



City of Cincinnati

801 Plum Street
Cincinnati, OH 45202

Agenda

Education, Innovation & Growth Committee

Chairperson Betsy Sundermann
Vice Chair Jan-Michele Lemon Kearney
Councilmember David Mann
Councilmember Wendell Young

Wednesday, September 1, 2021

9:30 AM

Council Chambers, Room 300

SPECIAL MEETING

SUPPLEMENTAL ITEMS

5. [202102680](#) **ORDINANCE (EMERGENCY)**, dated 9/1/2021, submitted by Councilmember Sundermann, from Andrew Garth, City Solicitor, **TO SUBMIT** to the electors of the City of Cincinnati an amendment to the Charter of the City of Cincinnati that would require approval by Council to commence litigation on behalf of the City of Cincinnati or any of its officials; limit the compensation for members of Council to the amount equal to the median family income for the City of Cincinnati; require candidates for Mayor and Council to be residents of the City of Cincinnati for at least one year prior to assuming office; provide that the successor to a member of Council who dies, resigns, or is removed shall be the candidate who received the highest number of votes but was not declared elected to Council; require the Mayor to assign legislative proposals to the appropriate committee no later than thirty days after being filed with the Clerk; provide that the Mayor and members of Council are personally liable for violations of state law regarding open meetings or public records where the violation was purposeful, knowing, in bad faith, or in a wanton or reckless manner; and provide for the removal of the Mayor as provided by state law and other processes, by amending existing Sections 3, 4, 4a and 4b of Article II, "Legislative Power," and amending Section 2 of Article III, "Mayor," and enacting new Section 11 of Article IV, "Executive and Administrative Service," and Section 2c of Article IX, "Nominations and Elections."

Sponsors: Sundermann

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

6. [202102681](#) **COMMUNICATION**, submitted by the Clerk of Council from Sherry L. Poland, Director of Elections, Hamilton County, Ohio verifying 5,237 valid signatures on a Petition for Submission of Proposed Amendment to Charter - Petition #21-5004, an amendment to the charter of the City of Cincinnati.

Sponsors: Clerk of Council

Attachments: [Communication](#)

ADJOURNMENT

202107530

Date: July 29, 2021

To: Councilmember Liz Keating
From: Andrew Garth, City Solicitor *AWG*
Subject: **Emergency Ordinance – Charter Amendment Resign to Run**

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 require council members to resign upon offering themselves for nomination or election to a salaried non-City office during their current term on council, to require the mayor to resign upon offering himself or herself for nomination or election to a salaried non-City office during his or her term in office, and that would remove obsolete language from the Charter by amending Article II, Section 4 and Article III, Section 1.

This ordinance shows the Charter sections as they would appear if the Charter amendment is approved by the voters. Also attached to this memorandum is a document which shows the changes this ordinance would make made to the Charter. Deletions are indicated by strike through and additions are underlined. This document is being providing for clarity and ease of understanding the changes.

AWG/LES/(lnk)
Attachment
344919

EMERGENCY

City of Cincinnati

LES

AWB

An Ordinance No. _____ - 2021

TO SUBMIT to the electors of the City of Cincinnati an amendment to the Charter of the City to require council members to resign upon offering themselves for nomination or election to a salaried non-City office during their current term on council, to require the mayor to resign upon offering himself or herself for nomination or election to a salaried non-City office during his or her term in office, and that would remove obsolete language from the Charter by amending Article II, Section 4 and Article III, Section 1.

WHEREAS, campaigning for a non-City office while also holding a City office directs elected officials' focus from City business, which should be the official's primary focus and responsibility; and

WHEREAS, a candidate running for a non-City office can accept campaign contributions for a non-City campaign that exceed the contribution limits set forth in Article XIII of the City Charter, and those larger campaign contributions could unduly influence or affect a City Councilmember or Mayor in the performance of their City duties; and

WHEREAS, it would benefit the public's confidence in the City's elected officials to prohibit members of council and the mayor from actively campaigning for non-City offices while currently serving in their elected City offices by requiring them to resign from office upon offering themselves for nomination or election to a salaried non-City office; now, therefore,

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 2, 2021, an amendment to the Charter of the City of Cincinnati to require members of council to resign upon offering themselves for nomination or election to a salaried non-City office during their term on council, to require the mayor to resign upon offering himself or herself for nomination or election to a salaried non-City office during his or her term in office, by amending Article II, Section 4 and Article III, Section 1 as follows:

ARTICLE II. - LEGISLATIVE POWER

Section 4.

Subject to the terms of Article IX, Section 1 of this charter, a council of nine members shall be elected for a term of two years, commencing on the first Tuesday after January 1st next after their election and shall serve until their successors are elected and qualified.

For council terms commencing on or after January 2, 2022, no member of council, whether holding office by election or appointment, may offer himself or herself for nomination or election to any salaried non-City office. For purposes of this section, a member of council shall be deemed to have offered himself or herself for nomination or election to a salaried non-City office upon the filing of a notice, statement, or other such document which would allow the member of council to accept campaign contributions for a non-City office. The filing of a such notice, statement, or other document shall constitute an automatic irrevocable resignation of the office then held, and the vacancy thereby created shall be filled in the same manner as other vacancies for such office are filled pursuant to Article II, Section 4b.

Each member of council shall receive, subject to the provisions of Section 4a herein, annual compensation in an amount equal to three-fourths ($\frac{3}{4}$) of the annual compensation payable to the county commissioners of Hamilton County, Ohio, as it existed on March 1, 2005. Such compensation shall be payable semi-monthly.

Article III. - MAYOR

Section 1.

A mayor shall be elected for a term of four years, commencing on the first Tuesday after January 1st next after his or her election. Upon taking the oath of office, the mayor shall serve until a successor is duly elected and qualified.

For the term commencing on or after January 2, 2022, the mayor may not offer himself or herself for nomination or election to any salaried non-City office. The mayor shall be deemed to have offered himself or herself for nomination or election to a salaried non-City office upon the filing of a notice, statement, or other such document which would allow the mayor to accept campaign contributions for a non-City office. The filing of a such notice, statement, or other document shall constitute an automatic irrevocable resignation of the office of mayor, and the vice-mayor shall then succeed to the office of mayor in accordance with Article III, Section 3 of this charter. The vice-mayor's vacancy on council shall be filled in accordance with Article II, Section 4b of this charter, and a new vice-mayor shall be selected by the mayor from the members of the council.

The mayor shall receive annual compensation in an amount equal to twice the compensation payable to a member of council as provided in Article II, Section 4. Such compensation shall be payable semi-monthly.

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 require council members to resign upon offering themselves for nomination or election to a salaried non-City office during their current term on council, and to require the mayor to resign upon offering himself or herself for nomination or election to a salaried non-City office during his or her term in office, and to remove obsolete language from the Charter by amending Article II, Section 4 and Article III, Section 1?</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 Section 4 of Article II and amended Section 1 of Article III 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 2, 2021 primary election.

Passed _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

ARTICLE II. - LEGISLATIVE POWER

Section 4.

Subject to the terms of Article IX, Section 1 of this charter, a council of nine members shall be elected for a term of two years, commencing on the first Tuesday after January 1st next after their election and shall serve until their successors are elected and qualified. ~~Any member of council holding office as of the date of the regular municipal election held in November 2017 shall remain in office until the first Tuesday after January 1, 2018, in order to complete the term of city council which commenced as of December 1, 2013.~~

For council terms commencing on or after January 2, 2022, no member of council, whether holding office by election or appointment, may offer himself or herself for nomination or election to any salaried non-City office. For purposes of this section, a member of council shall be deemed to have offered himself or herself for nomination or election to a salaried non-City office upon the filing of a notice, statement, or other such document which would allow the member of council to accept campaign contributions for a non-City office. The filing of a such notice, statement, or other document shall constitute an automatic irrevocable resignation of the office then held, and the vacancy thereby created shall be filled in the same manner as other vacancies for such office are filled pursuant to Article II, Section 4b.

Each member of council shall receive, subject to the provisions of Section 4a herein, annual compensation in an amount equal to three-fourths ($\frac{3}{4}$) of the annual compensation payable to the county commissioners of Hamilton County, Ohio, as it existed on March 1, 2005. Such compensation shall be payable semi-monthly.

Article III. - MAYOR

Section 1.

A mayor shall be elected for a term of four years, commencing on the first Tuesday after January 1st next after his or her election. Upon taking the oath of office, the mayor shall serve until a successor is duly elected and qualified. ~~The individual holding the office of mayor as of the date of the regular municipal election held in November 2017 shall remain in office until the first Tuesday after January 1, 2018, in order to complete the mayoral term which commenced as of December 1, 2013.~~

For the term commencing on or after January 2, 2022, the mayor may not offer himself or herself for nomination or election to any salaried non-City office. The mayor shall be deemed to have offered himself or herself for nomination or election to a salaried non-City office upon the filing of a notice, statement, or other such document which would allow the mayor to accept campaign contributions for a non-City office. The filing of a such notice, statement, or other document shall constitute an automatic irrevocable resignation of the office of mayor, and the vice-mayor shall then succeed to the office of mayor in accordance with Article III, Section 3 of this charter. The vice-mayor's vacancy on council shall be filled in accordance with Article II, Section 4b of this charter, and a new vice-mayor shall be selected by the mayor from the members of the council.

The mayor shall receive annual compensation in an amount equal to twice the compensation payable to a member of council as provided in Article II, Section 4. Such compensation shall be payable semi-monthly.

202102533

Date: July 29, 2021

To: Councilmember Greg Landsman
From: Andrew Garth, City Solicitor *AWG*
Subject: **Emergency Ordinance – Charter Amendment Campaign Donation Reporting Requirement**

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 of Cincinnati requiring prompt reporting of all political contributions by the currently elected Mayor and Members of Council totaling more than \$200 per election cycle.

This ordinance shows the Charter sections as they would appear if the Charter amendment is approved by the voters. Also attached to this memorandum is a document which shows the changes this ordinance would make made to the Charter. Deletions are indicated by strike through and additions are underlined. This document is being providing for clarity and ease of understanding the changes.

AWG/MSS/(lnk)
Attachment
344263

EMERGENCY

City of Cincinnati

MSS

AWB

An Ordinance No. _____

- 2021

TO SUBMIT to the electors of the City of Cincinnati an amendment to the Charter of the City of Cincinnati requiring prompt reporting of all political contributions by the currently elected Mayor and Members of Council totaling more than \$200 per election cycle.

WHEREAS, the Members of Council desire to allow the electors of the City of Cincinnati to decide whether to amend the Charter of Cincinnati to require prompt reporting of all political contributions by the currently elected Mayor and Members of Council totaling more than \$200 per election cycle; now, therefore,

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 2, 2021, an amendment to the Charter of the City of Cincinnati, amending Article XIII, Section 2 thereof to read as follows:

Article XIII. Campaign Finance

Section 2.

Reporting of Contributions and Expenditures.

a. A candidate, political action committee, legislative campaign fund, or political party that made or received a contribution or expenditure supporting a candidate for city council or mayor shall file with the commission and the Hamilton County Board of Elections a full, true, and itemized report of the contribution or expenditure in the manner and form required by the commission by not later than 4:00 p.m. on the following dates:

- 1) The last business day of July of the election year to reflect the contributions received and expenditures made from the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the last day of June of that year; and

- 2) The thirty-eighth day after the municipal general election to reflect the contributions received and expenditures made from the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the seventh day before the filing of the statement.

In addition to the two reports listed above, in the event a mayoral primary election is held, the two successful mayoral primary candidates shall file a full, true, and itemized report of contributions and/or expenditures in the manner and form required by the commission by not later than 4:00 p.m. on the seventh day after the mayoral primary election. This report shall reflect the contributions received and expenditures made from the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the date of the mayoral primary election.

b. A person required by state law or this section to file a report concerning a mayoral or council election shall also:

- 1) Simultaneously file a copy of the report with the commission and the Hamilton County Board of Elections; and
- 2) Include with the report the name, residence address and employer or, if self-employed, the occupation of a person contributing more than \$100 in the reporting period.

c. Reporting of independent expenditures:

- 1) Within 10 days of making independent expenditures totaling more than \$1,000 in a period specified in section 1a, b, or c, the person making the expenditures shall file a report of the expenditures with the commission and the Hamilton County Board of Elections in the manner and form required by the commission. If a portion of the expenditures is made within 30 days of the election, the person shall file the report within 48 hours, and if made within 7 days of the election the person shall file the report within 24 hours.
- 2) If a person makes independent expenditures totaling more than \$3,000 and accepts a contribution to the expenditures over \$100, the person shall include in the report of the expenditures the name, residence address and employer or, if self-employed, the occupation of the contributor.

d. Penalties.

- 1) Contribution. When the commission chooses, in its discretion, to impose a penalty for making, soliciting, or accepting a contribution that exceeds the maximum permitted by this section, the penalty shall be a civil fine equal to three times the excess contribution.

- 2) Reporting. When the commission chooses, in its discretion, to impose a penalty for failure to file a report required by 2(a) or 2(b) of this section, the penalty shall be a civil fine of \$100 for each day of violation in a council election and a civil fine of \$200 for each day of violation in a mayoral election. The commission may take into account any mitigating factors in its decision whether or not to impose a penalty for failure to file a report or filing an incomplete report.
 - 3) A penalty under subsection (2) does not apply if an addendum supplying the required information is filed within the time established in section 4d.
- e. Interim Reporting. In addition to the other reports required by Section 2, the currently serving mayor and members of council also shall report each instance when a contributor cumulatively contributes \$200 or more to the currently serving mayor or member of council, or their campaign committees or political action committees, during the period between successive elections of members of council. Once a contributor has contributed \$200 or more to the currently serving mayor or member of council, or their campaign committees or political action committees, the currently serving mayor or member of council shall report each additional contribution made by such contributor during that period between successive elections of members of council, without regard to the amount of each additional contribution.

The reports required by the preceding paragraph shall be submitted through a public website maintained by the city administration by the third business day following receipt of a contribution subject to this requirement, excluding the calendar day on which the contribution is received. For purposes of this requirement, a contribution is deemed to be received on the first calendar day that the mayor or a member of council, or their campaign committee or political action committee, gains exclusive possession of such contribution, including but not limited to the day on which a check is delivered, the day a check is received in the mail, or the day an online contribution is made available to spend.

Section 2. That the form of the 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 require the currently serving Mayor and Members of Council to promptly report all political contributions they receive from a contributor that total more than \$200 per election cycle by amending Article XIII, Section 2 of the Cincinnati Charter?
NO	

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 Article XIII, Section 2 shall become a part of the Charter of the City of Cincinnati in place of such existing provisions thereof, which 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, go into effect forthwith. The reason for the emergency is the immediate necessity to authorize the Clerk of Council to certify and transmit

this ordinance to the Board of Elections at least sixty days prior to the November 2, 2021, general election.

Passed _____, 2021

Mayor

Attest: _____
Clerk

Article XIII. Campaign Finance

Section 2.

Reporting of Contributions and Expenditures.

- a. A candidate, political action committee, legislative campaign fund, or political party that made or received a contribution or expenditure supporting a candidate for city council or mayor shall file with the commission and the Hamilton County Board of Elections a full, true, and itemized report of the contribution or expenditure in the manner and form required by the commission by not later than 4:00 p.m. on the following dates:
 - 1) The last business day of July of the election year to reflect the contributions received and expenditures made from the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the last day of June of that year; and
 - 2) The thirty-eighth day after the municipal general election to reflect the contributions received and expenditures made from the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the seventh day before the filing of the statement.

In addition to the two reports listed above, in the event a mayoral primary election is held, the two successful mayoral primary candidates shall file a full, true, and itemized report of contributions and/or expenditures in the manner and form required by the commission by not later than 4:00 p.m. on the seventh day after the mayoral primary election. This report shall reflect the contributions received and expenditures made from the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the date of the mayoral primary election.

- b. A person required by state law or this section to file a report concerning a mayoral or council election shall also:
 - 1) Simultaneously file a copy of the report with the commission and the Hamilton County Board of Elections; and
 - 2) Include with the report the name, residence address and employer or, if self-employed, the occupation of a person contributing more than \$100 in the reporting period.
- c. Reporting of independent expenditures:
 - 1) Within 10 days of making independent expenditures totaling more than \$1,000 in a period specified in section 1a, b, or c, the person making the expenditures shall file a report of the expenditures with the commission and the Hamilton County Board of Elections in the manner and form required by the commission. If a portion of the

expenditures is made within 30 days of the election, the person shall file the report within 48 hours, and if made within 7 days of the election the person shall file the report within 24 hours.

- 2) If a person makes independent expenditures totaling more than \$3,000 and accepts a contribution to the expenditures over \$100, the person shall include in the report of the expenditures the name, residence address and employer or, if self-employed, the occupation of the contributor.

d. Penalties.

- 1) Contribution. When the commission chooses, in its discretion, to impose a penalty for making, soliciting, or accepting a contribution that exceeds the maximum permitted by this section, the penalty shall be a civil fine equal to three times the excess contribution.
- 2) Reporting. When the commission chooses, in its discretion, to impose ~~The a~~ penalty for failure to file a report required by 2(a) or 2(b) of this section, the penalty shall be is a civil fine of \$100 for each day of violation a) in a council election, \$100, and b)a civil fine of \$200 for each day of violation in a mayoral election, \$200. The commission may take into account any mitigating factors in its decision whether or not to impose a penalty for failure to file a report or filing an incomplete report.
- 3) A penalty under subsection (2) does not apply if an addendum supplying the required information is filed within the time established in section 4d.

e. Interim Reporting. In addition to the other reports required by Section 2, the currently serving mayor and members of council also shall report each instance when a contributor cumulatively contributes \$200 or more to the currently serving mayor or member of council, or their campaign committees or political action committees, during the period between successive elections of members of council. Once a contributor has contributed \$200 or more to the currently serving mayor or member of council, or their campaign committees or political action committees, the currently serving mayor or member of council shall report each additional contribution made by such contributor during that period between successive elections of members of council, without regard to the amount of each additional contribution.

The reports required by the preceding paragraph shall be submitted through a public website maintained by the city administration by the third business day following receipt of a contribution subject to this requirement, excluding the calendar day on which the contribution is received. For purposes of this requirement, a contribution is deemed to be received on the first calendar day that the mayor or a member of council, or their campaign committee or political action committee, gains exclusive possession of such contribution, including but not limited to the day on which a check is delivered, the day a check is received in the mail, or the day an online contribution is made available to spend.

202102529

Date: July 29, 2021

To: Councilmember Betsy Sundermann
From: Andrew Garth, City Solicitor *AWG*
Subject: **Emergency Ordinance – Charter Amendment Reduce Candidate Petition
Signature Number**

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 of Cincinnati reducing the number of signatures required on nominating petitions for candidates for City Council and Mayor to not less than 50 nor more than 100.

This ordinance shows the Charter sections as they would appear if the Charter amendment is approved by the voters. Also attached to this memorandum is a document which shows the changes this ordinance would make made to the Charter. Deletions are indicated by strike through and additions are underlined. This document is being providing for clarity and ease of understanding the changes.

AWG/CMZ/(lnk)
Attachment
343996

EMERGENCY

City of Cincinnati

CMZ

AWB

An Ordinance No. _____
- 2021

TO SUBMIT to the electors of the City of Cincinnati an amendment to the Charter of the City of Cincinnati reducing the number of signatures required on nominating petitions for candidates for City Council and Mayor to not less than 50 nor more than 100.

WHEREAS, the members of Council desire to allow the electors of the City of Cincinnati to decide whether to amend the Charter of Cincinnati to reduce the number of signatures required on nominating petitions for candidates for City Council and Mayor to not less than 50 nor more than 100 from the current requirement of not less than 500 nor more than 1000; now, therefore,

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 2, 2021, an amendment to the Charter of the City of Cincinnati, amending Article IX, Section 2 thereof to read as follows:

Article IX. Nominations and Elections

Section 2.

Any person eligible to the office of member of the council or the office of mayor may be placed in nomination therefor only by a petition filed in such person's behalf with the election authorities and signed by not less than 50 nor more than 100 electors. Signatures to nominating petitions need not be appended to one paper but to each separate paper there shall be attached an affidavit of the circulator thereof stating that each signature thereto was made in the circulator's presence and is the genuine signature of the person whose name it purports to be. Each signer of a petition shall sign his or her name, address and date of signing in ink or indelible pencil.

An elector may sign petitions for no more than one candidate for mayor and for no more council candidates than the number to be elected at any election. If an elector signs petitions for more than one candidate for mayor or for more than the number of other candidates to be elected, the elector's signature shall be declared valid on petitions in the order of filing.

An eligible person who has accepted a nomination for mayor as provided in Article IX, Section 4 shall not be eligible for election to the office of member of council that year.

Section 2. That the form of the 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>	
YES	<p>Shall the Charter of the City of Cincinnati be amended to provide that the number of signatures required on nominating petitions for candidates for City Council and Mayor be not less than 50 nor more than 100 by amending Article IX, Section 2 of the Cincinnati Charter?</p>
NO	

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 Article IX, Section 2 shall become a part of the Charter of the City of Cincinnati in place of such existing provisions thereof, which 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, go into effect forthwith. The reason for the emergency is the immediate necessity to authorize the Clerk of Council to certify and transmit this ordinance to the Board of Elections at least sixty days prior to the November 2, 2021 general election.

Passed _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

Article IX. Nominations and Elections

Section 2.

Any person eligible to the office of member of the council or the office of mayor may be placed in nomination therefor only by a petition filed in such person's behalf with the election authorities and signed by not less than ~~500~~ 50 nor more than ~~1000~~ 100 electors. Signatures to nominating petitions need not be appended to one paper but to each separate paper there shall be attached an affidavit of the circulator thereof stating that each signature thereto was made in the circulator's presence and is the genuine signature of the person whose name it purports to be. Each signer of a petition shall sign his or her name, address and date of signing in ink or indelible pencil.

An elector may sign petitions for no more than one candidate for mayor and for no more council candidates than the number to be elected at any election. If an elector signs petitions for more than one candidate for mayor or for more than the number of other candidates to be elected, the elector's signature shall be declared valid on petitions in the order of filing.

An eligible person who has accepted a nomination for mayor as provided in Article IX, Section 4 shall not be eligible for election to the office of member of council that year.

202107525

Date: July 29, 2021

To: Councilmembers Betsy Sundermann and Chris Seelbach
From: Andrew Garth, City Solicitor *AWG*
Subject: Emergency Ordinance – Charter Amendment Pocket Veto

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 of Cincinnati providing a time within which the Mayor must assign legislative matters to the appropriate committee of the Council of the City of Cincinnati for consideration, allowing the Clerk of Council to assign legislative matters to the appropriate committee if they are not assigned by the Mayor within that time, providing a time within which Council committee chairs must place assigned ordinances on their committee agendas, providing a time within which the Mayor must place an ordinance approved by a committee on the Council agenda for passage, and providing that motions and non-legislative resolutions on the council calendar may be immediately considered by Council upon the affirmative vote of two-thirds of its members.

This ordinance shows the Charter sections as they would appear if the Charter amendment is approved by the voters. Also attached to this memorandum is a document which shows the changes this ordinance would make made to the Charter. Deletions are indicated by strike through and additions are underlined. This document is being providing for clarity and ease of understanding the changes.

AWG/CMZ/(lnk)
Attachment
343423

EMERGENCY

City of Cincinnati

CMZ

AWB

An Ordinance No. _____ - 2021

TO SUBMIT to the electors of the City of Cincinnati an amendment to the Charter of the City of Cincinnati providing a time within which the Mayor must assign legislative matters to the appropriate committee of the Council of the City of Cincinnati for consideration, allowing the Clerk of Council to assign legislative matters to the appropriate committee if they are not assigned by the Mayor within that time, providing a time within which Council committee chairs must place assigned ordinances on their committee agendas, providing a time within which the Mayor must place an ordinance approved by a committee on the Council agenda for passage, and providing that motions and non-legislative resolutions on the council calendar may be immediately considered by Council upon the affirmative vote of two-thirds of its members.

WHEREAS, the members of Council desire to allow the electors of the City of Cincinnati to decide whether to amend the Charter of Cincinnati to provide a time within which the Mayor must refer legislative matters to the appropriate committee of the Council of the City of Cincinnati and place approved ordinances on the Council agenda and within which Council committee chairs must place assigned ordinances on their committee agendas, and clarify that motions and non-legislative resolutions may be immediately considered by Council; and

WHEREAS, in the interest of efficient conduct of government business, Council proposes that the Charter be modified to enable the legislative sponsor to require timely referral and consideration of legislation at each stage of the legislative process; now, therefore,

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 2, 2021, an amendment to the Charter of the City of Cincinnati, amending Article III, Section 2 thereof to read as follows:

Article III. MAYOR

Section 2.

The mayor shall preside over all meetings of the council but shall not have a vote on the council. The mayor may call a special meeting of the council. The mayor shall exercise the veto power as provided in Article II. The mayor shall appoint and may remove the vice-mayor and the chair of all committees of the council without the advice and consent of the council. The mayor shall

assign all legislative matters to the appropriate committee for consideration except under the following circumstances: (1) if a legislative matter is not assigned by the mayor by the second regularly scheduled meeting of council following the date the matter was submitted to the clerk of council, then the clerk of council shall assign the legislative matter to an appropriate committee for placement on the agenda at the committee's next regularly scheduled meeting; and (2) motions and non-legislative resolutions on the council calendar may be immediately considered by council upon the affirmative vote of two-thirds of its members. The mayor may propose and introduce legislation for council consideration.

Each ordinance assigned to a committee shall be placed by the committee chair on the agenda no later than the third regularly scheduled committee meeting after referral unless the legislative sponsor (or sponsors) of the ordinance grants an extension of time to the clerk of council in writing. If a committee votes to recommend passage of an ordinance, the mayor shall place it on the council calendar for passage no later than the third regularly scheduled council meeting after committee approval, unless the legislative sponsor (or sponsors) grants an extension of time to the clerk of council in writing. For purposes of this paragraph, "legislative sponsor" means a member of council, or the mayor, who introduced and submitted the legislation to the clerk of council.

The mayor shall be recognized as the official head and representative of the city for all purposes, except as provided otherwise in this charter.

The mayor shall appoint the city manager upon an affirmative vote of five members of the council following the mayor's recommendation for appointment. Prior to the vote, the mayor shall seek the advice of council, to include the opportunity for council to interview the candidates considered by the mayor. Should the council not approve the recommendation of the mayor, the mayor may submit another recommendation or institute a new search. The mayor, with the advice of council, shall have the authority to initiate and recommend to the council the removal of the city manager, provided that such removal shall require an affirmative vote of five members of the council. A temporary appointment to the position of city manager that may be required by reason of a vacancy in the office shall be submitted by the mayor to the council for its approval prior to the appointment.

The mayor shall deliver an annual address to the council and citizens of the city reporting on the state of the city and making recommendations for the establishment and achievement of future city goals.

The mayor shall transmit to the council the annual budget estimate prepared by the city manager. The transmittal shall occur within 15 days after receipt from the city manager and may include a letter commenting on the proposed budget.

The mayor shall perform such other duties as may be prescribed by this charter or as may be imposed by council, consistent with the office. The mayor shall be recognized as the official head of the city for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the governor for military purposes.

In time of public danger or emergency, the mayor may, with the consent of the council, take command of the police, maintain order and enforce the law.

The mayor shall appoint his or her assistants in the unclassified service and shall fix their salaries. Such assistants shall serve at the pleasure of the mayor and shall constitute the mayoral service. All other appointments to be made by the mayor shall be made with the advice and consent of the council except as otherwise provided in this charter.

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

CHARTER AMENDMENT	
A majority vote is necessary for passage.	
YES	<p>Shall the Charter of the City of Cincinnati be amended to provide that the Mayor is required to assign a legislative matter to the appropriate committee by the second regularly scheduled meeting of council following the date the matter was submitted to the clerk of council; that if the Mayor does not assign legislative matters within that time, the Clerk of Council shall assign it to the appropriate committee; that each ordinance assigned to a committee shall be placed by the committee chair on the agenda no later than the third regularly scheduled committee meeting after referral unless the legislative sponsor of the ordinance grants an extension of time to the clerk of council in writing; that upon approval of an ordinance by a committee, the Mayor shall be required to place such legislation on the Council agenda for passage by no later than the third regular meeting following such committee approval; and that motions and non-legislative resolutions on the council calendar may be immediately considered by council upon the affirmative vote of two-thirds of its members by amending Article III, Section 2 of the Cincinnati Charter?</p>
NO	

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 Article III, Section 2 shall become a part of the Charter of the City of Cincinnati in place of such existing provisions thereof, which 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, go into effect forthwith. The reason for the emergency is the immediate necessity to authorize the Clerk of Council to certify and transmit this ordinance to the Board of Elections at least sixty days prior to the November 2, 2021 general election.

Passed _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

Article III. MAYOR

Section 2.

The mayor shall preside over all meetings of the council but shall not have a vote on the council. The mayor may call a special meeting of the council. The mayor shall exercise the veto power as provided in Article II. The mayor shall appoint and may remove the vice-mayor and the chair of all committees of the council without the advice and consent of the council. The mayor shall assign all legislative matters to the appropriate committee for consideration except under the following circumstances: (1) if a legislative matter is not assigned by the mayor by the second regularly scheduled meeting of council following the date the matter was submitted to the clerk of council, then the clerk of council shall assign the legislative matter to an appropriate committee for placement on the agenda at the committee's next regularly scheduled meeting; and (2) motions and non-legislative resolutions on the council calendar may be immediately considered by council upon the affirmative vote of two-thirds of its members. The mayor may propose and introduce legislation for council consideration.

Each ordinance assigned to a committee shall be placed by the committee chair on the agenda no later than the third regularly scheduled committee meeting after referral unless the legislative sponsor (or sponsors) of the ordinance grants an extension of time to the clerk of council in writing. If a committee votes to recommend passage of an ordinance, the mayor shall place it on the council calendar for passage no later than the third regularly scheduled council meeting after committee approval, unless the legislative sponsor (or sponsors) grants an extension of time to the clerk of council in writing. For purposes of this paragraph, "legislative sponsor" means a member of council, or the mayor, who introduced and submitted the legislation to the clerk of council.

The mayor shall be recognized as the official head and representative of the city for all purposes, except as provided otherwise in this charter.

The mayor shall appoint the city manager upon an affirmative vote of five members of the council following the mayor's recommendation for appointment. Prior to the vote, the mayor shall seek the advice of council, to include the opportunity for council to interview the candidates considered by the mayor. Should the council not approve the recommendation of the mayor, the mayor may submit another recommendation or institute a new search. The mayor, with the advice of council, shall have the authority to initiate and recommend to the council the removal of the city manager, provided that such removal shall require an affirmative vote of five members of the council. A temporary appointment to the position of city manager that may be required by reason of a vacancy in the office shall be submitted by the mayor to the council for its approval prior to the appointment.

The mayor shall deliver an annual address to the council and citizens of the city reporting on the state of the city and making recommendations for the establishment and achievement of future city goals.

The mayor shall transmit to the council the annual budget estimate prepared by the city manager. The transmittal shall occur within 15 days after receipt from the city manager and may include a letter commenting on the proposed budget.

The mayor shall perform such other duties as may be prescribed by this charter or as may be imposed by council, consistent with the office. The mayor shall be recognized as the official head of the city for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the governor for military purposes.

In time of public danger or emergency, the mayor may, with the consent of the council, take command of the police, maintain order and enforce the law.

The mayor shall appoint his or her assistants in the unclassified service and shall fix their salaries. Such assistants shall serve at the pleasure of the mayor and shall constitute the mayoral service. All other appointments to be made by the mayor shall be made with the advice and consent of the council except as otherwise provided in this charter.

Date: September 1, 2021

To: Councilmember Betsy Sundermann
From: Andrew Garth, City Solicitor *AWG*
Subject: **Emergency Ordinance – Charter Amendment re Changes to Council and Mayor Candidacies, Successors, Pay, and Responsibility**

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 of Cincinnati that would require approval by Council to commence litigation on behalf of the City of Cincinnati or any of its officials; limit the compensation for members of Council to the amount equal to the median family income for the City of Cincinnati; require candidates for Mayor and Council to be residents of the City of Cincinnati for at least one year prior to assuming office; provide that the successor to a member of Council who dies, resigns, or is removed shall be the candidate who received the highest number of votes but was not declared elected to Council; require the Mayor to assign legislative proposals to the appropriate committee no later than thirty days after being filed with the Clerk; provide that the Mayor and members of Council are personally liable for violations of state law regarding open meetings or public records where the violation was purposeful, knowing, in bad faith, or in a wanton or reckless manner; and provide for the removal of the Mayor as provided by state law and other processes, by amending existing Sections 3, 4, 4a, and 4b of Article II, “Legislative Power,” and amending Section 2 of Article III, “Mayor,” and enacting new Section 11 of Article IV, “Executive and Administrative Service,” and Section 2c of Article IX, “Nominations and Elections.”

AWG/CMZ/(lnk)
Attachment
347021

EMERGENCY

City of Cincinnati

CMZ

AWB

An Ordinance No. _____

- 2021

TO SUBMIT to the electors of the City of Cincinnati an amendment to the Charter of the City of Cincinnati that would require approval by Council to commence litigation on behalf of the City of Cincinnati or any of its officials; limit the compensation for members of Council to the amount equal to the median family income for the City of Cincinnati; require candidates for Mayor and Council to be residents of the City of Cincinnati for at least one year prior to assuming office; provide that the successor to a member of Council who dies, resigns, or is removed shall be the candidate who received the highest number of votes but was not declared elected to Council; require the Mayor to assign legislative proposals to the appropriate committee no later than thirty days after being filed with the Clerk; provide that the Mayor and members of Council are personally liable for violations of state law regarding open meetings or public records where the violation was purposeful, knowing, in bad faith, or in a wanton or reckless manner; and provide for the removal of the Mayor as provided by state law and other processes, by amending existing Sections 3, 4, 4a, and 4b of Article II, "Legislative Power," and amending Section 2 of Article III, "Mayor," and enacting new Section 11 of Article IV, "Executive and Administrative Service," and Section 2c of Article IX, "Nominations and Elections."

WHEREAS, on August 30, 2021, petitions were filed with the Clerk of Council requesting that the Charter of the City of Cincinnati be amended as set forth below; and

WHEREAS, the Hamilton County Board of Elections has certified that the petitions were signed by more than 10 per centum of the electors of the City of Cincinnati voting at the last preceding municipal election, which is the required number of signatures for the Charter amendment below to be on the ballot for the November general election; and

WHEREAS, by passing this ordinance, Council is following the legislative process as mandated by the Ohio Constitution; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio with the required number of valid signatures of electors being certified by the Hamilton County Board of Elections:

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 on November 2, 2021, an amendment to the Charter of the City of Cincinnati, amending existing Sections 3, 4,

4a, and 4b of Article II, "Legislative Power," and amending Section 2 of Article III, "Mayor," and enacting new Section 11 of Article IV, "Executive and Administrative Service," and new Section 2c of Article IX, "Nominations and Elections" to read as follows:

Article II. Legislative Power

Section 3.

The initiative and referendum powers are reserved to the people of the city on all questions which the council is authorized to control by legislative action; such powers shall be exercised in the manner provided by the laws of the state of Ohio. Emergency ordinances upon a ye and nay vote must receive the vote of a majority of the members elected to the council, and the declaration of an emergency and the reasons for the necessity of declaring said ordinances to be emergency measures shall be set forth in one section of the ordinance, which section shall be passed only upon a ye and nay vote of two-thirds of the members elected to the council upon a separate roll call thereon. If the emergency section fails of passage, the clerk shall strike it from the ordinance and the ordinance shall take effect at the earliest time allowed by law.

No ordinance prescribing rates and charges to be collected by or paid to any publicly-owned public utility shall be passed as an emergency ordinance unless the ordinance is introduced in council at least three weeks before it is finally voted upon and a public hearing has been held by council thereon.

The affirmative vote of a majority of the members of the council shall be required to authorize the commencement of any litigation on behalf of the City of Cincinnati or any of its officials.

Section 4.

Subject to the terms of Article IX, Section 1 of this charter, a council of nine members shall be elected for a term of two years, commencing on the first Tuesday after January 1st next after their election and shall serve until their successors are elected and qualified. Each member of council shall receive annual compensation in an amount equal to the median family income for the city of Cincinnati as reported in the American Community Survey 1-Year Report as published by the United States Census Bureau for the year prior to the beginning of each calendar year. The annual compensation payable to each member of council shall not increase or decrease during any calendar year once such compensation is established, but the annual compensation payable to a member of council may increase or decrease from one calendar year to the next. Such compensation shall be payable semi-monthly.

Section 4a.

No person shall serve as mayor or a member of council unless such person shall have been a resident of the city for at least one year prior to assuming office, either through election or otherwise, and such person shall continue to be a resident of the city and a qualified elector thereof. Any person serving as mayor or member of council who should cease to possess any of said qualifications, or moves from the city, shall forthwith forfeit the office.

Section 4b.

If a member of council dies, resigns, or is removed, then the person who received the highest number of votes for election to council at the most recent municipal election but who was not declared elected to council at such election and who is not otherwise already serving or has served as a member of council since the most recent municipal election shall be the successor to hold the office for the remainder of the unexpired term of that member of council, provided such person shall not have previously failed to accept the position as a member of council at any time since the most recent municipal election.

Upon the death, resignation, or removal of a member of council, the clerk of council shall immediately notify in writing the person designated herein as the successor of such person's entitlement to assume the office as a member of council. Within two weeks of being informed by the clerk of council, the person designated herein as the successor shall certify in writing to the clerk of council that he or she satisfies all requirements to hold the office of member of council and that he or she accepts the position as a member of council.

If the person designated herein as the successor shall fail to provide the written certification to the clerk of council as provided herein or shall have previously failed to accept the position as a member of council at any time since the most recent municipal election, then such person shall be deemed to have not accepted the position as a member of council and the person who received the next highest number of votes for election to council at the most recent municipal election but who was not declared elected to council at such election and who is not otherwise already serving or has served as a member of council since the most recent municipal election shall then be considered the successor to hold the office for the remainder of the unexpired term of the member of council who dies, resigns, or is removed, and the clerk of council shall proceed to provide notification to such person as provided for herein and such person shall provide the certification as required herein, until a successor assumes the office of as a member of council.

Article III. Mayor

Section 2.

The mayor shall preside over all meetings of the council but shall not have a vote on the council. The mayor may call a special meeting of the council. The mayor shall exercise the veto power as provided in Article II. The mayor shall appoint and may remove the vice-mayor and the chair of all committees of the council without the advice and consent

of the council. The mayor shall assign all legislative proposals to the appropriate committee for consideration no later than 30 days after such proposed legislation is filed with the clerk of council. No later than 30 days after such proposed legislation is reported out of committee, the mayor shall place such legislative proposal on the agenda for consideration at the next meeting of council. The mayor may propose and introduce legislation for council consideration.

The mayor shall be recognized as the official head and representative of the city for all purposes, except as provided otherwise in this charter.

The mayor shall appoint the city manager upon an affirmative vote of five members of the council following the mayor's recommendation for appointment. Prior to the vote, the mayor shall seek the advice of council, to include the opportunity for council to interview the candidates considered by the mayor. Should the council not approve the recommendation of the mayor, the mayor may submit another recommendation or institute a new search. The mayor, with the advice of council, shall have the authority to initiate and recommend to the council the removal of the city manager, provided that such removal shall require an affirmative vote of five members of the council. A temporary appointment to the position of city manager that may be required by reason of a vacancy in the office shall be submitted by the mayor to the council for its approval prior to the appointment.

The mayor shall deliver an annual address to the council and citizens of the city reporting on the state of the city and making recommendations for the establishment and achievement of future city goals.

The mayor shall transmit to the council the annual budget estimate prepared by the city manager. The transmittal shall occur within 15 days after receipt from the city manager and may include a letter commenting on the proposed budget.

The mayor shall perform such other duties as may be prescribed by this charter or as may be imposed by council, consistent with the office. The mayor shall be recognized as the official head of the city for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the governor for military purposes.

In time of public danger or emergency, the mayor may, with the consent of the council, take command of the police, maintain order and enforce the law.

The mayor shall appoint his or her assistants in the unclassified service and shall fix their salaries. Such assistants shall serve at the pleasure of the mayor and shall constitute the mayoral service. All other appointments to be made by the mayor shall be made with the advice and consent of the council except as otherwise provided in this charter.

Article IV. EXECUTIVE AND ADMINISTRATIVE SERVICE

Section 11.

The mayor or any member of council shall be liable to the city for any judgment in, or amount negotiated in settlement of, any civil action or appeal, together with any attorney fees and expenses incurred or expended by the city in defending such civil action or appeal, arising from the violation or alleged violation by the mayor or member of council of state law relating to open meetings or public records, provided that the act or omission giving rise to the civil action or appeal was undertaken by the mayor or member of council in an effort to avoid or circumvent the requirements of such state law or done purposely, knowingly, in bad faith, or in a wanton or reckless manner. The act or omission of the mayor or member of council giving rise to such liability may be established in the civil action itself or in a separate civil action commenced by the city solicitor or by a taxpayer who may bring such civil action and recover his or her costs, including attorney fees, only after the city solicitor fails, upon the written request of the taxpayer, to bring such civil action.

Article IX. Nominations and Elections

Section 2c.

The mayor may be removed from office before expiration of his or her term. The process and procedure for such removal shall include, but are not limited to, all provisions of state law providing for removal of any elective officer of a municipal corporation.

Section 2. That the form of the 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 require approval by Council before litigation on behalf of the City of Cincinnati or any of its officials can be filed; to establish the compensation for members of Council to the amount equal to the median family income for the City of Cincinnati and adjust that compensation annually; to require candidates for Mayor and Council to be residents of the City of Cincinnati for at least one year prior to assuming office; to eliminate the use of successor designation by members of Council and to provide that the successor to a member of Council who dies, resigns, or is removed shall be the candidate who is not serving or has not served on Council who received the highest number of votes at the most recent municipal election but was not declared elected to Council; to require the Mayor to assign legislative proposals to the appropriate committee no later than thirty days after being filed with the Clerk and to require the Mayor to put legislative proposals on the Council agenda no later than thirty days after they are reported out of Committee; to provide that the Mayor and members of Council are personally liable for violations of state law regarding open meetings or public records where the violation was to avoid or circumvent those laws or was purposeful, knowing, in bad faith, or in a wanton or reckless

NO	<p>manner; and to provide for the removal of the Mayor as provided by state law and other processes, by amending existing Sections 3, 4, 4a, and 4b of Article II, “Legislative Power,” and amending Section 2 of Article III, “Mayor,” and enacting new Section 11 of Article IV, “Executive and Administrative Service,” and new Section 2c of Article IX, “Nominations and Elections.”</p>
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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 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, the amended Sections 3, 4, 4a, and 4b of Article II, “Legislative Power,” and amended Section 2 of Article III, “Mayor,” and new Section 11 of Article IV, “Executive and Administrative Service,” and new Section 2c of Article IX, “Nominations and Elections.” shall 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, 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 Board of Elections at least sixty days prior to the November 2, 2021 election.

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

Gwen L. McFarlin, Chair
Alex M. Triantafilou
Charles H. Gerhardt III
Joseph L. Mallory
Sherry L. Poland, Director
Alexander F. Linser, Deputy Director

Board of Elections
HAMILTON COUNTY OHIO



4700 Smith Road
Cincinnati, OH 45212
513 632-7000
Fax 513 579-0988 or 744-9038
VoteHamiltonCountyOhio.gov

September 1, 2021

Melissa Autry
Clerk of Council
City of Cincinnati
801 Plum Street, Suite 308
Cincinnati, Ohio 45202

Dear Melissa Autry,

The Hamilton County Board of Elections has completed its signature check of Petition for Submission of Proposed Amendment to Charter – Petition #21-5004, an amendment to the charter of the City of Cincinnati.

Details are as follows:

Number of valid part-petitions	254
Number of valid signatures on valid part-petitions	5,237
Number of invalid signatures on valid part-petitions	5,343
Number of invalid part-petitions	23
Number of signatures on invalid part-petitions	1,127
Total number of part-petitions received (valid and invalid)	277
Total number of signatures on part-petitions (valid and invalid)	11,707

The petition must contain at least ten percent of the number of electors who voted in the City of Cincinnati in the November 2019 general election. The number of electors who voted in the City of Cincinnati in November 2019 is 46,796. Ten percent is 4,680.

The Petition for Submission of Proposed Amendment to Charter, an amendment to the charter of the City of Cincinnati has 5,237 valid signatures.

Regards,

Sherry L. Poland
Director

Autry, Melissa

From: Autry, Melissa
Sent: Wednesday, September 1, 2021 10:03 AM
To: #COUNCIL Assistants; Michael, Rahiel; Garth, Andrew; Zimmer, Christine; Hardin, Roshani
Cc: #CLERK OF COUNCIL
Subject: FW: [External Email] City of Cincinnati - Charter Amendment by Petition 21-5004 - BOE Letter 09-01-2021
Attachments: City of Cincinnati - Charter Amendment by Petition 21-5004 - BOE Letter 09-01-2021.pdf

From: McFarland, Lynn <lynn.mcfarland@boe.hamiltoncountyohio.gov>
Sent: Wednesday, September 1, 2021 10:01 AM
To: Autry, Melissa <Melissa.Autry@cincinnati-oh.gov>
Cc: Poland, Sherry <Sherry.Poland@boe.hamiltoncountyohio.gov>; Linser, Alex <alex.linser@boe.hamiltoncountyohio.gov>; Nebel, Homana <homana.nebel@boe.hamiltoncountyohio.gov>; Eckert, Chuck <Chuck.Eckert@boe.hamiltoncountyohio.gov>
Subject: [External Email] City of Cincinnati - Charter Amendment by Petition 21-5004 - BOE Letter 09-01-2021

External Email Communication

Hello Melissa,

Regarding the verification of petitions and signatures, please find the letter attached:

- City of Cincinnati - Charter Amendment by Petition 21-5004 - BOE Letter 09-01-2021

A member of our staff will deliver the originals to your office later this morning.

Kind regards,

Lynn McFarland

Administrative Associate
(513) 632-7015

Board of Elections

Hamilton County Ohio
4700 Smith Road
Cincinnati OH 45212-9002

VoteHamiltonCountyOhio.gov