



City of Cincinnati

801 Plum Street
Cincinnati, OH 45202

Agenda - Final-revised

Major Projects & Smart Government

Chairperson Greg Landsman
Councilmember Chris Seelbach
Councilmember David Mann
Councilmember Wendell Young
Councilmember Jan-Michele Kearney

Tuesday, September 1, 2020

1:00 PM

Council Chambers, Room 300

AGENDA

1. [202001074](#) ORDINANCE, (EMERGENCY) Ordinance, submitted by Vice Mayor Christopher Smitherman from Andrew W. Garth, Interim City Solicitor on 7/31/2020, TO SUBMIT to the electors of the City of Cincinnati an amendment to the Charter of the City to provide for the election of members of City Council by proportional representation by repealing exiting Sections 5, 5a, 7, 8, 11 and 12 of Article IX of the Charter and enacting new Sections 5, 5a, 7, 8, 11, 12 and 13.
2. [202000985](#) ORDINANCE submitted by Paula Boggs Muething, Interim City Manager, on 8/5/2020, MODIFYING the salary range schedule for the classification Public Employees Assistance Program Coordinator by amending existing Section 219 of Division 0, Chapter 307 of the Cincinnati Municipal Code, in order to establish a new salary range schedule for Public Employees Assistance Program Coordinator.
3. [202000987](#) ORDINANCE submitted by Paula Boggs Muething, Interim City Manager, on 8/5/2020, ESTABLISHING the classification and salary range schedule for the new employment classification of Public Employees Assistance Program Counselor and ENACTING Section 247 of Division 4, Chapter 307 of the Cincinnati Municipal Code, consistent with the organizational changes described herein, in order to implement the new title and classification of Public Employees Assistance Program Counselor that will replace the existing title and classification of Public Health Consultant classification.
4. [202000988](#) ORDINANCE submitted by Paula Boggs Muething, Interim City Manager, on 8/5/2020, ESTABLISHING the salary schedule and classification title for the new employment classification of Water Security Supervisor, by enacting Section 761 of Division 0, Chapter 307 of the Cincinnati Municipal Code, in order to establish a new salary schedule and new classification title of Water Security Supervisor

5. [202001057](#) MOTION, dated 8/3/2020 submitted by Councilmembers Seelbach, Youn Kearney and Landsman, WE MOVE that the Administration cease all efforts and activities involved in the widening of Ezzard Charles Drive between Cutter Street and Central Avenue in the West End, including construction efforts led by third parties using city dollars. WE FURTHER MOVE that the Administration present on the proposed widening in the Major Projects Committee this September before any construction begins. This meeting will allow residents who live directly along and around Ezzard to learn the details of this project and express their concerns and ask questions. (STATEMENT ATTACHED)
6. [202000942](#) MOTION, submitted by Councilmember Mann, WE MOVE that the City identify ways to encourage and facilitate city employees to volunteer as p workers for the November election. (STATEMENT ATTACHED)
7. [202001068](#) COMMUNICATION, dated 8/4/2020 submitted by Councilmember Seelbach from Jason Mickey, regarding widening of Ezzard Charles.

SUPPLEMENTAL AGENDA

8. **202001387** ORDINANCE (EMERGENCY), submitted by Councilmember Seelbach, dated August 31, 2020, AUTHORIZING the City Manager to take such actions as are necessary to establish fare-free transit service for the Cincinnati Bell Connector beginning on September 2, 2020, which program shall be consistent with the adopted Fiscal Year 2021 streetcar budget; AUTHORIZING the suspension for sixty days of those sections of the Cincinnati Municipal Code that would otherwise require payment of fares by streetcar rides; and DECLARING Council's intent to introduce additional legislation within sixty days to modify the Cincinnati Municipal Code to allow for an ongoing fare-free service option for the Cincinnati Bell Connector.
9. **202001425** REPORT, dated 9/1/2020, submitted by Paula Boggs Muething, Interim City Manager, regarding FC Cincinnati stadium - Ezzard Charles roadway improvement update.
10. **202001348** ORDINANCE (EMERGENCY) (B VERSION), submitted by Vice Mayor Smitherman, dated August 27, 2020, TO SUBMIT to the electors of the City of Cincinnati an amendment to the Charter of the City to provide for the election of the members of City Council by single transferable voting by amending existing Sections 5 and 8 of Article IX of the Charter, and repealing existing Sections 5, 5a, 5b, 6, 7, 8, and 11.

ADJOURNMENT

202001074

Date: July 31, 2020

To: Vice Mayor Christopher Smitherman

From: Andrew W. Garth, Interim City Solicitor

AWG

Subject: Emergency Ordinance – Proportional Representation Charter Amendment

Transmitted herewith is an emergency ordinance captioned as follows:

TO SUBMIT to the electors of the City of Cincinnati an amendment to the Charter of the City to provide for the election of members of City Council by proportional representation by repealing exiting Sections 5, 5a, 7, 8, 11, and 12 of Article IX of the Charter and enacting new Sections 5, 5a, 7, 8, 11, 12, and 13.

AWG/AEP/(lnk)
Attachment
316934

EMERGENCY

City of Cincinnati

AEP *AWB*

An Ordinance No. _____

- 2020

TO SUBMIT to the electors of the City of Cincinnati an amendment to the Charter of the City to provide for the election of members of City Council by proportional representation by repealing exiting Sections 5, 5a, 7, 8, 11, and 12 of Article IX of the Charter and enacting new Sections 5, 5a, 7, 8, 11, 12, and 13.

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio, two-thirds of the members elected thereto concurring:

Section 1. That there shall be submitted to the vote of the qualified electors of the City of Cincinnati for their approval or disapproval at the general election to be held November 3, 2020, an amendment to the Charter of the City of Cincinnati, to provide for the election of members of City Council by proportional representation by repealing exiting Sections 5, 5a, 7, 8, 11, and 12 of Article IX of the Charter and enacting new Sections 5, 5a, 7, 8, 11, 12, and 13, as follows:

ARTICLE IX, "Nominations and Elections," new Sections enacted:

Section 5. Ballots used in electing members of the council and the mayor shall be without party mark or designation. Each elector shall be entitled to vote for one candidate for mayor and to vote for candidates for the council by ranking the elector's preferred candidates in accordance with the instructions printed on the ballot.

Section 5a. Except for the names of the candidates and date of the election, the ballots for election for the members of the council shall be in form substantially as follows:

Regular Municipal Election

Election for Members of the Council

November _____, _____

Directions to Voters

Rank your choices for Council candidates from first to ninth. Rank your first choice by making a mark in the first column following the name of your first-choice candidate. Rank as many other choices as you have up to nine; that is your second, third, fourth, fifth, sixth, seventh, eighth, and ninth choices by making a mark in the second, third, fourth, fifth, sixth, seventh, eighth, and ninth columns following the names of your second- through ninth-choice candidates.

You may rank fewer than nine candidates. Do not rank more than nine Council candidates. Do not rank the same candidate more than once and do not give the same ranking to more than one candidate.

Your vote will be counted for your first-choice candidate if it can be used to help elect that candidate. If it cannot help elect your first-choice candidate, it will be transferred to the highest of your other candidate choices whom it can help.

You cannot hurt any of those candidates you prefer by marking lower choices for others. The more choices you express, up to nine, the more likely you are to make your ballot count for one of them. But do not feel obliged to express choices for candidates you do not want to help elect.

If you spoil this ballot, return it to the election officer in charge of the ballots and get another from the election officer.

CANDIDATES FOR CITY COUNCIL

Candidate	1 st	2 nd	3 rd	4 th	5 th	6 th	7 th	8 th	9 th

Section 7. Except as otherwise provided in this charter, ballots cast for election of members of the council and mayor shall be counted and the results determined and certified by the election authorities in the manner provided by general election law for non-partisan ballots for municipalities.

Section 8. Votes shall be counted for write-in candidates for members of the council who have complied with the general election law. At least one blank space shall be left on the ballot below the printed names of the candidates. In any such space an elector may write the name of any qualified write-in candidate for member of the council, and votes cast for such person shall be counted as though for candidates whose names are printed on the ballots, provided that the ranking (first, second, third, fourth, fifth, sixth, seventh, eighth, or ninth) is also marked for the write-in candidate, and that no other candidate is given the same rank.

The valid ballots cast in the non-partisan primary election for candidates for mayor shall be counted to determine the total number of votes cast in said primary election. The two candidates receiving the highest number of votes shall be declared eligible for the regular municipal election for mayor in November and shall have their names printed on the ballot for mayor.

The valid ballots cast in the regular municipal election for mayor shall be counted to determine the total number of votes cast for mayor. The candidate or eligible person receiving the highest number of votes cast for mayor shall be declared elected mayor.

If any two or more persons receive an equal and highest number of votes, one of them shall be chosen as mayor according to the method prescribed by the general election laws of the state of Ohio for deciding tie votes.

Votes shall be counted for write-in candidates for mayor at the primary or regular municipal election who have complied with the general election law.

Section 11. The council shall have power to provide for the use of mechanical, electronic, or other devices for marking, sorting, and counting the ballots and tabulating the results and to modify the form of the ballot, the directions to voters, and the details with respect to the method of marking, sorting, counting, invalidating, transferring, and preserving ballots; provided that no change shall be made which will alter the principles of voting, counting, or tabulating of votes as provided in sections 5a, 7, 8, 11, and 12 of Article IX.

In the event that the council does provide in any election for the use of mechanical, electronic, or other devices for marking, sorting, and counting the ballots and tabulating the results, then such election shall be conducted in accordance with the laws of the State of Ohio, now or hereafter in force, relating to voting and tabulating equipment, to the extent that such laws do not conflict or interfere with the efficient and secure casting, counting, or tabulating of votes as provided in sections 5a, 7, 8, 11, and 12 of Article IX.

Section 12. Ballots cast for the election of the members of the council shall be counted and the results determined by the election authorities, according to the following rules:

- (a) So far as may be consistent with the general election laws, every ballot from which the first choice of the voter can be clearly ascertained shall be considered valid.
- (b) The election authorities shall determine which ballots are invalid. A ballot shall be set aside as invalid if it does not show clearly which candidate the voter prefers to all others, or if it contains words or marks apparently intended to identify the voter. All ballots including those found invalid by the election authorities shall be set aside and preserved until sixty days after the count is finished and thereafter, upon request of any candidate, until any controversy arising thereon shall have been terminated.
- (c) The ballots shall first be sorted and counted according to the first choices of the voters.
- (d) The election authorities shall count the valid first choice ballots cast for each candidate and shall then, in the case of each candidate, number the said first choice ballots, as they come, consecutively, (1, 2, 3, 4, etc.). Council may, by ordinance, establish the order in which the precinct packages shall be taken for this purpose. In default of such provision, the election authorities may adopt any convenient order, but the same order shall be followed as to all the candidates. All ballots received by each candidate during the entire course of the counts shall be consecutively numbered so that the last number at all times shall correspond to the total vote of the candidate.
- (e) The whole number of valid ballots cast shall be divided by a number greater by one than the number of seats to be filled. The next whole number larger than the resulting quotient is the quota that suffices to elect a member.
- (f) All candidates whose valid first choice votes equal or exceed the quota shall then be declared elected.

- (g) All first-choice votes obtained by any candidate in excess of the quota shall be termed the candidate's surplus.
- (h) Any surpluses shall then be transferred, the largest surplus first, then the next largest, and so on, according to the following rules:

In the transfer of the surplus, transferable ballots up to the number of votes in the surplus shall be transferred to the continuing candidates marked on them as the next choice, in accordance with section (m). The omission of any consecutive figure in the designation of choices shall not invalidate the ballot as to subsequent choices; the choices shall be taken in order of the figures used. A designation of the same ranking, other than as the first choice, for more than one candidate shall not invalidate the ballot as to subsequent choices; the single candidate designated with the next highest numerical ranking after the duplicated ranking shall be the next choice taken. The particular ballots to be taken for transfer as the surplus of a candidate shall be obtained according to the following rule:

Subtract the quota required for election to the council from the total first choice votes received by the candidate. The difference is the candidate's surplus. Divide the surplus into the total first choice votes of the candidate. If the result is a whole number, take that number as the basis of selection as directed below. If the result is not a whole number, take the next higher whole number as the basis; for example, if the result of the division is 3.2 the whole number 4 would be taken. Then take for transfer from all the candidate's first choice ballots those numbered with successive multiples of the number taken as the basis of selection; for example, if 4 is the number, the ballots numbered 4, 8, 12, 16, 20, etc., would be taken. If any of the ballots so taken are not transferable to another candidate who does not already have a quota, return it to the credit of the candidate whose surplus is being transferred.

If this procedure does not produce enough transferable ballots to exhaust the surplus, divide the remaining surplus into the total first choice votes of the candidate. If the result is a whole number, take that number as the new basis of selection as previously directed. If the result is not a whole number, take the next lower whole number as the new basis, and repeat the foregoing process, taking multiples of the basis number on remaining ballots until the surplus is exhausted; but whenever this number or its multiple is the number of a ballot already taken, take the next following numbered remaining ballot instead. If any of the ballots so taken are not transferred to another candidate who does not already have a quota, return it to the credit of the candidate whose surplus is being transferred. If this procedure still does not produce enough transferable ballots to exhaust the surplus, determine another basis of selection by dividing the remaining surplus into the total first choice votes of the candidate, and proceed again in the manner last provided in this paragraph, and repeat this procedure as many times as may be necessary to exhaust the surplus. The number one shall be regarded as the next number following the highest number marked on any of the candidate's first choice ballots, for the purposes of this section.

Without limiting the generality of Section 11, if the council provides for the use of mechanical, electronic or other devices as provided in Section 11, it may provide for transfer of surpluses by transferring a fraction, not exceeding one, of each

transferable ballot, the numerator of which fraction is the respective surplus of each candidate and the denominator is the total number of transferable ballots of that candidate.

- (i) "Transferable ballots" means ballots from which the next choice of the voter for some continuing candidate can be clearly ascertained.
- (j) A "continuing candidate" is a candidate as yet neither elected nor defeated.
- (k) The votes standing to the credit of each candidate shall be added and a tabulation of results made whenever a comparison of the votes of the several candidates is necessary to determine the next step in the procedure.
- (l) After the transfer of all surpluses (or after the first count if no candidate received a surplus) every candidate who has no votes to his or her credit shall be declared defeated. Then the candidate lowest on the poll as it stands shall be declared defeated and all his or her transferable ballots transferred to continuing candidates, each ballot being transferred to the credit of that continuing candidate next preferred by the voter in accordance with rule (m). The candidate then lowest shall be declared defeated and all his or her transferable ballots transferred the same way. The lowest candidates shall be declared defeated one after another and their transferable ballots transferred to continuing candidates.
- (m) Whenever in the transfer of a surplus or of the ballots of a defeated candidate the vote of any candidate becomes equal to the quota, the candidate shall immediately be declared elected and no further transfer to that candidate shall be made.
- (n) The election shall be at an end when either of the following occur:

When candidates to the number of seats to be filled have received a quota and have therefore been declared elected. All other candidates then shall be declared defeated.

When the number of continuing candidates is reduced to the number of seats still to be filled, those candidates shall be declared elected whether they have received the full quota, in such event, the ballots of the candidate last declared defeated shall be distributed among the candidates last declared elected up to the amount of their quotas according to the rules in this section 12.

- (o) If, when a candidate is to be declared defeated, two or more candidates at the bottom of the poll have the same number of votes, the tied candidate who was credited with the fewest votes at the end of the count next preceding shall be declared defeated. Any further tie shall be decided in the same manner. Except as otherwise provided, any tie shall be resolved in accordance with the general election laws of Ohio.
- (p) Any recount of the ballots shall be made by the election authorities in accordance with this section except that the reference to voting precincts may be disregarded. In any recount, every ballot shall be counted in the same way as it was counted in the original counting, unless a mistake is discovered that requires a correction. In such case, any required changes shall be made in the course taken by the ballot. These principles shall apply also to the correction of any error that may be discovered during the original counting.
- (q) To permit an independent count of the ballots, the rankings cast shall be made available upon public request.

Section 13. If any provision of Article IX is amended or held unconstitutional or in violation of state law, this shall not affect the validity, force, or effect of any other provision of Article IX.

Section 2. That the form of submission of the proposed amendment to the electors shall be substantially as follows:

<p>CHARTER AMENDMENT</p> <p>A majority vote is necessary for passage.</p>	
<p>YES</p>	<p>Shall the Charter of the City of Cincinnati be amended to provide for the election of members of City Council by proportional representation, by repealing existing Sections 5, 5a, 7, 8, 11, and 12 and enacting new Sections 5, 5a, 7, 8, 11, 12, and 13?</p>
<p>NO</p>	

Section 3. That the Clerk of Council shall give notice of the proposed Charter Amendment in the manner provided by Sections 8 and 9 of Article XVIII of the Ohio Constitution and Section 731.211 (B) of the Ohio Revised Code.

Section 4. That the Clerk of Council is directed to certify and transmit to the Board of Elections of Hamilton County, Ohio, a copy of this ordinance and direct the said Board to submit the proposed Charter amendment to the electors of the City of Cincinnati as provided by law.

Section 5. That the Board of Elections of Hamilton County, Ohio, shall certify to the Council the result of the vote upon said amendment, and if said amendment is approved by a majority of the electors voting thereon, amended Sections 5, 5a, 7, 8, 11, and 12 of Article IX shall become a part of the Charter of the City of Cincinnati in place of existing Sections 5, 5a, 7,

8, 11, and 12, which shall be repealed, and new Section 13 of Article IX shall be enacted and become a part of the Charter of the City of Cincinnati.

Section 6. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate necessity to authorize the Clerk of Council to certify and transmit this ordinance to the Hamilton County Board of Elections at least sixty days prior to the November 3, 2020 general election.

Passed: _____ 2020

John Cranley, Mayor

Attest: _____
Clerk

City of Cincinnati



Interdepartmental
Correspondence Sheet

August 5, 2020

To: Mayor and Members of City Council

From: Paula Boggs Muething, Interim City Manager

Subject: Ordinance: **MODIFYING** the salary range schedule for the classification of Public Employees Assistance Program Coordinator

Attached is an ordinance captioned:

MODIFYING the salary range schedule for the classification of Public Employees Assistance Program Coordinator by amending existing Section 219 of Division 0, Chapter 307 of the Cincinnati Municipal Code, in order to establish a new salary range schedule for Public Employees Assistance Program Coordinator

The Human Resources Director has approved the request for this ordinance to modify the salary schedule for the employment classification of Public Employees Assistance Program Coordinator. The Department of Human Resources has done due diligence and conducted appropriate evaluation to ensure that the new salary schedule and classification title is consistent with similar positions with factors considered throughout the evaluation process including, scope of work and responsibility. The creation of the classification is necessary to fit the needs of the City, and consistent with the organizational changes described herein.

City Administration recommends passage of this ordinance.

cc: William M. Brown, Human Resources Director

EMERGENCY

AEP

- 2020

MODIFYING the salary range schedule for the classification of Public Employees Assistance Program Coordinator by amending existing Section 219 of Division 0, Chapter 307 of the Cincinnati Municipal Code, in order to establish a new salary range schedule for said classification.

WHEREAS, the City of Cincinnati Human Resources Department recommends a modification to the current salary range for the classification of Public Employees Assistance Program Coordinator to enhance marketability and competitiveness in the job market; and

WHEREAS, the City's Human Resources Department conducted a market analysis to further assess the compensation range against industry trends, and the research determined that the City was below market as it relates to the position of Public Employees Assistance Program Coordinator and confirmed the need for adjustment of the salary range to ensure competitiveness within the industry; and

WHEREAS, the Human Resources Department 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 of Public Employees Assistance Program Coordinator; now, therefore,

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

Section 1. That existing Section 219 of Division 0, Chapter 307 of the Cincinnati Municipal Code is hereby amended as shown below:

Classification	Minimum Annual	Maximum Annual
Public Employees Assistance Program Coordinator	\$60,844 — <u>\$86,897.80</u>	\$91,306 — <u>\$120,914.94</u>

Section 2. That the proper City officials are hereby authorized to do all things necessary 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 adjust the salary range of the Public Employees Assistance Program Coordinator classification to ensure competitive retention and recruitment.

Passed: _____, 2020

John Cranley, Mayor

Attest: _____
Clerk

Deletions are struck through. Additions are underlined.

City of Cincinnati



Interdepartmental
Correspondence Sheet

August 5, 2020

To: Mayor and Members of City Council

From: Paula Boggs Muething, Interim City Manager

Subject: Ordinance: New Classification and Salary Range for the Public Employees Assistance Program Counselor

Attached is an ordinance captioned:

ESTABLISHING the classification and salary range schedule for the new employment classification of Public Employees Assistance Program Counselor and **ENACTING** Section 247 of Division 4, Chapter 307 of the Cincinnati Municipal Code, consistent with the organizational changes described herein, in order to implement the new title and classification of Public Employees Assistance Program Counselor that will replace the existing title and classification of Public Health Consultant classification

The Human Resources Director has approved the request for this ordinance to establish the salary schedule and classification title for the new employment classification of Public Employees Assistance Program Counselor. The Department of Human Resources has done due diligence and conducted appropriate evaluation to ensure that the new salary schedule and classification title is consistent with similar positions with factors considered throughout the evaluation process including, scope of work and responsibility. The creation of the classification is necessary to fit the needs of the City, and consistent with the organizational changes described herein.

City Administration recommends passage of this ordinance.

cc: William M. Brown, Human Resources Director

EMERGENCY

AEP

- 2020

ESTABLISHING the classification and salary range schedule for the new employment classification of Public Employees Assistance Program Counselor and **ENACTING** Section 247 of Division 4, Chapter 307 of the Cincinnati Municipal Code, consistent with the organizational changes described herein, in order to implement the new title and classification of Public Employees Assistance Program Counselor that will replace the existing title and classification of Public Health Consultant.

WHEREAS, the City’s Human Resources Department recommends a modification to the title for the classification of Public Health Consultant with the new classification title of Public Employees Assistance Program Counselor to ensure the title accurately reflects the work performed; and

WHEREAS, the City's Human Resources Department also recommends a modification to the current salary range for the classification of Public Employees Assistance Program Counselor to enhance marketability, to ensure competitiveness in the job market, and to maintain internal salary equity; and

WHEREAS, the City’s Human Resources Department has done due diligence to ensure that the new salary range is consistent with the level of responsibility, liability, and scope of work performed and finds that the salary range requires amendment to expand the salary maximum; now, therefore,

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

Section 1. That existing Section 247 of Division 4, Chapter 307 of the Cincinnati Municipal Code is hereby amended as shown below:

Classification

~~Public Health Consultant~~ Public Employees Assistance Program Counselor

	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7
HOURLY	27.37	30.19667	33.02333	35.85	38.67667	41.50334	44.33001
ANNUAL	\$56,929.60	Minimum					
	\$74,568	Maximum					
	\$92,206.40						

Section 2. That the proper City officials are hereby authorized to do all things necessary to carry out the provisions 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 adjust the salary range of the said classification.

Passed: _____, 2020

John Cranley, Mayor

Attest: _____

Deletions are struck through. Additions are underlined.

City of Cincinnati



Interdepartmental
Correspondence Sheet

August 5, 2020

To: Mayor and Members of City Council

From: Paula Boggs Muething, Interim City Manager

Subject: Ordinance: New Classification and Salary Range for the Water Security Supervisor

Attached is an ordinance captioned:

ESTABLISHING the salary schedule and classification title for the new employment classification of Water Security Supervisor, by enacting Section 761 of Division 0, Chapter 307 of the Cincinnati Municipal Code, in order to establish a new salary schedule and new classification title of Water Security Supervisor

The Human Resources Director has approved the request for this ordinance to establish the salary schedule and classification title for the new employment classification of Water Security Supervisor. The Department of Human Resources has done due diligence and conducted appropriate evaluation to ensure that the new salary schedule and classification title is consistent with similar positions with factors considered throughout the evaluation process including, scope of work and responsibility. The creation of the classification is necessary to fit the needs of the City, and consistent with the organizational changes described herein.

City Administration recommends passage of this ordinance.

cc: William M. Brown, Human Resources Director

EMERGENCY

AEP

- 2020

ESTABLISHING the salary schedule and classification title for the new employment classification of Water Security Supervisor by enacting Section 761 of Division 0, Chapter 307 of the Cincinnati Municipal Code, in order to establish a new salary schedule and classification title for this classification, consistent with the organizational changes described herein.

WHEREAS, the Greater Cincinnati Water Works has been a municipally owned and operated utility since it was purchased by the City of Cincinnati in 1839; and

WHEREAS, the Greater Cincinnati Water Works employees provide customers with a plentiful supply of high-quality water, support environmental sustainability, and deliver excellent services in a financially responsible manner; and

WHEREAS, the City's Human Resources Department has determined that the creation of the Water Security Supervisor classification is necessary in order to recruit and retain quality employees; and

WHEREAS, the Water Security Supervisor classification is necessary to ensure consistencies in the knowledge, skills, and abilities required to carry out the duties and tasks prescribed to the position; and

WHEREAS, the Water Security Supervisor position and salary range provide an opportunity to increase effectiveness while maintaining a standard of excellence and a clear pathway for continued growth and career progression for employees; and

WHEREAS, the Department of Human Resources has done due diligence and conducted appropriate internal comparisons to ensure that the new classification and salary range is consistent with the scope of services and the level of responsibility of the position of Water Security Supervisor, with factors considered throughout the evaluation process including liability, scope of responsibility, judgment and independent action, accountability, and supervisory responsibility; and

WHEREAS, it has been determined that adopting the new salary range and classification title for the position is based upon a market analysis and consistent with the organization changes described herein, and internal cost of living adjustment comparisons as approved by City Council; and

WHEREAS, it is further recommended that future cost of living adjustments for the Water Security Supervisor be aligned with salary adjustments for the non-represented groups as approved by City Council; now, therefore,

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

Section 1. That Section 761 of Division 0, Chapter 307 of the Cincinnati Municipal Code is hereby established as shown below:

Classification	Minimum - Annual	Maximum - Annual
Water Security Supervisor	\$ 54,887.63	\$ 80,403.03

Section 2. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to establish the classification and salary ranges in order to recruit and retain qualified employees.

Passed: _____, 2020

John Cranley, Mayor

Attest: _____
Clerk

MOTION
August 3, 2020

202001057

We MOVE that the Administration cease all efforts and activities involved in the widening of Ezzard Charles Drive between Cutter Street and Central Ave in the West End, including construction efforts led by third parties using city dollars.

We FURTHER MOVE that the Administration present on the proposed widening in the Major Projects Committee this September before any construction begins. This meeting will allow residents who live directly along and around Ezzard to learn the details of this project and express their concerns and ask questions.

STATEMENT

The West End community had no knowledge of this impending widening of Ezzard Charles Drive until this past week, and only learned of the details after approaching surveyors who were preparing the construction work. Neither the City, nor FC Cincinnati who is leading the project, engaged neighbors and residents on the widening, despite the fact it goes through a residential area and directly in front of a school and a multi-school shared stadium in a community where the vast majority of students walk to school. With zero neighborhood engagement, this project should stop immediately and be reconsidered with alternatives before moving forward.



City of Cincinnati



801 Plum Street, Suite 340
Cincinnati, Ohio 45202

Phone: (513) 352-4610
Email: david.mann@cincinnati-oh.gov
Web: www.cincinnati-oh.gov

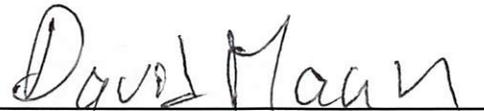
202000942

David S. Mann
Councilmember

July 28, 2020

MOTION

WE MOVE that the City identify ways to encourage and facilitate city employees to volunteer as poll workers for the November election.



Councilmember David Mann

_____	_____
_____	_____
_____	_____
_____	_____

Statement:

As we prepare for the November 3rd election amidst coronavirus uncertainty, the Board of Election (BOE) is recruiting a pool of poll workers so that our region is best prepared to facilitate a smooth election.

Poll workers are the difference between a smooth election and long lines, mass confusion and miscounted ballots. In recent years, it has been difficult to recruit poll workers; they are becoming older and a new generation of workers has been difficult to recruit. The February primary demonstrated these challenges.

The November election is anticipated to draw a large percentage of eligible voters and the need for poll workers will be considerable.

CAL
GR

11/11/2020

11/11/2020

Williams, Brenda

From: Harmon, Jon
Sent: Tuesday, August 4, 2020 11:03 AM
To: Williams, Brenda
Subject: Fw: [External Email] Widening of Ezzard Charles

202001068

Please file as a communication from Chris for Council agenda.

Thank you

From: Jason Mickey <jason.p.mickey@gmail.com>
Date: August 3, 2020 at 10:49:23 PM EDT
To: #COUNCIL <#COUNCIL@cincinnati-oh.gov>
Subject: [External Email] Widening of Ezzard Charles

External Email Communication

Hello esteemed members of city council

I am a citizen and homeowner of the West End living on Cutter St. Today, I heard from a friend and neighbor that DOTE plans to begin in the next two weeks a project widening Ezzard Charles.

This revelation concerns me for a variety of reasons:

- 1) Regardless of the speed limit that is set, widening the road will unofficially encourage drivers to travel faster and more dangerously through the West End
- 2) Ezzard Charles primarily serves homes and schools
- 3) There is a large number of children who, when school is in session, cross Ezzard Charles to attend Hays-Porter Elementary School, Taft High School, and St. Joe's everyday
- 4) As a member of the West End Community Council Executive Board, it is especially concerning that the community council has not been made aware of these plans previously

Please accept this as a humble request to halt the widening of Ezzard Charles until DOTE has presented the plan to the community and the community has had an opportunity to comment and voice their concerns.

Thank you for your time
Jason Mickey
1205 Cutter St

EMERGENCY

City of Cincinnati

An Ordinance No. _____

AWG

AWG

- 2020

AUTHORIZING the City Manager to take such actions as are necessary to establish fare-free transit service for the Cincinnati Bell Connector beginning on September 2, 2020, which program shall be consistent with the adopted Fiscal Year 2021 streetcar budget; **AUTHORIZING** the suspension for sixty days of those sections of the Cincinnati Municipal Code that would otherwise require payment of fares by streetcar riders; and **DECLARING** Council's intent to introduce additional legislation within sixty days to modify the Cincinnati Municipal Code to allow for an ongoing fare-free service option for the Cincinnati Bell Connector.

WHEREAS, the Council of the City of Cincinnati has enacted an operations and maintenance budget for Fiscal Year 2021 based on collection of zero dollars in fare revenue, which makes it possible for the Cincinnati Bell Connector to move to a fare-free transit system; and

WHEREAS, the City Administration has given the streetcar operator notice to resume service on September 2, 2020; and

WHEREAS, additional legislative and administrative actions must occur in order to fully implement a fare-free transit option for the Cincinnati Bell Connector, which steps cannot be completed prior to the resumption of service on September 2, 2020; and

WHEREAS, Council by this ordinance intends to establish a sixty-day period for fare-free service, starting on September 2, 2020, which period will provide time to review and implement the broader changes necessary to establish an extended, fare-free system for the Cincinnati Bell Connector; and

WHEREAS, the City Administration will work with the Federal Transit Administration, state regulators, and the streetcar operator to take such steps as are needed for temporary and long-term free-fare service including additional legislation, fare-free operating procedures, signage requirements and information changes to station stops, and such other steps as may be necessary to carry out this ordinance; now, therefore,

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

Section 1. That Council hereby authorizes the City Manager to take any and all appropriate steps to establish a sixty-day period for fare-free service, starting on September 2, 2020, which period will provide time to review and implement the broader changes necessary to establish an extended, free-fare system for the Cincinnati Bell Connector. The fare-free system shall be

consistent with enacted streetcar budget ordinances and shall not exceed existing streetcar appropriations for Fiscal Year 2021.

Section 2. That by this ordinance Council authorizes the City Administration to adopt fare-free transit service for the Cincinnati Bell Connector notwithstanding any contrary language or provisions in the Cincinnati Municipal Code including, but not limited to: sections 723-26 - Streetcar Designated Paid Fare Zone; 770-1-D - Designated Paid Fare Zone; 770-3 - Unlawfully Obtaining Streetcar Services; 770-5 (f) - Unlawful Interference with Streetcar Services; 770-7 - Notice of Violation; Exclusion from Streetcar System; Misdemeanor; and 770-9 - Enforcement of Civil Violations. These provisions shall be inapplicable to streetcar operations for sixty days but only to the extent and in such manner as operation of these provisions would conflict with fare-free operations. The above provisions remain in effect to the extent consistent with ongoing streetcar operating policies and non-fare-based enforcement needs.

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 provide for fare-free operations and restart for the Cincinnati Bell Connector on September 2, 2020.

Passed: _____, 2020

John Cranley, Mayor

Attest: _____
Clerk

Date: August 31, 2020

To: Councilmember Chris Seelbach
From: Andrew W. Garth, Interim City Solicitor *AWG*
Subject: **Emergency Ordinance – Streetcar Free Fare Authorization**

Transmitted herewith is an ordinance captioned as follows:

AUTHORIZING the City Manager to take such actions as are necessary to establish fare-free transit service for the Cincinnati Bell Connector beginning on September 2, 2020, which program shall be consistent with the adopted Fiscal Year 2021 streetcar budget; **AUTHORIZING** the suspension for sixty days of those sections of the Cincinnati Municipal Code that would otherwise require payment of fares by streetcar riders; and **DECLARING** Council’s intent to introduce additional legislation within sixty days to modify the Cincinnati Municipal Code to allow for an ongoing fare-free service option for the Cincinnati Bell Connector.

AWG/AWG/(lnk)
Attachment
319653

Date: September 1, 2020

To: Mayor and Members of City Council
From: Paula Boggs Muething, Interim City Manager
Subject: FC CINCINNATI STADIUM - EZZARD CHARLES ROADWAY IMPROVEMENT UPDATE

This road project is being completed and undertaken by FC Cincinnati. The City Administration asked FC Cincinnati to provide information on community engagement and any responses by the community for the Ezzard Charles roadway improvements project. The work for the project is currently on hold until a consensus is reached to move forward.

Community Engagement Efforts

This updated report will summarize the recent community engagement and alternatives for the Ezzard Charles roadway improvements needed for the FCC stadium construction.

FCC representatives and their consultant, Kleingers, have attended three meetings with the West End neighborhood in August.

- August 6, they presented the current design (Option A) to the City West HOA.
- August 11, they presented two options (Option A and a new Option B) to the West End Community Council ("WECC") Executive Council.
- August 18, they presented three options (Option A, Option B and a new Option C) to WECC General Membership

Three options have been developed over the course of the meetings described above:

Option A -- The original plan (the status quo):

- 1) Curb bump outs and protected median enhancing pedestrian safety;
- 2) One travel lane westbound and two travel lanes eastbound; and
- 3) Less parking than other options but maintains the current level of parking available; and
- 4) Preserves rideshare option on Ezzard Charles.

Option B:

- 1) Curb bump outs and protected median enhancing pedestrian safety;
- 2) One travel lane in both directions;

- 3) Slower speeds enhancing safety for pedestrians;
- 4) Less capacity for everyday vehicular traffic compared to other options; and
- 5) Reduced rideshare options.

Option C:

- 1) Curb bump outs and protected median enhancing pedestrian safety;
- 2) Predominantly one travel lane but two travel lanes eastbound east of Cutter;
- 3) Maintains slower speeds approaching Cutter crossing; and
- 4) Preserves rideshare option on Ezzard Charles.

Community Responses

During the August 18th meeting, no consensus was obtained between the three options. FCC created an online poll / survey for WECC members to rank their preference of the three options. The survey link was emailed and distributed to the community via the WECC. The community was asked to rank the options in order of preference.

The survey results showed that Option A received the most votes as the first option.

Option A had 53.62% as a #1 choice.

Option B had 44.12% as a #1 choice.

Option C had 4.29% as a #1 choice.

The total results are shown below.

	1	2	3	TOTAL	SCORE
Option A	53.62% 37		8.70% 6	37.68% 26	69 2.16
Option B	44.12% 30		8.82% 6	47.06% 32	68 1.97
Option C	4.29% 3		81.43% 57	14.29% 10	70 1.90

Over the past week, FCC has received other community input:

- A letter from City West Townhomes Owners' Association, Inc.
 - HOA = 89 townhomes on Cutter Street, Ezzard Charles Drive, Laurel Park Drive and West Court Street.
 - It supports one lane of traffic and one parking lane on Ezzard Charles during non-event hours in eastbound and westbound direction between John St. and Linn St. with two-lane traffic merging outside that zone.
 - Support Option B.
- A letter from Longworth Square HOA.
 - Unanimous support of Option A.

- A letter from Hopkins Manor Condominium Owners Association.
 - 427-429 Hopkins Ave.
 - Support Ezzard Charles rideshare location; oppose possible alternative location on John St.
- A letter from Ezzard Charles Row House Condominiums HOA.
 - Oppose possible alternative rideshare location on John St.
- A letter from Betts-Longworth Historic District Group.
 - Support Ezzard Charles rideshare location; oppose possible alternative location on John St.; support two full-time traffic lanes in each direction on Ezzard Charles, including non-gamedays.
- Longworth Square COA opposed to possible John St. rideshare location.
- Letters from 104 residents in support of "Option A".

Current Project Status

The Ezzard Charles roadway improvement project needs to be started as soon as possible to complete the project by the time the FC Cincinnati stadium is opened.

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

John B

Date: August 27, 2020

To: Vice Mayor Christopher Smitherman
From: Andrew W. Garth, Interim City Solicitor *AWG*
Subject: **Emergency Ordinance – Proportional Representation Charter Amendment
(B Version)**

Transmitted herewith is an emergency ordinance captioned as follows:

TO SUBMIT to the electors of the City of Cincinnati an amendment to the Charter of the City to provide for the election of the members of City Council by single transferable voting by amending existing Sections 5 and 8 of Article IX of the Charter, and repealing existing Sections 5, 5a, 5b, 6, 7, 8, and 11.

AWG/AEP/(lnk)
Attachment
318672

EMERGENCY

City of Cincinnati

AEP/B

AWB

An Ordinance No. _____

- 2020

TO SUBMIT to the electors of the City of Cincinnati an amendment to the Charter of the City to provide for the election of the members of City Council by single transferable voting by amending existing Sections 5 and 8 of Article IX of the Charter, and repealing existing Sections 5, 5a, 5b, 6, 7, 8, and 11.

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio, two-thirds of the members elected thereto concurring:

Section 1. That there shall be submitted to the vote of the qualified electors of the City of Cincinnati for their approval or disapproval at the general election to be held November 3, 2020, an amendment to the Charter of the City of Cincinnati, to provide for the election of members of City Council by single transferable voting by amending existing Sections 5 and 8 of Article IX of the Charter, and repealing existing Sections 5, 5a, 5b, 6, 7, 8, and 11 as follows:

ARTICLE IX.- NOMINATIONS AND ELECTIONS

Section 5.

- (a) General law applies. Except as provided in this charter, ballots cast for election of members of the council and mayor shall be counted and the results determined and certified by the election authorities in the manner provided by Ohio general election law for non-partisan ballots for municipalities.
- (b) Voting method. The voters elect the city's members of council by single transferable voting (also known as "ranked-choice voting" or "instant-runoff voting"). Candidates for mayor at both primary and general elections shall be elected as provided in section 1a and 8 of this article.
- (c) Method of Counting Votes. The city council shall provide by ordinance for the method of counting the votes and of breaking a tie in a manner consistent with single transferable voting prior to the November 2021 general election. The council shall have power to provide for the use of mechanical, electronic or other devices for marking and sorting the ballots and tabulating the results and to modify the form of the ballot, the directions to voters, and the details in respect to the method of counting, invalidating, and preserving ballots accordingly.

The election shall be conducted in accordance with the laws of the State of Ohio, now or hereafter in force, relating to voting and tabulating equipment, to the extent that such laws do not conflict or interfere with the efficient and secure casting, counting, or tabulating of votes by single transferrable vote as provided by this charter and ordinances adopted to implement this article.

- (d) Number of votes. Each elector shall be entitled to vote for one candidate for mayor at both the primary and general elections and for as many candidates for the council, other than mayor, as are to be elected.
- (e) Ballot Format. The city council shall provide by ordinance for the ballot format. The ballot for each elected office shall be a nonpartisan ballot without party mark or designation.

Section 8.

In primary elections for mayor, the valid ballots cast for candidates for mayor shall be counted to determine the total number of votes cast in said primary election. The two candidates receiving the highest number of votes shall be declared eligible for the regular municipal election for mayor in November and shall have their names printed on the ballot for mayor.

In regular municipal election for mayor, the valid ballots cast shall be counted to determine the total number of votes cast for mayor. The candidate or eligible person receiving the highest number of votes cast for mayor shall be declared elected mayor.

If any two or more persons receive an equal and highest number of votes one of them shall be chosen as mayor according to the method prescribed by the general election laws of the state of Ohio for deciding tie votes.

Votes shall be counted for write-in candidates for mayor at the primary or regular municipal election who have complied with the general election law.

Section 2. That the form of submission of the proposed amendment to the electors shall be substantially as follows:

CHARTER AMENDMENT	
A majority vote is necessary for passage.	
YES	Shall the Charter of the City of Cincinnati be amended to provide for the

NO	election of members of City Council by single transferable voting, also known as ranked-choice voting, by amending existing Sections 5 and 8 of Article IX, “Nominations and Elections,” and repealing existing Sections 5, 5a, 6, 7, 8, and 11?
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Section 3. That the Clerk of Council shall give notice of the proposed Charter Amendment in the manner provided by Sections 8 and 9 of Article XVIII of the Ohio Constitution and Section 731.211 (B) of the Ohio Revised Code.

Section 4. That the Clerk of Council is directed to certify and transmit to the Board of Elections of Hamilton County, Ohio, a copy of this ordinance and direct the said Board to submit the proposed Charter amendment to the electors of the City of Cincinnati as provided by law.

Section 5. That the Board of Elections of Hamilton County, Ohio, shall certify to the Council the result of the vote upon said amendment, and if said amendment is approved by a majority of the electors voting thereon, amended Sections 5 and 8 of Article IX shall become a part of the Charter of the City of Cincinnati and existing Sections 5, 5a, 6, 7, 8, and 11 shall be repealed.

Section 6. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate necessity to authorize the Clerk of Council to certify and transmit

this ordinance to the Hamilton County Board of Elections at least sixty days prior to the November 3, 2020 general election.

Passed: _____ 2020

John Cranley, Mayor

Attest: _____
Clerk