement:

- Exhibit A - *Scope of Services*
- Exhibit B - *Budget*
- Exhibit C - *Form of Funding Letter Agreement*


SIGNATURE PAGE FOLLOWS.

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

**CITY OF CINCINNATI**

By:   
~~John P. Curp, Interim City Manager~~  
William Weber, Asst. City Manager  
Date: 8/26, 2022

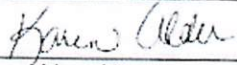
**CINCINNATI DEVELOPMENT FUND, INC.**

By:   
Name: Joseph R Huber  
Title: President + CEO  
Date: July 21, 2022

APPROVED AS TO FORM:

Kaitlyn Geiger  
Assistant City Solicitor

CERTIFICATION OF FUNDS:

Certified Date: 8/26/22  
Fund/Code: 980, 439  
Amount: \$2,728,800  
By:   
Karen Alder, City Finance Director

**EXHIBIT A**  
**SCOPE OF SERVICES**

Service Provider will administer the existing and future funds appropriated by City Council into the Affordable Housing Trust Fund.

Service Provider will use the AHTF to extend financing and subsidy to projects through an evaluation and underwriting process, pairing the Funds with other available sources when appropriate. Service Provider will extend the financing either as (1) forgivable Loans or (2) low-interest repayable Loans. All Loans shall be on terms to make the project financially feasible and as further described below. Repaid amounts shall be recycled and re-lent in accordance with the terms of this Agreement.

Prior to commitment for a forgivable Loan, Service Provider shall secure City approval for such Loan, evidenced by written approval in e-mail form from the DCED or other staff designated by the City Manager. In requesting such approval, Service Provider shall provide to the City such project information as necessary to verify the need for the forgivable Loan. The City shall use best efforts to reply promptly to any such request, with a goal of providing a response within no more than 10 business days.

No additional City sign off or involvement is needed for extension of repayable Loans, so long as the terms conform to restrictions described in this Agreement.

**Eligible Uses:** Service Provider may deploy the Funds for (1) acquisition costs or (2) hard construction costs and reasonable soft costs, which are related directly to construction of the project. Funded soft costs shall not be excessive and shall be limited to those soft costs typically financed under Service Provider’s standard practice (rehabilitation or new construction) of mixed-use or residential rental projects. Mixed-income projects are eligible.

With written City approval and at the City’s sole discretion, Funds may also be utilized for the following uses if such use is necessary to make the overall project feasible and will preserve or create additional affordable units:

- Refinancing of existing debt;
- Use in tax credit financing structures beyond directly financing acquisition or hard construction costs, including, but not limited to, equity bridge loans; and
- A project that has been awarded funding in the City’s Notice of Funding Availability (NOFA) process. Note that granting of a forgivable Loan and NOFA funds to the same project shall be considered a last resort to making the project feasible.

**Amount of Financing:** Service Provider may deploy funds in the following amounts per project, provided that funds from Fund 439 must be used in accordance with the description in Ordinance No. 364-2018:

**Forgivable Loan Maximums:**

Area Median Income (“AMI”) Level for Unit	Maximum Forgivable Loan per 1-2 Bedroom Unit	Maximum Forgivable Loan per 3+ Bedrooms
Up to 60% AMI	\$50,000 per unit	\$60,000 per unit
Up to 80% AMI	\$25,000 per unit	\$30,000 per unit
Up to 100% AMI	\$10,000 per unit	\$20,000 per unit

After two years, these maximums will be revisited to see if adjustments are needed. In determining the amount of a forgivable Loan to recommend to the City for a given project, Service Provider shall complete underwriting to verify that any such amount is a certified financial gap and that the project will not happen “but for” the forgivable Loan. Additionally, Service Provider shall consider additional factors such as the leverage ratio of AHTF or other City funds to other sources of funds, the location of the project and the need for more affordable housing options in that area, and alternative project uses for the limited public resources.

**Repayable Loan Maximums:**

Repayable Loans may be extended at amounts above the maximum caps described above to the extent necessary to make the project financially feasible.

**Affordability Terms:** For any project receiving Funds (either through a forgivable Loan or a repayable Loan) the following required terms will be effectuated and enforced through a restrictive covenant that will be recorded on the project property.

- 1) **Term** – The term of affordability restrictions shall generally be 15 years. However, the term may be shortened with written City approval if (1) Service Provider determines such shorter term is necessary to the project’s viability and (2) the project is receiving a tax abatement with a term of less than 15 years or is not receiving a tax abatement. If the project qualifies for a shorter term, the affordability term may be reduced to match the term of the tax abatement; however, in no circumstances shall the term be reduced to less than 10 years (even if no tax abatement is sought).
- 2) **Maximum Monthly Rent Limits** – A maximum monthly rent limit amount shall be established for each affordable unit based on the number of bedrooms in the unit. The maximum amount shall be pre-determined based on a formulaic calculation used by both the Ohio Housing Financing Agency and HUD.

No adjustments will be made for utility expenses. Rents limits shall be reset each year once updated income levels are posted by HUD and made effective. Below are the current calculations of income limits and rent limits for 60% and 80% AMI levels.

**2022 HUD Income and Rent Limits – as of June 15, 2022**

2022 Income Limit Category		1 Person	2 People	3 People	4 People	5 People	6 People	7 People	8 People
60% AMI Income Limits		\$40,140	\$45,840	\$51,600	\$57,300	\$61,290	\$66,480	\$59,100	\$75,660
2022 Rent Limit Category	Studio	1 BR	2 BR	3 BR	4 BR	5 BR			
Rent Limits for 60% AMI	\$1,003	\$1,074	\$1,290	\$1,490	\$1,662	\$1,834			

2022 Income Limit Category		1 Person	2 People	3 People	4 People	5 People	6 People	7 People	8 People
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80% AMI Income Limits		\$53,500	\$61,150	\$68,800	\$76,400	\$82,550	\$88,650	\$94,750	\$100,850
<b>2022 Rent Limit Category</b>	<b>Studio</b>	<b>1 BR</b>	<b>2 BR</b>	<b>3 BR</b>	<b>4 BR</b>	<b>5 BR</b>			
Rent Limits for 80% AMI	\$1,338	\$1,432	\$1,720	\$1,986	\$2,216	\$2,445			

- 3) Fixed/Floating - Fixed or floating affordable units within a project are permitted.
- 4) Income Verification – Owners shall verify and document the income of individuals at the time of lease-up to determine eligibility for an affordable unit. This shall include at minimum a three-month lookback to qualify at that income level. No additional annual verification shall be required until the unit is vacated and a new tenant occupies the unit. Owners will maintain all documentation that justifies an individual’s income level and shall provide it upon request to the City or Service Provider.
- 5) Ongoing Annual Reporting – Annually each owner shall submit (1) a rent roll and (2) an attestation form certifying that the rents are in compliance with the affordability requirements and that all tenants were qualified by income at the time of initial occupancy. This shall be submitted to Service Provider, who will review and provide a copy to the City.
- 6) Third-party Beneficiary Rights for Enforcement – A third-party beneficiary clause for the City shall be included in the restrictive covenant so that the terms can be enforced by the City.
- 7) Subordination to Other Affordability Requirements — The rent and income restrictions will be subject to any other affordable restrictions required by any other public funding source until such time as those other restrictions are no longer applicable. The right of first refusal described below shall be applicable upon execution of the restrictive covenant until released by the City.
- 8) Assignable Right of First Refusal – If a property receives a forgivable Loan, then an assignable right of first refusal shall be granted to the City in the restrictive covenant. The City shall have the right to assign this right to a non-profit organization that has a mission to preserve affordable housing or may assign it to an organized cooperative organization of tenants of the subject property. If at any time after recording of the restrictive covenant the owner intends to sell the property and has received a bona fide third party offer to purchase the property, then beginning on the day the owner provides written notice of such offer to the City and/or assignee, then the City or its assignee shall have 60 days to exercise a right to match that offer, then shall secure financing and close within 180 days of exercising such right. In the event that the right is not timely exercised, or closing does not timely occur, then the owner is free to complete the transaction with the third party offeror. Notwithstanding the foregoing, the City may waive this provision for a Loan upon the written request of Service Provider in its sole and absolute discretion.

**Collateral and Guaranties:** A mortgage and/or other acceptable collateral will be required to secure any project loans but may be subordinate to any other primary project financing. A reasonable corporate or

{00356098-5}

acceptable personal guaranty for payment and completion will be required if Service Provider determines the project entities are able to provide such guaranties (i.e, CDCs and other non-profit entities may have limited ability to provide such a guaranty).

**Default and Remedies:** In the event that borrowers are provided notice of an event of default, then they will have an opportunity to cure. In the event that the default is not cured in a timely manner, then the forgiveness component of any forgivable debt will be forfeited and normal creditor remedies will apply.

## REPORTING:

### **Quarterly Project Reporting:**

- Number of Applications Received (# awarded and # denied)
  - For awarded Projects: Project name
  - Developer
  - Address(es)
  - Neighborhood
  - Project Type: new vs renovation
  - Total # of Units (total # of affordable units with target AMI broken out)
    - Affordability Term
  - Target Population (family, senior, homeless)
  - Total Project Cost
  - Project Status (under Construction Complete)
  - AHTF \$ Investment and source(s)
  - Award type: forgivable Loans and repayable Loans
  - Private dollars leveraged
- For non-awarded Projects:
  - Project name
  - Developer
  - Address(es)
  - Neighborhood
  - Project Type: new vs renovation
  - Total # of Units (total # of affordable units with target AMI broken out)
    - Affordability Term
  - Target Population (family, senior, homeless)
  - Total project cost
  - Rationale behind denial

### **Semi-Annual Reporting:**

- Overall AHTF balance
- Overall AHTF dollars disbursed
- AHTF Repayments Collected

### **Annual Reporting (AHTF dollars):**

- Overall AHTF balance
- Overall AHTF dollars disbursed
- AHTF Repayments collected

### **Annual Reporting (Project Aggregate data):**

- Number of applications, received, awarded, denied
- {00356098-5}



- Total funds awarded
- # of projects awarded
- # of total units created/preserved
- # of affordable units (segregated by AMI) and affordability term
- Total private or non-City public dollars leveraged
- Number of forgivable Loans vs. repayable Loans
- List of projects funded by AHTF whose Loans will mature in the next year or for which the affordability term is ending

**Monitoring, Enforcement, Accounting:**

- Service Provider will be responsible for monitoring and enforcement of affordability requirements as well as loan servicing.

***Affordable Housing Advisory Board:*** The City will be the primary liaison with the affordable housing advisory board. The advisory board will be utilized to provide feedback to the strategic priorities of the Service Provider and City program. The City will organize a meeting twice a year to update the Board on projects and expenditures of the Funds. Service Provider will assist the City in that meeting by providing information on lending activity to the City to present to the Board.

**EXHIBIT B  
BUDGET**

Subject to appropriation of necessary funds by Council, the City will agree to annually provide \$60,000 in funding for Service Provider’s fees, which represents 50% of the minimum annual projected operating expense. However, whenever financially feasible as determined by Service Provider, to support the program Service Provider may charge origination fees or an interest rate spread (not to exceed 250 basis points) on loans. Service Provider will report to the City annually on revenue generated for fees and expenses for administering the program.

For start-up costs of the program (legal, etc.) and to offset administrative fees of the program, the City will seek to use proceeds from the Liberty and Elm project and as a condition of receipt, Service Provider agrees to only utilize \$250,000 of \$750,000 donation related to the Liberty and Elm project for start-up costs and to cover administrative fees of the program. The remainder will be utilized for project loans under the program. Notwithstanding the foregoing, in the event the Liberty & Elm proceeds are not realized by September 1, 2022, to pay for start-up costs of the program, Service Provider shall be allowed to either (i) use up to \$250,000 of any general funds appropriated by Council and added to this Agreement or (ii) as loans are disbursed under this Agreement, use a pro rata portion of the AHTF funds for the start-up costs of the program (as an example for the purposes of clarity, if a loan was disbursed for \$1,239,150 and no additional funds were added to this Agreement at the time of disbursement, CDF could use \$125,000 of the remaining funds available for administrative costs).

Summary of initial AHTF funds appropriated to support of affordable housing development:

<b>Sources of Funds</b>	
City Capital Funds	\$2,727,000
Fund 439 Revenues*	\$1,300
<b>Total</b>	<b>\$2,728,300</b>

<b>Use of Funds</b>	
Affordable Housing Development Awards	\$2,477,000
Affordable Housing Development Awards (Fund 439 Restricted Unit)*	\$1,300
Administrative Costs	\$250,000
<b>Total</b>	<b>\$2,728,300</b>

\*subject to provisions of Ordinance No. 364-2018

**Note:** Equipment purchases such as computers, fax machines, office furniture, cellular telephones, beepers, and costs such as entertainment, food, flowers for sick employees, etc., are not eligible reimbursement expenses from the City. If you list a contractual agreement under Item

If A for which reimbursement of expenses will be requested from the City, you must submit a copy of each contract agreement.

**EXHIBIT C**

**FORM OF  
FUNDING LETTER AGREEMENT**

Contract No: \_\_\_\_\_

Cincinnati Development Fund, Inc.  
1224 Race Street  
Cincinnati, Ohio 45202  
Attn: [\_\_\_\_\_]

Dear [\_\_\_\_\_]:

Pursuant to Section 7 of the *Funding and Management Agreement*, dated \_\_\_\_\_ (the “**Agreement**”), between Cincinnati Development Fund, Inc. (“**Service Provider**”) and the City of Cincinnati (“**City**”), the City is adding additional funds in the amount of \$[\_\_\_\_\_] to the Agreement (the “**Additional Funds**”) in accordance with Ordinance No. [\_\_\_\_], passed by City Council on [\_\_\_\_\_]. The City and Service Provider hereby agree that the Additional Funds shall constitute part of the Funds and their usage is subject to the terms and conditions of the Agreement. Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Agreement.

The City agrees to disburse the Additional Funds to Service Provider upon Service Provider’s compliance with Section 9 of the Agreement with respect to the Additional Funds as soon as practicable following the Effective Date.

Nothing herein is intended to amend or alter the obligations of Service Provider under the Agreement, and Service Provider shall maintain records of all expenditures of the Additional Funds in accordance with the terms of the Agreement. All terms of the Agreement not amended hereby or not inconsistent herewith shall remain in full force and effect, and the Agreement, as amended hereby, is hereby ratified by the parties.

In consideration of the City’s execution of this Funding Letter Agreement (this “**Letter**”), Service Provider hereby waives any and all defaults or failures on the part of the City to observe or perform the City’s obligations under the Agreement and any other liability of any kind on the part of the City to the extent any such default, failure, or liability occurred on or prior to the Effective Date.

This Letter 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 Letter may be executed and delivered by electronic signature; any original signatures that are initially delivered electronically shall be physically delivered as soon as reasonably possible.

[SIGNATURE PAGE ATTACHED]

This Letter is executed and dated as of \_\_\_\_\_, 20\_\_ (the "Effective Date").

City of Cincinnati

By: \_\_\_\_\_  
[ \_\_\_\_\_ ], City Manager

Approved as to Form:

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

Certified Date: \_\_\_\_\_  
Fund/Code: \_\_\_\_\_  
Amount: \_\_\_\_\_  
By: \_\_\_\_\_  
[ \_\_\_\_\_ ], City Finance Director

**ACCEPTED AND AGREED:**  
Cincinnati Development Fund, Inc.

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

## ATTACHMENT B

### REFERENCE DOCUMENT #202201639

The Budget and Finance Committee, at its session on September 6, 2022, referred the following item for review and report.

MOTION, submitted by Councilmember Cramerding and Vice Mayor Kearney, WE MOVE that the Administration prepare a comprehensive and prioritized list of Deferred Maintenance projects, categorized by department and neighborhood, with specific cost associated with each project. This report should be produced before the closeout recommendation.

The Administration compiled existing documentation related to capital project needs from the Department of Transportation and Engineering (DOTE), the Department of Public Services (DPS), the Health Department, the Cincinnati Recreation Commission (CRC), and the Department of Parks.

The Department of Transportation and Engineering regularly reports the condition of transportation infrastructure assets, which include details on bridges, pavement, traffic infrastructure, and retaining walls. Please refer to the 2021 Infrastructure Conditions Report ([Report # 202201574](#)) dated August 3, 2022. The report was approved and filed by the City Council on September 14, 2022. Additionally, please refer to the Approved FY 2023 Budget Update (<https://www.cincinnati-oh.gov/finance/budget/>) which contains a section on Transportation Infrastructure Needs as part of the Capital Budget Update.

The Department of Public Services reports on the State of General Fund Facilities and Capital Replacement Priorities. The attached report dated November 17, 2016, includes notes as of January 2022. DPS currently provides about 2,000,000 square feet of building inventory supporting city departments including approximately 780,000 square feet for Police and Fire. Only 46% of facilities are listed as Good or Excellent in the November 2016 report. The deferred maintenance projects are listed in Appendix 1. Capital Replacement Priorities are outlined in Appendix 2.

The Cincinnati Health Department provided the attached list of highest capital priority needs and various deferred maintenance projects by facility and neighborhood.

In December 2021, the Cincinnati Recreation Commission released the attached six-year summary of Capital Costs for FY 2023-2028. The report highlights the capital needs for the Cincinnati Recreation Commission broken down by priorities for each

type of facility, which include Recreation Facilities Renovations, Aquatic Facilities Renovations, Athletic Facilities Renovations, Outdoor Facilities Renovations, and Compliance with the Americans with Disabilities Act (ADA).

The Department of Parks published the [Cincinnati Parks Infrastructure Assessment dated April 9, 2021](#) with the assistance of Brandstetter Carroll Inc. This study assessed the Cincinnati Park Board's system facilities and infrastructure to determine capital improvement needs, priorities, and costs. The attached list dated September 23, 2022, represents the next priorities to the department in terms of deferred maintenance projects.

Please refer to the Approved FY 2023 Budget Update (<https://www.cincinnati-oh.gov/finance/budget/>) which contains a section on Facilities Assessment as part of the Capital Budget Update.

November 17, 2016

Notes added 01/2022

## OVERVIEW

Built assets are the largest expense of any government has right behind personnel expenses. Built assets require constant maintenance, improvement, replacement and investment to support the services and personnel occupying the asset. The broad based 1987 Smale Infrastructure Commission identified immediate safety concerns with minimal increases in maintenance but did not delve into functional, operational or structural reviews. The 1992 Smale Infrastructure Update and subsequent 1996 Facility Asset Management report went further into the topic and found \$45,000,000 in immediate capital needs to keep buildings functioning with no operational improvements, rated 34 facilities obsolete for the use they were serving and identified ongoing underfunding of maintenance at almost fifty percent of industry standards.

*2003, the total estimated capital improvements need for City-owned facilities over the six-year period was \$160.6 million and the planned expenditures totaled \$78.2 million, leaving a shortfall of \$82.4 million. Source: Capital Improvement Plan for City Facilities" report (Doc. #200306339)*

Renovations and improvements to existing City facilities are part of the City's Smale Infrastructure spending requirement and normal operations for an organization moving ahead. If the City continues to inadequately fund City facility needs, the Operating Budget will continue to be negatively impacted with higher operating and maintenance costs. In addition, outdated facilities could hinder service delivery to the citizens.

*In the current six-year plan (2011-2016) the "Capital Improvement Plan for City Facilities" report was updated and the total capital improvements need for the remaining four years in the plan (2013-2016) is \$170.4 million and the planned allocation amount is \$54.1 million, generating a shortfall of \$116.3 million. In the 2013/2014 biennium, the total need is \$77.2 million, the General Capital Budget totals \$29.4 million, and the estimated shortfall for capital improvements for City facilities is \$47.8 million.*

*Source: City of Cincinnati Biannual Capital Budget*

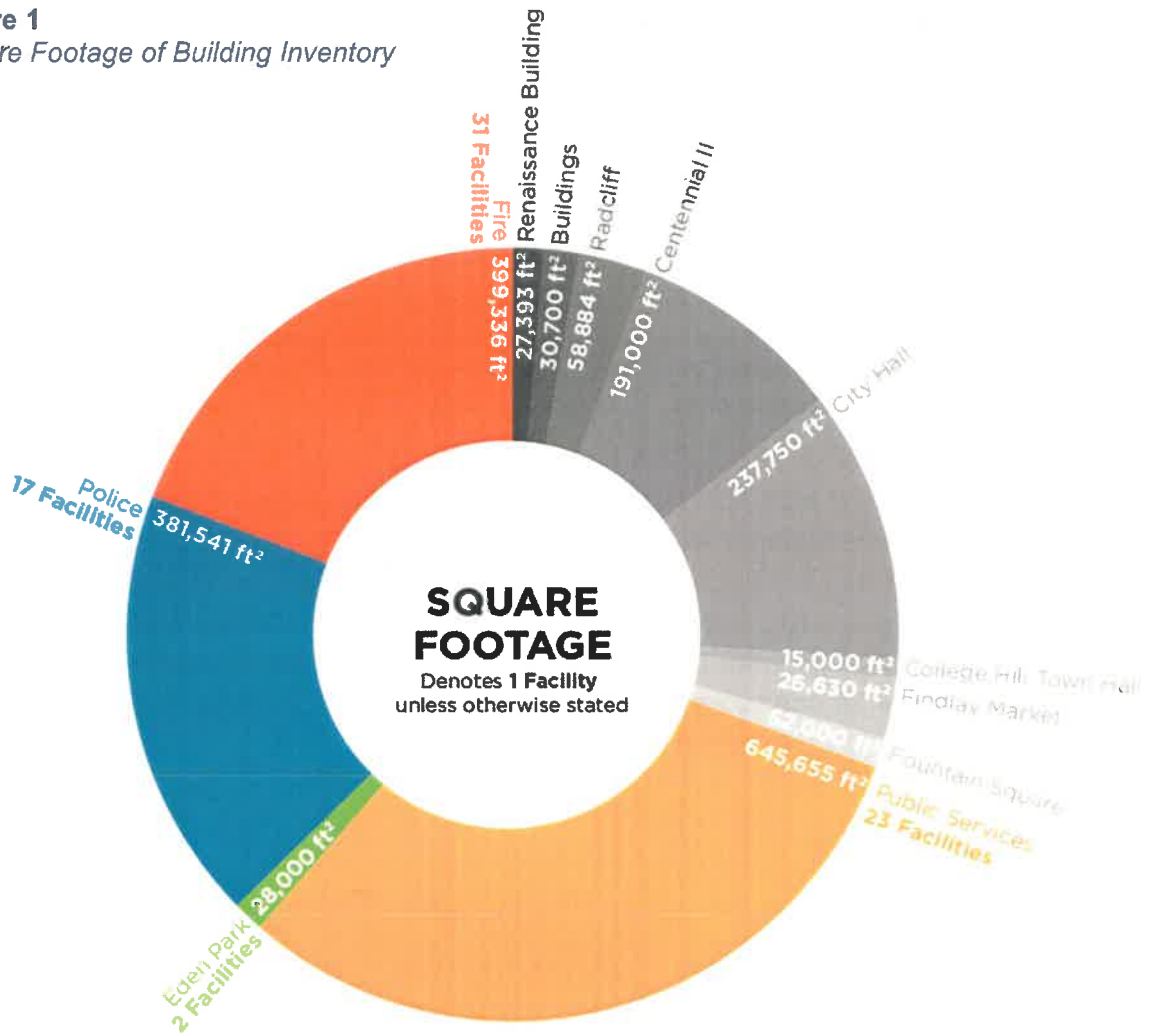
2022: Based on Construction Cost Index (source: [turnerconstruction.com/cost-index](http://turnerconstruction.com/cost-index)), construction cost have risen more than 18% between 2016 and 3rd Quarter 2021



**CURRENT STATE OF CAPITAL ASSETS**

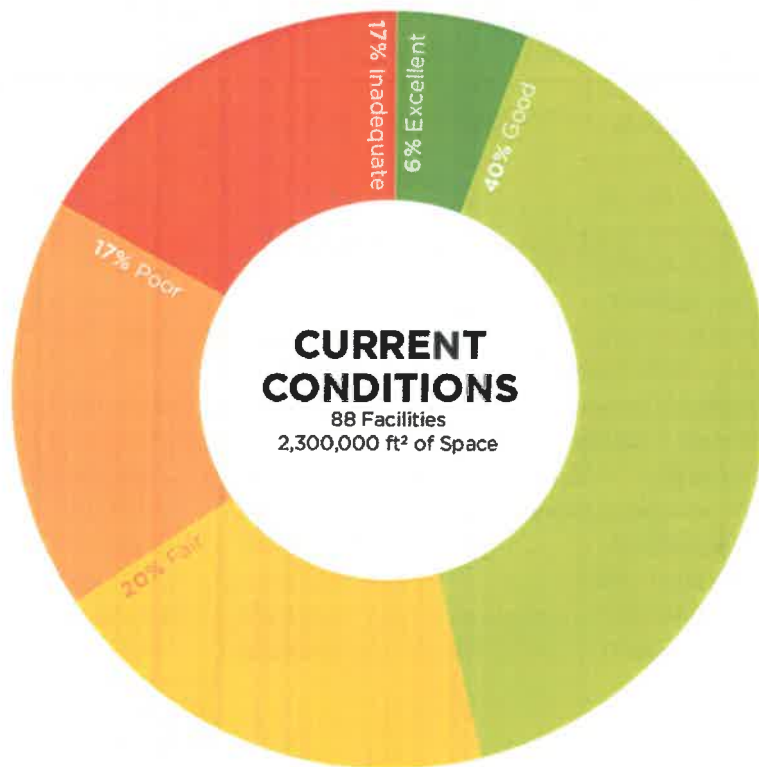
The Department of Public Services provides just over 2,000,000 square feet of building inventory to support the daily needs of 3,500 employees working for, Police, Fire, Public Services, Finance, DOTE, Budget, Law, Trade and Development, Recreation, Planning and Buildings, Budget, OEQ, ETS, HR and City Council. A large percentage of these operate 24/7 providing emergency response and core City services that cannot be interrupted. (Figure 1)

**Figure 1**  
 Square Footage of Building Inventory



This lack of a capital program forces DPS to forego important projects that maintain the condition of this inventory, address health and safety issues, acquire new space, consolidate space, complete phased projects, and address many other capital needs. DPS continuously monitors and updates data on each facility using metrics and cost models created by the International Facility Management Association. As the world's largest facility management organization their guides, procedures and standards are accepted and utilized by the Federal GSA and numerous corporations. Using these formats, which include the asset's physical condition as well as functional and service demands, DPS rates each facility. Figure 2 shows the large percentage rated as poor or inadequate.

**Figure 2**  
*Current Facilities Condition Assessment*



**OBSOLESCENCE / INADEQUATE FOR THE JOB**

Of major concern are the 34 facilities identified in 1996 as functionally obsolete. Seventeen are still in use today. Seven of these have been renovated to remain marginally useful but ten are still inadequate and beyond capital renewal values for continuing any capital investment. These facilities are inadequate for current staffing and provide no potential for adjusting staffing or services. Due to the limited space, the Departments have no flexibility to alter operations and serve the neighborhoods as demands change over time. Figure 3 below identifies the seventeen specific structures with their age, replacement cost and a CRV capital replacement value. Specific details of the ten remaining inadequate facilities are shown in Attachment 2.

**Figure 3**  
*Facility Analysis*

add 18% minimum increase from 2016

	#	ID	FACILITY	AGE	REQUIRED CAPITAL IMPROVEMENTS	REPLACEMENT COST	% CAPITAL NEEDED VS. REPLACEMENT	OVERALL RATING
<b>Primary</b>	1	037	Municipal Garage	76	NA	\$36,000,000		
	2	208	Fire Station 8	84	\$2,700,00	\$5,500,000	49.09%	
	3	005	Police District 5	58	\$4,718,000	\$17,000,000		Temp. Local in Limbo
	4	249	Fire Station 49	125	\$2,215,000	\$5,500,000	40.27%	
	5	020	West Fork Incenerator	61	\$2,400,000			Under review by OES for demolition
<b>Secondary</b>	6	237	Fire Station 37	115	\$1,975,000	\$6,000,000	32.92%	
	7	235	Fire Station 35	108		Sold	0.00%	
	8	250	Fire Station 50	101	\$3,230,000	\$5,500,000	58.73%	
	9	018	Eden Radio Station	135	\$2,275,000	SALE		Historic Structure
	10	024	Cormany Garage	86	\$2,850,000	\$2,500,000	114.00%	
	11	005A	District 5 Garage	48		\$250,000		Currently housed at Fleet
	12	077	Valley View Building	87	\$363,000	\$300,000	121.00%	
	13	019	Renaissance Building	92	\$980,000	\$1,500,000	65.33%	
	14	207	Fire Station 7	78	\$3,200,000	\$6,000,000	53.33%	
	15	224	Fire Station 24	76	\$265,000	\$6,000,000	4.42%	
	16	205	Fire Station 5	56	\$437,000	\$6,000,000	7.28%	
	17	221	Fire Station 21	59	\$140,000	\$5,500,00	2.55%	

**\$66.4 MILLION**

**\$37.15 MILLION**

**\$103.55 MILLION**

FH replacement estimates exclude cost of land

DPS has aligned our priorities to replace these facilities with City-wide goals and determined that the top 5 replacements to be completed include the Municipal Garage, Fire Station 8, Police District 5, Fire Station 49 and the West Fork Incenerator. The Capital Investment required is \$66.4 Million.

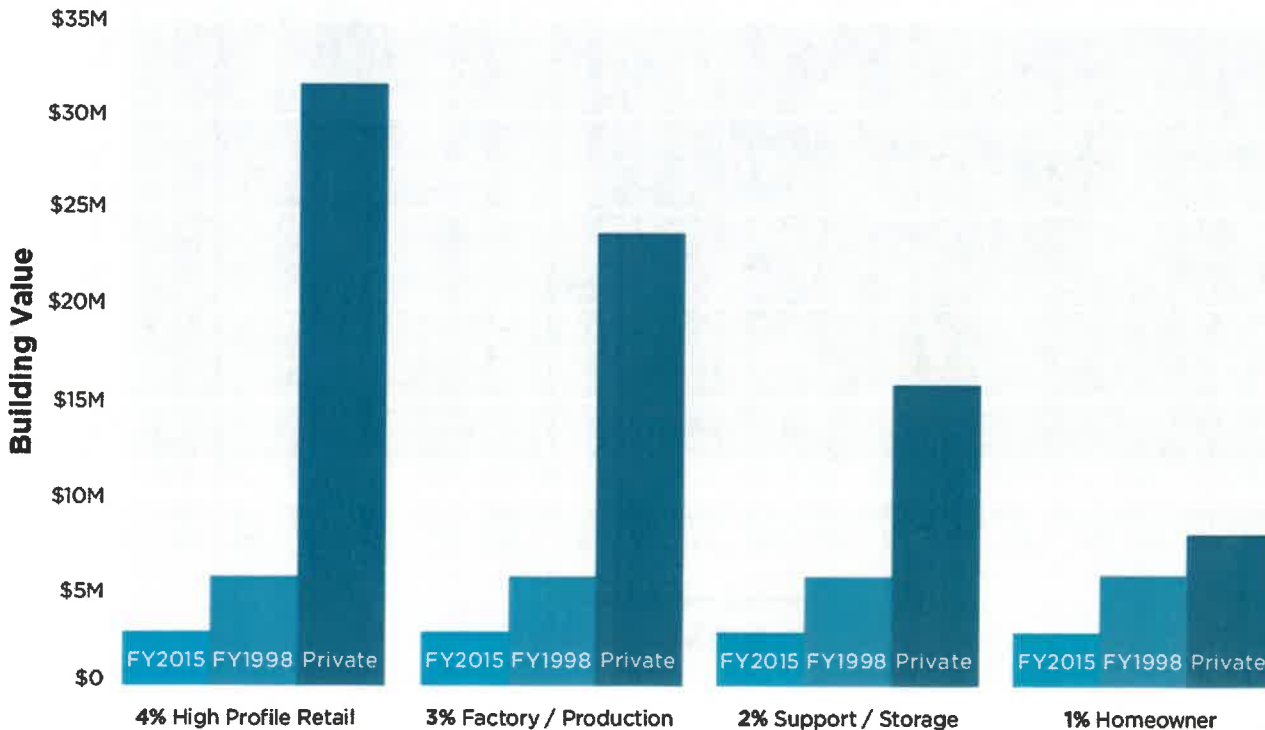
The remaining replacements are to be completed in the following 10-year period. The Capital Investment required is \$37.15 Million. Upon completion, the percentage of facilities ranked as Good to Excellent Condition will increase from 46% to 67%.

**ONGOING CAPITAL INVESTMENT**

Our facility assets have a replacement value in excess of \$700,000,000. The replacement value helps establish a continuing capital renovation/replacement value for the physical assets. This can be compared to private industries standards for various levels of percentage of total asset value for ongoing financial investments to maintain assets. The below chart, Illustration 4, shows this comparison of DPS's current funding level, 1998 funding level verse first a high end retail space for a similar portfolio which equals 4% of the asset. It progresses through manufacturing to storage support space and a final comparison verse a private homeowner. It is the mission of DPS to provide for the long-term improvement and ongoing capital maintenance for the 2,000,000 sq. ft. of General Fund facilities. This includes all planning, budgeting, emergency response and coordinating with client agencies. Each involves the renovation, replacement of equipment, upgrade of facilities and innovation where and when possible to save historic and not so historic structures. Attachment A shows a running list of DPS facilities with the age, replacement values with a total value. At the current rate of funding we are investing less than an average homeowner investment. We are in essence the bad neighbor nearing the level of slum lord.

**Figure 4**  
*Maintenance Cost vs. Industry Standards*

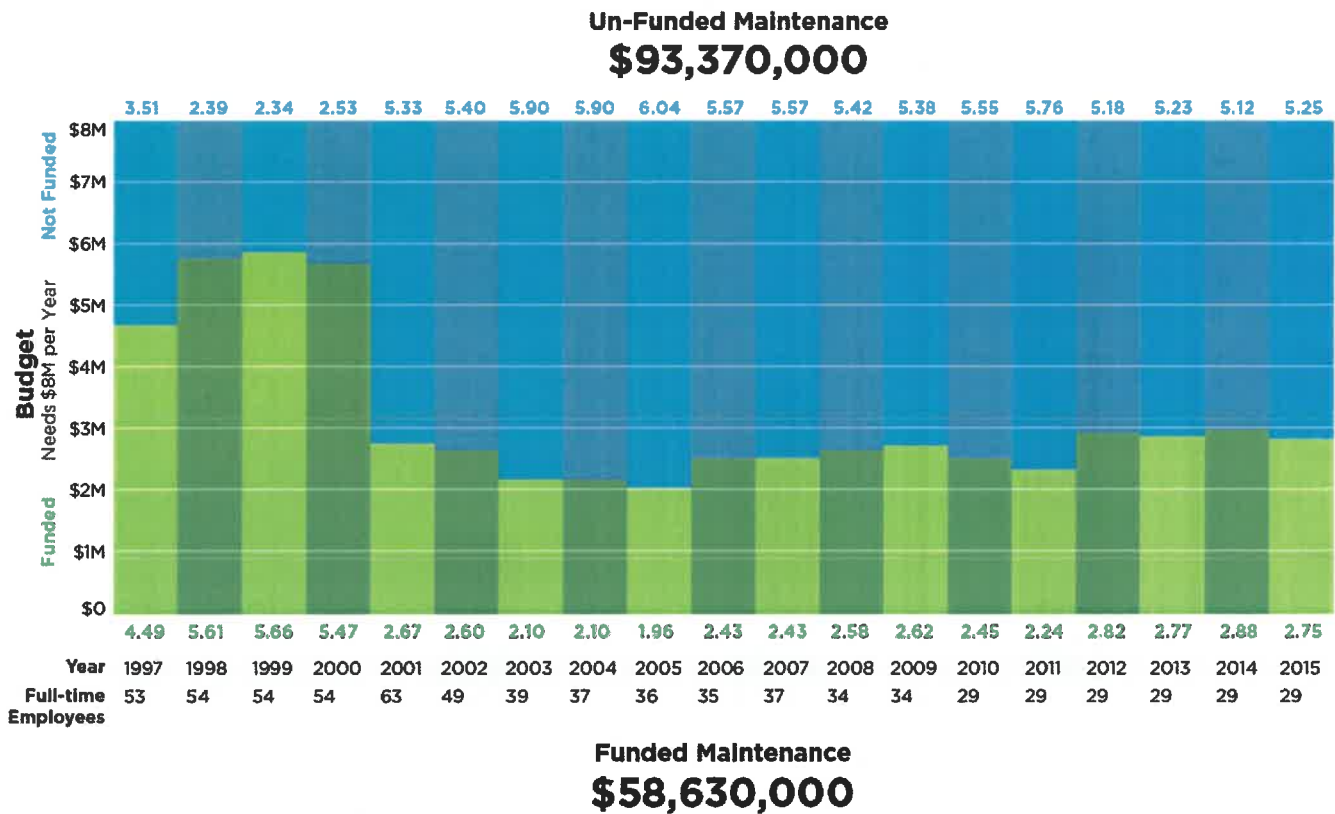
**Building Value**  
**\$790,340,000**



**MAINTENANCE AS CAPITAL SUBSTITUTE**

In 1996 the average industry expenditure for maintenance of facility assets was \$1.20 per square foot. At that time DPS was funded at 0.65 cents per square foot and as a result of the 1996 report received an increase of Small Infrastructure funds for ongoing maintenance, replacement of equipment beyond lifecycle at a level to catch up with previous years neglect. Today almost twenty years later the industry average is \$2.23 per square foot for sustainable. As of 2015 the maintenance funding level at DPS has dropped back to \$1.36 per square foot and maintenance staffing levels have been reduced by almost 50%. This results in increased deterioration of equipment not fully maintained or funded on a regularly scheduled replacement list as almost \$93,370,000 in maintenance has not occurred at the same time capital funds were not available. There exist an increased potential for equipment and building system failures so staff has coordinated a priority list for mission critical equipment at the sacrifice of other equipment and services. As an example specific services such as the 911 Center consumes higher levels of the limited maintenance dollars due to the lifesaving service it provides.

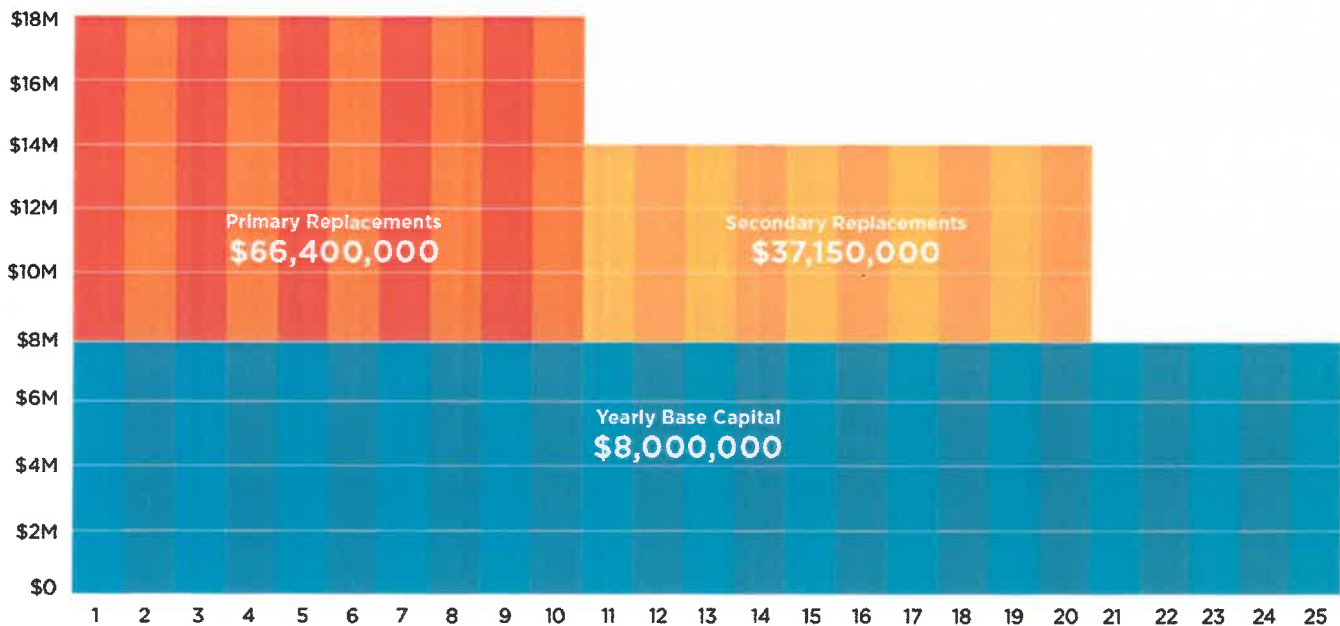
**Figure 5**  
*Maintenance Funding*



**IMPROVING CONDITIONS AND MOVING FORWARD**

The ability to adjust, improvise and overcome has been an unwritten approach to short and long term planning efforts, maintenance decisions and staff assignments. The Service/Product we provide ranges from daily cleaning, maintenance, equipment replacement, space planning, long range planning, structural review, mechanical systems, hazard determinations, development concepts, real estate strategies, art conservation, upgrades and construction whether for renovation or new facilities. We exist so front line agencies can focus on their main purpose of directly serving the public. DPS provides a wide breadth of experience and institutional knowledge working with assets from the 1880's up to today in a government setting. However, that can only go so far and we passed the tipping point over a decade ago so now we are just treading water. We are putting forward a plan of action that addresses primary goals and services of the City. The illustration below shows us increasing the base capital budget by \$5,000,000 per year for a total of \$8,000,000 or 1 % of the assets value. Plus a \$66,400,000 catastrophic funding to address immediate inadequate and obsolete facilities. Followed by \$37,150,000 in secondary replacements. This illustrates the plan to bring our facilities to the level first submitted in 1988 by the Smale Commission.

**Figure 6**  
*Capital Funding*



## SUMMARY

There are no outside government sources for funding of facility capital improvements and private donors are far more interested and necessary for building such as Music Hall and the Art Museum. Stewardship of over \$700,000,000 in taxpayer investments are being overlooked and ignored while new grand capital improvements are added elsewhere in the City. At the same time simple upkeep levels have fallen below what we expect of homeowners and our maintenance reductions only increase the potential for losing services at one of these vital buildings.

## TODAY WE FACE A DAUNTING REALITY FROM YEARS OF MAKING DUE.

**\$103,550,000** for replacing obsolete and inadequate facilities identified in 1996.

**\$66,400,000** Immediate Replacements

**\$37,150,000** Secondary Replacements

**\$8,000,000** a year in ongoing funding to keep what we have in operating condition

## APPENDIX 1: State of Facilities Report





# FACILITY ANALYSIS

Estimated cost on all following pages should assume a minimum 18% increase.

Facility Analysis

City of Cincinnati  
Department of Public Services

#	ID	Facility	age	Required Capital Improvements	Replacement Cost	Percent Capital Needed vs. Replacement	Overall Rating
1	O37	Municipal Garage	76	NA	\$36,000,000		
2	208	Fire Station 8	84	\$2,700,000	\$5,500,000	49.09%	
3	O05	Police District 5	58	\$4,718,000	\$17,000,000	27.75%	
4	249	Fire Station 49	125	\$2,215,000	\$5,500,000	40.27%	
5	O20	West Fork Incenerator	61	\$2,400,000	NA		
6	237	Fire Station 37	115	\$1,975,000	\$6,000,000	32.92%	
7	235	Fire Station 35	108		SALE	0.00%	
8	250	Fire Station 50	101	\$3,230,000	\$5,500,000	58.73%	
9	O18	Eden Radio Station	135	\$2,275,000	SALE	28.44%	
10	O24	Cormany Garage	86	\$2,850,000	\$2,500,000	114.00%	
11	O05A	District 5 Garage	48		\$250,000	0.00%	
12	O77	Valley View Building	87	\$363,000	\$300,000	121.00%	
13	O19	Renaissance Building	92	\$980,000	\$1,500,000	65.33%	
14	207	Fire Station 7	78	\$3,200,000	\$6,000,000	53.33%	
15	224	Fire Station 24	76	\$265,000	\$6,000,000	4.42%	
16	205	Fire Station 5	56	\$437,000	\$6,000,000	7.28%	
17	221	Fire Station 21	50	\$140,000	\$5,500,000	2.55%	
				\$27,748,000	\$103,550,000	+ 18% = \$149,189,000.00	
				\$66,400,000		+ 18% = \$78,352,000.00	

# FACILITY ANALYSIS



**FACILITY NAME:** MUNICIPAL GARAGE 1106 Bates Ave      **DEPARTMENT/SERVICE:** PUBLIC SERVICES/FLEET      **BUILT/AGE:** 1934/81 yrs.

REQUIRED CAPITAL IMPROVEMENTS	COMMENTS	COST	good	acceptable	fair	poor	inadequate
Roof	Out of life-cycle	\$2.5-3M					
Footing stabilization	Required for "slab renovation"	\$3M					
Slab renovation	Within 4 years - potential collapse	\$5-7M					
Doors	Doors too small for modern equipment	\$1-1.5M					
Heating system	Needed within 5 years	\$2.5M					
CNG adaptation	To allow for maintenance of equipment with Natural Gas	\$1.5M					

**REQUIRED CAPITAL IMPROVEMENTS COST** **\$ 18,500,000**

**OVERALL RATING**



**OTHER CONSIDERATIONS:**

**STRATEGIC LOCATION** **SERVICE**

**CONDITION** **HISTORIC VALUE**

**REPLACEMENT COST:**  
**\$32,000,000**

Land cost not included.



# FACILITY ANALYSIS

**FACILITY NAME:** FIRE STATION 8 5901 Montgomery Rd **DEPARTMENT/SERVICE:** CINCINNATI FIRE DEPARTMENT **BUILT/AGE:** 1931/84 yrs.

## REQUIRED CAPITAL IMPROVEMENTS

REQUIRED CAPITAL IMPROVEMENTS	COMMENTS	COST	Condition
Interior Upgrades	Out of life-cycle	\$140,000	poor
Structural Repairs	Leaking throughout	\$225,000	inadequate
Hazard Abatement	Repair and replace	\$85,000	inadequate
Addition for 3 Bays	To meet service demands	\$2,250,000	poor
Drive-thru Bays	Improves response time & improves safety. Not achievable at this location.	\$-	poor

**REQUIRED CAPITAL IMPROVEMENTS COST** **\$ 2,700,000**

## OTHER CONSIDERATIONS:

<b>STRATEGIC LOCATION</b>		<b>SERVICE</b>	
<b>CONDITION</b>		<b>HISTORIC VALUE</b>	

**OVERALL RATING**



**REPLACEMENT COST:**  
**\$5,500,000**

Police District 5 has vacated this facility and is currently housed in a temporary facility. The current facility does not meet minimum Building Code requirements for a Police District and is operating under a "Time Limited Occupancy. The Leased facility require an estimated \$3,500,000.00 in upgrades to meet the minimum Code.



# FACILITY ANALYSIS

**FACILITY NAME:** POLICE DISTRICT 5 1020 Ludlow Ave      **DEPARTMENT/SERVICE:** CINCINNATI POLICE DEPT.      **BUILT/AGE:** 1954/61 yrs.

REQUIRED CAPITAL IMPROVEMENTS	COMMENTS	COST	Condition Legend
Fire Alarm Install	Fire safety upgrades	\$50,000	poor
HVAC Replacements	Equipment out of life-cycle	\$125,000	poor
Emergency Generator	Back-up power for critical operations	\$143,000	poor
Location/Size	10,000sf minimum/25% size needed	\$3.2M	inadequate
Parking/Mech. Garage	Parking is inadequate & mechanic garage is at remote location	\$350,000-\$1.2M	inadequate

**REQUIRED CAPITAL IMPROVEMENTS COST** **\$ 4,718,000**

**OTHER CONSIDERATIONS:**

<b>STRATEGIC LOCATION</b>		<b>SERVICE</b>	
<b>CONDITION</b>		<b>HISTORIC VALUE</b>	

**OVERALL RATING**

**REPLACEMENT COST:** \$17,000,000

Land cost not included.



# FACILITY ANALYSIS

**FACILITY NAME:** FIRE STATION 49 5917 Prentice St **DEPARTMENT/SERVICE:** CINCINNATI FIRE DEPARTMENT **BUILT/AGE:** 1890/125 yrs.

## REQUIRED CAPITAL IMPROVEMENTS

REQUIRED CAPITAL IMPROVEMENTS	COMMENTS	COST
Slab renovation	One apparatus bay unusable due to structural deficiency	\$175,000
Interior Upgrades	Required for slab renovation	\$140,000
HVAC Upgrades	Equipment & Distribution	\$150,000
Building Addition	To facilitate 3-Bay apparatus as need for current & future service demands	\$1.75M



## REQUIRED CAPITAL IMPROVEMENTS COST \$ 2,215,000

### OTHER CONSIDERATIONS:

STRATEGIC LOCATION	SERVICE
CONDITION	HISTORIC VALUE

### OVERALL RATING



**REPLACEMENT COST: \$5,500,000**

The Office of Environmental Sustainability is currently working on an RFP for demolition, to determine accurate cost to raze this structure and possible grant funding options.



# FACILITY ANALYSIS

**FACILITY NAME:** WEST FORK INCINERATOR Millcreek Rd **DEPARTMENT/SERVICE:** PUBLIC SERVICES/VACANT **BUILT/AGE:** 1954/61 yrs.

REQUIRED CAPITAL IMPROVEMENTS	COMMENTS	COST	good	acceptable	fair	poor	inadequate
Demolition	Not used/vacant since 1971	\$2.4M					
Roof Replacement	Water pouring into building causing deterioration of structure	\$225,000					
Structural Repairs	Liability	\$400,000					
Hazard Abatement	EPA regulations	\$925,000					
Secure facility	Ongoing vandalism	\$175,000					

**REQUIRED CAPITAL IMPROVEMENTS COST** **\$ 4,125,000**

**OTHER CONSIDERATIONS:**

<b>STRATEGIC LOCATION</b>	<b>SERVICE</b>
<b>CONDITION</b>	<b>HISTORIC VALUE</b>

**OVERALL RATING**

**REPLACEMENT COST: \$284,000,000**



# FACILITY ANALYSIS

**FACILITY NAME:** FIRE STATION 37 310 Lilienthal St **DEPARTMENT/SERVICE:** CINCINNATI FIRE DEPARTMENT **BUILT/AGE:** 1900/115 yrs.

## REQUIRED CAPITAL IMPROVEMENTS

REQUIRED CAPITAL IMPROVEMENTS	COMMENTS	COST	Condition
Interior Upgrades	Ongoing repairs	\$140,000	fair
Located in Flood Plain	Operational deficiency	\$-	poor
Roof Replacement	Out of life-cycle possible failure	\$85,000	inadequate
Building Addition	To facilitate 3-Bay apparatus as need for current & future service demands	\$1.75M	inadequate

**REQUIRED CAPITAL IMPROVEMENTS COST** **\$ 1,975,000**

**OVERALL RATING**

## OTHER CONSIDERATIONS:

<b>STRATEGIC LOCATION</b>		<b>SERVICE</b>	
<b>CONDITION</b>		<b>HISTORIC VALUE</b>	

**REPLACEMENT COST:**  
**\$6,000,000**



Sold



# FACILITY ANALYSIS

**FACILITY NAME:** OLD FIRE STATION 35 3002 Junietta St **DEPARTMENT/SERVICE:** CINCINNATI FIRE DEPARTMENT **BUILT/AGE:** 1907/108 yrs.

## REQUIRED CAPITAL IMPROVEMENTS

None

## COMMENTS

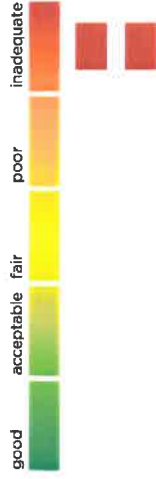
Decommissioned 2013

Negotiating sale of property

## COST

\$0

\$0



## REQUIRED CAPITAL IMPROVEMENTS COST \$ 0

## OVERALL RATING



## OTHER CONSIDERATIONS:

**STRATEGIC LOCATION** 

**SERVICE** 

**CONDITION** 

**HISTORIC VALUE** 

**REPLACEMENT COST:**  
\$5,500,000



# FACILITY ANALYSIS

**FACILITY NAME:** FIRE STATION 50 6558 Parkland Ave **DEPARTMENT/SERVICE:** CINCINNATI FIRE DEPARTMENT **BUILT/AGE:** 1914/101 yrs.

## REQUIRED CAPITAL IMPROVEMENTS

Bay size increase

Building addition

Ext. door/windows

Masonry repairs

Roof/Waterproofing

## COMMENTS

Not achievable in current structure  
Current bays do not fit modern equip.

To create 3Bays for service demands

Repair to full operation

Required within 5 years

Required within 5 years

## COST

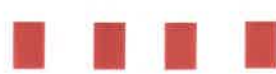
\$-

\$2.5M

\$80,000

\$450,000

\$200,000



## REQUIRED CAPITAL IMPROVEMENTS COST \$ 3,230,000

## OVERALL RATING



## OTHER CONSIDERATIONS:

**STRATEGIC LOCATION**

**SERVICE**

**CONDITION**

**HISTORIC VALUE**

**REPLACEMENT COST:**  
\$5,500,000

Historic Structure not to be razed.  
Possible opportunity for Development.



# FACILITY ANALYSIS

**FACILITY NAME:** EDEN PARK RADIO STATION Martin Dr **DEPARTMENT/SERVICE:** VACANT SINCE 1992 **BUILT/AGE:** 1880/135 yrs.

REQUIRED CAPITAL IMPROVEMENTS	COMMENTS	COST	good	acceptable	fair	poor	inadequate
Fill vault under road	Original boiler room	\$95,000					
Roof replacement	Significant repairs	\$250,000					
Hazard abatement	Asbestos roof deck	\$750,000					
Masonry repairs	Parapet walls, tuck-pointing & flashing	\$180,000					
Demolition		\$1.5M					

**REQUIRED CAPITAL IMPROVEMENTS COST** **\$ 2,275,000**

**OTHER CONSIDERATIONS:**

<b>STRATEGIC LOCATION</b>		<b>SERVICE</b>	
<b>CONDITION</b>		<b>HISTORIC VALUE</b>	

**OVERALL RATING**



**REPLACEMENT COST:**  
**\$17,000,000**



# FACILITY ANALYSIS

**FACILITY NAME:** **CORMANY GARAGE** 3232 Cormanv Ave **DEPARTMENT/SERVICE:** **PUBLIC SERVICES/TROD** **BUILT/AGE:** **1929/86 yrs.**

## REQUIRED CAPITAL IMPROVEMENTS

REQUIRED CAPITAL IMPROVEMENTS	COMMENTS	COST	CONDITION
Roof Replacement	Out of life-cycle	\$750,000	inadequate
Masonry Repairs	Leaking throughout	\$500,000	poor
Skylights/Windows	Repair and replace	\$200,000	poor
HVAC Equipment	Required within 5 years	\$400,000	poor
Electrical Upgrades	Required within 5 years	\$1,000,00	poor



## REQUIRED CAPITAL IMPROVEMENTS COST \$ 2,850,000

## OTHER CONSIDERATIONS:

<b>STRATEGIC LOCATION</b>		<b>SERVICE</b>	
<b>CONDITION</b>		<b>HISTORIC VALUE</b>	

## OVERALL RATING



**REPLACEMENT COST:**  
**\$2,500,000**



# FACILITY ANALYSIS

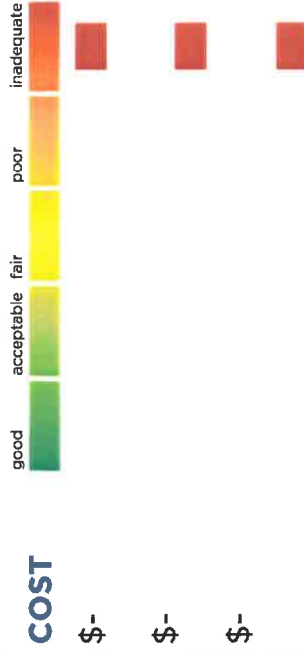
**FACILITY NAME:** POLICE DISTRICT 5 GARAGE Ludlow Ave     **DEPARTMENT/SERVICE:** CINCINNATI POLICE DEPT.     **BUILT/AGE:** -/- yrs.

## REQUIRED CAPITAL IMPROVEMENTS

Inadequate facility for Police mechanic  
 Leased facility  
 Location/Size

## COMMENTS

Service relocated to Municipal Garage  
 Operational inefficiency  
 Being used for car parking  
 Needs to be on site at PD-5



## REQUIRED CAPITAL IMPROVEMENTS COST

**\$ -**

## OTHER CONSIDERATIONS:

**STRATEGIC LOCATION** █     **SERVICE** █  
**CONDITION** █     **HISTORIC VALUE** █

## OVERALL RATING



**REPLACEMENT COST:**  
**\$250,000**



# FACILITY ANALYSIS

**FACILITY NAME:** VALLEY VIEW BLDG 3300 Colerain Ave **DEPARTMENT/SERVICE:** PUBLIC SERVICES/TROD **BUILT/AGE:** 1928/87 yrs.

## REQUIRED CAPITAL IMPROVEMENTS

REQUIRED CAPITAL IMPROVEMENTS	COMMENTS	COST	Condition
Hazard Abatement	Currently used for storage only	\$75,000	inadequate
Roof Replacement	Leaking throughout	\$68,000	poor
Masonry Repairs	Water infiltration	\$95,000	poor
Door & Windows	Damaged due to age, not operable	\$45,000	poor
HVAC Equipment	None present	\$80,000	poor

## REQUIRED CAPITAL IMPROVEMENTS COST \$ 363,000

## OVERALL RATING



## OTHER CONSIDERATIONS:

STRATEGIC LOCATION	good	SERVICE	poor
CONDITION	poor	HISTORIC VALUE	poor

**REPLACEMENT COST:**  
\$300,000

Building currently being used as COVID Supply storage, shipping/recieving. Recent development opportunity with National Public Radio has ceased.



# FACILITY ANALYSIS

**FACILITY NAME:** RENAISSANCE BUILDING 316 W. 9th St **DEPARTMENT/SERVICE:** MULTIPLE DEPTS./STORAGE **BUILT/AGE:** 1923/92 yrs.

REQUIRED CAPITAL IMPROVEMENTS	COMMENTS	COST	good	acceptable	fair	poor	inadequate
Roof Replacement	Within 3 years	\$180,000					
Masonry Repair	Masonry repair/Door & window replacements/Waterproofing	\$500,000					
Storm Drainage	Repair & replace storm drains	\$35,000					
Fire Suppression System	Complete system for use in document storage facility	\$200,000					
Alarm System		\$65,000					

**REQUIRED CAPITAL IMPROVEMENTS COST** **\$ 980,000**

**OTHER CONSIDERATIONS:**

<b>STRATEGIC LOCATION</b>		<b>SERVICE</b>	
<b>CONDITION</b>		<b>HISTORIC VALUE</b>	

**OVERALL RATING**



**REPLACEMENT COST:**  
**\$1,500,000**

Land cost not included.



# FACILITY ANALYSIS

**FACILITY NAME:** FIRE STATION 7 2058 Sutton Ave      **DEPARTMENT/SERVICE:** CINCINNATI FIRE DEPARTMENT      **BUILT/AGE:** 1937/78 yrs.

REQUIRED CAPITAL IMPROVEMENTS	COMMENTS	COST	Condition Legend
Interior Upgrades	Required for slab renovation	\$150,000	poor
Structural Upgrades	Apparatus Bay slab shoring	\$175,000	inadequate
HVAC Upgrades	Equipment & Distribution	\$125,000	poor
Building Addition	To facilitate 3-Bay apparatus as need for service demands (smallest Station). Not achievable on this site.	\$2.75M	inadequate

**REQUIRED CAPITAL IMPROVEMENTS COST** **\$ 3,200,000**

**OVERALL RATING**

**OTHER CONSIDERATIONS:**

**STRATEGIC LOCATION** **SERVICE**

**CONDITION** **HISTORIC VALUE**

**REPLACEMENT COST:**  
**\$6,000,000**





# FACILITY ANALYSIS

**FACILITY NAME:** FIRE STATION 24 4526 Glenway Ave      **DEPARTMENT/SERVICE:** CINCINNATI FIRE DEPARTMENT      **BUILT/AGE:** 1939/76 yrs.

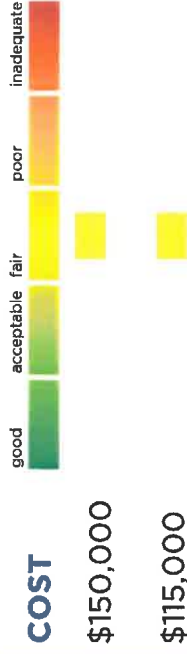
## REQUIRED CAPITAL IMPROVEMENTS

Interior Upgrades  
HVAC Upgrades

### COMMENTS

Repairs & replacements  
Equipment & Distribution

Building addition & renovation completed 2010 to meet service demands of this facility



**REQUIRED CAPITAL IMPROVEMENTS COST** **\$ 265,000**

## OTHER CONSIDERATIONS:

**STRATEGIC LOCATION**

**SERVICE**

**CONDITION**

**HISTORIC VALUE**

## OVERALL RATING



**REPLACEMENT COST:**  
**\$6,000,000**



# FACILITY ANALYSIS

**FACILITY NAME:** FIRE STATION 5 8 E. McMicken St **DEPARTMENT/SERVICE:** CINCINNATI FIRE DEPARTMENT **BUILT/AGE:** 1959/56 yrs.

## REQUIRED CAPITAL IMPROVEMENTS

REQUIRED CAPITAL IMPROVEMENTS	COMMENTS	COST	Condition Legend
Structure Improvements	Apparatus bay shoring	\$175,000	poor
Interior Upgrades	Repairs & replacements	\$140,000	fair
HVAC Upgrades	Equipment & Distribution	\$122,000	poor
Apparatus bay improvements	Addition of apparatus, drive-thru bays and increased drive apron to improve response time & safety are not possible at this location.	\$-	good

## REQUIRED CAPITAL IMPROVEMENTS COST \$ 437,000

## OVERALL RATING



## OTHER CONSIDERATIONS:

STRATEGIC LOCATION	SERVICE	Condition Legend
CONDITION	HISTORIC VALUE	Condition Legend

**REPLACEMENT COST:**  
\$6,000,000

# State of our Facilities





# What Goes in our “Maintenance” Budget?

## Maintenance

- Electrical
- Plumbing
- Carpentry
- HVAC
- Mason
- Roofing
- Life Safety Systems
- Elevators
- All Building Systems

## Other (i.e. “pass through”)

- Property Taxes
- Storm Water
- Utilities
- Cleaning
- Security
- Fountain Square Management
- Findlay Market
- Centennial II Plaza Rent

# City Facility Management

## 1998

- FTE 54
- Maintenance Budget \$5,613,000

## 2015

- FTE 29 27 FTE in 2022
- Maintenance Budget \$2.6M
- 1998 Adjusted for inflation \$9.2M







162 Years	1852	Findlay Market	26,630	\$	21,000,000.00
140 Years	1871	Tyler Davidson Fountain	26,500	\$	10,000,000.00
	1880	Eden Park Radio Station	1,500	\$	5,000,000.00
	1880	Eden Park Water/Radio Tower		\$	1,000,000.00
	1887	Probasco Fountain		\$	1,000,000.00
	1890	College Hill Town Hall	15,000	\$	3,750,000.00
120 years	1893	City Hall	237,750	\$	200,000,000.00
	1900	Fire Station #37	8,414	\$	6,000,000.00
	1900	Fire Station #49	4,150	\$	5,500,000.00
110 years	1906	Fire Station #34	10,701	\$	6,000,000.00
	1907	Old District 3 Police	15,877	\$	5,000,000.00
	1907	Fire Station #35	6,850	\$	2,000,000.00
	1908	Fire Station #46	10,950	\$	6,000,000.00
	1909	Fire Station #38	8,025	\$	5,500,000.00
100 years	1914	Fire Station #50	6,350	\$	5,500,000.00
90 Years	1925	Renaissance Building	27,393	\$	2,500,000.00
	1928	Valley View Building	2,800	\$	300,000.00
	1929	Cormany Garage	41,000	\$	3,250,000.00
	1931	Fire Station #8	6,888	\$	5,500,000.00
	1932	Dunbar Garage	32,400	\$	3,600,000.00
80 years	1937	Fire Station #2	9,501	\$	5,500,000.00
	1937	Fire Station #7	4,951	\$	6,000,000.00
	1939	Fleet Services	171,000	\$	18,000,000.00
	1939	Fire Station #24	11,165	\$	6,000,000.00
	1939	Fire Station #29	18,752	\$	6,500,000.00
	1943	Beekman Street Garage	61,875	\$	4,600,000.00
70 Years	1946	Police Target Range	5,364	\$	1,150,000.00
	1950	District 2 Police	12,300	\$	12,000,000.00
	1950	Fire Training Building @ West Fork	807	\$	400,000.00
	1950	High Intensity Building	2,400	\$	250,000.00
	1951	Fire Station #3	29,328	\$	6,000,000.00
	1953	Fire Station #17	20,160	\$	6,000,000.00
	1953	Fire Station #31	12,000	\$	6,000,000.00
	1954	West Fork Incinerator	60,000	\$	2,400,000.00
60 Years	1955	District 1 Police	51,688	\$	20,000,000.00
	1957	District 5 Police	9,445	\$	17,000,000.00
	1959	Fire Station #5	17,100	\$	6,000,000.00
	1961	Colerain Avenue Garage	44,590	\$	4,500,000.00
	1961	WestFork Garage	88,000	\$	16,000,000.00

1962	Fire Station #14		35,757	\$	6,000,000.00
1964	One Stop Permit Center		30,700	\$	5,250,000.00
1965	Spinney Field		40,000	\$	6,750,000.00
1965	14th Street Lot		80,000	\$	1,200,000.00
1965	Fire Station #21		10,161	\$	5,500,000.00
1967	District 5 Garage	10.80%	5,000	\$	250,000.00
1968	Fire Station #19		17,475	\$	6,500,000.00
1970	Town Center Storage		5,000	\$	250,000.00
1970	Fire Station #18		18,357	\$	6,500,000.00
1971	19 West Elder		20,000	\$	2,900,000.00
1975	District 4 Police		33,367	\$	20,000,000.00
1975	Asphalt Section Bldg.		7,300	\$	365,000.00
1975	Parking Facilities		8,000	\$	1,200,000.00
1977	Fire Station #32		22,033	\$	6,500,000.00
1978	Fire Station #12		17,080	\$	5,500,000.00
1980	Traffic Engineering Controller Shop		3,000	\$	375,000.00
1980	Dunbar Salt Storage		7,861	\$	1,800,000.00
1980	North Central Yards		7,859	\$	275,000.00
1980	Fire Station #23		15,120	\$	5,500,000.00
1982	Asphalt Plant Pole Bldg.		2,400	\$	150,000.00
1982	Fire Station #20		19,922	\$	6,000,000.00
1989	Paint Storage Building		2,250	\$	125,000.00
1989	Two Centennial Plaza		183,000	\$	9,250,000.00
1990	Police Investigations/Property	4.80%	36,000	\$	900,000.00
1991	Traffic Control Center		2,400	\$	3,600,000.00
1992	Crookshank Salt Storage		7,859	\$	1,800,000.00
1995	Police Impounding Lot		7,000	\$	2,500,000.00
1995	Police Impounding Lot Garages		3,000	\$	250,000.00
1995	Asphalt Shed		1,000	\$	125,000.00
1996	Valley View Salt Storage		17,671	\$	2,200,000.00
1998	Police Swat Garage	9.60%	2,500	\$	250,000.00
1999	District 2 Police		5,000	\$	15,000,000.00
2000	Radcliff		58,884	\$	24,000,000.00
2001	Crookshank Garage		28,400	\$	3,800,000.00
2006	North Central Yards Building		1,500	\$	175,000.00
2006	Fountain Square		52,500	\$	150,000,000.00
2008	Fire Burn Building		3,384	\$	1,400,000.00
2008	Fire Station #9	03/19/2015	15,555	\$	5,500,000.00
2009	Fire Training Homeland Security		4,000	\$	600,000.00
2010	Police Welcome Center at the Ranks		5,000	\$	750,000.00

2010	Police Welcome Center at the Banks	5,000	\$	750,000.00
2010	Fire Station #51	15,000	\$	5,750,000.00
2013	DPS Building	29,490	\$	4,200,000.00
2013	Fire Station #35	17,000	\$	5,500,000.00
2015	New Police District 3	40,000	\$	17,000,000.00
*****	Police Vice	30,000	\$	4,200,000.00

**Total Value \$ 790,340,000.00**

**Total Square Foot**

**Community Treasures**

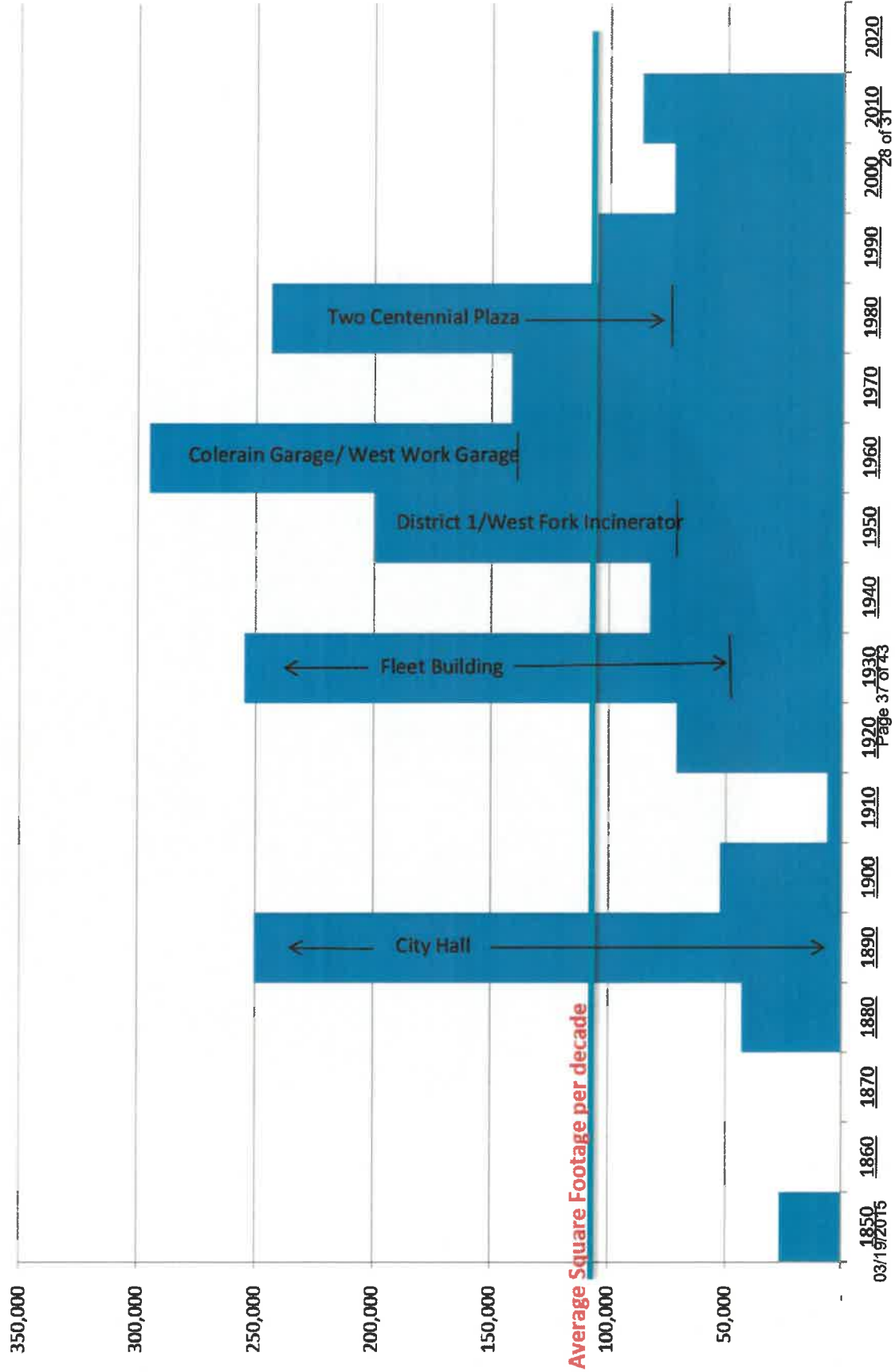
144 Years	1876	Music Hall	300,000	\$	175,000,000.00
	1882	Art Museum	300,000	\$	175,000,000.00
	1890	College Hill Town Hall	15,000	\$	3,750,000.00
90 Years	1930	Cincinnati Museum Center	450,000	\$	300,000,000.00
	1930	Shillito's Building	500,000	\$	90,000,000.00
50 Years	1965	Convention Center	750,000	\$	650,000,000.00

**Value \$ 1,393,750,000.00**

**Square Foot**

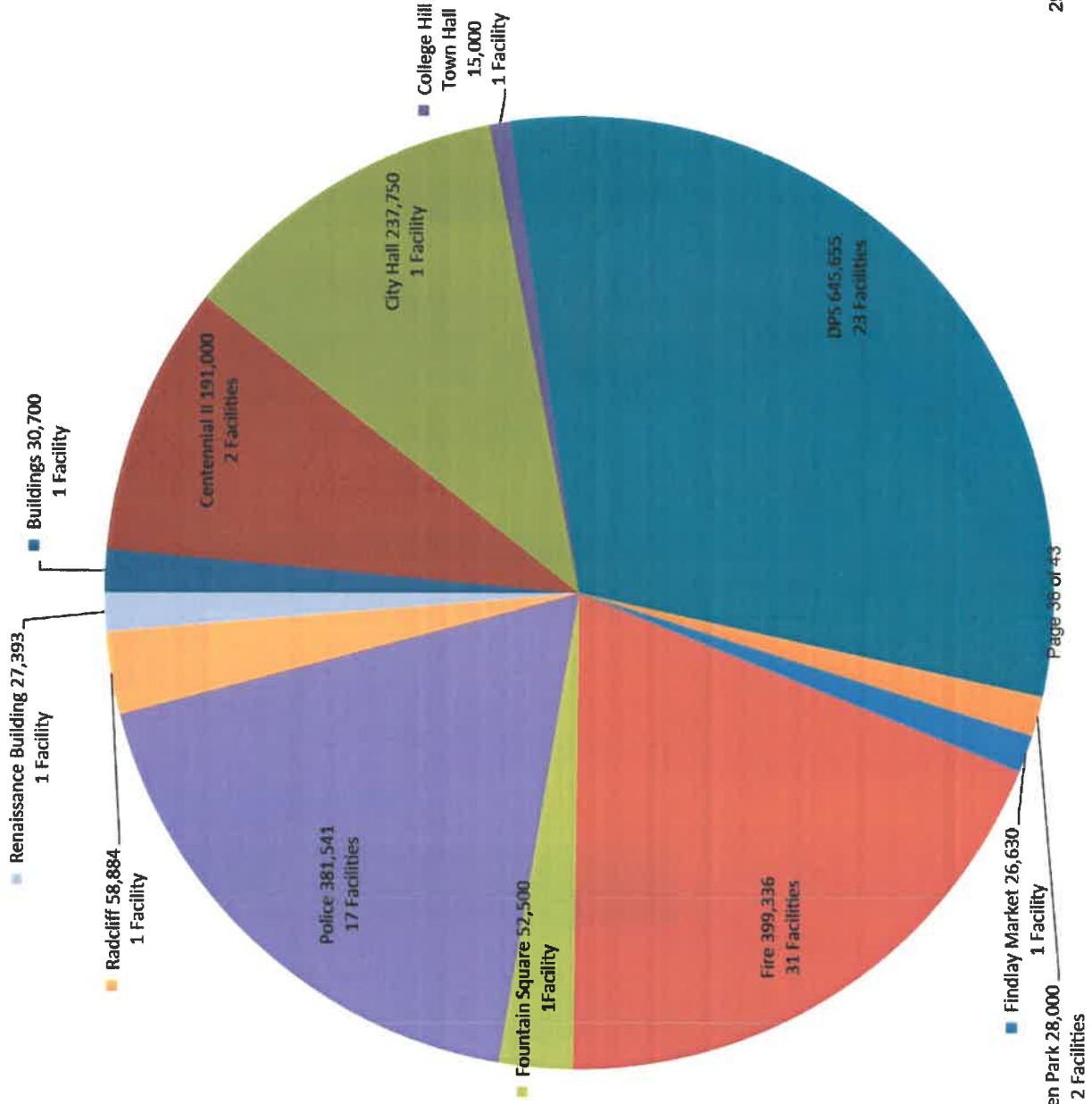
**2,315,000**

# SQ. FT. New Construction 1850-2015

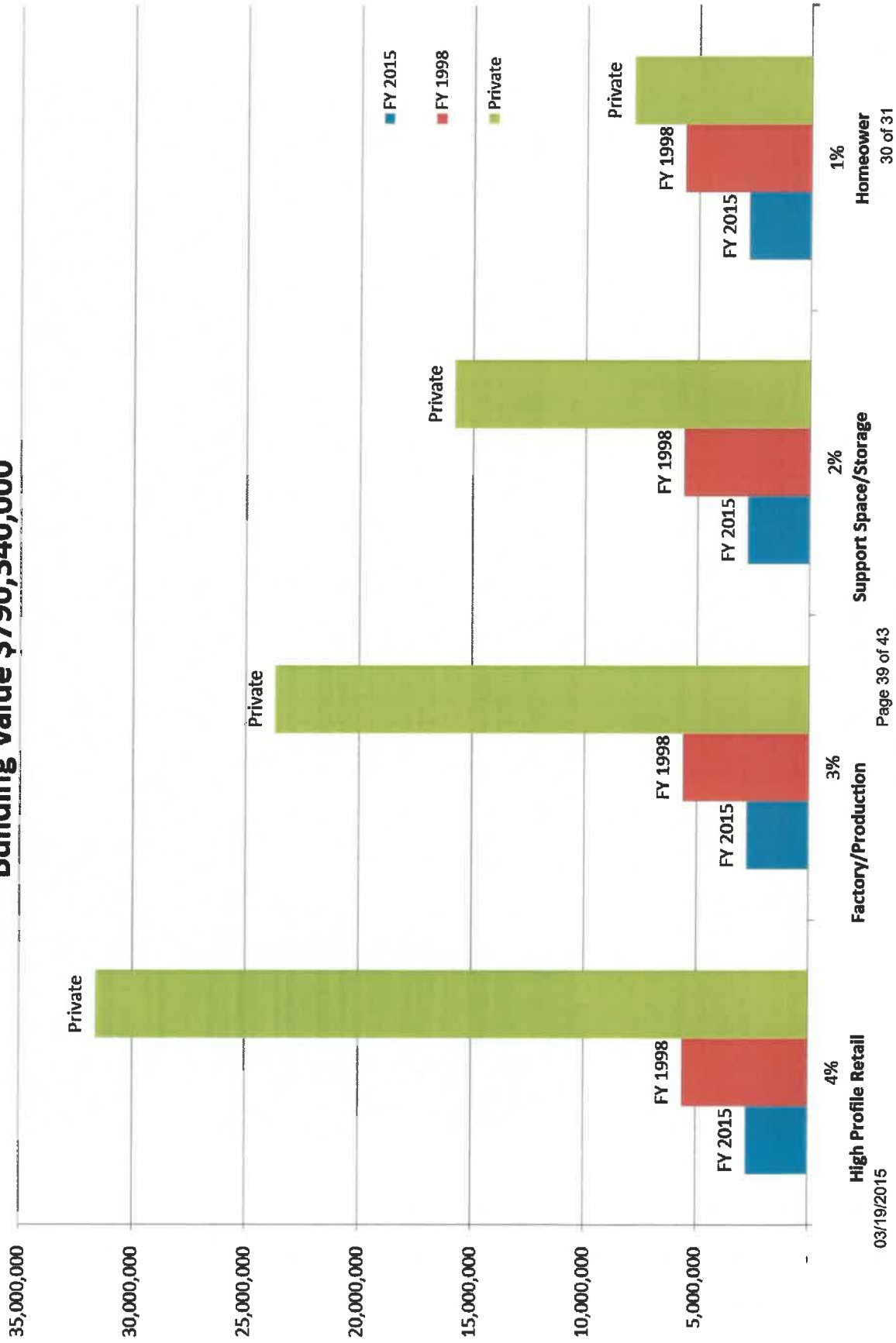


03/19/2015 Page 37 of 43

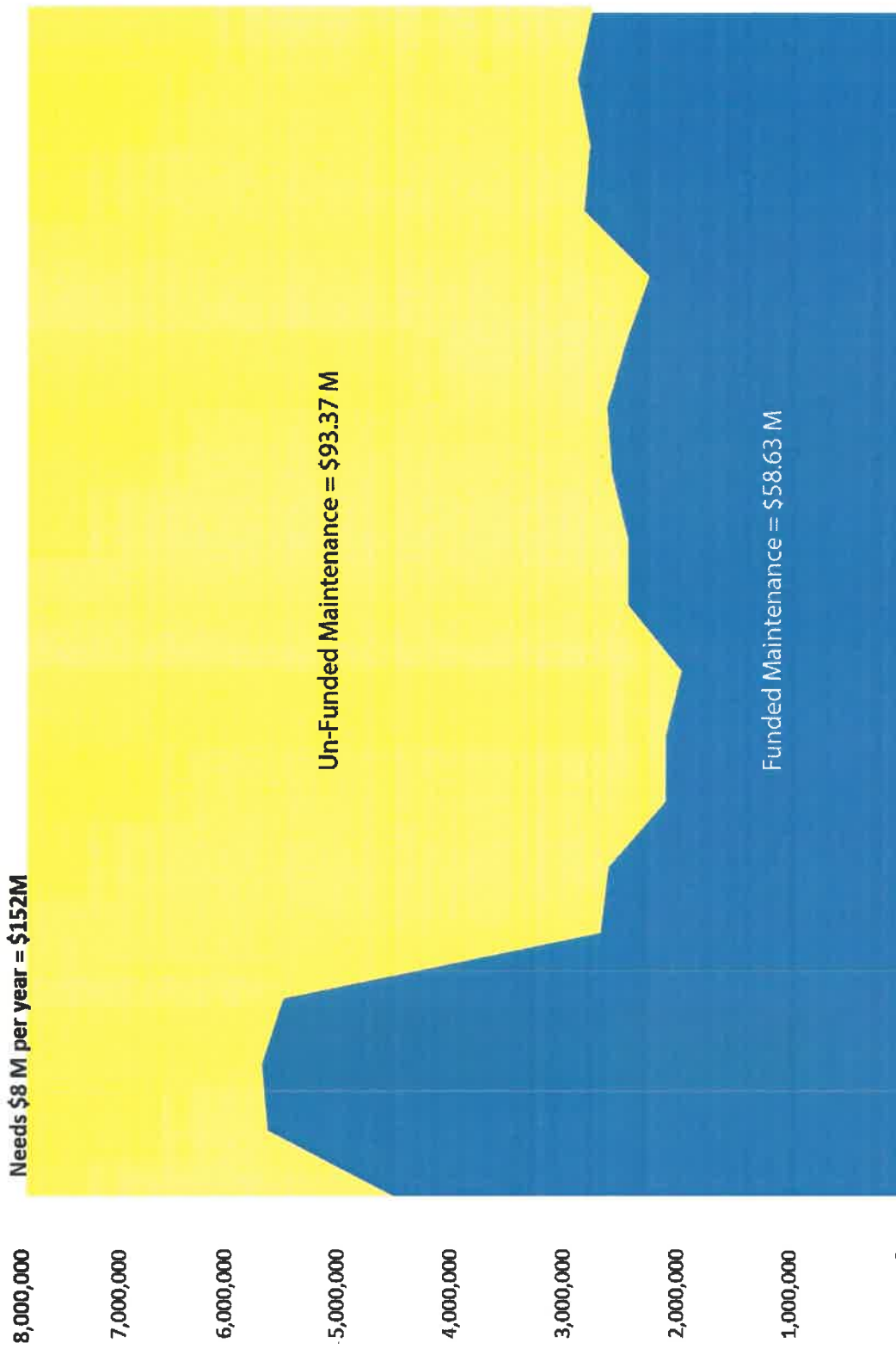
# Square Footage



# Maintenance cost compared to Industry Standards Building Value \$790,340,000



# City Facility Management Operating Budget



Needs \$8 M per year = \$152M

Un-Funded Maintenance = \$93.37 M

Funded Maintenance = \$58.63 M

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Maintenance	4,49	5,61	5,66	5,47	2,67	2,60	2,10	2,10	1,96	2,43	2,43	2,58	2,62	2,45	2,24	2,82	2,77	2,88	2,75
FTE	53	54	54	54	63	49	39	37	40	35	37	34	34	29	29	29	29	31	29

## APPENDIX 2: Capital Replacement Priorities



## FACILITIES PRIORITIES

### 1. FLEET SERVICES FACILITY \$ 32M

A new Fleet Maintenance Facility would offer not only improved efficiency and reduced maintenance costs; it would also give the opportunity for revenue generation by offering services to other agency fleet owners.

Based on industry best practices, the city can expect to see increased productivity of 10-20% with an improved facility layout. This is prior to any organizational restructuring.

There are significant limitations of existing facility and its site that cannot be effectively improved or corrected. Extensive capital investment is required to keep an inadequate facility merely operating. Items on list could become emergencies at any time, resulting in loss of services.

**CFM reviewed the Fleet Services Study lead by CGWW and the former Director of Public Services for scope, cost per sq. ft., new equipment assumptions, and contingencies and then compared those to our current cost data we have in house. With just that brief review we believe we could value engineer the cost down to between \$28,000,000 to \$29,000,000 from the lowest cost option shown. Additionally equipment for use by Fleet Services included in the study budget would need to be determined if it is a Fleet Capital Equipment or Facility Capital cost. Lastly we would review the potential use of PACE financing for any and all energy related items.**

### 2. FIRE STATION #8 \$ 5.5M

Single Apparatus Bay

Hillside site shows signs of constant settlement

Location is not ideal for current service demands

Previous attempts to acquire adjacent land were unsuccessful

Improvements affecting efficiency and fire fighter safety are not possible at existing location

Located at major intersection often causing delays when traffic is blocking egress

### 3. POLICE DISTRICT 5 \$ 17M

Location is not ideal for current service demands

Site is too small to add necessary functions

Currently operating at ¼ the size required for a comparable district

CPD threat assessment identifies major safety and security issue with current location

**Total \$54,500,000**

**Total after Fleet value engineering \$50,500,000 - \$51,500,000**

**4. FIRE STATION #49** **\$ 5.5M**

Apparatus Bay doors too small for modern apparatus. Currently only using oldest apparatus that can fit. When this equipment becomes non-functional there will be no apparatus that will fit in this station

Station has two apparatus bays, one of which is not structurally capable of supporting apparatus  
Current service demand in this area requires a three-bay station

**5. WEST FORK INCINERATOR DEMOLITION** **\$ 2.4M**

Deterioration of this structure that has been abandoned since vacant since 1971 poses a significant liability to the City.

Demolition of the structure and remediation the site is recommended

**Cincinnati Health Department Capital Priorities and Deferred Capital Maintenance**

<b>Capital Priority Needs</b>			
<b>Project</b>	<b>Scope of Work</b>	<b>Cost</b>	<b>Neighborhood</b>
Security Cameras/Video Surveillance System	Installation of various camera solutions throughout the CHDs 10 stand alone clinics, 12 school-based clinics, and various other health facilities that service the public.	\$450,000	Various
Price Hill Health Center Parking Lot Expansion	Acquisition of property adjacent to, or nearby, the Price Hill Health Center, to convert to additional patient parking. Costs would include demolition of existing building(s) and paving/surfacing of the new lot.	\$300,000	Price Hill
Bobbie Sterne Health Center	Renovate 5 dental operatories that are 20+ years old and beyond useful lifecycle	\$80,000	Over the Rhine
<b>Deferred capital maintenance</b>			
<b>Project</b>	<b>Scope of Work</b>	<b>Cost</b>	<b>Neighborhood</b>
Bobbie Sterne Health Center	Install new fire pump	\$40,000	Over the Rhine
Burnet & King	Paint building exterior	\$155,000	Corryville
Burnet & King	Install new breaker panels	\$70,000	Corryville
Burnet & King	Install new fire pump	\$40,000	Corryville
Burnet & King	Call Center Relocation	\$250,000	Corryville
Burnet & King	Boiler - Original to building, 52 years old. \$6,000 was invested into a new controller last year	\$40,000	Corryville
Burnet & King	Roof - Needs full replacement. Spot repairs have been performed to remediate leaks	\$60,000	Corryville
Burnet & King	Elevators - Original to building, 52 years old. \$30K in preventative maintenance spent annually.	\$250,000	Corryville
Burnet & King	Asbestos remediation - All steam piping and water lines. Not drainage lines. Likely all flooring material.	\$350,000	Corryville
Burnet & King	Structural cracks - Observable in basement and 4th floor mechanical room. Condensation and cracks cause water to leak from the roof.	\$150,000	Corryville
Burnet & King	Doors (ext. & int.) - Repeated issues documented with double entry doors on ground floor, automatic sliding doors, and exit door on loading dock. Many interior doors are showing signs of damage and heavy wear.	\$50,000	Corryville
Burnet & King	Window Seals - Air current observable in some offices. Second floor pools water during heavy rain events.	\$60,000	Corryville

<b>Deferred capital maintenance (continued)</b>			
<b>Project</b>	<b>Scope of Work</b>	<b>Cost</b>	<b>Neighborhood</b>
Burnet & King	Breaker Panels - Panels are weak and require frequent resets.	\$20,000	Corryville
Burnet & King	Painting - Paint chipping on building exterior. Especially observable on 4th floor.	\$155,000	Corryville
Burnet & King	Parking Lot Gates - Existing gates are frequently out of service.	\$35,000	Corryville
Burnet & King	3rd Floor convert old lab to admin space	\$300,000	Corryville
Burnet & King	Generator for the entire building	\$260,000	Corryville
Burnet & King	Generator on the 3rd floor for the Vaccines (as alternate to whole building generator)	\$35,000	Corryville
Northside Health Center	Remodel to create co-located peds-provider area near lab	\$15,000	Northside
Northside Health Center	Remodel to create co-located adult-provider area near records room	\$80,000	Northside
Northside Health Center	Generator	\$30,000	Northside
Price Hill	Reseal & restripe parking lot	\$15,000	Price Hill
Price Hill	Generator	\$30,000	Price Hill



# FACILITY ASSESSMENT & SIX YEAR PLAN 2023-2028

CAPITAL BUDGET REQUEST AND SIX YEAR PLAN





**2023-2024 RECREATION CAPITAL BUDGET REQUEST**

	<u>2023</u>	<u>2024</u>
Recreation Facilities Renovations	\$20,301,000	\$14,104,000
Aquatic Facilities Renovations	\$15,916,000	\$12,296,000
Athletic Facilities Renovations	\$6,156,000	\$2,609,000
Outdoor Facilities Renovations	\$6,943,000	\$4,076,000
Compliance with ADA	\$200,000	\$200,000
Total:	\$49,516,000	\$33,285,000

Recreation Facilities: Recreation Center, Maintenance Buildings, Miscellaneous Buildings, Miscellaneous Capital  
 Athletic Facilities: Athletic Fields, Outdoor Basketball Courts, Tennis Courts, Miscellaneous Athletic Renovations  
 Outdoor Facilities: Playgrounds, Shelters, Trails, Pavement, Miscellaneous Pavement Renovations, Miscellaneous  
 Outdoor Renovations  
 Aquatic Facilities: Pools/Spraygrounds, Miscellaneous Aquatic Renovations

**NOTE: The capital improvement projects listed in the six year plan would only be done in the budget year time frame listed if requested funding is received. Refer to annual capital plan for what projects are scheduled. If funding is not received, the project is delayed until the project is funded.**

**Summary of Capital Costs  
6 Year Projection**

	<b>Recreation Facilities</b>	<b>Aquatic Facilities</b>	<b>Athletic Facilities</b>	<b>Outdoor Facilities</b>	<b>Compliance with ADA</b>	<b>Total</b>
<b>2023</b>	\$20,301,000	\$15,916,000	\$6,156,000	\$6,943,000	\$200,000	\$49,516,000
<b>2024</b>	\$14,104,000	\$12,296,000	\$2,609,000	\$4,076,000	\$200,000	\$33,285,000
<b>2025</b>	\$7,511,000	\$9,795,000	\$2,093,000	\$2,533,000	\$200,000	\$22,132,000
<b>2026</b>	\$8,857,000	\$13,878,000	\$1,938,000	\$3,506,000	\$200,000	\$28,379,000
<b>2027</b>	\$4,821,000	\$7,124,000	\$1,054,000	\$2,169,000	\$200,000	\$15,368,000
<b>2028</b>	\$4,445,000	\$1,585,000	\$1,624,000	\$1,959,000	\$200,000	\$9,813,000
<b>Total:</b>	\$60,039,000	\$60,594,000	\$15,474,000	\$21,186,000	\$1,200,000	\$158,493,000

(Budget Year of 2023 is from July 1, 2022 through June 30, 2023)

**6 Year B&E Preliminary Budget**

	<b>Recreation Facilities</b>	<b>Aquatic Facilities</b>	<b>Athletic Facilities</b>	<b>Outdoor Facilities</b>	<b>Compliance with ADA</b>	<b>Total</b>
<b>2023</b>	\$1,709,000	\$411,000	\$499,000	\$369,000	\$103,000	\$3,091,000
<b>2024</b>	\$1,791,000	\$427,000	\$465,000	\$360,000	\$102,000	\$3,145,000
<b>2025</b>	\$1,811,000	\$432,000	\$470,000	\$364,000	\$101,000	\$3,178,000
<b>2026</b>	\$1,801,000	\$442,000	\$482,000	\$369,000	\$103,000	\$3,197,000
<b>2027</b>	\$1,814,000	\$444,000	\$485,000	\$370,000	\$104,000	\$3,217,000
* <b>2028</b>	\$1,814,000	\$444,000	\$485,000	\$370,000	\$104,000	\$3,217,000
<b>Total:</b>	\$10,740,000	\$2,600,000	\$2,886,000	\$2,202,000	\$617,000	\$19,045,000

\*2027 values used for 2028

**Additional Funds Requested**

	<b>Recreation Facilities</b>	<b>Aquatic Facilities</b>	<b>Athletic Facilities</b>	<b>Outdoor Facilities</b>	<b>Compliance with ADA</b>	<b>Total</b>
<b>2023</b>	\$18,592,000	\$15,505,000	\$5,657,000	\$6,574,000	\$97,000	\$46,425,000
<b>2024</b>	\$12,313,000	\$11,869,000	\$2,144,000	\$3,716,000	\$98,000	\$30,140,000
<b>2025</b>	\$5,700,000	\$9,363,000	\$1,623,000	\$2,169,000	\$99,000	\$18,954,000
<b>2026</b>	\$7,056,000	\$13,436,000	\$1,456,000	\$3,137,000	\$97,000	\$25,182,000
<b>2027</b>	\$3,007,000	\$6,680,000	\$569,000	\$1,799,000	\$96,000	\$12,151,000
<b>2028</b>	\$2,631,000	\$1,141,000	\$1,139,000	\$1,589,000	\$96,000	\$6,596,000
<b>Total:</b>	\$49,299,000	\$57,994,000	\$12,588,000	\$18,984,000	\$583,000	\$139,448,000



**Capital Assessment for Recreation, Maintenance, and Miscellaneous Facilities**

	RECREATION CENTER	SQ. FT.	NEIGHBORHOOD	ESTIMATED FUNDING/COST TO RENOVATE EXISTING CENTER	BUDGET YEAR	LAST RENOVATION/ YEAR BUILT	AGE AT NEXT RENOVATION
1	* Oakley**	8,600	Oakley	\$2,600,000	2023	1991	32
2	* Pleasant Ridge	18,590	Pleasant Ridge	\$4,820,000	2023	1974	49
3	Dunham	40,000	West Price Hill	\$5,967,000	2023	1932	91
4	Sayler Park	14,326	Sayler Park	\$3,887,000	2024	1977	47
5	Bond Hill	22,000	Bond Hill	\$4,671,000	2024	1995	29
6	North Avondale	16,940	North Avondale	\$3,964,000	2024	1976	48
7	Over the Rhine	31,690	Over the Rhine	\$4,968,000	2025	1974	51
8	Corryville	22,000	Corryville	\$3,112,000	2026	1999	27
9	College Hill	28,000	College Hill	\$3,907,000	2026	2002	24
10	Lincoln	18,666	West End	\$3,815,000	2027	2003	24
11	Madisonville	19,405	Madisonville	\$3,383,000	2028	2002	26
12	Mt. Washington	37,600	Mt. Washington	\$4,832,000	2029	2005	24
13	Millvale	45,288	Millvale	\$4,615,000	2030	2005	25
14	Winton Hills	22,202	Winton Hills	\$3,079,000	2031	2006	25
15	* LeBlond	16,340	East End	\$2,941,000	2032	2007	25
16	* Westwood Town Hall	15,039	Westwood	\$3,787,000	2033	2005	28
17	Bush	21,526	Walnut Hills	\$2,891,000	2034	2008	26
18	Hartwell	9,000	Hartwell	\$2,172,000	2035	2009	26
19	Evanston	22,000	Evanston	\$3,111,000	2036	2010	26
20	McKie	19,943	Northside	\$3,787,000	2037	2012	25
21	* Price Hill	15,771	East Price Hill	\$3,289,000	2038	2014	24
22	Clifton	16,970	Clifton	\$3,341,000	2039	2014	25
23	Hirsch	24,600	Avondale	\$2,623,000	2040	2019	21

Total Sq. Ft. 514,496 Total: \$85,562,000

\*\* Funding sources for a new 24,100 sq-ft Oakley Recreation Center (\$8.4M estimate-in 2018 dollars) to be budgeted from: \$2.0M community raising , \$2.5M 2017 city funding , \$1.5M 2018 city funding, \$3.9M 2019 w/o community funds.

Recreation Facility Centers Budget	
Year	Totals
2023	\$13,387,000
2024	\$12,522,000
2025	\$4,968,000
2026	\$7,019,000
2027	\$3,815,000
2028	\$3,383,000

\*On Cincinnati Park Board Property

Site currently under construction.

Service life of a building is infinite as long as the building undergoes a minor renovation every 10 years and a major renovation every 20 years. The major renovation would replace worn out and out dated mechanical and life safety equipment. The interior would also be updated to meet the changing requirements of The Building Codes.

**Miscellaneous Capital**

	<b>MISCELLANEOUS CAPITAL</b>	<b>ADDRESS</b>	<b>NEIGHBORHOOD</b>	<b>COST</b>	<b>YEAR</b>
1	Millvale exit stair railings, install new to code			\$85,000	2023
2	Hille caretaker house - demolition if not sold	Roll Ave		\$15,000	2023
3	Dunham old Golf bldg -roof and ceiling repairs			\$150,000	2023
4	Over The Rhine Steeple Repair	1715 Republic St.	OTR	\$60,000	2023
5	Bush Recreation Center finish exterior masonry	2640 Kemper Ln.	Walnut Hills	\$120,000	2023
6	Dunham Recreation Center - water intrusion issue	4356 Dunham Ln.	West Price Hill	\$65,000	2023
7	Lobby, flooring, upgrade improvements at six recreation centers		Citywide	\$300,000	2023
8	Millvale exterior masonry work		Millvale	\$55,000	2023
9	Lincoln exterior masonry work		west end	\$105,000	2023
10	Roof access codes issues - add ladders, handrails		Citywide	\$150,000	2023
11	Emergencies and Community/Priority Requests	-	Citywide	\$250,000	2023
12	Diagnostic Roof Analysis (8 centers)		Citywide	\$35,000	2023
13	Restore roof warranty and roof renovations (4 sites)		Citywide	\$1,031,000	2023
14	Westwood Town Hall Bell Tower repairs			\$45,000	2023
15	Oakley HVAC units replacement (if new center not built)		Oakley	\$75,000	2023
16	Sayler Park HVAC units replacement		Sayler Park	\$35,000	2023
17	Pleasant Ridge HVAC units replacement		Pleasant Ridge	\$85,000	2023
18	Madisonville HVAC units replacement		Madisonville	\$75,000	2023
19	Over Boxing HVAC replacement	1715 Republic St.	OTR	\$24,000	2023
20	Millvale Water Boiler	3303 Beekman Ave.	Millvale	\$25,000	2023
21	Dunham Recreation Center - lower level structural problem	4356 Dunham Ln.	West Price Hill	\$55,000	2023
22	Mt. Washington Boiler Replacement	1715 Beacon St.	Mt. Washington	\$53,000	2023
23	Dunham School House- Add first floor restroom	4356 Dunham Ln.	West Price Hill	\$125,000	2023
24	Security Systems at Various Centers	-	Citywide	\$75,000	2023
25	North Avondale gym ceiling acoustic material	617 Clinton Springs Ave.	North Avondale	\$55,000	2023
26	North Avondale AC in Weight Room	617 Clinton Springs Ave.	North Avondale	\$17,000	2023
27	Dunham old golf bldg roof		West Price Hill	\$120,000	2023
28	Roof Survey (Misc. Sites)	-	Citywide	\$15,000	2023
29	Dunham tunnel roof structure		West Price Hill	\$64,000	2023
30	Oakley Center Roof replacement (if new center not built)	3900 Paxton Ave	Oakley	\$325,000	2023
31	Asbestos abatement at recreation centers		Citywide	\$30,000	2023
32	Vermiculite Removal (Miscellaneous Sites)	-	Citywide	\$100,000	2023
33	Add/change gym lights to LED		Citywide	\$150,000	2023
34	Add CO sensors and notification controls per bldg. code in 7 centers		Citywide	\$32,000	2023
35	Electric Switch gear replacement, per Arc hazard inspection report		Citywide	\$130,000	2023
36	Corryville Dance Floor Replacement	2823 Eden Ave.	Corryville	\$19,000	2023
37	Gym Floor Resurfacing (Miscellaneous Site)	-	Citywide	\$52,000	2023
38	Lincoln Old Gym Acoustic Panels	1027 Linn St.	West End	\$20,000	2023
39	Diagnostic Roof Analysis (2 centers)		Citywide	\$11,000	2023
40	Restore roof warranty and roof renovations (4 sites)		Citywide	\$1,079,000	2023
41	Pleasant Ridge Ceiling in Hallways	5915 Ridge Ave.	Pleasant Ridge	\$40,000	2023
42	Diaper Changing Tables (Miscellaneous Sites)	-	Citywide	\$15,000	2023
43	Add CO sensors and notification controls per bldg. code in 7 centers		Citywide	\$32,000	2023
44	Upgrade ALC remote access HVAC control software		Citywide	\$4,000	2023
45	Asbestos abatement at recreation centers		Citywide	\$30,000	2023
46	Westwood Town Hall bike rm floor setting - raise slab	3017 Harrison Ave.	Westwood	\$3,000	2023
47	Corryville floor setting - raise slab	2823 Eden Ave.	Corryville	\$3,000	2023
48	Emergencies and Community/Priority Requests	-	Citywide	\$250,000	2024
49	Diagnostic Roof Analysis (2 centers)		Citywide	\$11,000	2024
50	Restore roof warranty and roof renovations (4 sites)		Citywide	\$1,129,000	2024
51	Westwood Town Hall Shower Addition	3017 Harrison Ave.	Westwood	\$35,000	2024
52	Add CO sensors and notification controls per bldg. code in 7 centers		Citywide	\$32,000	2024
53	Asbestos abatement at recreation centers		Citywide	\$30,000	2024
54	Emergencies and Community/Priority Requests	-	Citywide	\$250,000	2025

55	Lincoln Roof HVAC units	1027 Linn St.	West End	\$120,000	2025
56	Diagnostic Roof Analysis (1 centers)		Citywide	\$6,000	2025
57	Restore roof warranty and roof renovations (2 sites)		Citywide	\$589,000	2025
58	Upgrade ALC remote access HVAC control software		Citywide	\$5,000	2025
59	Diagnostic Roof Analysis (3 centers)		Citywide	\$18,000	2025
60	Restore roof warranty and roof renovations (2 sites)		Citywide	\$920,000	2025
61	Roof Rewarranty Work (recoat, gravel, flashing) (Misc. Sites)	-	Citywide	\$350,000	2025
62	Emergencies and Community/Priority Requests	-	Citywide	\$250,000	2026
63	Fire Alarm Upgrades	-	Citywide	\$100,000	2026
64	Diagnostic Roof Analysis (1 centers)		Citywide	\$6,000	2026
65	Restore roof warranty and roof renovations (2 sites)		Citywide	\$957,000	2026
66	Emergencies and Community/Priority Requests	-	Citywide	\$250,000	2027
67	Fire Alarm Upgrades	-	Citywide	\$100,000	2027
68	Diagnostic Roof Analysis (1 centers)		Citywide	\$6,000	2027
69	Restore roof warranty and roof renovations (2 sites)		Citywide	\$650,000	2028
70	Emergencies and Community/Priority Requests	-	Citywide	\$250,000	2028
71	Diagnostic Roof Analysis		Citywide	\$12,000	2028

Total: \$11,765,000

**Maintenance Buildings**

	BUILDING	ADDRESS	SQ. FT.	NEIGHBORHOOD	ESTIMATED COST	BUDGET YEAR
1	East Maintenance	3401 Riverside Dr.	5,200	East End	\$750,000	2023
2	West Maintenance	1931 Dunham Way	15,436	West Price Hill	\$210,000	2025
3	Central Maintenance	1955 Losantiville Ave.	7,620	Roselawn	\$200,000	2026
		Total Sq. Ft.	28,256	Total:	\$1,160,000	

Service life of a building is infinite as long as the building undergoes a minor renovation every 10 years and a major renovation every 20 years. The major renovation would replace worn out and out dated mechanical and life safety equipment. The interior would also be updated to meet the changing requirements of The Building Codes.

**Miscellaneous Buildings**

	BUILDING	ADDRESS	SQ. FT.	NEIGHBORHOOD	ESTIMATED COST	BUDGET YEAR
1	* Riverside Boat Launch	3540 Southside Ave.	4,576	Riverside	\$225,000	2023
2	Dunham storage (old golf bldg)	1931 Dunham Way		West Price Hill	\$350,000	2023
3	Lunken Tennis Building	4750 Playfield Ln.	3,000	Linwood	\$150,000	2023
4	Marian Ahlering at Lunken	4750 Playfield Ln.	1,800	Linwood	\$95,000	2024
5	Ebersole	5701 Kellogg Ave.	4,095	California	\$75,000	2025
6	Schmidt Boat Launch	250 Saint Peters St.	4,576	East End	\$325,000	2026
7	Leonard Shore Senior Center	4750 Playfield Ln.	1,418	Linwood	\$150,000	2028
8	Dunham School House	4356 Dunham Ln.	5,426	West Price Hill	\$200,000	2031
9	Dunham Arts Building	4356 Dunham Ln.	18,488	West Price Hill	\$0	2034
		Total Sq. Ft.	19,465	Total:	\$1,570,000	

\*On Cincinnati Park Board Property

Service life of a building is infinite as long as the building undergoes a minor renovation every 10 years and a major renovation every 20 years. The major renovation would replace worn out and out dated mechanical and life safety equipment. The interior would also be updated to meet the changing requirements of The Building Codes.

Budget Year	Totals		
	Miscellaneous Capital Budget	Maintenance Buildings	Miscellaneous Buildings
2023	\$5,439,000	\$750,000	\$725,000
2024	\$1,487,000	\$0	\$95,000
2025	\$2,258,000	\$210,000	\$75,000
2026	\$1,313,000	\$200,000	\$325,000
2027	\$1,006,000	\$0	\$0
2028	\$912,000	\$0	\$150,000

**Total Recreation, Maintenance, and Miscellaneous Facilities Combined Budget**

<b>Budget Year</b>	<b>Total</b>
2022	\$20,301,000
2023	\$14,104,000
2024	\$7,511,000
2025	\$8,857,000
2026	\$4,821,000
2027	\$4,445,000
<b>6 Year Total:</b>	<b>\$60,039,000</b>

**Capital Assessment for Aquatic Facilities**

	<b>AQUATIC FACILITIES</b>	<b>NEIGHBORHOOD</b>	<b>ESTIMATED COST</b>	<b>BUDGET YEAR</b>	<b>YEAR BUILT/LAST RENOVATION</b>	<b>AGE AT NEXT RENOVATION</b>
1	* LeBlond Pool	East End	\$1,600,000	2023	1940/1980	80
2	* Dyer Sprayground	West End	\$1,750,000	2023	1996	27
3	Winton Hills Pool	Winton Hills	\$4,250,000	2023	1965/1980	54
4	Bush Pool	Walnut Hills	\$3,853,000	2023	1975	48
5	* Mt Adams Pool	Mt. Adams	\$2,470,000	2023	1940/1980	80
6	Mt Washington Pool	Mt. Washington	\$4,082,000	2024	1975	49
7	* Ryan Pool	Westwood	\$3,764,000	2024	1972	52
8	Bond Hill Pool	Bond Hill	\$3,618,000	2024	1975	49
9	* Filson Pool	Mt. Auburn	\$2,384,000	2025	1972	53
10	Millvale Pool	Millvale	\$3,423,000	2025	1969	56
11	Dickman Pool (Sayler Park Recreation Center)	Sayler Park	\$3,470,000	2025	1982	43
12	* Indoor Pool Facility (dome)	TBD	\$3,245,000	2026	Request	-
13	Lincoln Pool	West End	\$5,470,000	2026	1977	49
14	Madisonville Pool	Madisonville	\$4,627,000	2026	1969	57
15	Hartwell Pool	Hartwell	\$3,283,000	2027	1982	45
16	Camp Washington Pool	Camp Washington	\$3,341,000	2027	1990	37
17	Mt Auburn Therapeutic Pool	Mt. Auburn	\$800,000	2028	2012	16
18	* Hanna Aquatic Facility	Over the Rhine	\$2,441,000	2030	2001	29
19	* Spring Grove Village Pool	Winton Place	\$1,029,000	2031	2004	27
20	Dunham Aquatic Facility	West Price Hill	\$3,940,000	2032	2007	25
21	Hirsch Aquatic Facility	Avondale	\$2,441,000	2033	2008	25
22	* Oylar Sprayground	Lower Price Hill	\$2,400,000	2034	2008	26
23	* South Fairmount Sprayground	South Fairmount	\$925,000	2035	2009	26
24	Evanston Aquatic Center	Evanston	\$2,579,000	2037	2010	27
25	* College Hill Sprayground	College Hill	\$456,000	2038	2011	27
26	* North Fairmount Sprayground	North Fairmount	\$1,100,000	2038	2012	26
27	Caldwell Sprayground	Carthage	\$643,000	2038	2010	28
28	McKie Aquatic Center	Northside	\$2,569,000	2039	2012	27
29	* Pleasant Ridge Aquatic Center	Pleasant Ridge	\$2,569,000	2040	2013	27
30	Dempsey Aquatic Facility (Price Hill Rec Center)	East Price Hill	\$2,698,000	2041	2014	27
31	* Oakley Pool	Oakley	\$4,558,000	2042	2016	26

Total \$85,778,000

\*On Cincinnati Park Board Property

<b>Aquatic Facilities</b>	
<b>Budget Year</b>	<b>Totals</b>
2023	\$13,923,000
2024	\$11,464,000
2025	\$9,277,000
2026	\$13,342,000
2027	\$6,624,000
2028	\$800,000

**Capital Assessment for Aquatic Facilities Priority Requests**

<b>MISCELLANEOUS AQUATICS RENOVATIONS</b>		<b>BUDGET YEAR</b>	<b>ESTIMATED COST</b>
1	Install Cathodic Protection on Aluminum Pools	2023	\$65,000
2	Add climbing walls to replace diving boards	2023	\$120,000
3	Add Umbrellas at various sites	2023	\$80,000
4	Mt. Washington Pool bottom floor, walls	2023	\$105,000
5	Hartwell pool bottom	2023	\$95,000
6	Madisonville Pool repairs - walls. Floor, decking	2023	\$120,000
7 *	Dyer Filter Building Roof Replacement	2023	\$45,000
8	ADA Chair lifts	2023	\$12,000
9	Add benches and Umbrellas at Various Pools	2023	\$150,000
10	Winton Hills Piping Leaks	2023	\$100,000
11 *	Mt. Adams Fiberglass Floor Replacement	2023	\$120,000
12 *	Ryan Pool Bottom, walls, deck concrete work, piping	2023	\$120,000
13 *	Bond Hill Pool Bottom - dive well, walls	2023	\$85,000
14 *	Bush Pool Bottom, Concrete Work	2023	\$85,000
15 *	Ryan Pool Roof Replacement	2023	\$53,000
16	Emergencies and Community/Priority Requests	2023	\$300,000
17	Caulking and Painting of Pools (Miscellaneous Sites)	2023	\$120,000
18	Battery Back Up for Sump Pumps and Alarm Indicators	2023	\$35,000
19	Fencing Improvements at Various Pools	2023	\$105,000
20	Winton Hills Pool Roof	2023	\$33,000
21	Backwash Meters on Sprayground Filters	2023	\$45,000
22	ADA Chair lifts	2024	\$12,000
23	Pool Design	2024	\$200,000
24	Emergencies and Community/Priority Requests	2024	\$300,000
25	Caulking and Painting of Pools (Miscellaneous Sites)	2024	\$120,000
26	Pool Design	2024	\$200,000
27	ADA Chair lifts	2025	\$12,000
28	Pool Design	2025	\$200,000
29	Emergencies and Community/Priority Requests	2025	\$270,000
30	Chemical Controllers (Miscellaneous Sites)	2025	\$36,000
31	Pool Design	2026	\$200,000
32	Emergencies and Community/Priority Requests	2026	\$300,000
33	Chemical Controllers (Miscellaneous Sites)	2026	\$36,000
34	Pool Design	2027	\$200,000
35	Emergencies and Community/Priority Requests	2027	\$300,000
36	Pool Design	2028	\$200,000
37	Emergencies and Community/Priority Requests	2028	\$300,000
38	Slide Replacements	2028	\$115,000
39	Dempsey Pool Filter to a DE	2028	\$85,000
40 *	Pleasant Ridge main pool to a DE filter	2028	\$85,000
<b>Total:</b>			<b>\$5,164,000</b>

\*On Cincinnati Park Board Property

<b>Miscellaneous Aquatics Budget Year</b>	<b>TOTAL</b>
2023	\$1,993,000
2024	\$832,000
2025	\$518,000
2026	\$536,000
2027	\$500,000
2028	\$785,000

**Aquatic Facilities Yearly Combined Budget**

<b>Budget Year</b>	<b>TOTAL</b>
2023	\$15,916,000
2024	\$12,296,000
2025	\$9,795,000
2026	\$13,878,000
2027	\$7,124,000
2028	\$1,585,000
<b>6 Year Total: \$60,594,000</b>	

## ATHLETIC FIELDS

	FACILITY NAME	ADDRESS	BUDGET YEAR	ESTIMATED COST	# OF FIELDS	FIELD SIZES
1	Oskamp Recreation Area (2 of 4 )	5652 Glenway Ave.	2023	\$200,000	4	
2	Dunham Recreation Complex (Miracle Field)	4356 Dunham Ln.	2023	\$175,000	1	
3	Sherman Recreation Area fld 2	1501 Sherman Ave.	2023	\$110,000	2	
4	Avondale Recreation Area - add synthetic fld	870 Blair Ave.	2023	\$225,000	1	B?
5	Mt Airy Recreation Area (3 of 4)	2639 Kipling	2023	\$450,000	4	
6	Madisonville Recreation Complex	5320 Stewart Ave.	2023	\$75,000	2	A,C
7	* Paddock Hills Recreation Area	4359 Reading Rd.	2023	\$79,000	1	
8	* Ashland Recreation Area	2810 Ashland Ave.	2023	\$123,000	1	
9	Paddock Tennessee Recreation Area	1001 Tennessee St.	2023	\$245,000	2	
10	Kellogg Recreation Area Soccer Fields	4645 Kellogg Ave.	2023	\$172,000	SOCCER 6	
11	Bond Hill Recreation Area	1580 Yarmouth Ave.	2023	\$125,000	2	
12	Mt Washington Recreation Complex	1715 Beacon St.	2023	\$175,000	2	
13	* Kennedy Heights Recreation Area	6425 McHugh St.	2024	\$120,000	1	
14	* Turkey Ridge Recreation Area	3449 Humbert Ave.	2024	\$147,000	2	
15	* Price Hill Recreation Complex	959 Hawthorne Ave.	2024	\$87,000	1	
16	* Filson Recreation Area	461 Ringgold Ave.	2024	\$65,000	1	
17	Winton Hills Recreation Complex	5170 Winneste Ave.	2024	\$244,000	2	
18	Anderson Place Recreation Area	5051 Anderson Pl.	2024	\$65,000	1	D
19	* Pleasant Ridge Recreation Complex	5915 Ridge Ave.	2025	\$189,000	2	C,C
20	Dunham Recreation Complex	4356 Dunham Ln.	2025	\$195,000	2	A,D
21	* Boldface Recreation Area (Site Restoration/ADA)	3100 River Rd.	2025	\$84,000	2	
22	Armleder, Little Miami Recreation Complex	5057 Wooster Pike	2025	\$173,000	SOCCER 7	
23	* Oakley Recreation Complex	3900 Paxton Ave.	2025	\$189,000	3	
24	* McEvoy Recreation Area	6315 Daly Rd.	2025	\$187,000	2	
25	Weaver Recreation Area	830 Derrick Turnbow Ave.	2025	\$126,000	2	
26	Rakestraw Recreation Area	217 Stanley Ave.	2025	\$89,000	1	A
27	* Laurel Recreation Area	1543 John St.	2026	\$94,000	1	
28	* Owl's Nest Recreation Area	1900 Pogue Ave.	2026	\$110,000	1	
29	Schwarz Recreation Area	2197 May St.	2027	\$125,000	1	D
30	* Riverside Sports Complex Fields	3540 Southside Ave.	2027	\$278,000	3	
31	Carson Covedale Recreation Area	4922 Rapid Run Rd.	2027	\$201,000	2	C,C
32	* Bramble Recreation Area	6395 Bramble Ave.	2027	\$85,000	1	C
33	Rockdale Recreation Area	3480 Harvey Ave.	2028	\$65,000	1	B?
34	Caldwell Recreation Area	316 West North Bend Rd.	2028	\$195,000	3	A,D,D
35	Hartwell Recreation Complex	8275 Vine St.	2028	\$238,000	3	
36	* Evanston Recreation Area	3560 Evanston Ave.	2028	\$69,000	1	D
37	Oskamp Recreation Area (2/4 Fields)	5652 Glenway Ave.	2029	\$300,000	4	
38	California Recreation Area	130 Renslar Ave.	2029	\$243,000	2	
39	* College Hill Recreation Area	5660 Belmont Ave.	2030	\$89,000	1	A
40	Roberts Recreation Area	1700 Grand Ave.	2030	\$79,000	1	B
41	Evans Recreation Area	628 Evans St.	2030	\$142,000	2	
42	Daniel Recreation Area	1128 Groesbeck Rd.	2030	\$175,000	2	A,D
43	Sayler Park Recreation Complex (2 fields by rec ctr)	6720 Home City Ave.	2030	\$132,000	2	D,D
44	* LeBlond RecPlex	2335 Riverside Dr.	2033	\$129,000	1	B
45	* Salway Sports Complex	4530 Spring Grove Ave.	2033	\$300,000	4	
46	Queensgate Recreation Area	707 W. Court St.	2033	\$135,000	1	AA
47	* Wayne Recreation Area	3757 Beekman St.	2033	\$252,000	2	B,B
48	* Ryan Recreation Area	2856 Fischer Place	2033	\$231,000	3	B,C,D
49	* Roselawn Sports Complex	2026 Seymour Ave.	2033	\$525,000	4	AA,AA,C,D
50	Sands (New) Recreation Area	6421 Corbly St.	2033	\$252,000	2	A,B
51	* Dyer Recreation Area Ball Fields	2124 Freeman Ave.	2033	\$225,000	2	
52	Hirsch Recreation Complex	3630 Reading Rd.	2036	\$226,000	1	
53	North Avondale Recreation Complex	617 Clinton Springs Ave.	2036	\$189,000	2	A,B

## Athletic Fields

## Cincinnati Recreation Commission

December 2021

54	Sayler Park Recreation Complex and Area (Softball Fld)	6720 Home City Ave.	2036	\$42,000	1	A
55	Hartwell Recreation Complex (Armory)	68 Shadybrook Dr.	2036	\$42,000	SOCCER 1	
56	Withrow Recreation Area	2488 Madison Rd.	2036	\$170,000	3	
57	* Mt Echo Recreation Area	383 Elberon Ave.	2036	\$105,000	1	D
58	* Fairview Recreation Area	2219 Ravine St.	2038	\$35,000	SOCCER 1	
59	Lunken Playfield Recreation Complex	4750 Playfield Ln.	2039	\$184,000	2	
60	Woodward Recreation Area (At High School)	7001 Reading Rd.	2039	\$142,000	2	
61	Hoffman Recreation Area	3059 Woodburn Ave.	2039	\$80,000	1	A
62	* Sacred Heart Soccer Field	607 Lafayette Ave.	2039	\$35,000	SOCCER	
63	St Rose Recreation Complex	2501 Riverside Dr.	2039	\$48,000	SOCCER	
64	West Fork Recreation Area (Soccer Fields)	1558 West Fork Rd.	2039	\$59,000	SOCCER	
65	* Lang Recreation Area	5998 Robison Rd.	2039	\$95,000	1	
66	* Kennedy Heights Park	6039 Kennedy Ave.	2039	\$0	SOCCER	
67	Dater Recreation Area	2840 Boudinot Ave.	2040	\$133,000	1	
68	* Schmidt Sports Complex (4 fields)	250 Saint Peters St.	2040	\$350,000	4	
69	Sherman Recreation Area fld 1	1501 Sherman Ave.	2040	\$283,000		
70	* Rapid Run Recreation Area	4545 Rapid Run Pk.	2040	\$184,000	2	
71	Quebec Heights Recreation Area	1612 Ross Ave.	2041	\$0	0	B

Total: \$11,185,000

\*On Cincinnati Park Board Property

Site currently under/planned construction.

Ball Fields need major renovations every 15 to 20 years.

Athletic Fields	Budget
Year	TOTALS
2023	\$2,154,000
2024	\$728,000
2025	\$1,232,000
2026	\$204,000
2027	\$689,000
2028	\$567,000
	\$5,574,000



**Outdoor Basketball Courts**

	<b>FACILITY NAME</b>	<b>ADDRESS</b>	<b>BUDGET YEAR</b>	<b>ESTIMATED COST</b>	<b>NUMBER OF COURTS FULL (HALF)</b>
1	Caldwell Sports Complex	316 W. North Bend Rd.	2023	\$45,000	1
2	* Boldface Recreation Area	3100 River Rd.	2023	\$84,000	1
3	* Fairview Recreation Area	2219 Ravine St.	2023	\$53,000	1
4	* Turkey Ridge Recreation Area	3449 Humbert Ave.	2023	\$78,000	2
5	* Spring Grove Village Recreation Area	600 Hand Ave.	2023	\$24,000	0 (1)
6	* Rapid Run Recreation Area	4545 Rapid Run Pk.	2023	\$52,000	0 (1)
7	Nassau and St James Recreation Area	960 Nassau St.	2023	\$63,000	2
8	Findlay New Recreation Area	1823 Vine St.	2023	\$45,000	0 (2)
9	Madisonville Recreation Complex	5320 Stewart Ave.	2023	\$78,000	2
10	* Mt Echo Recreation Area	383 Elberon Ave.	2023	\$52,000	2
11	* Coy Marshall Recreation Area	2888 Marshall Ave.	2023	\$65,000	1
12	Winton Hills Recreation Complex	5170 Winneste Ave.	2023	\$48,000	1
13	West Fork Recreation Area	1558 West Fork Rd.	2023	\$59,000	1
14	* Linwood Hutton Recreation Area	3710 Hutton St.	2023	\$38,000	1
15	Sayler Park Recreation Complex	Hillside Address	2023	\$32,000	0 (2)
16	McMicken and Klotter Recreation Area	510 W. McMicken Ave.	2024	\$63,000	0 (2)
17	Schwarz Recreation Area	2197 May St.	2024	\$92,000	2
18	Mt Auburn Recreation Complex	270 Southern Ave.	2024	\$21,000	0 (1)
19	* Dyer Recreation Area	2124 Freeman Ave.	2024	\$38,000	0 (2)
20	* Riverside Sports Complex	3540 Southside Ave.	2024	\$32,000	1
21	Hartwell Recreation Complex	8275 Vine St.	2024	\$75,000	1 (2)
22	Ebersole Recreation Center	5701 Kellogg Ave.	2024	\$12,000	0 (2)
23	* Bramble Recreation Area	6395 Bramble Ave.	2024	\$46,000	1
24	* Laurel Recreation Area	1543 John St.	2024	\$42,000	2
25	* Oakley Recreation Complex	3900 Paxton Ave.	2024	\$90,000	2
26	* Evanston Recreation Area	3560 Evanston Ave.	2025	\$37,000	0 (2)
27	* Schiller Hughes Recreation Area	1702 Main St.	2025	\$45,000	3
28	* North Fairmount Recreation Area	1702 Carll St.	2025	\$37,000	0 (3)
29	* Clifton Recreation Center	320 McAlpin Ave.	2025	\$21,000	0 (2)
30	* Wayne Recreation Area	3575 Beekman St.	2026	\$85,000	1 (2)
31	* Roselawn Sports Complex	2026 Seymour Ave.	2027	\$42,000	1 (2)
32	DeHart Recreation Area	3013 Mathers St.	2027	\$38,000	1
33	Evans Recreation Area	628 Evans St.	2027	\$10,000	0 (3)
34	* College Hill Recreation Area	5660 Belmont Ave.	2027	\$27,000	0 (2)
35	Daniel Recreation Area	1128 Groesbeck Rd.	2027	\$45,000	1
36	* LeBlond RecPlex	2335 Riverside Dr.	2028	\$110,000	2
37	* Grant Recreation Area	65 E. McMicken St.	2028	\$65,000	1 (4)
38	* Hollister Recreation Area	2434 Vine St.	2028	\$0	1(1)
39	Spring Street Recreation Area	1117 Spring St.	2028	\$27,000	1
40	Carll St. Recreation Area	1769 Carll St.	2028	\$47,000	1
41	* Camp Washington Recreation Complex	1201 Stock St.	2028	\$32,000	1
42	Lincoln Recreation Complex	1027 Linn St.	2028	\$50,000	2
43	* Paddock Hills Recreation Area	4359 Reading Rd.	2028	\$48,000	1
44	* Hanna Recreation Area	223 W. McMicken St.	2028	\$75,000	0 (2)
45	Forest-Irving Recreation Area	69 Forest Ave.	2028	\$29,000	1
46	* Price Hill Recreation Complex (bball)	959 Hawthorne Ave.	2028	\$15,000	1
47	* Lang Recreation Area	5998 Robison Rd.	2028	\$64,000	1
48	* St. Clair Recreation Area	2504 Iroquois St.	2028	\$72,000	0 (1)
49	* Bond Hill Recreation Area	1580 Yarmouth Ave.	2030	\$48,000	1
50	Corryville Recreation Complex	2823 Eden Ave.	2030	\$74,000	1
51	* South Fairmount Recreation Area	1685 Queen City Ave.	2030	\$76,000	1 (2)
52	Avondale Recreation Area	870 Blair Ave.	2031	\$63,000	1
53	Rockdale Recreation Area	3480 Harvey Ave.	2031	\$46,000	1 (1)
54	* Ryan Sports Complex	2856 Fischer Pl.	2037	\$48,000	0
55	Carson Covedale Recreation Area	4922 Rapid Run Rd.	2037	\$21,000	0 (0)

Total: \$2,724,000

\*On Cincinnati Park Board Property

Site currently under construction.

The service life of the color coat on a basketball court is every 7 years. Every 14 years a basketball court needs a major renovation.

<b>Outdoor Basketball Budget Year</b>	<b>Totals</b>
2023	\$816,000
2024	\$511,000
2025	\$140,000
2026	\$85,000
2027	\$162,000
2028	\$634,000

**Capital Assessment for Tennis Courts**

	<b>FACILITY NAME</b>	<b>ADDRESS</b>	<b>BUDGET YEAR</b>	<b>ESTIMATED COST</b>	<b># OF COURTS</b>
1	* Mt Echo Recreation Area (4 courts)	383 Elberon Ave.	2023	\$250,000	6
2	* Wayne Recreation Area	3757 Beekman St.	2023	\$159,000	2
3	* Bond Hill Recreation Area	1580 Yarmouth Ave.	2023	\$290,000	4
4	North Avondale Recreation Complex	617 Clinton Springs Ave.	2023	\$115,000	1 (2) ***
5	Lunken Playfield Regional RecPlex (asphalt)	4750 Playfield Ln.	2023	\$771,000	8
6	Ryan Sports Complex	2856 Fischer Pl.	2024	\$145,000	5
7	Madisonville Recreation Complex	5320 Stewart Rd.	2024	\$275,000	2 (2) ***
8	* Losantiville Recreation Area (3 courts)	2501 Reading Rd.	2024	\$125,000	7
9	Mt Airy Recreation Area	2639 Kipling	2024	\$150,000	4 (1)**
10	Oskamp Recreation Area	5652 Glenway Ave.	2025	\$110,000	2
11	Oakley Recreation Complex	3900 Paxton Ave.	2025	\$221,000	3
12	* Lunken Playfield Regional RecPlex (clay)	4750 Playfield Ln.	2025	\$150,000	8
13	* Pleasant Ridge Recreation Complex	5915 Ridge Ave.	2026	\$170,000	5
14	Spring Grove Village Recreation Area	600 Hand Ave.	2026	\$185,000	2
15	Mt Washington Recreation Complex	1715 Beacon St.	2026	\$110,000	2
16	* College Hill Recreation Area	5660 Belmont Ave.	2026	\$73,000	2
17	Withrow Recreation Area	2248 Madison Rd.	2026	\$525,000	8
18	* Dunham Recreation Complex (Add 2 Courts)	1931 Dunham Way	2026	\$283,000	2
19	East Hyde Park Commons Recreation Area	3357 Erie Ave.	2027	\$50,000	3
20	* Avondale Recreation Area	870 Blair Ave.	2028	\$50,000	1
21	* Hollister Recreation Area (2 courts)	2434 Vine St.	2028	\$0	5

Total \$4,157,000

\*On Cincinnati Park Board Property, \*\* (#) Practice Courts, \*\*\* (#) Junior Courts

**Capital Assessment for Bike Polo, Pickleball Courts, Futsal and Mini-Pitch, sand volleyball courts**

	<b>FACILITY NAME</b>	<b>ADDRESS</b>	<b>BUDGET YEAR</b>	<b>ESTIMATED COST</b>	<b># OF COURTS</b>
1	Evans Bike Polo Courts	628 Evans St.	2024	\$78,000	1
2	Dunham Recreation Complex (Sand V-ball)	1931 Dunham Way	2024	\$22,000	2
3	* Price Hill Recreation Complex (Futsal)	959 Hawthorne Ave.	2026	\$93,000	1
4	Oskamp Recreation Area (pickle ball)	5652 Glenway Ave.	2026	\$20,000	2
5	Lang Recreation Area (pickleball only)	5998 Robison Rd.	2026	\$75,000	6
6	Hartwell Recreation Complex (mini pitch)	8275 Vine St.	2026	\$82,000	1
7	* Avondale Recreation Area (pickleball)	870 Blair Ave.	2028	\$25,000	2
8	Lincoln Recreation Complex (mini pitch)	1027 Linn St.	2032	\$65,000	1
9	North Avondale Rec Complex (mini pitch)	617 Clinton Springs Ave.	2034	\$65,000	1

Total \$460,000

Site currently under/tbs construction.

The service life of the color coat on a tennis court is every 7 years. Every 14 years a tennis court needs a major renovation

<b>Tennis Courts Budget Year</b>	<b>TOTAL</b>
2023	\$1,585,000
2024	\$795,000
2025	\$481,000
2026	\$1,534,000
2027	\$50,000
2028	\$75,000

		BUDGET YEAR	ESTIMATED COST
<b>MISCELLANEOUS ATHLETIC RENOVATIONS</b>			
1	Crack Fill, Color Coat Touch Ups (Misc. sport courts)	2023	\$94,000
2	Install new poles, lights and wiring (Misc. Sites)	2023	\$140,000
3	Replace old basketball hoops with new (12 sites)	2023	\$90,000
4	North Avondale Ball Field Access	2023	\$37,000
5	Bond Hill Recreation Area perimeter fencing	2023	\$105,000
6	Paddock and Tennessee perimeter fencing	2023	\$75,000
7	Crack Fill, Color Coat, repairs (Misc. Basketball Cts)	2023	\$89,000
8	Emergencies and Community/Priority Requests	2023	\$100,000
9	Ballfield Amenities	2023	\$35,000
10	* Mt. Airy Ballfield Access Path	2023	\$25,000
11	* Dyer Recreation Area (new Lights)	2023	\$305,000
12	Install ADA Access, Miscellaneous Sites	2023	\$150,000
13	Crack Fill, Color Coat Touch Ups (Misc. Sport Courts)	2023	\$53,000
14	Install new poles, lights and wiring (Misc. Sites)	2023	\$74,000
15	Add Access, Miscellaneous Sites	2023	\$79,000
16	Install synthetic baseball infield (RCF project total cost \$300k)	2023	\$150,000
17	Emergencies and Community/Priority Requests	2024	\$80,000
18	Crack Fill, Color Coat Touch Ups (Misc. Sport Courts)	2024	\$90,000
19	Ballfield Amenities	2024	\$35,000
20	Install new poles, lights and wiring (Misc. Sites)	2024	\$85,000
21	Install ADA Access, Miscellaneous Sites	2024	\$100,000
22	Install synthetic baseball infield (RCF project total cost \$300k)	2024	\$100,000
23	Carson Covedale Recreation Area perimeter fencing	2024	\$85,000
24	Emergencies and Community/Priority Requests	2025	\$80,000
25	Ballfield Amenities	2025	\$35,000
26	Install synthetic/duraedge baseball infield	2025	\$125,000
27	Emergencies and Community/Priority Requests	2026	\$80,000
28	Ballfield Amenities	2026	\$35,000
29	Emergencies and Community/Priority Requests	2027	\$73,000
30	Ballfield Amenities	2027	\$35,000
31	Crack Fill, Color Coat Touch Ups (Misc. Sport Courts)	2027	\$45,000
32	Emergencies and Community/Priority Requests	2028	\$80,000
33	Ballfield Amenities	2028	\$35,000
34	Archery at Dunham	2028	\$100,000
35	* Armleder, Little Miami Soccer Irrigation Pump	2028	\$78,000
36	Crack Fill, Color Coat Touch Ups (Misc. Sport Courts)	2028	\$55,000
37	Evans (Warsaw Federal) Skate Park	2032	\$73,500
38	* Oakley Recreation Complex (New Lights)	2032	\$346,000
39	* Schmidt Sports Complex (New Lights)	2036	\$525,000
40	* Salway Sports Complex (Lights)	2037	\$309,750
41	Oskamp Recreation Area (Add Lights)	2037	\$341,250
42	* Riverside Sports Complex (new Lights)	2037	\$47,500
		Total:	\$4,675,000

\*On Cincinnati Park Board Property

Miscellaneous Athletics Budget Year	TOTALS
2023	\$1,601,000
2024	\$575,000
2025	\$240,000
2026	\$115,000
2027	\$153,000
2028	\$348,000

**Athletic Facilities Yearly Combined Budget**

Athletic Facilities Budget Year	TOTALS
2023	\$6,156,000
2024	\$2,609,000
2025	\$2,093,000
2026	\$1,938,000
2027	\$1,054,000
2028	\$1,624,000
<b>6 Year Total:</b>	<b>\$15,474,000</b>

### Capital Assessment for Playgrounds and Recreation Areas w/o Playgrounds

	FACILITY NAME	ADDRESS	CAPITAL RENOVATION YEAR	ESTIMATED CAPITAL COST
1	McMicken and Klotter Recreation Area	510 West McMicken Ave.	2023	\$95,000
2	* Dyer Recreation Area	2124 Freeman Ave.	2023	\$145,000
3	* Bond Hill Recreation Area	1580 Yarmouth Ave.	2023	\$135,000
4	* Spring Grove Recreation Area	600 Hand Ave.	2023	\$136,000
5	DeHart Recreation Area	3013 Mathers St.	2023	\$125,000
6	North Avondale Recreation Complex	617 Clinton Springs Ave.	2023	\$179,000
7	Schwarz Recreation Area	2197 May St.	2023	\$110,000
8	Burnet Recreation Area	2094 Burnet Ave.	2023	\$85,000
9	Oskamp Recreation Area	5652 Glenway Ave.	2023	\$156,000
10	Park and Myrtle Recreation Area	2712 Park Ave.	2023	\$105,000
11	Findlay Old Recreation Area	1822 Elm St.	2023	\$140,000
12	Carson Covedale Recreation Area	4922 Rapid Run Ave.	2023	\$146,000
13	* Boldface Recreation Area	3100 River Rd.	2023	\$135,000
14	Findlay New Recreation Area	1823 Vine St.	2023	\$250,000
15	Haven Recreation Area	3589 Haven St.	2023	\$111,000
16	* Linwood Hutton Recreation Area	3710 Hutton St.	2023	\$145,000
17	Moorman Recreation Area	2611 Moorman Ave.	2023	\$116,000
18	Avondale Recreation area	870 Blair Ave.	2023	\$189,000
19	* Riverside Sports Complex	3540 Southside Ave.	2024	\$163,000
20	* Ashland Recreation Area	2810 Ashland Ave.	2024	\$115,000
21	Colerain and Shepherd Recreation Area	5277 Shepherd Rd.	2024	\$115,000
22	Hartwell Recreation Area	98 Ferndale Ave.	2024	\$146,000
23	Lunken Playfield Recreation Complex - L.O.M.B.	4750 Playfield Ln.	2024	\$365,000
24	Corryville Recreation Complex	2823 Eden Ave.	2024	\$158,000
25	Glendora Recreation Area	3299 Glendora Ave.	2024	\$95,000
26	Nassau and St. James Recreation Area	960 Nassau St.	2024	\$105,000
27	Madisonville Recreation Complex	5320 Stewart Ave.	2024	\$115,000
28	Henrienne Recreation Area	3571 McHenry Ave.	2024	\$136,000
29	Rockdale Recreation Area	3480 Harvey Ave.	2024	\$138,000
30	Linwood Russell Recreation Area	4932 Eastern Ave.	2024	\$63,000
31	Hartwell Recreation Complex	8275 Vine St.	2024	\$162,000
32	Ebersole Recreation Center	5701 Kellogg Ave.	2024	\$85,000
33	* College Hill Recreation Area	5660 Belmont Ave.	2024	\$157,000
34	Hendy Recreation Area	977 Woodbriar Ln.	2024	\$135,000
35	Rakestraw Recreation Area	217 Stanley Ave.	2025	\$94,000
36	* North Fairmount Recreation Area	1702 Carll St.	2025	\$145,000
37	Cornuelle Recreation Area	6505 Desmond Ave.	2025	\$111,000
38	Hannaford Recreation Area	4445 Mellwood Ave.	2025	\$136,000
39	East Hyde Park Commons Recreation Area	3357 Erie Ave.	2025	\$175,000
40	* Pleasant Ridge Recreation Complex (1000 hands)	5915 Ridge Ave.	2025	\$200,000
41	Dunham Regional RecPlex (1000 hands)	4356 Dunham Ln.	2025	\$220,000
42	Sayler Park Recreation Area	6607 Hillside Ave.	2026	\$165,000
43	Lunken Playfield Regional RecPlex- Spirit of '76	4750 Playfield Ln.	2026	\$315,000
44	Forest and Irving Recreation Area	69 Forest Ave.	2026	\$111,000
45	* Hanna Recreation Area	223 West McMicken St.	2026	\$139,000
46	* Lang Recreation Area	5998 Robison Rd.	2026	\$128,000
47	* Rapid Run Recreation Area	4545 Rapid Run Pk.	2026	\$140,000
48	* Price Hill (Dempsey Field)	959 Hawthorne Ave.	2026	\$29,000
49	* Fairview Recreation Area	2219 Ravine St.	2026	\$174,000
50	Zinsle Recreation Area	3750 Zinsle Ave.	2026	\$93,000
51	Martin Luther King Jr. Recreation Area	630 Glenwood Ave.	2026	\$147,000

Playgrounds

Cincinnati Recreation Commission

December 2021

52	* Kennedy Heights Recreation Area	6425 McHugh St.	2026	\$102,000
53	Lincoln Recreation Complex	1027 Linn St.	2026	\$85,000
54	* Schmidt Sports Complex	250 Saint Peters St.	2026	\$165,000
55	Paddock and Tennessee Recreation Area	1001 Tennessee St.	2026	\$155,000
56	* Armleder, Little Miami Recreation Complex	5057 Wooster Pk.	2026	\$185,000
57	* Wayne Recreation Area	3757 Beekman St.	2026	\$159,000
58	Wulsin Recreation Area	2270 Dana Ave.	2026	\$120,000
59	Milton and Boal Recreation Area	411 Boal St.	2026	\$85,000
60	Daniel Recreation Area	1128 Groesbeck Rd.	2027	\$128,000
61	* Laurel Recreation Area	1543 John St.	2027	\$145,000
62	* Coy Marshall Recreation Area	2888 Marshall Ave.	2027	\$142,000
63	Carmalt Recreation Area	520 Carmalt St.	2027	\$105,000
64	* Bramble Recreation Area	6395 Bramble Ave.	2027	\$160,000
65	* Filson Recreation Area	461 Ringgold Ave.	2027	\$115,000
66	Carthage Recreation Area	255 West Seymour Ave.	2027	\$105,000
67	Dunham Regional RecPlex (Rec Center)	4356 Dunham Ln.	2028	\$110,000
68	* Evanston Recreation Area	3560 Evanston Ave.	2028	\$130,000
69	Price Hill Recreation Complex (Daycare)	959 Hawthorne Ave.	2028	\$62,000
70	* LeBlond Regional RecPlex	2335 Riverside Dr.	2028	\$345,000
71	Rice Recreation Area	2229 Rice St.	2028	\$105,000
72	* Camp Washington Recreation Complex	1201 Stock St.	2028	\$126,000
73	* Olden Recreation Area	3446 Warsaw Ave.	2028	\$175,000
74	* Roselawn Sports Complex	2026 Seymour Ave.	2029	\$172,000
75	McKie Recreation Complex	1655 Chase Ave.	2029	\$75,000
76	Queensgate Recreation Area	707 West Court St.	2029	\$125,000
77	Spring Street Recreation Area	1117 Spring St.	2029	\$105,000
78	Caldwell Sports Complex	316 West North Bend Rd.	2029	\$118,000
79	Massachusetts Recreation Area	2900 Massachusetts Ave.	2029	\$49,000
80	Millvale Recreation Complex	3303 Beekman St.	2029	\$65,000
81	* Grant Recreation Area	65 East McMicken St.	2029	\$175,000
82	Lower Price Hill Recreation Area	2122 Hatmaker St.	2029	\$105,000
83	* Oakley Recreation Complex	3900 Paxton Ave.	2030	\$275,000
84	Walnut Hills Recreation Area	1507 Jonathan Ave.	2031	\$101,000
85	Chase and Fergus Recreation Area	1503 Chase Ave.	2031	\$137,000
86	Evans Recreation Area	628 Evans St.	2031	\$105,000
87	* Ryan Sports Complex	2856 Fischer Pl.	2031	\$194,000
88	Hawkins Recreation Area	1884 Hawkins	2034	\$194,000
89	Evanston Recreation Complex Nature Scape	3225 Hackberry	2034	\$168,000
90	* Salway Sports Complex	4530 Spring Grove Ave.	2034	\$135,000
91	Price Hill Recreation Complex (by center)	959 Hawthorne Ave.	2034	\$150,000
92	Hirsch Recreation Complex	3630 Reading Rd.	2034	\$160,000
93	Winton Hills Recreation Complex (Add new 5-12)	5170 Winneste Ave.	2034	\$143,000
94	* St. Clair Recreation Area	2504 Iroquois St.	2034	\$125,000
95	Evanston Recreation Complex	3204 Woodburn Ave.	2034	\$155,000
96	* South Fairmount Recreation Area	1685 Queen City Ave.	2037	\$280,000
			Total:	\$23,798,000

\*On Cincinnati Park Board Property

Playgrounds need to receive a minor renovation every 10 years and a major renovation every 15 years.

Site currently under/planned construction.

Playground Budget Year	Totals
2023	\$2,503,000
2024	\$2,253,000
2025	\$1,081,000
2026	\$2,497,000
2027	\$900,000
2028	\$1,053,000

## Capital Assessment for Shelter Buildings

	<b>SHELTER FACILITY NAME</b>	<b>ADDRESS</b>	<b>BUDGET YEAR</b>	<b>ESTIMATED COST</b>
1	* Boldface Recreation Area	3100 River Rd.	2023	\$300,000
2	* Schmidt Sports Complex	250 Saint Peters St.	2023	\$70,000
3	* Oyler Recreation Area	2125 Storrs St.	2023	\$70,000
4	Lunken Playfield Regional RecPlex (L.O.M.B.)	4750 Playfield Ln.	2023	\$69,000
5	* Ryan Sports Complex (gazebo)	2856 Fischer Pl.	2023	\$23,000
6	Caldwell Sports Complex	316 West North Bend Rd.	2024	\$43,000
7	* Hanna Recreation Area	223 West McMicken St.	2024	\$30,000
8	Madisonville Recreation Complex (ADD)	5320 Stewart Ave.	2024	\$85,000
9	Lunken Playfield Regional RecPlex (Open Shelter)	4750 Playfield Ln.	2025	\$83,000
10	Lunken Playfield Regional RecPlex (Spirit of '76)	4750 Playfield Ln.	2025	\$72,000
11	* Wayne Recreation Area (2)	3757 Beekman St.	2026	\$50,000
12	* Armleder, Little Miami Sports Complex	5057 Wooster Pk.	2026	\$85,000
13	* North Fairmount Recreation Area (2)	1702 Carll St.	2027	\$85,000
14	Dunham Miracle Field	4356 Dunham Ln.	2027	\$25,000
15	Dunham Miracle Field Pavilion	4356 Dunham Ln.	2027	\$39,000
16	Lower Price Hill Recreation Area	2122 Hatmaker St.	2027	\$35,000
17	* Riverside Sports Complex	3540 Southside Ave.	2028	\$55,000
18	* College Hill Recreation Area	5660 Belmont Ave.	2028	\$45,000
19	* Bramble Recreation Area (lower)	6395 Bramble Ave.	2028	\$73,000
20	* Oakley Recreation Complex	3900 Paxton Ave.	2028	\$35,000
21	* Roselawn Sports Complex	2026 Seymour Ave.	2030	\$85,000
22	Carson Covedale Recreation Area	4922 Rapid Run Ave.	2031	\$17,000
23	* Bramble Recreation Area (upper)	6395 Bramble Ave.	2031	\$62,000
24	* South Fairmount Recreation Area (2)	1685 Queen City Ave.	2034	\$28,000
25	Evans Recreation Area	628 Evans St.	2036	\$56,000
26	* Riverside Sports Complex (Stowe fld)	3540 Southside Ave.	2038	\$25,000
27	Dunham Recreation Complex (1000 Hands)	4356 Dunham Ln.	2038	\$110,000
28	* Olden Recreation Area (new added)	3446 Warsaw Ave.	2038	\$30,000
29	Wulsin Recreation Area	2270 Dana Ave.	2042	\$89,000
30	North Avondale Recreation Complex	617 Clinton Spring Ave.	2042	\$82,000
31	* Evanston Recreation Area	3560 Evanston Ave.	2042	\$75,000

Total \$1,785,000

\*On Cincinnati Park Board Property

<b>Shelters Budget Year</b>	<b>TOTAL</b>
2023	\$532,000
2024	\$158,000
2025	\$155,000
2026	\$135,000
2027	\$184,000
2028	\$208,000
	<b>\$1,372,000</b>

**Capital Assessment for Trails**

	<b>FACILITY NAME</b>	<b>ADDRESS</b>	<b>LENGTH (MILES)</b>	<b>BUDGET YEAR</b>	<b>ESTIMATED COST</b>
1	* LeBlond Recreation Complex (connect trails)	2335 Riverside Dr.	0.25	2023	\$145,000
2	* Kennedy Heights Recreation Area	6425 McHugh Street	0.26	2023	\$68,000
3	* Oakley Recreation Complex	3900 Paxton Avenue	0.35	2023	\$55,000
4	* Armleder, Little Miami Sports Complex	5057 Wooster Pike	2	2023	\$145,000
5	* Schmidt Sports Complex	205 St. Peters St.	0.55	2023	\$55,000
6	* Turkey Ridge Recreation Area	3449 Humbert Ave.	0.27	2024	\$45,000
7	Madisonville Recreation Complex	5320 Stewart Avenue	0.27	2024	\$15,000
8	* Salway Sports Complex	4530 Spring Grove Avenue	0.52	2026	\$65,000
9	* Evanston Recreation Area	3560 Evanston Avenue	0.33	2027	\$30,000
10	Price Hill Recreation Complex	959 Hawthorne Avenue	0.06	2028	\$15,000
11	Hawkins Recreation Area	1884 Hawkins Ave.	0.125	2028	\$20,000
12	<b>Dunham Regional RecPlex</b>	4356 Dunham Lane	1.5	2030	\$150,000
13	* Roselawn Sports Complex fitness trail	2026 Seymour Ave.	0.25	2035	\$65,000
14	* Ryan Memorial Sports Complex	3324 Meyer Place	0.52	2035	\$151,000
15	Evans Recreation Area	628 Evans St.	0.09	2036	\$15,000
16	Wayne Recreation Area	3757 Beekman Avenue	0.14	2038	\$25,000
17	Hirsch Recreation Complex	3630 Reading Road	0.33	2038	\$45,000
18	* Riverside ORT West	3540 Southside Ave.	0.42	2038	\$55,000
19	St. Clair Recreation area	2504 Iroquois St.	0.2	2040	\$75,000
20	Lunken Playfield Regional RecPlex*	4750 Playfield Lane	5.5		\$0
			13.9	Total:	\$1,239,000

\*On Cincinnati Park Board Property  
Lunken Trail Capital and Maint now by Great Parks\*

<b>Trails Budget Year</b>	<b>TOTAL</b>
2023	\$468,000
2024	\$60,000
2025	\$0
2026	\$65,000
2027	\$30,000
2028	\$35,000



## Capital Assessment for Pavement

	FACILITY NAME	ADDRESS	BUDGET YEAR	ESTIMATED COST	SIZE OF LOT
1	* Pleasant Ridge Recreation Complex (North)	5915 Ridge Avenue	2023	\$78,000	Small
2	Dunham Regional RecPlex (Roads)	4356 Dunham Lane	2023	\$166,000	Large
3	St. Clair Recreation Area (1)	2504 Iroquois Street	2023	\$25,000	small
4	West Fork Recreation Area	1558 West Fork Road	2023	\$125,000	Large
5	* Boldface Recreation Area- Driveway/add lot	3100 River Road	2023	\$140,000	Small
6	* Schmidt Sports Complex	250 Saint Peters Street	2023	\$315,000	Large
7	Wayne Recreation Area	3757 Beekman Street	2023	\$133,000	Medium
8	* Pleasant Ridge Recreation Complex (South)	5915 Ridge Avenue	2023	\$95,000	Medium
9	Dunham Regional RecPlex (Center) (2)	4356 Dunham Lane	2023	\$122,000	Medium
10	Colerain and Shepherd Recreation Area	5277 Shepherd Road	2023	\$72,000	Small
11	* Salway Sports Complex - rec area	4530 Spring Grove Avenue	2023	\$166,000	Medium
12	Kellogg Recreation Area (West)	4645 Kellogg Avenue	2023	\$45,000	Small
13	Oskamp Recreation Area	5652 Glenway Avenue	2023	\$100,000	Small
14	Rapid Run Recreation Area	4545 Rapid Run Pike	2024	\$43,000	Small
15	Dunham Regional RecPlex (Miracle Field Lot)	4356 Dunham Lane	2024	\$28,000	Small
16	West Maintenance- Dunham Lot	1931 Dunham Way	2024	\$125,000	Medium
17	* Armleder, Little Miami Sports Complex (parking lots)	5057 Wooster Pike	2024	\$285,000	Large
18	Lunken Playfield Regional RecPlex (LOMB)	4750 Playfield Lane	2024	\$166,000	Large
19	Lunken Playfield Regional RecPlex (Spirit of '76)	4750 Playfield Lane	2024	\$155,000	Large
20	Sayler Park Recreation Complex	6720 Home City Avenue	2024	\$116,000	Medium
21	Central Region Maintenance Facility	1955 Losantiville Avenue	2024	\$85,000	Small
22	* Sacred Heart Recreation Area	607 Lafayette Avenue	2024	\$72,000	Small
23	Dunham Regional RecPlex (Playground)	4356 Dunham Lane	2025	\$138,000	Large
24	Sayler Park Recreation Area	6607 Hillside Avenue	2025	\$78,000	Small
25	Dunham Regional RecPlex (Aquatics)	4356 Dunham Lane	2025	\$125,000	Large
26	College Hill Recreation Center	5545 Belmont Avenue	2025	\$130,000	Medium
27	* Riverside Sports Complex	3540 Southside Avenue	2025	\$188,000	Large
28	Madisonville Recreation Complex	5320 Stewart Avenue	2025	\$146,000	Large
29	Lunken Playfield Regional RecPlex (Playfield Ln, Tennis)	4750 Playfield Lane	2025	\$76,000	Large
30	Hartwell Recreation Complex (1)	8275 Vine Street	2025	\$101,000	Medium
31	Mt. Washington Recreation Complex	1715 Beacon Street	2026	\$173,000	Large
32	Bush Recreation Complex (main lot)	2640 Kemper Lane	2026	\$66,000	Small
33	Bush Recreation Complex (lower lot)	2640 Kemper Lane	2026	\$20,000	Small
34	* Coy Marshall Recreation Area	2888 Marshall Avenue	2026	\$67,000	Small
35	Winton Hills Recreation Complex	5170 Winneste Avenue	2026	\$133,000	Large
36	Carson Covedale Recreation Area	4922 Rapid Run Avenue	2026	\$100,000	Medium
37	Hendy Recreation Area (Activity Court)	977 Woodbriar Ln.	2027	\$20,000	Small
38	Lincoln Recreation Complex	1027 Linn Street	2027	\$122,000	Large
39	* Mt. Airy Recreation Area	2639 Kipling	2027	\$132,000	Medium
40	Ebersole Recreation Center	5701 Kellogg Avenue	2027	\$56,000	Small
41	* Linwood Hutton Recreation Area	3710 Hutton Street	2027	\$87,000	Small
42	Clifton Recreation Center	320 McAlpin Avenue	2027	\$75,000	Medium
43	* Roselawn Sports Complex (Eastlawn Dr.)	2026 Seymour Avenue	2027	\$72,000	Medium
44	Paddock and Tennessee Recreation Area	1001 Tennessee Street	2027	\$72,000	Small
45	* Ryan Sports Complex	2856 Fischer Place	2027	\$174,000	Large
46	Sherman Recreation Area	1501 Sherman Avenue	2028	\$61,000	Small
47	St. Rose Recreation Area (add spots)	2501 Riverside Drive	2028	\$44,000	Small
48	* Hollister Recreation Area	2434 Vine Street	2028	\$61,000	Small
49	Mt. Auburn Recreation Area	270 Southern Avenue	2028	\$38,000	Small
50	* Spring Grove Village Recreation Area	600 Hand Avenue	2028	\$56,000	Small
51	* Paddock Hills Recreation Area	4359 Reading Road	2028	\$50,000	Small
52	Hartwell Recreation Complex (street lot)	8281 Vine St	2028	\$30,000	small
53	Madisonville Recreation Complex (Luhn)	5491 Luhn Avenue	2029	\$45,000	Small
54	* Armleder, Little Miami Sports Complex (main roads)	5057 Wooster Pike	2029	\$125,000	Large
55	Avondale Recreation Area	870 Blair Avenue	2030	\$78,000	Small
56	Rakestraw Recreation Area	217 Stanley Avenue	2030	\$50,000	Small
57	Evanston Recreation Area	3560 Evanston Avenue	2030	\$34,000	Small
58	Evanston Recreation Complex (2)	3204 Woodburn Avenue	2030	\$105,000	Medium

59	*	LeBlond Regional RecPlex	2335 Riverside Drive	2031	\$155,000	Large
60	*	Bramble Recreation Area	6395 Bramble Avenue	2031	\$116,000	Small
61		Caldwell Sports Complex	316 West North Bend Road	2031	\$145,000	Large
62	*	Salway Sports Complex - trail head lot	4530 Spring Grove Avenue	2032	\$120,000	Small
63		Daniel Recreation Area	1128 Groesbeck Road	2032	\$83,000	Small
64		Kellogg Recreation Area (East)	4645 Kellogg Avenue	2032	\$122,000	Large
65	*	Camp Washington Recreation Complex	1201 Stock Street	2033	\$72,000	Small
66	*	Turkey Ridge Recreation Area	3449 Humbert Avenue	2033	\$28,000	Small
67		Price Hill Recreation Complex	959 Hawthorne Avenue	2033	\$155,000	Medium
68	*	Lang Recreation Area	5998 Robison Road	2033	\$67,000	Small
69		North Avondale Recreation Complex	617 Clinton Springs Avenue	2034	\$105,000	Medium
70		Lunken Playfield Regional RecPlex (entrance lot)	4750 Playfield Lane	2035	\$199,000	Large
71	*	College Hill Recreation Area	5660 Belmont Avenue	2035	\$94,000	Medium
72	*	Roselawn Sports Complex	2026 Seymour Avenue	2036	\$185,000	Large
73	*	Oakley Recreation Complex (pool)	3900 Paxton Avenue	2036	\$144,000	Medium
74		Corryville Recreation Complex	2823 Eden Avenue	2037	\$153,000	Medium
75	*	South Fairmount Recreation Area (2)	1685 Queen City Boulevard	2038	\$75,000	Small
76		California Recreation Area	130 Renslar Ave.	2038	\$39,000	Small
77		Evans Recreation Area	628 Evans Street	2038	\$61,000	Small
78		Hartwell Recreation Complex (Armory)	68 Shadybrook Dr.	2038	\$111,000	Medium
79		Over The Rhine Recreation Center (CMHA)	1715 Republic Street	2038	\$45,000	Small
80		Over The Rhine Center/Boxing	1715 Republic Street	2038	\$125,000	Small
81		Hirsch Recreation Complex	3630 Reading Road	2038	\$125,000	Small
82	*	Bond Hill Recreation Area	1580 Yarmouth Avenue	2038	\$45,000	Medium
83	*	St. Clair Recreation Area (1)	2504 Iroquois Street	2039	\$166,000	Medium
84		McKie Recreation Complex	1655 Chase Avenue	2039	\$65,000	Small
84		Quebec Recreation Area	1659 Ross Avenue	2038	\$0	Small

\*On Cincinnati Park Board Property

Site currently under construction.

<u>Pavement Budget Year</u>	<u>Totals</u>
2023	\$1,582,000
2024	\$1,075,000
2025	\$982,000
2026	\$559,000
2027	\$810,000
2028	\$340,000
	<u>\$5,348,000</u>

**Capital Assessment for Miscellaneous Pavement**

<b>MISCELLANEOUS PAVEMENT RENOVATIONS</b>		<b>BUDGET YEAR</b>	<b>ESTIMATED COST</b>
1	Pothole Repairs at Miscellaneous Lots	2023	\$71,000
2	Sitework, Resealing, and Restriping Miscellaneous Lots	2023	\$250,000
3 *	Asphalt parking lot for Losantiville Recreation Area	2023	\$140,000
4	Asphalt access road for baseball fields at Mt. Airy	2023	\$26,000
5	Asphalt/curb repairs to Dunham Way	2023	\$35,000
6	Pothole Repairs at Miscellaneous Lots	2024	\$45,000
7	Sitework, Resealing, and Restriping Miscellaneous Lots	2024	\$120,000
8	Sitework, Resealing, and Restriping Miscellaneous Lots	2025	\$120,000
9	Sitework, Resealing, and Restriping Miscellaneous Lots	2026	\$100,000
10	Sitework, Resealing, and Restriping Miscellaneous Lots	2027	\$100,000
11	Sitework, Resealing, and Restriping Miscellaneous Lots	2028	\$100,000
12	Evanston Recreation Complex Pervious Pavement	2028	\$18,000
		Total:	\$1,125,000

<b>Miscellaneous Pavement</b>	
<b>Budget Year</b>	<b>TOTAL</b>
2023	\$522,000
2024	\$165,000
2025	\$120,000
2026	\$100,000
2027	\$100,000
2028	\$118,000

**Miscellaneous Capital Assessment for Outdoor Facilities**

	<b>MISCELLANEOUS OUTDOOR RENOVATIONS</b>	<b>BUDGET YEAR</b>	<b>ESTIMATED COST</b>
1	Site Amenities	2022	\$50,000
2	Emergencies and Community/Priority Requests	2022	\$70,000
3	Site Signage	2022	\$100,000
4	Wall repairs - several sites.	2022	\$135,000
5	New Findlay Recreation Area renovations	2022	\$250,000
6	East Hyde Park site drainage improvements	2022	\$65,000
7	Sayler Park drainage corrections	2022	\$15,000
8	Sayler park remove vacated bldg.	2022	\$18,000
9	Reinstall a playground at Winton Hills	2022	\$33,000
10	Wayne Recreation Area - community requests	2022	\$30,000
11	Fencing replacement at various sites	2022	\$225,000
12	Salway Bridge Repairs	2022	\$23,000
13	Lunken Playfield Putt Putt Area	2022	\$15,000
14	Stainless Steel Slide Replacements (3)	2022	\$18,000
15	Hawkins Recreation Area - add drinking fountain	2022	\$18,000
16	* Riverside Boat Docks	2022	\$50,000
17	* Bramble Recreation Area creek bank erosion repairs	2022	\$28,000
18	* Dyer Outfield/alley Wall Renovation	2022	\$45,000
19	Install ADA Access, Miscellaneous Sites	2022	\$65,000
20	Oakley Recreation Complex stairs to trail	2022	\$75,000
21	LeBlond NEOS repairs	2022	\$8,000
22	Site Amenities	2023	\$20,000
23	Emergencies and Community/Priority Requests	2023	\$70,000
24	Site Signage	2023	\$100,000
25	Fencing replacement at various sites	2023	\$125,000
26	Install ADA Access, Miscellaneous Sites	2023	\$50,000
27	Site Amenities	2024	\$50,000
28	Site Signage	2024	\$75,000
29	Emergencies and Community/Priority Requests	2024	\$70,000
30	Site Amenities	2025	\$50,000
31	Site Signage	2025	\$30,000
32	Emergencies and Community/Priority Requests	2025	\$70,000
33	Site Amenities	2026	\$50,000
34	Site Signage	2026	\$25,000
35	Emergencies and Community/Priority Requests	2026	\$70,000
36	Site Amenities	2027	\$50,000
37	Site Signage	2027	\$25,000
38	Wall repairs - several sites.	2027	\$60,000
39	Emergencies and Community/Priority Requests	2027	\$70,000
40	Ryan NFL Challenge course	2033	\$175,000
41	* Roselawn outdoor exercise equipment	2036	\$63,000
42	* Olden outdoor exercise equipment	2036	\$75,000
43	Wayne Recreation Area Restroom building	2042	\$42,000
44	Dunham outdoor restroom facility	2042	\$45,000
45	Imagination Alley	2042	\$0
46	Republic Senior Haven	2042	\$0
47	Twelfth and Broadway Recreation Area	2042	\$0
		<b>Total:</b>	<b>\$2,796,000</b>

\*On Cincinnati Park Board Property

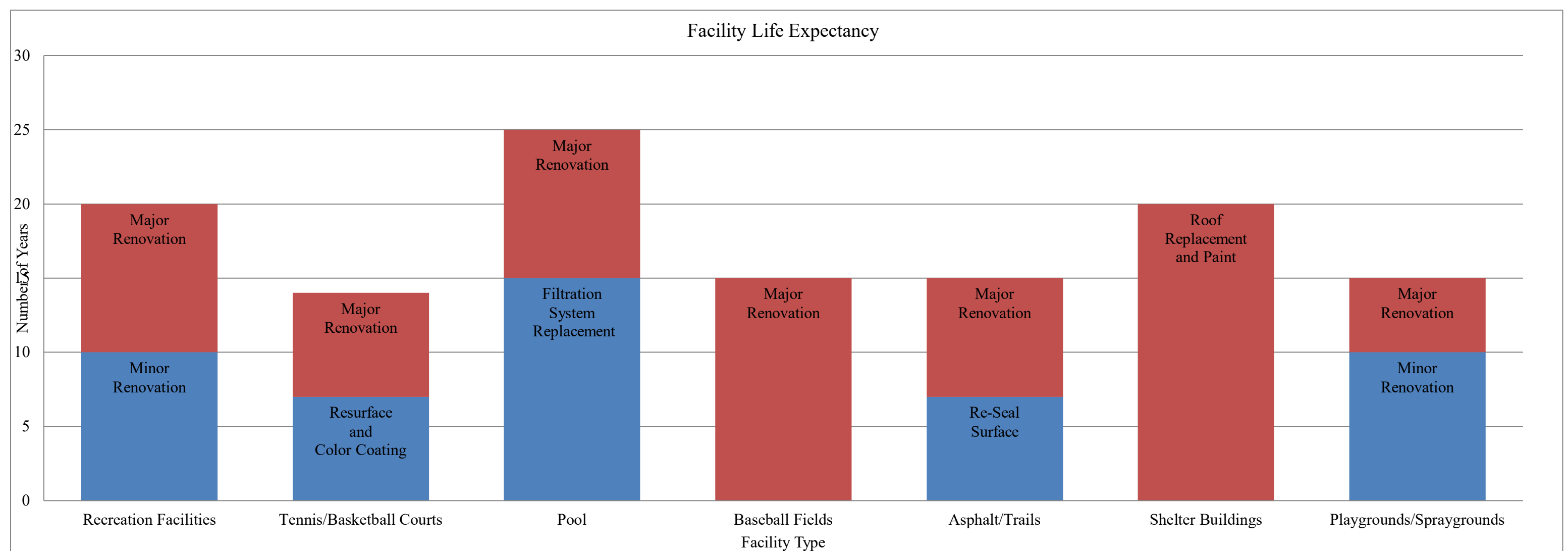
<b>Miscellaneous Outdoor</b>	
<b>Budget Year</b>	<b>TOTALS</b>
2023	\$1,336,000
2024	\$365,000
2025	\$195,000
2026	\$150,000
2027	\$145,000
2028	\$205,000

**Outdoor Facilities Yearly Combined Budget**

<b>Outdoor Facilities Budget Year</b>	<b>TOTALS</b>
2023	\$6,943,000
2024	\$4,076,000
2025	\$2,533,000
2026	\$3,506,000
2027	\$2,169,000
2028	\$1,959,000
	<b>\$21,186,000</b>

**Facility Life Expectancy**

	<b>Minor Renovation</b>	<b>Major Renovation</b>
Recreation Facilities	10	10
Tennis/Basketball Courts	7	7
Pool	15	10
Baseball Fields		15
Asphalt/Trails	7	8
Shelter Buildings		20
Playgrounds/Spraygrounds	10	5



**CPB - Priority Deferred Maintenance Projects 9.23.2022**

Rank	Park	District	Neighborhood	Proposed Project	Budget	Comments
1	Smale Riverfront Park	WATERFRONT	Downtown	Smale Rivers Edge	\$ 3,000,000	Significant (6+ feet) of erosion is occurring along the river edge at the west end of CPB-controlled property. Discussion is already underway with the USACE to armor the riverfront with a hard edge. Properly completed, this project will cost in excess of \$15,000, with matching, funding and grant potential to close funding gaps. All funding allotted to this effort will be used for armoring of the river edge.
2	Fairview Park	WEST	CUF	Overlook Stabilization	\$ 750,000	Parks is awaiting the results of August 2022 geotechnical borings to inform the next steps in design and stabilization of these historic overlooks. All funding allotted to this effort would be placed toward stabilization, erosion control and restoration of these overlooks.
3	California Woods	EAST	California	Additional Stream Restoration Funding beyond FY23	\$ 2,000,000	This project will focus on the sustainable stabilization of the tributaries and stream within California Woods that are eroding with the more recent intensified rainfall events. The tributary and stream armoring and repairs will inform the remaining road stabilization work to ensure the preserve remains accessible from Kellogg Avenue.
4	Bellevue Park	CENTRAL	CUF	Pavilion / Park Sliding Renovation	\$ 2,250,000	The historic Bellevue Pavilions are beginning to slide, and need to be properly stabilized. The loop road will be isolated from illegal car parking via removable bollards. The pavilion floor will be stabilized and the grade lowered to reduce people climbing on and defacing the historic the concrete overhangs. Accessible parking features will be added to ensure inclusive enjoyment of the overlook.
5	McEvoy Park	WEST	College Hill	Safety, Circulation, Pavilion and Playground	\$ 1,500,000	The wide roadway and loop configuration make this park a haven for drug trafficking and other nefarious use that prevent other from enjoying the park. The intent of this project will be to narrow and constrict the loop road from vehicle traffic, install an overdue new playground with safety buffers, install fencing and strategic plantings to activate the park, protect and separate amenities and promote safety.
6	Mt. Echo Park	DISTRICT 1	East Price Hill	Pavilion Restoration (Under Design)	\$ 2,000,000	Several drainage and degradation issues at the pavilion exist, that if not dealt with soon will shortly lead to much more significant maintenance challenges. Pavilion and drainage remedies are currently under design. This work will include accessibility improvements to the pavilion.
7	Glenway Park	WEST	East Price Hill	Invasives Removal, Playground Replacement	\$ 300,000	The invasive species that have grown along the eastern and western park edges seclude the majority of the park from sight. The playground is also in need of replacement. Under this project, the invasive species will be removed and playground will be replaced to promote safe, visible use of the space.
8	Ault Park	EAST	Hyde Park	Cascade Restoration	\$ 2,500,000	The historic cascades below the Ault Pavilion are in need of a full restoration in the next three years prior to significant failure and limestone degradation. The recirculating pumping system and associated appurtenances also need replaced and reconfigured to be more environmentally sustainable.

<b>Sum of Priority Maintenance Projects:</b>	<b>\$ 14,300,000</b>
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**ATTACHMENT C**

**Neighborhood Capital Proposed RFP Process**

**2022 Catalytic Neighborhood Capital Investment Program**

**Description:** This new program will provide resources for catalytic projects within the City’s neighborhoods. Projects funded through this program are evaluated based on their ability to create a catalytic impact to stabilize and revitalize neighborhoods.

**Funding Awards:** Recommendations for funding awards are determined based on the project’s needs, total project costs, the strategic priorities and scoring methodology outlined below, and funding availability. Projects may be awarded:

- Funding up to 25% of the total project costs and at a maximum not to exceed \$2 Million.
- Funds contributing towards expenditures (e.g. hard construction costs).

Also, the project must show it would not be financially feasible if limited to only real estate tax incentives or other available DCED programs.

**Strategic Priorities:** The following strategic priorities will be weighed in making funding recommendations:

- Priority will be given for projects based in neighborhoods that have historically received less investment as compared to other City neighborhoods.
- Priority will be given to projects that include a substantial amount of investment in real estate development relative to the average real estate development in the neighborhood surrounding the project.
- Priority will be given to projects that can show demonstrated ability to commence construction in the 18 months following a City contract.
- Resources will be further targeted to viable, market-driven, and mixed-use development in Strategic Investment Areas and Neighborhood Revitalization Strategy Areas, listed here:

**Strategic Investment Areas**

**NRSA (Strategy Area)**

Avondale NRSA  
Bond Hill NRSA  
Camp Washington NRSA  
College Hill NRSA  
Empowerment Zone  
Laurel Homes and Lincoln Court  
Walnut Hills NRSA  
Madisonville NRSA

**CDBG Local Target Area**

East Price Hill  
Avondale  
West Price Hill  
Westwood  
Lower Price Hill  
Walnut Hills  
College Hill  
Madisonville



South Cumminsville / Millvale NRSA	Bond Hill
Lower Price Hill NRSA	Evanston
East and West Price Hill NRSA	Over-the-Rhine
English Woods NRSA	South Cumminsville
Mt. Airy NRSA	Millvale
North Fairmount NRSA	West End
South Fairmount NRSA	
Roselawn NRSA	
Winton Hills NRSA	

**Scoring Criteria: (100 points total)** – Note point totals are for preliminary discussion purposes and will be weighed in conjunction with how a project meets the strategic priorities above:

1. **Neighborhood Impact (~20 points)**
  - a. Project meets a goal or major need identified in the neighborhood plan and/or community vision plan.
  - b. Project has a demonstrated ability to reactivate additional sites within a two-block radius and serves as a neighborhood revitalization catalyst.
2. **Benefit to Strategic Investment Areas (~20 points):**
  - a. Project impacts Low/Mod job creation, Low/Mod area benefit, or the removal of Slum and Blight.
  - b. Creates a benefit to a NRSA or CDBG local target area, listed above.
3. **Job Creation (5 points):**
  - a. Project directly results in verifiable job creation or retention.
4. **Community Support (20 points):**
  - a. Project demonstrates community support and has written confirmation from, but not limited to, community council, business association, community development corporation, and other stakeholders.
5. **Project Scope and Budget (~10 points):**
  - a. Applicant clearly explains the work needed to complete the project.
  - b. Applicant has outlined a thorough and reasonable budget with line items verified through quotes and bids.
  - c. Project ready to start construction within 18 months from City contract
6. **Private Leverage (~10 points):** Budget demonstrates direct (project specific) private leverage.
  - a. Amount of committed funding in place.
  - b. Applicant has explained a funding strategy that at least 75% of other funds are or will be committed to the project.
  - c. Private leverage/committed funds shall be secured within 18 months from City award.

**7. Organization's Capacity (~10 points):**

- a. Applicant has the capacity to carry out the project and complete the construction activities.
  - b. Applicant demonstrates the ability to occupy and operate the intended business venture and underwriting of the operating budget shows strong backing.
  - c. Applicant has ability to operate for at least a ten-year period.
- 8. Completeness of Application (5 points):** Applicant submitted a completed application along with the applicable supporting documents verifying budgets, financial commitments, and direct benefits.
- a. Applicant has submitted a complete financial assistance application.
  - b. Complete Balance development Priorities Scoring sheet submitted with application.

**Application, Evaluation Committee, and Appropriation:** DCED will develop an application for all interested parties to submit for this program within a set time.

An evaluation committee will score and evaluate responses to the application. The evaluation committee will consist of five City staff (to be selected by the City Manager), one representative from Invest in Neighborhoods, and one representative from Homebase.

Following evaluation and scoring, the Administration will submit recommendations for project funding to Council for a final determination and appropriation.

October 5, 2022

**To:** Mayor and Members of City Council 202201888  
**From:** Sheryl M. M. Long, City Manager  
**Subject: Emergency Ordinance – FY 2022 Year-End Report  
Recommended Transfers and Appropriations**

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Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the transfer of the sum of \$1,624,471 from the unappropriated surplus of General Fund 050 to the unappropriated surplus of Working Capital Reserve Fund 754 for the purpose of increasing the City’s working capital reserve; **AUTHORIZING** the transfer of the sum of \$17,609,147 from the unappropriated surplus of General Fund 050 to balance sheet reserve account no. 050x2585, “Economic Downturn Reserve,” for the purpose of increasing the City’s emergency reserve; **AUTHORIZING** the transfer of the sum of \$2,830,482 from the unappropriated surplus of General Fund 050 to balance sheet reserve account no. 050x2580, “Reserve for Weather Events, Other Emergency and One-Time Needs,” for the purpose of providing resources for unanticipated emergencies including those caused by unusual weather events, in order to increase the City’s reserve; **ESTABLISHING** new capital improvement program project account no. 980x162x231645, “Affordable Housing Trust Funding – GF CO,” for the purpose of providing resources for a one-time contribution to the City’s Affordable Housing Trust Fund; **AUTHORIZING** the transfer of the sum of \$5,000,000 from the unappropriated surplus of General Fund 050 to newly created capital improvement program project account no. 980x162x231645, “Affordable Housing Trust Funding – GF CO,” for the purpose of providing a one-time contribution to the City’s Affordable Housing Trust Fund; **AUTHORIZING** the transfer and appropriation of the sum of \$2,000,000 from the unappropriated surplus of General Fund 050, the source of which is the FY 2022 Carryover Balance, to the City Manager’s Office personnel operating budget account no. 050x101x7500 for the purpose of providing a one-time contribution to address the City’s pension obligation to the Cincinnati Retirement System; **RENAMING** balance sheet reserve account no. 050x2535 within the General Fund 050 from “Emergency Reserve” to “Reserve for Operating Budget Contingencies”; **AUTHORIZING** the transfer of the sum of \$500,000 from the unappropriated surplus of the General Fund 050 to the newly renamed balance sheet reserve account no. 050x2535, “Reserve for Operating Budget Contingencies,” for the purpose of providing resources for subsequent appropriation for one-time unforeseen operating needs that

arise during the remainder of the ongoing fiscal year; AUTHORIZING the transfer and appropriation of the sum of \$250,000 from the balance sheet reserve account 050x2535, "Reserve for Operating Budget Contingencies," to the various General Fund operating budget accounts according to the attached Schedule A of the General Fund Operating Budget Schedule of Appropriation for the purpose of providing one-time funds for the following: the Emergency Communications Center to extend the Alternate Response to Crisis mental health pilot program with Police Dispatch until the end of FY 2023 (\$140,000); the Cincinnati Police Department for Downtown Event Deployment Overtime (\$60,000); the Law Department for expungement efforts (\$25,000); and the Cincinnati Recreation Commission for the lifeguard recruitment and retention pay program (\$25,000); AUTHORIZING the transfer and appropriation of the sum of \$26,103,292 from the unappropriated surplus of General Fund 050 to various capital improvement program project accounts according to Schedule B of the Capital Budget Schedule of Transfer; ESTABLISHING new capital improvement program project account no. 980x164x231619, "Neighborhood Business District Support – GF CO," for the purpose of providing resources for neighborhood projects that were submitted through the City's Neighborhood Business District Improvement Program ("NBDIP") or the Neighborhood Business District Support Grant Program but did not receive funding due to limited resources; AUTHORIZING the transfer of the sum of \$1,500,000 from the unappropriated surplus of General Fund 050 to newly created capital improvement program project account no. 980x164x231619, "Neighborhood Business District Support – GF CO," for the purpose of providing resources for neighborhood projects that were submitted through the City's NBDIP or the Neighborhood Business District Support Grant Program but did not receive funding due to limited resources; ESTABLISHING new capital improvement program project account no. 980x164x231618, "Convention Center District – GF CO," for the purpose of providing resources for improvements to the Convention Center District; AUTHORIZING the transfer of the sum of \$7,000,000 from the unappropriated surplus of General Fund 050 to newly created capital improvement program project account no. 980x164x231618, "Convention Center District – GF CO," for the purpose of providing resources for improvements to the Convention Center District; ESTABLISHING new capital improvement program project account no. 980x164x231617, "OTR Outdoor Improvements – GF CO," for the purpose of providing resources for outdoor improvements to the Ziegler Park area in Over-the-Rhine; AUTHORIZING the transfer of the sum of \$3,500,000 from the unappropriated surplus of General Fund 050 to newly created capital improvement program project account no. 980x164x231617, "OTR Outdoor Improvements – GF CO," for the purpose of providing resources for outdoor improvements to the Ziegler Park area in Over-the-Rhine; ESTABLISHING new capital improvement program project account no.

980x164x231627, “CEAI – GF CO,” for the purpose of providing resources for Community Economic Advancement Initiatives (“CEAI”) for business district investment in the Bond Hill and Roselawn neighborhoods; AUTHORIZING the transfer of the sum of \$250,000 from the unappropriated surplus of General Fund 050 to newly created capital improvement program project account no. 980x164x231627, “CEAI – GF CO,” for the purpose of providing resources for CEAI for business district investment in the Bond Hill and Roselawn neighborhoods; ESTABLISHING new capital improvement program project account no. 980x164x231626, “Minority Business Accelerator-Ascend – GF CO,” for the purpose of providing resources to support the Lincoln & Gilbert initiative for minority business investment in Cincinnati; AUTHORIZING the transfer of the sum of \$1,000,000 from the unappropriated surplus of General Fund 050 to newly created capital improvement program project account no. 980x164x231626, “Minority Business Accelerator-Ascend – GF CO,” for the purpose of providing resources to support the Lincoln & Gilbert initiative for minority business investment in Cincinnati; AMENDING Ordinance No. 0196-2022 to identify the source of the unappropriated surplus as being FY 2022 Carryover Balance; AMENDING Ordinance No. 0224-2022 to identify the source of the unappropriated surplus as being FY 2022 Carryover Balance; AMENDING Ordinance No. 0257-2022 to identify the source of the unappropriated surplus as being FY 2022 Carryover Balance; AMENDING Ordinance No. 0278-2022 to identify the source of the unappropriated surplus as being FY 2022 Carryover Balance; ESTABLISHING new balance sheet reserve account no. 050x3440 within the General Fund 050, “Infrastructure and Capital Project Reserve,” for the purpose of providing resources for subsequent appropriation by Council for identified one-time infrastructure and capital projects for identified urgent needs or as part of the next annual budget cycle; AUTHORIZING the transfer of the sum of \$7,294,178 from the unappropriated surplus of the General Fund 050 to the newly established balance sheet reserve account no. 050x3440, “Infrastructure and Capital Project Reserve,” for the purpose of providing resources for subsequent appropriation by Council for identified one-time infrastructure and capital projects for identified urgent needs or as part of the next annual budget cycle; and DECLARING certain projects to be for a public purpose, all for the purpose of carrying out the Capital Improvement Program.

This Emergency Ordinance would authorize the various transfers and appropriations as recommended in the FY 2022 Carryover to FY 2023 Report (Item #202201885) which includes the following transfers and appropriations:

### Application of FY 2022 Carryover Balance

<b>Cash Basis Carryover Balance FY 2022</b>	\$ 85,100,533
<b>Uses of Carryover Balance</b>	
<b>Application of Stabilization Funds Policy:</b>	
Less General Fund Carryover Balance (1.5% of operating revenue )	\$ 8,075,902
Less Transfers to Reserve Accounts:	
General Fund Contingency Account (2.00% of operating revenue)	\$ 2,830,482
Economic Downturn Reserve (5.00% of operating revenue)	\$17,609,147
Working Capital Reserve (8.2% of operating revenue)	\$ 1,624,471
Total Reserve Transfer from Stabilization Funds Policy	\$ 22,064,100
<b>Carryover Balance Less Total Applied to Stabilization Funds Policy</b>	<b>\$ 54,960,531</b>
<b>Less Modified Waterfall Uses:</b>	
CRS Pension Contribution	\$ 2,000,000
Affordable Housing Trust Fund	\$ 5,000,000
Operating Budget Contingencies Account	\$ 500,000
<b>Total</b>	<b>\$ 7,500,000</b>
<b>Balance Available</b>	<b>\$ 47,460,531</b>
<b>Less One-Time Uses:</b>	
Administration's Recommended One-Time Uses	
Deferred Capital Maintenance - 55%	\$ 26,103,292
Neighborhood Business District Capital Support	\$ 1,500,000
Convention Center District Improvements	\$ 7,000,000
Over-the-Rhine (OTR) Outdoor Improvements (Inc. Ziegler Park Expansion)	\$ 3,500,000
CEAI - Bond Hill Business District Investment	\$ 250,000
Lincoln and Gilbert	\$ 1,000,000
<b>Total</b>	<b>\$ 39,353,292</b>
<b>Balance Available</b>	<b>\$ 8,107,239</b>
<b>Council Funding Priorities</b>	
FY 2022 Reappropriations - Ordinance No. 0196-2022	\$ 793,111
Councilmember Landsman Reappropriation from FY 2022 - Ordinance No. 0224-2022	\$ 5,000
Vice-Mayor Kearney Reappropriation from FY 2022 - Ordinance No. 0257-2022	\$ 10,000
Councilmember Cramerding Reappropriation from FY 2022 - Ordinance No. 0278-2022	\$ 4,950
<b>Total</b>	<b>\$ 813,061</b>
<b>Balance Available</b>	<b>\$ 7,294,178</b>

Additional information regarding the overview of the City of Cincinnati's financial condition for the fiscal year (FY) ending June 30, 2022, can be found in the Department of Finance Reports for the Fiscal Year Ended June 30, 2022 (unaudited) (Item #202201887).

The reason for the emergency is the immediate need to accomplish the authorized transfers and appropriations so that the funding described herein is in place immediately and so that the necessary expenditures described herein may be made as soon as possible.

The Administration recommends passage of this Emergency Ordinance.

cc: William “Billy” Weber, Assistant City Manager  
Andrew M. Dudas, Budget Director  
Karen Alder, Finance Director

## Attachments

EMERGENCY

City of Cincinnati

AKS *ESAN*

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

- 2022

**AUTHORIZING** the transfer of the sum of \$1,624,471 from the unappropriated surplus of General Fund 050 to the unappropriated surplus of Working Capital Reserve Fund 754 for the purpose of increasing the City’s working capital reserve; **AUTHORIZING** the transfer of the sum of \$17,609,147 from the unappropriated surplus of General Fund 050 to balance sheet reserve account no. 050x2585, “Economic Downturn Reserve,” for the purpose of increasing the City’s emergency reserve; **AUTHORIZING** the transfer of the sum of \$2,830,482 from the unappropriated surplus of General Fund 050 to balance sheet reserve account no. 050x2580, “Reserve for Weather Events, Other Emergency and One-Time Needs,” for the purpose of providing resources for unanticipated emergencies including those caused by unusual weather events, in order to increase the City’s reserve; **ESTABLISHING** new capital improvement program project account no. 980x162x231645, “Affordable Housing Trust Funding – GF CO,” for the purpose of providing resources for a one-time contribution to the City’s Affordable Housing Trust Fund; **AUTHORIZING** the transfer of the sum of \$5,000,000 from the unappropriated surplus of General Fund 050 to newly created capital improvement program project account no. 980x162x231645, “Affordable Housing Trust Funding – GF CO,” for the purpose of providing a one-time contribution to the City’s Affordable Housing Trust Fund; **AUTHORIZING** the transfer and appropriation of the sum of \$2,000,000 from the unappropriated surplus of General Fund 050, the source of which is the FY 2022 Carryover Balance, to the City Manager’s Office personnel operating budget account no. 050x101x7500 for the purpose of providing a one-time contribution to address the City’s pension obligation to the Cincinnati Retirement System; **RENAMING** balance sheet reserve account no. 050x2535 within the General Fund 050 from “Emergency Reserve” to “Reserve for Operating Budget Contingencies”; **AUTHORIZING** the transfer of the sum of \$500,000 from the unappropriated surplus of the General Fund 050 to the newly renamed balance sheet reserve account no. 050x2535, “Reserve for Operating Budget Contingencies,” for the purpose of providing resources for subsequent appropriation for one-time unforeseen operating needs that arise during the remainder of the ongoing fiscal year; **AUTHORIZING** the transfer and appropriation of the sum of \$250,000 from the balance sheet reserve account 050x2535, “Reserve for Operating Budget Contingencies,” to the various General Fund operating budget accounts according to the attached Schedule A of the General Fund Operating Budget Schedule of Appropriation for the purpose of providing one-time funds for the following: the Emergency Communications Center to extend the Alternate Response to Crisis mental health pilot program with Police Dispatch until the end of FY 2023 (\$140,000); the Cincinnati Police Department for Downtown Event Deployment Overtime (\$60,000); the Law Department for expungement efforts (\$25,000); and the Cincinnati Recreation Commission for the lifeguard recruitment and retention pay program (\$25,000); **AUTHORIZING** the transfer and appropriation of the sum of \$26,103,292 from the unappropriated surplus of General Fund 050 to various capital improvement program project accounts according to Schedule B of the Capital Budget Schedule of Transfer; **ESTABLISHING** new capital improvement program project account no. 980x164x231619,



“Neighborhood Business District Support – GF CO,” for the purpose of providing resources for neighborhood projects that were submitted through the City’s Neighborhood Business District Improvement Program (“NBDIP”) or the Neighborhood Business District Support Grant Program but did not receive funding due to limited resources; AUTHORIZING the transfer of the sum of \$1,500,000 from the unappropriated surplus of General Fund 050 to newly created capital improvement program project account no. 980x164x231619, “Neighborhood Business District Support – GF CO,” for the purpose of providing resources for neighborhood projects that were submitted through the City’s NBDIP or the Neighborhood Business District Support Grant Program but did not receive funding due to limited resources; ESTABLISHING new capital improvement program project account no. 980x164x231618, “Convention Center District – GF CO,” for the purpose of providing resources for improvements to the Convention Center District; AUTHORIZING the transfer of the sum of \$7,000,000 from the unappropriated surplus of General Fund 050 to newly created capital improvement program project account no. 980x164x231618, “Convention Center District – GF CO,” for the purpose of providing resources for improvements to the Convention Center District; ESTABLISHING new capital improvement program project account no. 980x164x231617, “OTR Outdoor Improvements – GF CO,” for the purpose of providing resources for outdoor improvements to the Ziegler Park area in Over-the-Rhine; AUTHORIZING the transfer of the sum of \$3,500,000 from the unappropriated surplus of General Fund 050 to newly created capital improvement program project account no. 980x164x231617, “OTR Outdoor Improvements – GF CO,” for the purpose of providing resources for outdoor improvements to the Ziegler Park area in Over-the-Rhine; ESTABLISHING new capital improvement program project account no. 980x164x231627, “CEAI – GF CO,” for the purpose of providing resources for Community Economic Advancement Initiatives (“CEAI”) for business district investment in the Bond Hill and Roselawn neighborhoods; AUTHORIZING the transfer of the sum of \$250,000 from the unappropriated surplus of General Fund 050 to newly created capital improvement program project account no. 980x164x231627, “CEAI – GF CO,” for the purpose of providing resources for CEAI for business district investment in the Bond Hill and Roselawn neighborhoods; ESTABLISHING new capital improvement program project account no. 980x164x231626, “Minority Business Accelerator-Ascend – GF CO,” for the purpose of providing resources to support the Lincoln & Gilbert initiative for minority business investment in Cincinnati; AUTHORIZING the transfer of the sum of \$1,000,000 from the unappropriated surplus of General Fund 050 to newly created capital improvement program project account no. 980x164x231626, “Minority Business Accelerator-Ascend – GF CO,” for the purpose of providing resources to support the Lincoln & Gilbert initiative for minority business investment in Cincinnati; AMENDING Ordinance No. 0196-2022 to identify the source of the unappropriated surplus as being FY 2022 Carryover Balance; AMENDING Ordinance No. 0224-2022 to identify the source of the unappropriated surplus as being FY 2022 Carryover Balance; AMENDING Ordinance No. 0257-2022 to identify the source of the unappropriated surplus as being FY 2022 Carryover Balance; AMENDING Ordinance No. 0278-2022 to identify the source of the unappropriated surplus as being FY 2022 Carryover Balance; ESTABLISHING new balance sheet reserve account no. 050x3440 within the General Fund 050, “Infrastructure and Capital Project Reserve,” for the purpose of providing resources for subsequent appropriation by Council for identified one-time infrastructure and capital projects for identified urgent needs or as part of the next annual budget cycle; AUTHORIZING the transfer of the sum of \$7,294,178 from the unappropriated surplus of the General Fund 050 to the newly established balance sheet reserve account no. 050x3440, “Infrastructure and Capital Project Reserve,” for the purpose of providing

resources for subsequent appropriation by Council for identified one-time infrastructure and capital projects for identified urgent needs or as part of the next annual budget cycle; and DECLARING certain projects to be for a public purpose, all for the purpose of carrying out the Capital Improvement Program.

WHEREAS, in 2015, in Ordinance No. 0253-2015, City Council adopted a Stabilization Funds Policy to define appropriate funding for the City's various reserve funds, with such policy being later revised in 2019 through Ordinance No. 0213-2019 and revised again in 2022 through Ordinance No. 0056-2022; and

WHEREAS, in accordance with the terms of the Stabilization Funds Policy, the Administration recommends transferring funds into the Working Capital Reserve Fund and into two separate balance sheet reserve accounts: "Economic Downturn Reserve" and "Reserve for Weather Events, Other Emergency and One-Time Needs"; and

WHEREAS, Council wishes to establish a new balance sheet reserve account within the General Fund, "Infrastructure and Capital Project Reserve," for the purpose of providing resources for subsequent appropriation by Council for identified one-time infrastructure and capital projects for identified urgent needs or as part of the next annual budget cycle; and

WHEREAS, Ordinance Nos. 0196-2022, 0224-2022, 0257-2022, and 0278-2022 have already appropriated \$813,061 in General Fund FY 2022 carryover resources, resulting in a recommended balance of \$7,294,178 for the Infrastructure and Capital Project Reserve; now, therefore,

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

Section 1. That the sum of \$1,624,471 is hereby transferred from the unappropriated surplus of General Fund 050 to the unappropriated surplus of Working Capital Reserve Fund 754 for the purpose of increasing the City's working capital reserve.

Section 2. That the sum of \$17,609,147 is hereby transferred from the unappropriated surplus of General Fund 050 to the balance sheet reserve account no. 050x2585, "Economic Downturn Reserve," for the purpose of increasing the City's emergency reserve.

Section 3. That the sum of \$2,830,482 is hereby transferred from the unappropriated surplus of General Fund 050 to the balance sheet reserve account no. 050x2580, "Reserve for Weather Events, Other Emergency and One-Time Needs," for the purpose of providing resources

for unanticipated emergencies including those caused by unusual weather events, in order to increase the City's reserve.

Section 4. That capital improvement program project account no. 980x162x231645, "Affordable Housing Trust Funding – GF CO," is hereby established for the purpose of providing resources for a one-time contribution to the City's Affordable Housing Trust Fund.

Section 5. That the transfer and appropriation of \$5,000,000 from the unappropriated surplus of General Fund 050 to newly established capital improvement program project account no. 980x162x231645, "Affordable Housing Trust Funding – GF CO," is hereby authorized for the purpose of providing resources for a one-time contribution to the City's Affordable Housing Trust Fund.

Section 6. That the transfer and appropriation of \$2,000,000 from the unappropriated surplus of General Fund 050, the source of which is FY 2022 Carryover Balance, to the City Manager's Office personnel operating budget account no. 050x101x7500 is hereby authorized for the purpose of providing a one-time contribution to address the City's pension obligation to the Cincinnati Retirement System.

Section 7. That balance sheet reserve account no. 050x2535 within the General Fund 050 is hereby renamed from "Emergency Reserve" to "Reserve for Operating Budget Contingencies."

Section 8. That the sum of \$500,000 is hereby transferred from the unappropriated surplus of General Fund 050 to the newly renamed balance sheet reserve account no. 050x2535, "Reserve for Operating Budget Contingencies," for the purpose of providing resources for subsequent appropriation for one-time unforeseen operating needs that arise during the remainder of the ongoing fiscal year.

Section 9. That the sum of \$250,000 is hereby transferred and appropriated from balance sheet reserve account 050x2535, "Reserve for Operating Budget Contingencies," to the various General Fund operating budget accounts according to the attached Schedule A of the General Fund Operating Budget Schedule of Appropriation for the purpose of providing one-time funds for: the Emergency Communications Center to extend the Alternate Response to Crisis mental health pilot program with Police Dispatch until the end of FY 2023 (\$140,000); the Cincinnati Police Department for Downtown Event Deployment Overtime (\$60,000); the Law Department for expungement efforts (\$25,000); and the Cincinnati Recreation Commission for the lifeguard recruitment and retention pay program (\$25,000).

Section 10. That the sum of \$26,103,292 is hereby transferred and appropriated from the unappropriated surplus of General Fund 050 to various capital improvement program project accounts according to Schedule B of the Capital Budget Schedule of Transfer.

Section 11. That capital improvement program project account no. 980x164x231619, "Neighborhood Business District Support – GF CO," is hereby established for the purpose of providing resources for neighborhood projects that were submitted through the City's Neighborhood Business District Improvement Program ("NBDIP") or the Neighborhood Business District Support Grant Program but did not receive funding due to limited resources.

Section 12. That the transfer and appropriation of \$1,500,000 from the unappropriated surplus of General Fund 050 to newly established capital improvement program project account no. 980x164x231619, "Neighborhood Business District Support – GF CO," is hereby authorized for the purpose of providing resources for neighborhood projects that were submitted through the City's NBDIP or the Neighborhood Business District Support Grant Program but did not receive funding due to limited resources.

Section 13. That capital improvement program project account no. 980x164x231618, “Convention Center District – GF CO,” is hereby established for the purpose of providing resources for improvements to the Convention Center District.

Section 14. That the transfer and appropriation of \$7,000,000 from the unappropriated surplus of the General Fund 050 to newly established capital improvement program project account no. 980x164x231618, “Convention Center District – GF CO,” is hereby authorized for the purpose of providing resources for improvements to the Convention Center District.

Section 15. That capital improvement program project account no. 980x164x231617, “OTR Outdoor Improvements – GF CO,” is hereby established for the purpose of providing resources for outdoor improvements to the Ziegler Park area in Over-the-Rhine.

Section 16. That the transfer and appropriation of \$3,500,000 from the unappropriated surplus of the General Fund 050 to newly established capital improvement program project account no. 980x164x231617, “OTR Outdoor Improvements – GF CO,” is hereby authorized for the purpose of providing resources for outdoor improvements to the Ziegler Park area in Over-the-Rhine.

Section 17. That capital improvement program project account no 980x164x231627, “CEAI – GF CO,” is hereby established for the purpose of providing resources for Community Economic Advancement Initiatives (“CEAI”) for business district investment in the Bond Hill and Roselawn neighborhoods.

Section 18. That the transfer and appropriation of \$250,000 from the unappropriated surplus of General Fund 050 to newly established capital improvement program project account no. 980x164x231627, “CEAI – GF CO,” is hereby authorized for the purpose of providing resources for CEAI for business district investment in the Bond Hill and Roselawn neighborhoods.

Section 19. That capital improvement program project account no. 980x164x231626, “Minority Business Accelerator-Ascend – GF CO,” is hereby established for the purpose of providing resources to support the Lincoln & Gilbert initiative for minority business investment in Cincinnati.

Section 20. That the transfer and appropriation of the sum of \$1,000,000 from the unappropriated surplus of General Fund 050 to newly established capital improvement program project account no. 980x164x231626, “Minority Business Accelerator-Ascend – GF CO,” is hereby authorized for the purpose of providing resources to support the Lincoln & Gilbert initiative for minority business investment in Cincinnati.

Section 21. That Section 1 of Ordinance No. 0196-2022, approved by Council on June 23, 2022, is hereby amended as follows:

Section 1. That the sum of \$793,110.64 is hereby transferred and appropriated from the unappropriated surplus of General Fund 050, the source of which is FY 2022 Carryover Balance, to various operating budget accounts according to the attached Schedule of Transfer, effective July 1, 2022, for the purpose of providing resources for leveraged support commitments, the Black Lives Matter mural refresh, 311 service line technology purchases and advertisements, and the Cities for Financial Empowerment grant and matching resources that were previously approved by Council in fiscal years 2021 and 2022.

Section 22. That all terms of Ordinance No. 0196-2022 not amended in this ordinance remain in full force and effect.

Section 23. That Section 1 of Ordinance No. 0224-2022, approved by Council on June 29, 2022, is hereby amended as follows:

Section 1. That the sum of \$5,000 is hereby transferred and appropriated from the unappropriated surplus of General Fund 050, the source of which is FY 2022 Carryover Balance, to the City Manager’s Office non-personnel operating budget account no. 050x101x7400, effective July 1, 2022, for the purpose of providing additional one-time leveraged support finding for the St. Vincent de Paul Society’s Eviction Prevention Initiative (the “Initiative”).

Section 24. That all terms of Ordinance No. 0224-2022 not amended in this ordinance remain in full force and effect.

Section 25. That Sections 1 and 2 of Ordinance No. 0257-2022, approved by Council on August 3, 2022, are hereby amended as follows:

Section 1. That the sum of \$5,000 is hereby transferred and appropriated from the unappropriated surplus of General Fund 050, the source of which is FY 2022 Carryover Balance, to the City Manager's Office General Fund non-personnel operating budget account no. 050x101x7400 for the purpose of providing one-time resources for the Christ Temple Baptist Church summer camp program.

Section 2. That the sum of \$5,000 is hereby transferred and appropriated from the unappropriated surplus of General Fund 050, the source of which is FY 2022 Carryover Balance, to the City Manager's Office General Fund non-personnel operating budget account no. 050x101x7400 for the purpose of providing one-time resources to 1N5.

Section 26. That all terms of Ordinance No. 0257-2022 not amended in this ordinance remain in full force and effect.

Section 27. That Section 1 of Ordinance No. 0278-2022, approved by Council on September 8, 2022, is hereby amended as follows:

Section 1. That the sum of \$4,950 is hereby transferred and appropriated from the unappropriated surplus of General Fund 050, the source of which is FY 2022 Carryover Balance, to the Law Department's General Fund non-personnel operating budget account no. 050x111x7200 for the purpose of providing one-time resources for continuing legal education for Law Department personnel.

Section 28. That all terms of Ordinance No. 0278-2022 not amended in this ordinance remain in full force and effect.

Section 29. That a new balance sheet reserve account no. 050x3440, "Infrastructure and Capital Project Reserve," is established within the General Fund 050 for the purpose of providing resources for subsequent appropriation by Council for identified one-time infrastructure and capital projects for identified urgent needs or as part of the next annual budget cycle.

Section 30. That the transfer of the sum of \$7,294,178 from the unappropriated surplus of the General Fund 050 to the newly established balance sheet reserve account no. 050x3440, “Infrastructure and Capital Project Reserve,” is hereby authorized for the purpose of providing resources for subsequent appropriation by Council for identified one-time infrastructure and capital projects for identified urgent needs or as part of the next annual budget cycle.

Section 31. That the Affordable Housing Trust Funding – GF CO; Neighborhood Business District Support – GF CO; Convention Center District – GF CO; OTR Outdoor Improvements – GF CO; CEAI – GF CO; and Minority Business Accelerator-Ascend – GF CO capital improvement program projects are hereby declared to serve a public purpose because the projects will foster local improvements and investment and increase neighborhood vitality and because each project has an estimated life or period of usefulness of five years or more.

Section 32. That the appropriate City officials are hereby authorized to do all things necessary and proper to implement the provisions of Sections 1 through 31 herein.

Section 33. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to accomplish the authorized transfers and appropriations so that the funding described herein is in place immediately and so that the necessary expenditures described herein may be made as soon as possible.

Passed: \_\_\_\_\_, 2022

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

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



**SCHEDULE OF TRANSFER**

**SCHEDULE A. FY 2022 Closeout Operating Budget Transfer Schedule**

General Fund 050

REDUCTIONS		INCREASES					
Fund Agency Bureau	Appropriation Unit	Obj Code	\$ Amount	Fund Agency Bureau	Appropriation Unit	Obj Code	\$ Amount
050			250,000	050 103 0000	7100	7197	140,000
SUPPLEMENTAL APPROPRIATIONS							
SOURCE ACCOUNTS							
UNAPPROPRIATED SURPLUS							
				050 111 1000	7200	7289	25,000
				050 197 7000	7100	7172	25,000
				050 222 1000	7100	7121	60,000
				Subtotal Supplemental Appropriations			250,000
<b>TOTAL FUND REDUCTIONS</b>			<b>250,000</b>	<b>TOTAL FUND INCREASES</b>			<b>250,000</b>

That the amounts set forth hereinafter totaling \$26,103,292.00 are hereby transferred and appropriated to the individual project accounts for the improvements listed hereinafter:

DEPT. DIVISION	PROJECT OR FUND TO BE TRANSFERRED FROM NUMBER: DESCRIPTION	PROJECT OR FUND TO BE TRANSFERRED TO NUMBER: DESCRIPTION	TOTAL BUDGETED COST ALL FUNDS PRIOR	REVISSED	AMOUNT TO BE APPROPRIATED OR TRANSFERRED
ETS 091	050 General Fund	230926 Radio Replacements - GFCO	0.00	1,703,292.00	1,703,292.00
City Manager 101	050 General Fund	231034 Community Budget Requests - GFCO	0.00	1,500,000.00	1,500,000.00
Recreation Administration 199	050 General Fund	231036 Communication Equipment - GFCO	0.00	500,000.00	500,000.00
	050 General Fund	231915 Recreation Facilities Renovation - GFCO	0.00	2,500,000.00	2,500,000.00
	050 General Fund	231916 Pavement & HVAC Improvements - GFCO	0.00	2,000,000.00	2,000,000.00
	050 General Fund	231917 Evanston Recreation Area Improvement - GFCO	0.00	500,000.00	500,000.00
Parks Administration & Program Services 203	050 General Fund	232025 California Woods - GFCO	0.00	1,500,000.00	1,500,000.00
	050 General Fund	232026 Inwood Park - GFCO	0.00	1,000,000.00	1,000,000.00
	050 General Fund	232027 Riverfront Parks Stabilization - GFCO	0.00	1,000,000.00	1,000,000.00
Trans. & Eng. Engineering 233	050 General Fund	232344 Spot Infrastructure Winter Weather - GFCO	0.00	500,000.00	500,000.00
Trans. & Eng. Traffic Eng. 239	050 General Fund	232347 Traffic Signals Infrastructure - GFCO	0.00	2,000,000.00	2,000,000.00
	050 General Fund	232348 Street Light Infrastructure - GFCO	0.00	1,400,000.00	1,400,000.00
Public Services City Facility Management 255	050 General Fund	232532 Fleet Facilities Renovation - GFCO	0.00	3,500,000.00	3,500,000.00
	050 General Fund	232533 Public Safety Facilities Improvements - GFCO	0.00	1,000,000.00	1,000,000.00
	050 General Fund	232534 ADA Compliance Improvements - GFCO	0.00	500,000.00	500,000.00
Motorized Equip. 981	050 General Fund	232524 Fleet Replacements - GFCO	0.00	1,500,000.00	1,500,000.00
Public Health 261	050 General Fund	232608 Health Facilities Improvements - GFCO	0.00	3,500,000.00	3,500,000.00

That the amounts set forth hereinafter totaling \$26,103,292.00 are hereby transferred and appropriated to the individual project accounts for the improvements listed hereinafter:

DEPT. DIVISION	PROJECT OR FUND TO BE TRANSFERRED FROM		PROJECT OR FUND TO BE TRANSFERRED TO		TOTAL BUDGETED COST ALL FUNDS		AMOUNT TO BE APPROPRIATED OR TRANSFERRED
	NUMBER:	DESCRIPTION	NUMBER:	DESCRIPTION	PRIOR	REVISED	
ETS 091	050	General Fund	230926	Radio Replacements - GFCO	0.00	1,703,292.00	1,703,292.00
City Manager 101	050	General Fund	231034	Community Budget Requests - GFCO	0.00	1,500,000.00	1,500,000.00
	050	General Fund	231036	Communication Equipment - GFCO	0.00	500,000.00	500,000.00
Recreation Administration 199	050	General Fund	231915	Recreation Facilities Renovation - GFCO	0.00	2,500,000.00	2,500,000.00
	050	General Fund	231916	Pavement & HVAC Improvements - GFCO	0.00	2,000,000.00	2,000,000.00
	050	General Fund	231917	Evanston Recreation Area Improvement - GFCO	0.00	500,000.00	500,000.00
Parks Administration & Program Services 203	050	General Fund	232025	California Woods - GFCO	0.00	1,500,000.00	1,500,000.00
	050	General Fund	232026	Inwood Park - GFCO	0.00	1,000,000.00	1,000,000.00
	050	General Fund	232027	Riverfront Parks Stabilization - GFCO	0.00	1,000,000.00	1,000,000.00
Trans. & Eng. Engineering 233	050	General Fund	232344	Spot Infrastructure Winter Weather - GFCO	0.00	500,000.00	500,000.00
Trans. & Eng. Traffic Eng. 239	050	General Fund	232347	Traffic Signals Infrastructure - GFCO	0.00	2,000,000.00	2,000,000.00
	050	General Fund	232348	Street Light Infrastructure - GFCO	0.00	1,400,000.00	1,400,000.00
Public Services City Facility Management 255	050	General Fund	232532	Fleet Facilities Renovation - GFCO	0.00	3,500,000.00	3,500,000.00
	050	General Fund	232533	Public Safety Facilities Improvements - GFCO	0.00	1,000,000.00	1,000,000.00
	050	General Fund	232534	ADA Compliance Improvements - GFCO	0.00	500,000.00	500,000.00
Motorized Equip. 981	050	General Fund	232524	Fleet Replacements - GFCO	0.00	1,500,000.00	1,500,000.00
Public Health 261	050	General Fund	232608	Health Facilities Improvements - GFCO	0.00	3,500,000.00	3,500,000.00

**SCHEDULE OF TRANSFER**

**SCHEDULE A. FY 2022 Closeout Operating Budget Transfer Schedule**

General Fund 050													
<i>REDUCTIONS</i>	Fund	Agency	Bureau	Appropriation Unit	Obj Code	\$ Amount	<i>INCREASES</i>	Fund	Agency	Bureau	Appropriation Unit	Obj Code	\$ Amount
<b>SUPPLEMENTAL APPROPRIATIONS SOURCE ACCOUNTS</b>							<b>SUPPLEMENTAL APPROPRIATIONS USE ACCOUNTS</b>						
UNAPPROPRIATED SURPLUS	050					250,000	CITY MANAGER'S OFFICE						
							EMERGENCY COMMUNICATIONS CENTER	050	103	0000	7100	7197	140,000
							LAW DEPARTMENT						
							CIVIL LITIGATION	050	111	1000	7200	7289	25,000
							CINCINNATI RECREATION COMMISSION						
							ATHLETICS	050	197	7000	7100	7172	25,000
							CINCINNATI POLICE DEPARTMENT						
							NEIGHBORHOOD POLICING	050	222	1000	7100	7121	60,000
							<b>Subtotal Supplemental Appropriations</b>						<b>250,000</b>
<b>TOTAL FUND REDUCTIONS</b>						<b>250,000</b>	<b>TOTAL FUND INCREASES</b>						<b>250,000</b>

October 12, 2022

**To:** Mayor and Members of City Council 202201895  
**From:** Sheryl M. M. Long, City Manager  
**Subject:** **Ordinance – DOTE: ODOT Urban Transit Program (UTP) Grant**

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Attached is an Ordinance captioned:

**AUTHORIZING** the City Manager to accept and appropriate a grant of up to \$29,779 from the Ohio Urban Transit Program awarded by the Ohio Department of Transportation to the Streetcar Operations Fund non-personnel operating budget account no. 455x236x7200 for the purpose of providing resources for preventative maintenance on the streetcar system; and **AUTHORIZING** the Director of Finance to deposit the grant resources into Special Revenue Fund 455, "Streetcar Operations" revenue account no. 8534.

This Ordinance authorizes the City Manager to accept and appropriate a \$29,779 grant from the Ohio Department of Transportation (ODOT) for transit purposes under the Ohio Urban Transit Program (UTP) for state fiscal year 2023. The grant money will be appropriated to the Streetcar Operations Fund for the purpose of providing resources for preventative maintenance on the streetcar system.

On August 3, 2022, the City Council approved Ordinance No. 0241-2022, which authorized the City Manager to apply for financial assistance from ODOT for transit purposes under the UTP for state fiscal year 2023. The Department of Transportation and Engineering (DOTE) was notified of the grant award on September 12, 2022.

The Ohio UTP grant does not require a local match. No new FTEs are required.

Utilizing UTP resources to support the streetcar is in accordance with the "Connect" goal to "develop an efficient multi-modal transportation system that supports neighborhood livability" as described on pages 129-138 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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

Attachment



**AUTHORIZING** the City Manager to accept and appropriate a grant of up to \$29,779 from the Ohio Urban Transit Program awarded by the Ohio Department of Transportation to the Streetcar Operations Fund non-personnel operating budget account no. 455x236x7200 for the purpose of providing resources for preventative maintenance on the streetcar system; and **AUTHORIZING** the Director of Finance to deposit the grant resources into Special Revenue Fund 455, “Streetcar Operations,” revenue account no. 8534.

WHEREAS, on August 3, 2022, Council authorized the City Administration, pursuant to Ordinance No. 0241-2022, to apply for financial assistance from the Ohio Department of Transportation (“ODOT”) for transit purposes under the Ohio Urban Transit Program (“UTP”) for Ohio’s fiscal year 2023; and

WHEREAS, ODOT awarded a grant in an amount up to \$29,779 to the City, pursuant to the Ohio UTP, to be used for preventative maintenance expenses for the Connector streetcar system; and

WHEREAS, there is no local match required, and no new FTEs are associated with this grant; and

WHEREAS, the City will provide the annual certifications and assurances to the State of Ohio required for the Connector streetcar project, pursuant to any grants and to its status as a grantee; and

WHEREAS, utilizing Ohio UTP resources to support the streetcar is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability,” as described on pages 129-138 of *Plan Cincinnati* (2012); now, therefore,

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

Section 1. That the City Manager is hereby authorized to accept and appropriate a grant of up to \$29,779 from the Ohio Urban Transit Program awarded by the Ohio Department of Transportation (“ODOT”) to the Streetcar Operations Fund non-personnel operating budget account no. 455x236x7200 for the purpose of providing resources for preventative maintenance on the streetcar system.

Section 2. That the City Manager is authorized to execute grant and cooperative agreements with ODOT on behalf of the City of Cincinnati.

Section 3. That the Director of Finance is hereby authorized to deposit the grant resources into Special Revenue Fund 455, "Streetcar Operations," revenue account no. 8534.

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

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

Passed: \_\_\_\_\_, 2022

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

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

October 12, 2022

**To:** Mayor and Members of City Council 202201896

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

**Subject:** **Emergency Ordinance – Police: Moral Obligation Payments to Various Vendors**

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Attached is an Emergency Ordinance captioned:

**AUTHORIZING** a payment of \$33,800 to the Personnel Research and Development Corporation dba PRADCO from the Cincinnati Police Department (“CPD”) General Fund non-personnel operating budget account no. 050x227x4200x7289 as a moral obligation for psychological services provided to police recruits from May 2022 to June 2022; **AUTHORIZING** a payment of \$16,824 to Axon Enterprise, Inc. from the CPD General Fund non-personnel operating budget account no. 050x222x1710x7289 as a moral obligation for outstanding charges for the annual assurance plan related to CPD’s body-worn camera systems; and **AUTHORIZING** a payment of \$6,307 to Cincinnati State Technical and Community College from the CPD General Fund non-personnel operating budget account no. 050x226x3310x7289 as a moral obligation for CPR recertification training provided to 901 CPD officers between December 2021 and April 2022.

This Emergency Ordinance authorizes the Finance Director to make a payment of \$33,800 to the Personnel Research and Development Corporation dba PRADCO from the Cincinnati Police Department (CPD) General Fund non-personnel operating budget account no. 050x227x4200x7289 as a moral obligation for psychological services provided to police recruits from May 2022 to June 2022. This Emergency Ordinance also authorizes the Finance Director to make a payment of \$16,824 to Axon Enterprise, Inc. from the CPD General Fund non-personnel operating budget account no. 050x222x1710x7289 as a moral obligation for outstanding charges for the annual assurance plan related to CPD’s body-worn camera systems. This Emergency Ordinance further authorizes the Finance Director to make a payment of \$6,307 to Cincinnati State Technical and Community College from the CPD General Fund non-personnel operating budget account no. 050x226x3310x7289 as a moral obligation for CPR recertification training provided to 901 CPD officers between December 2021 and April 2022.

The Cincinnati Police Department entered into contracts with Personnel Research and Development Corporation dba PRADCO, Axon Enterprises, Inc., and Cincinnati State Technical and Community College for services that were rendered in Fiscal Year 2022. At the end of Fiscal Year 2022, the CPD Finance Management Section Division Manager and the Supervising Account both retired, and two additional CPD



employees transferred to other City agencies. Due to these vacancies and other unforeseen staffing shortages, CPD was unable to meet critical deadlines to encumber funds before the end of Fiscal Year 2022.

The Cincinnati Police Department is committed to training new staff to ensure that funds are certified in a timely fashion and that these deadlines are not missed in the future.

The reason for the emergency is the immediate need to make payment to the Vendors for outstanding charges for services provided in Fiscal Year 2022.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment

## EMERGENCY

IMD

- 2022

**AUTHORIZING** a payment of \$33,800 to the Personnel Research and Development Corporation, dba PRADCO, from the Cincinnati Police Department (“CPD”) General Fund non-personnel operating budget account no. 050x227x4200x7289 as a moral obligation for psychological services provided to police recruits from May 2022 to June 2022; **AUTHORIZING** a payment of \$16,824 to Axon Enterprise, Inc. from the CPD General Fund non-personnel operating budget account no. 050x222x1710x7289 as a moral obligation for outstanding charges for the annual assurance plan related to CPD’s body-worn camera systems; and **AUTHORIZING** a payment of \$6,307 to Cincinnati State Technical and Community College from the CPD General Fund non-personnel operating budget account no. 050x226x3310x7289 as a moral obligation for CPR recertification training provided to 901 CPD officers between December 2021 and April 2022.

WHEREAS, the Cincinnati Police Department (“CPD”) entered into contracts with the Personnel Research and Development Corporation, dba PRADCO; Axon Enterprise, Inc.; and Cincinnati State Technical and Community College (collectively, the “Vendors”) for services that were rendered in Fiscal Year 2022 (“FY22”); and

WHEREAS, near the end of FY22, CPD’s Finance Management Section Division Manager and Supervising Accountant both retired, and two additional CPD employees transferred to other City agencies; and

WHEREAS, due to these vacancies and other unforeseen staffing shortages, CPD was unable to meet critical deadlines to certify funds for these contracts before the end of FY22, and moral obligation ordinances are needed to process payments to the Vendors for services rendered prior to the certification of the funds; and

WHEREAS, CPD has committed to training new staff to ensure that funds are timely certified and that these deadlines are not missed in the future; and

WHEREAS, sufficient funds are available in CPD’s General Fund non-personnel operating budget account nos. 050x227x4200x7289, 050x222x1710x7289, and 050x226x3310x7289 to pay for the services provided by the Vendors in FY22; and

WHEREAS, Council desires to provide payment to the Vendors for such services in an amount totaling \$56,931; now, therefore,

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

Section 1. That the Finance Director is hereby authorized to make a payment of \$33,800 to the Personnel Research and Development Corporation, dba PRADCO, from the Cincinnati Police Department (“CPD”) General Fund non-personnel operating budget account no. 050x227x4200x7289 as a moral obligation for psychological services provided to police recruits from May 2022 to June 2022.

Section 2. That the Finance Director is hereby authorized to make a payment of \$16,824 to Axon Enterprise, Inc. from the CPD General Fund non-personnel operating budget account no. 050x222x1710x7289 as a moral obligation for outstanding charges for the annual assurance plan related to CPD’s body-worn camera systems.

Section 3. That the Finance Director is hereby authorized to make a payment of \$6,307 to Cincinnati State Technical and Community College from the CPD General Fund non-personnel operating budget account no. 050x226x3310x7289 as a moral obligation for CPR recertification training provided to 901 CPD officers between December 2021 and April 2022.

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

Section 5. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to make payment to the Vendors for outstanding charges for services provided in Fiscal Year 2022.

Passed: \_\_\_\_\_, 2022

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

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

October 12, 2022

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

**From:** Sheryl M. M. Long, City Manager 202201897

**Subject: Ordinance – DOTE: Accept Lafayette Trail Marker Donation from The Lafayette Trail, Inc.**

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Attached is an Ordinance captioned:

**AUTHORIZING** the City Manager to accept an in-kind donation of a marker from The Lafayette Trail, Inc. valued at approximately \$1,550 for the purpose of installing the marker on City Park property in commemoration of the 200<sup>th</sup> anniversary of the Marquis de Lafayette’s visit to Cincinnati on May 19, 1825; and **AUTHORIZING** the City Manager to execute a donation agreement with The Lafayette Trail, Inc. to accept the marker.

This Ordinance authorizes the City Manager to accept an in-kind donation from The Lafayette Trail, Inc. of one marker valued at approximately \$1,550 for the purpose of commemorating the 200<sup>th</sup> anniversary of Marquis de Lafayette’s visit to Cincinnati on May 19, 1825. This Ordinance also authorizes the City Manager to execute a donation agreement with The Lafayette Trail, Inc. to accept the marker.

On August 3<sup>rd</sup>, 2022, City Council passed a motion to accept the marker from The Lafayette Trail, Inc. The motion also called for the Department of Transportation and Engineering (DOTE) and the Cincinnati Park Board to work in coordination to install a marker on the Riverfront to commemorate the 200<sup>th</sup> anniversary of Marquis De Lafayette’s visit to Cincinnati. The marker will be installed in the vicinity of the American Queen Paddlewheel sculpture in the axis of Broadway Street.

The Cincinnati Park Board will install and perform ongoing maintenance of the marker on Park Board managed property located in the dedicated right-of-way of Broadway Street. There is no local match requirement, and no new FTEs are associated with this donation.

This Ordinance is in accordance with the “Compete” goal to “[b]ecome nationally and internationally recognized as a vibrant and unique city” as well as the strategy to “[p]romote Cincinnati's lifestyle as described in pages 121 of the Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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



Attachment

**AUTHORIZING** the City Manager to accept an in-kind donation of a marker from The Lafayette Trail, Inc. valued at approximately \$1,550 for the purpose of installing the marker on City park property in commemoration of the 200<sup>th</sup> anniversary of Marquis de Lafayette’s visit to Cincinnati on May 19, 1825; and **AUTHORIZING** the City Manager to execute a donation agreement with The Lafayette Trail, Inc. to accept the marker.

WHEREAS, on August 3, 2022, Council passed Motion No. 202201550, which requested the Department of Transportation and Engineering, in coordination with the Parks Department, to work with The Lafayette Trail, Inc. to install a marker on the City’s Riverfront to commemorate the 200<sup>th</sup> anniversary of Marquis de Lafayette’s visit to Cincinnati on May 19, 1825; and further asked that the City accept the gift of the marker for installation in the vicinity of the American Queen Paddlewheel sculpture in the axis of Broadway Street; and

WHEREAS, Gilbert du Motier, Marquis de Lafayette, was a French aristocrat and military officer who fought alongside American colonists against British rule during the American Revolutionary War; and

WHEREAS, Lafayette visited Cincinnati on May 19, 1825 as part of his tour of the United States at the invitation of President James Monroe and the United States Congress; and

WHEREAS, The Lafayette Trail, Inc. has offered to donate a marker for installation on City park property to commemorate the 200<sup>th</sup> anniversary of Lafayette’s visit; and

WHEREAS, the Cincinnati Park Board will install and perform ongoing maintenance of the marker on Park Board-managed property located in the dedicated right-of-way of Broadway Street near the American Queen Paddlewheel sculpture; and

WHEREAS, the Department of Transportation and Engineering supports the donation and installation of the marker and has agreed to provide funding on a one-time basis to assist the Park Board with the installation cost; and

WHEREAS, the value of the marker is approximately \$1,550; and

WHEREAS, there is no local match required, and no FTEs are associated with this donation; and

WHEREAS, installation of signage to commemorate the 200<sup>th</sup> anniversary of Marquis de Lafayette’s visit to Cincinnati on May 19, 1825 is in accordance with the “Compete” goal to “[b]ecome nationally and internationally recognized as a vibrant and unique city” as well as the

strategy to “[p]romote Cincinnati’s lifestyle,” as described on page 121 of *Plan Cincinnati* (2012); now, therefore,

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

Section 1. That the City Manager is hereby authorized to accept an in-kind donation of a marker from The Lafayette Trail, Inc. valued at approximately \$1,550 for the purpose of installing the marker on City park property in commemoration of the 200<sup>th</sup> anniversary of Marquis de Lafayette’s visit to Cincinnati on May 19, 1825.

Section 2. That the City Manager is hereby authorized to execute a donation agreement with The Lafayette Trail, Inc. to accept the marker.

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

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

Passed: \_\_\_\_\_, 2022

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

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

October 12, 2022

**To:** Mayor and Members of City Council 202201898

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

**Subject: Ordinance – Cincinnati Recreation Commission (CRC): Mt. Washington Community Events Donation**

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Attached is an Ordinance captioned:

**AUTHORIZING** the City Manager to accept and appropriate a donation in the amount of \$1,000 from the Mt. Washington Community Council for the purpose of hosting community events in the Mt. Washington Recreation Center service area; and **AUTHORIZING** the Finance Director to deposit the donated funds into Fund 319, “Contributions for Recreation Purposes,” revenue account no. 319x8571.

Approval of this Ordinance will authorize the City Manager to accept a donation in the amount of \$1,000 from the Mt. Washington Community Council for the purpose of hosting community events in the Mt. Washington Recreation Center service area. This Ordinance further authorizes the Finance Director to deposit the donated funds into Fund 319, “Contributions for Recreation Purposes,” revenue account no. 319x8571.

The Mt. Washington Community Council has graciously offered a donation to support hosting of community events in the Mt. Washington Recreation Center service area for the remainder of the fiscal year. These events include Trunk or Treat, a holiday event, and a spring event.

There are no new FTEs or matching funds associated with the donation.

This donation is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” and the strategy to “[u]nite our communities,” as described on pages 207-212 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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

Attachment



**AUTHORIZING** the City Manager to accept and appropriate a donation in the amount of \$1,000 from the Mt. Washington Community Council for the purpose of hosting community events in the Mt. Washington Recreation Center service area; and **AUTHORIZING** the Finance Director to deposit the donated funds into Fund 319, “Contributions for Recreation Purposes,” revenue account no. 319x8571.

WHEREAS, the Mt. Washington Community Council has graciously offered a donation to support hosting of community events in the Mt. Washington Recreation Center service area; and

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

WHEREAS, this donation is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” and the strategy to “[u]nite our communities,” as described on pages 207-212 of *Plan Cincinnati* (2012); now, therefore,

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

Section 1. That the City Manager is hereby authorized to accept and appropriate a donation in the amount of \$1,000 from the Mt. Washington Community Council for the purpose of hosting community events in the Mt. Washington Recreation Center service area.

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

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



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

Passed: \_\_\_\_\_, 2022

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

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

October 12, 2022

**To:** Mayor and Members of City Council 202201899  
**From:** Sheryl M. M. Long, City Manager  
**Subject:** **Ordinance – DCED: Madisonville Traffic Study – TIF Funding**

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Attached is an Ordinance captioned:

**AUTHORIZING** the transfer and appropriation of the sum of \$45,000 from the unappropriated surplus of Madisonville Equivalent Fund 498 to the Department of Transportation and Engineering Madisonville Equivalent Fund non-personnel operating budget account no. 498x232x7200 the purpose of providing resources for a traffic study, which will determine appropriate improvements to promote pedestrian safety and access within the study area of Madison Road between Medpace Way and Camargo Road in the Madisonville neighborhood; and **DECLARING** the related expenditures from non-personnel operating budget account no. 498x232x7200 to constitute a “Public Infrastructure Improvement” (as defined by Section 5709.40(A)(8) of the Ohio Revised Code), that will benefit and/or serve the District 19 – Madisonville Incentive District, subject to compliance with ORC Sections 5709.40 through 5709.43.

Approval of this Ordinance authorizes the transfer and appropriation of \$45,000 from the Madisonville District Equivalent Fund 498 to the Department of Transportation and Engineering (DOTE) Madisonville District Equivalent Fund non-personnel operating budget account no. 498x232x7200 for the purpose of providing resources for determining improvements to promote pedestrian safety and access within the study area of Madison Road between Medpace Way and Camargo Road.

On August 12, 2022, the Madisonville Community Council expressed its support for the use of \$45,000 from the Madisonville Tax Increment Financing (TIF) District to provide resources for the traffic study. The traffic study is an eligible use of tax increment financing (TIF) resources.

The Madisonville traffic study is in accordance the “Live” goal to “Create a more livable community” as described on page 156, the “Connect” goal to “Develop an efficient multi-modal transportation system that supports neighborhood livability” as described on page 129, and the “Compete” goal to “Cultivate our position as the most vibrant and economically healthiest part of our region” as described on page 114 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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

Attachment



**AUTHORIZING** the transfer and appropriation of the sum of \$45,000 from the unappropriated surplus of Madisonville Equivalent Fund 498 to the Department of Transportation and Engineering Madisonville Equivalent Fund non-personnel operating budget account no. 498x232x7200 for the purpose of providing resources for a traffic study, which will determine appropriate improvements to promote pedestrian safety and access within the study area of Madison Road between Medpace Way and Camargo Road in the Madisonville neighborhood; and **DECLARING** the related expenditures from non-personnel operating budget account no. 498x232x7200 to constitute a “Public Infrastructure Improvement” (as defined by Section 5709.40(A)(8) of the Ohio Revised Code), that will benefit and/or serve the District 19 – Madisonville Incentive District, subject to compliance with ORC Sections 5709.40 through 5709.43.

WHEREAS, the Department of Transportation and Engineering will be overseeing completion of a study to evaluate improvements to pedestrian safety and access within the area of Madison Road between Medpace Way and Camargo Road; and

WHEREAS, on August 12, 2022, the Madisonville Community Council expressed its support for the use of \$45,000 from the Madisonville Tax Increment Financing (“TIF”) District to provide resources for the traffic study; and

WHEREAS, the traffic study will directly benefit TIF District 19 in the Madisonville community; and

WHEREAS, the Madisonville traffic study is in accordance the “Live” goal to “[c]reate a more livable community,” the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability,” and the “Compete” goal to “[c]ultivate our position as the most vibrant and economically healthiest part of our region,” as described on pages 156, 129, and 114, respectively, of *Plan Cincinnati* (2012); now, therefore,

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

Section 1. That the transfer and appropriation of the sum of \$45,000 from the unappropriated surplus of Madisonville Equivalent Fund 498 to the Department of Transportation and Engineering Madisonville Equivalent Fund non-personnel operating budget account no. 498x232x7200 is hereby authorized for the purpose of providing resources for a traffic study, which will determine appropriate improvements to promote pedestrian safety and access within

the study area of Madison Road between Medpace Way and Camargo Road in the Madisonville neighborhood.

Section 2. That Council hereby declares that the traffic study constitutes a “Public Infrastructure Improvement” (as defined by Section 5709.40(A)(8) of the Ohio Revised Code), that will benefit and/or serve the District 19 – Madisonville Incentive District, subject to compliance with ORC Sections 5709.40 through 5709.43.

Section 3. That the proper City officials are hereby authorized to take all appropriate actions to carry out this ordinance including, but not limited to, the appropriations and transfers authorized herein.

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

Passed: \_\_\_\_\_, 2022

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

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

October 12, 2022

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

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

202201900

**Subject: Emergency Ordinance – DOTE: Ohio Avenue Stairway Signage  
Donation from the University of Cincinnati**

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Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the City Manager to accept and appropriate a donation of \$4,000 from the University of Cincinnati to existing capital improvement program project account no. 980x232x222313, “Neighborhood Gateways/Greenways Imprvmnt,” for the purpose of providing resources for the design, fabrication, and installation of four new identification signs connecting the Ohio Avenue Steps to the Paw Paw Alley Steps between Ohio Avenue, Van Lear Alley, and Vine Street.

This Emergency Ordinance authorizes the City Manager to accept a donation of \$4,000 from the University of Cincinnati to existing capital improvement program project account no. 980x232x222313, “Neighborhood Gateways/Greenways Imprvmnt” for the purpose of providing resources for the design, fabrication, and installation of four new identification signs that connect the Ohio Avenue Steps to the Paw Paw Alley Steps between Ohio Avenue, Van Lear Alley, and Vine Street. Per the donation, the signage is to be installed by the end 2022. Fabrication and installation timeframes can range from 8-10 weeks for completion.

The Ohio Avenue and Paw Paw Alley staircases are crucial pedestrian paths that connect the CUF and Over-the-Rhine (OTR) neighborhoods. The proposed stairway signage will create visible public intersections that help pedestrians easily traverse the hillsides between the City’s basin and hillside neighborhoods, similar to a street sign. The four new signs will expand on a mural recently designed and painted on these steps, as well as eight other staircases identified with similar signage. No matching funds or new FTEs are required for acceptance of this donation.

Installation of stairway signage supports connectivity for pedestrians through enhancement of public stairway systems and is in accordance with the “Connect” goal to “develop an efficient multi-modal transportation system that supports neighborhood livability” as well as the strategies to “expand options for non-automotive travel”; and to “plan, design, and implement a safe and sustainable transportation system” as described on pages 127-138 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to accept funding for the signage, which must be fabricated and installed by the end of the calendar year 2022 to meet the University of Cincinnati's donation deadline.

The Administration recommends passage of this Emergency Ordinance.

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



Attachment

**EMERGENCY**

CFG

-2022

**AUTHORIZING** the City Manager to accept and appropriate a donation of \$4,000 from the University of Cincinnati to existing capital improvement program project account no. 980x232x222313, “Neighborhood Gateways/Greenways Imprvmnt,” for the purpose of providing resources for the design, fabrication, and installation of four new identification signs connecting the Ohio Avenue Steps to the Paw Paw Alley Steps between Ohio Avenue, Van Lear Alley, and Vine Street.

WHEREAS, the Ohio Avenue and Paw Paw Alley Steps are crucial pedestrian paths that connect the CUF and Over-the-Rhine neighborhoods; and

WHEREAS, the proposed stairway signage will create visible public intersections that help pedestrians easily traverse the hillsides between the City’s basin and hillside neighborhoods, functioning similarly to a street sign; and

WHEREAS, the four new signs will expand on a mural recently designed and painted on these steps, as well as eight other staircases identified with similar signage; and

WHEREAS, no matching funds or new FTEs are required for acceptance of this donation; and

WHEREAS, installation of stairway signage supports connectivity for pedestrians through enhancement of public stairway systems and is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability” as well as the strategies to “[e]xpand options for non-automotive travel” and to “[p]lan, design, and implement a safe and sustainable transportation system,” as described on pages 127-138 of *Plan Cincinnati* (2012); now, therefore,

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

Section 1. That the City Manager is hereby authorized to accept and appropriate a donation of \$4,000 from the University of Cincinnati to existing capital improvement program project account no. 980x232x222313, “Neighborhood Gateways/Greenways Imprvmnt,” for the purpose of providing resources for the design, fabrication, and installation of four new identification signs

connecting the Ohio Avenue Steps to the Paw Paw Alley Steps between Ohio Avenue, Van Lear Alley, and Vine Street.

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

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to accept funding for the signage, which must be fabricated and installed by the end of calendar year 2022 to meet the University of Cincinnati's donation deadline.

Passed: \_\_\_\_\_, 2022

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

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





**Reggie Harris**  
*Councilmember*

October 11, 2022

## MOTION

Councilmember Reggie Harris Budget Motion Request

**WE MOVE** that the City Administration allocate \$15,000 for the 2023 Housing Solutions Summit and \$15,000 for a Black Developers Conference from one-time budget contingencies, the final adjustment ordinance, or any other funds the administration finds appropriate.

Reggie Harris, Councilmember

## STATEMENT

The Housing Solutions Summit was a critical point of engagement between the city and its citizens to come together over a vision for the future built environment of our city and neighborhoods. To continue this work, as well as provide updates and accountability for the identified outcomes from the last summit, it is crucial that we ensure that funding is secured for next year's summit for the continuation of this work.

The office of Councilmember Harris, in coordination with the Port, Realist, local affordable housing developers, Cincinnati Development Fund, and other partners will be putting on a two-day conference aimed at providing resources and knowledge for minority developers. The City and other organizations are currently struggling to meet their MBE requirements, and as we begin many major infrastructure projects, it is extremely important that the benefits of those are made equitable and accessible to all our citizens. The goal of the conference will be to both uplift local developers and attract talent across the region to Cincinnati to participate in the City's continued growth.



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

October 5, 2022

## MOTION

WE MOVE that the administration prepare a REPORT on the Hamilton County Court’s “Housing Docket” to determine if disparate treatment exists for property owners according to the demographic factors of race, gender, age, or zip code. The REPORT is to include available data from the past five (5) years on race, gender, age, address, and zip code for the following:

1. Citations issued by the City’s Department of Building & Inspections for housing code violations
2. Housing code violation penalties added to the property owner’s property tax
3. Housing code violation penalties that resulted in foreclosure
4. Housing code violation cases referred to the Hamilton County Court’s “Housing Docket”
5. Actions taken on defendant-property owners in the Hamilton County Court on the “housing docket” involving any of the following:
  - a. Issuance of electronic monitoring devices (“ankle bracelets”)
  - b. Jail time
  - c. Transfer of title from the defendant-property owner to another owner or entity
    - 1) The name of the entity that acquired title
    - 2) The status of the property: vacant land, occupied dwelling, vacant dwelling, other
6. Any other information that the administration deems pertinent in determining whether property owners are treated disparately according to race, gender, age, address, or zip code.

WE MOVE that the administration give an update on the status of the REPORT at the October 18, 2022 Public Safety and Governance Committee, present data gathered to date (e.g., information that the City has on citations as listed in Items 1,2 and 3 above), and suggest a time frame for the completed report.

Jan-Michele Lemon Kearney

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\_\_\_\_\_

Scotty Johnson

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\_\_\_\_\_  
\_\_\_\_\_

## **STATEMENT**

**Members of City Council have received ongoing complaints from African American residents who allege disparate treatment involving housing code violations, including losing their property in foreclosure or in “Housing Court” (the Hamilton County Court’s housing docket scheduled weekly for Tuesday at 9 a.m.). Some of the allegations are that defendant-property owners are given the choice between jail time and surrendering title to their property, ordered to wear an EMU (“ankle bracelet”), or ordered to surrender title to their property. The report requested by this Motion is an attempt to gather pertinent data on the impact of the policies and practices concerning housing code violations.**

# CAL - Public Safety & Governance Committee

J-MCK

Faint, illegible text, possibly bleed-through from the reverse side of the page.



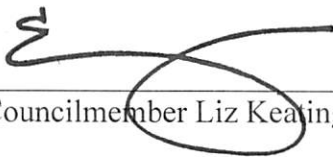
**Liz Keating**  
Councilmember

## MOTION

**WE MOVE** that the administration provide a report before the end of 2022 providing an update of the partnership between the City of Cincinnati and University of Cincinnati. The last presentation was May 17, 2022, since that date, a new school year has begun with record enrollment and a new City Manager is in place. The report shall include the following updates:

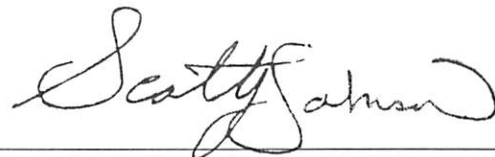
- Current status of the Memorandum of Understanding (MOU) between the Cincinnati Police Department (CPD) and University of Cincinnati Police Division (UCPD) and long-term goals for the partnership
- Current status of crime data in the CSR (Concentration of Student Residents) Area around the university campus and ongoing efforts to reduce these numbers
- Current status of staffing levels within University of Cincinnati Police Division and efforts to increase those levels
- Current status of student housing and the impact on neighborhoods surrounding the university campus
- Current status of overall efforts to improve safety and quality of life for students and neighborhood residents surrounding the university campus, including crime reduction, pedestrian safety efforts, litter and illegal dumping control, and others.

**WE FURTHER MOVE** that the administration, CPD, and UCPD present the report at a Public Safety and Governance Committee meeting before the end of 2022.



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Councilmember Liz Keating



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Councilmember Scotty Johnson

JAD DW



WG CAL

October 5, 2022

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

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

202201875

**Subject: Emergency Ordinance: Modifying the Salary Range for the classification of Sign Painter**

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Attached is an Emergency Ordinance captioned:

**MODIFYING** the salary range schedule for the classification of Sign Painter by amending Section 620 of Division 1, Chapter 307 of the Cincinnati Municipal Code, in order to ensure that the new salary range is consistent with the level of responsibility of this position and competitive with similar positions across internal and external job markets.

Classification	Minimum (Annual)	Maximum (Annual)
Sign Painter	\$ 62,764.86	<del>62,764.86</del> \$76,409.02

The Human Resources Director has approved to modify the salary schedule for the employment classification of Sign Painter. The Department of Human Resources has done due diligence and conducted appropriate internal comparisons to ensure that the new salary range is consistent with the scope of services and the level of responsibility of the position, with factors considered throughout the evaluation process including liability, scope of responsibility, judgment and independent action, and accountability. The modification of the classification is necessary to fit the needs of the City, and consistent with the organizational changes described herein.

The Administration recommends passage of this Emergency Ordinance.

cc: Edward G. Ramsey, Human Resources Director  
 Latisha Hazell, Human Resources Deputy Director



**EMERGENCY**

**KKF**

**-2022**

**MODIFYING** the salary range schedule for the classification of Sign Painter by amending Section 620 of Division 1, Chapter 307 of the Cincinnati Municipal Code, in order to ensure that the new salary range is consistent with the level of responsibility of this position and competitive with similar positions across internal and external job markets.

WHEREAS, the Human Resources Department is recommending a modification to the current salary range for the classification of Sign Painter following the approval of a classification study by the Civil Service Commission and salary negotiations with the union pursuant to Article 36 of the AFSCME collective bargaining agreement; and

WHEREAS, the Human Resources Department completed its due diligence and conducted appropriate internal comparisons to ensure that the new classification and salary range are consistent with the scope of services and the level of responsibility of the position of Sign Painter, taking into consideration such factors as scope of responsibility, judgment and independent action, and accountability; now, therefore,

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

Section 1. That existing Section 620 of Division 1, Chapter 307 of the Cincinnati Municipal Code is hereby amended as shown below:

<b>Classification</b>	<b>Minimum Annual</b>	<b>Maximum Annual</b>
<b>Sign Painter 620 Division 1</b>	\$62,764.86	<del>\$62,764.86</del> \$76,409.02

<b>Sign Painter 620 Division 1</b>	<b>Hourly</b>	<b>Annual</b>
Step 1 (Hourly)	<u>30.175412</u>	<u>\$62,764.86</u>
Step 2 (Hourly)	<u>31.181087</u>	<u>\$64,856.66</u>
Step 3 (Hourly)	<u>32.220276</u>	<u>\$67,018.17</u>
Step 4 (Hourly)	<u>33.294099</u>	<u>\$69,251.73</u>
Step 5 (Hourly)	<u>34.403709</u>	<u>\$71,559.71</u>
Step 6 (Hourly)	<u>35.550300</u>	<u>\$73,944.62</u>
Step 7 (Hourly)	<u>36.735104</u>	<u>\$76,409.02</u>

Section 2. That existing Section 620 of Division 1, Chapter 307 of the Cincinnati Municipal Code is hereby repealed.

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 adjust the salary range of the Sign Painter classification to ensure that the new salary range is consistent with the level of responsibility of this classification and competitive with similar positions across internal and external job markets.

Passed: \_\_\_\_\_, 2022

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

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

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