



City of Cincinnati

801 Plum Street
Cincinnati, OH 45202

Agenda

Budget and Finance Committee

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

Monday, November 18, 2024

1:00 PM

Council Chambers, Room 300

AGENDA

REPORTS

1. [202402318](#) **REPORT**, dated 11/6/2024, submitted Sheryl M. M. Long, City Manager, regarding the Department of Finance Investment Policy update.

Sponsors: City Manager

Attachments: [Report](#)
[Attachment](#)

2. [202402319](#) **REPORT**, dated 11/6/2024, submitted Sheryl M. M. Long, City Manager, regarding residential sidewalk repair assistance. (See Doc. #202401457)

Sponsors: City Manager

Attachments: [Report](#)

REAL PROPERTY INTERESTS

3. [202402341](#) **RESOLUTION (LEGISLATIVE) (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 11/6/2024, **DECLARING** the intent to appropriate to public use certain real-property interests necessary to secure, stabilize, repair, improve, and protect a portion of the public roadway known as Harrison Avenue, and the sidewalk and retaining wall adjacent thereto.

Sponsors: City Manager

Attachments: [Transmittal](#)
[Legislative Resolution](#)
[Attachment](#)

4. [202402342](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 11/6/2024, **APPROPRIATING** to public use certain real property interests necessary to secure, stabilize, repair, improve, and protect a portion of the public roadway known as Harrison Avenue, and the sidewalk and retaining wall

adjacent thereto.

Sponsors: City Manager

Attachments: [Transmittal](#)

[Ordinance](#)

[Attachment](#)

TRANSFERS AND APPROPRIATIONS

5. [202402371](#) **ORDINANCE**, submitted by Mayor Aftab Pureval, from Emily Smart Woerner, City Solicitor, **RENAMING** General Fund balance sheet reserve account no. 050x3422, "Deferred Appropriations," to "Discretionary Reserve"; and **AUTHORIZING** the transfer of \$1,782,421 from the General Fund unappropriated surplus to renamed General Fund balance sheet reserve account no. 050x3422, "Discretionary Reserve," to reserve resources to be used for one-time FY 2026 General Fund Operating Budget priorities.

Sponsors: Mayor

Attachments: [Transmittal](#)

[Ordinance](#)

6. [202402335](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 11/6/2024, **AUTHORIZING** the City Manager to accept and appropriate up to \$25,000 from the City of Norwood to capital improvement program project account no. 980x233x242308, "Street Rehabilitation," to rehabilitate the section of Edwards Road from Wasson Road to Madison Road, a portion of which is located within the City of Norwood; and **AUTHORIZING** the Director of Finance to deposit the resources into capital improvement program project account no. 980x233x242308, "Street Rehabilitation."

Sponsors: City Manager

Attachments: [Transmittal](#)

[Ordinance](#)

7. [202402338](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 11/6/2024, **AUTHORIZING** the City Manager to accept and appropriate up to \$180,000 from Hamilton County to capital improvement program project account no. 980x233x242308, "Street Rehabilitation," to provide resources for rehabilitating the section of West Galbraith Road from Vine Street to the corporation line, a portion of which is located in Springfield Township; and **AUTHORIZING** the Director of Finance to deposit the resources from Hamilton County into capital improvement program project account no. 980x233x242308, "Street Rehabilitation."

Sponsors: City Manager

Attachments: [Transmittal](#)

[Ordinance](#)

PAYMENTS

8. [202402332](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager,

on 11/6/2024, **AUTHORIZING** the payment of \$2,257.14 from Parks Department capital improvement program project account 980x203x242000, "Park Infrastructure Rehabilitation," as a moral obligation to W. W. Grainger, Inc. for charges related to the purchase of shop supplies for the Parks Department Division of Natural Resources building.

Sponsors: City Manager

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

9. [202402366](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 11/14/2024, **AUTHORIZING** the payment of \$2,288.01 from Parks Department General Fund non-personnel operating budget account no. 050x202x1000x7316 to CDW Government LLC as a moral obligation for outstanding charges related to the purchase of telephones and headsets for use in City parks.

Sponsors: City Manager

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

10. [202402367](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 11/14/2024, **AUTHORIZING** the payment of \$999.99 to W. W. Grainger, Inc. from Parks Department Private Endowment and Donations Fund 430 non-personnel operating budget account no. 430x202x1059x7379 as a moral obligation for outstanding charges related to the purchase of a workbench for the new Division of Natural Resources building.

Sponsors: City Manager

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

11. [202402334](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 11/6/2024, **AUTHORIZING** the payment of \$5,487.50 from Parks Department Private Endowment and Donations Fund 430 non-personnel operating budget account no. 430x202x3137x7373 to Forevergreen Complete Ground Care for charges related to the clearing of the Fort Washington Way planter irrigation systems, pursuant to the attached then and now certificate from the Director of Finance.

Sponsors: City Manager

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

12. [202402337](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 11/6/2024, **AUTHORIZING** the payment of \$3,000 from Parks Department capital improvement program project account 980x203x242000, "Park Infrastructure Rehabilitation," to Southwestern Ohio Services pursuant to the attached certificate from the Director of Finance to repair the pickleball courts at Sawyer Point.

Sponsors: City Manager

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

GRANTS AND DONATIONS

13. [202402336](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 11/6/2024, **ESTABLISHING** new capital improvement program project account no. 980x104x251056, "Public Access EV Charging Ports - Grant," to provide grant resources for public-facing electric vehicle charging infrastructure at City-owned properties that are in or adjacent to disadvantaged communities; **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$854,547 from the U.S. Department of Transportation Federal Highway Administration Charging and Fueling Infrastructure Discretionary Grant Program (ALN 20.205) to newly established capital improvement program project account no. 980x104x251056, "Public Access EV Charging Ports - Grant"; and **AUTHORIZING** the Director of Finance to deposit grant resources into capital improvement program project account no. 980x104x251056, "Public Access EV Charging Ports - Grant."

Sponsors: City Manager

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

14. [202402340](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 11/6/2024, **ESTABLISHING** new capital improvement program project account no. 980x233x252321, "Columbia Parkway Landslide OPWC Grant," to provide Ohio Public Works Commission ("OPWC") grant resources for landslide stabilization work along Columbia Parkway and new capital improvement program project account no. 980x233x252322, "Warsaw Avenue OPWC Grant," to provide OPWC grant resources for the Warsaw Avenue rehabilitation project; **AUTHORIZING** the City Manager to accept and appropriate grant resources of up to \$2,438,518 from OPWC Funding Round 38 to provide OPWC grant resources of up to \$1,166,000 to newly established capital improvement program project account no. 980x233x252321, "Columbia Parkway Landslide OPWC Grant," for landslide stabilization work along Columbia Parkway and up to \$1,272,518 to newly established capital improvement program project account no. 980x233x252322, "Warsaw Avenue OPWC Grant," for the Warsaw Avenue rehabilitation project; **AUTHORIZING** the Director of Finance to deposit OPWC grant resources of up to \$1,166,000 into capital improvement program project account no. 980x233x252321, "Columbia Parkway Landslide OPWC Grant," and up to \$1,272,518 into capital improvement program project account no. 980x233x252322, "Warsaw Avenue OPWC Grant"; and **AUTHORIZING** the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

Sponsors: City Manager

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

15. [202402365](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 11/14/2024, **ESTABLISHING** new capital improvement program project account no. 980x234x252352, "Lunken Runway 3L-21R 2025 OH AIP Grant," to provide grant matching resources for the decommissioning of runway 3L-21R at Lunken Airport; **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$76,265 from the 2025 Ohio Airport Improvement Program awarded by the Ohio Department of Transportation to newly established capital improvement program project account no. 980x234x252352, "Lunken Runway 3L-21R 2025 OH AIP Grant," for the purpose of decommissioning Runway 3L-21R at Lunken Airport; and **AUTHORIZING** the Director of Finance to deposit the grant resources into capital improvement program project account 980x234x252352, "Lunken Runway 3L-21R 2025 OH AIP Grant."

Sponsors: City Manager

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

16. [202402333](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 11/6/2024, **AUTHORIZING** the City Manager to accept a donation of \$4,999 from Paul M. Jurgensen to be used for Cincinnati Police Department members' special weapons and tactics (SWAT) training; **AUTHORIZING** the Director of Finance to deposit the donation into General Fund revenue account no. 050x8571; and **AUTHORIZING** the transfer and appropriation of \$4,999 from the unappropriated surplus of the General Fund to Cincinnati Police Department General Fund non-personnel operating budget account no. 050x222x7200.

Sponsors: City Manager

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

17. [202402339](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 11/6/2024, **AUTHORIZING** the City Manager and employees of the Cincinnati Police Department to solicit and accept donations of money, in-kind contributions, and other things of value from the Cincinnati business community, individual benefactors, entertainment industries, and other available sources for the Victims Assistance Liaison Unit/Cincinnati Citizens Respect Our Witnesses to provide food and gift cards to the surviving families of homicide victims during the upcoming holiday season; and **AUTHORIZING** the Director of Finance to deposit funds donated to the City of Cincinnati into Public Safety Special Projects Fund 456.

Sponsors: City Manager

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

18. [202402388](#) **ORDINANCE**, submitted by Mayor Aftab Pureval, from Emily Smart Woerner,

City Solicitor, **AUTHORIZING** the City Manager to accept an in-kind donation of event space valued at \$2,200 from the Cincinnati Center City Development Corporation for the purpose of holding the State of the City address at Memorial Hall on November 12, 2024.

Sponsors: Mayor

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

CAPITAL SUNSET

19. [202402370](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 11/14/2024, **AUTHORIZING** the establishment of capital improvement program project account nos. 980x203x252038, "Mt. Airy Trails Expansion - GF," to provide resources for the expansion of trails in the Mt. Airy Park; 980x203x252037, "Park Trails Expansion - GF," to provide resources for trail expansions in the Cincinnati Park network; 980x255x252501, "City Facility Renovation and Repairs - CSR," to provide resources for the continuation of ongoing repairs, alterations, and upgrades to City facilities such as those used by the Police, Fire, and Public Services Departments; and 980x252x252533, "Brine Equipment," to provide resources for the upgrade of the City's salt brine system; **AUTHORIZING** the establishment of permanent improvement program project account no. 758x227x252226, "Records Management System Peripherals," to provide resources for printers, scanners, and other peripherals to support the upgrade and conversion of the existing records management system; **AUTHORIZING** the redirection of \$11,797.82 in Cincinnati Board of Park Commissioners Private Endowment Funds from existing capital improvement program project account no. 980x203x182017, "Drabner-Funded Infrastructure Improvements," to the unappropriated surplus of Parks Private Endowment and Donations Fund 430 to close out or decrease existing capital improvement program project account no. 980x203x182017, "Drabner-Funded Infrastructure Improvements"; **AUTHORIZING** the transfer and return to source of \$7,707,176.06 from various General Capital Budget capital improvement program project accounts to close out or decrease certain existing capital improvement program project accounts according to Section A of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of \$6,602,832.06 from the unappropriated surplus of various General Capital Funds to new or existing capital improvement program project accounts to provide resources for certain capital improvement program project accounts according to Section B of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of \$716,344 from the unappropriated surplus of Income Tax Permanent Improvement Fund 758 to new or existing permanent improvement project accounts to provide resources for certain permanent improvement project accounts according to Section C of the attached Schedule of Transfer; **AUTHORIZING** the transfer and return to source of \$3,281,585.40 from various Restricted and Special Revenue Funds capital improvement program project accounts to close out or decrease certain existing capital improvement program project accounts according to Section D of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of \$1,180,973.23 from the unappropriated surplus of various Restricted and Special Revenue Funds to new or existing capital improvement

program project accounts to provide resources for certain capital improvement program project accounts according to Section E of the attached Schedule of Transfer; **AUTHORIZING** the transfer of \$17,000 from the unappropriated surplus of Parking System Facilities Fund 102 to Parking System Facilities Fund balance sheet reserve account no. 102x3441, "U-Square Garage - Reserve for Capital Projects"; **AUTHORIZING** the transfer and appropriation of \$308,000 from the unappropriated surplus of the General Fund to City Manager's Office General Fund non-personnel operating budget account no. 050x101x7200 to provide resources for emergency rental assistance and audio-visual equipment contract support; and further **DECLARING** certain projects to be for a public purpose, all for the purpose of carrying out the Capital Improvement Program.

Sponsors: City Manager

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

DEVELOPMENT AGREEMENT

20. [202402394](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 11/18/2024, **AUTHORIZING** the City Manager to execute a First Amendment to Development Agreement with Oakley Yards Land, LLC, an affiliate of Neyer Properties, Inc., pertaining to the redevelopment of property located at 2800 Robertson Avenue in the Oakley neighborhood of Cincinnati. (Subject to the [Temporary Prohibition List](#) <<<https://www.cincinnati-oh.gov/law/ethics/city-business>>>)

Sponsors: City Manager

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

MOTIONS

21. [202402360](#) **MOTION**, submitted by Councilmember Jeffreys, **WE MOVE** that the \$1,782,421 returned to the City of Cincinnati from the Hamilton County Auditor and the Real Estate Assessment Fund be directed towards relief for individuals with delinquent property taxes. (STATEMENT ATTACHED)

Sponsors: Jeffreys

Attachments: [Motion](#)

22. [202402384](#) **MOTION**, submitted by Councilmembers Jeffreys, Parks and Vice Mayor Kearney, **WE MOVE** that the administration make funding for the mental health and safety of transgender and gender nonbinary youth one of the priorities within the Human Services Fund for the next FY funding. (BALANCE ON FILE IN THE CLERK'S OFFICE) (STATEMENT ATTACHED).

Sponsors: Jeffreys, Parks and Kearney

Attachments: [Motion](#)

ADJOURNMENT



*Interdepartmental
Correspondence Sheet*

November 6, 2024

TO: Mayor and Members of City Council
FROM: Sheryl M.M. Long, City Manager
SUBJECT: Department of Finance Investment Policy update

202402318

The attached Treasury Investment Policy is a revision of the existing Investment Policy previously revised by City Council in 2016. After discussion with the City's Investment Advisor, policy changes are being recommended. These changes are consistent with the investment provisions included in the Ohio Revised Code.

The revisions to the Investment Policy are highlighted below.

- 1) Establishes separate benchmarks for the external investment manager's portfolio and the internal portfolio.
- 2) Removes Treasury Inflation Protected Securities as an eligible investment.
- 3) Requires all Federal Agency Securities be direct issuances of the federal government.
- 4) Increases the allowable investment allocation to the State Treasury Asset Reserve of Ohio (STAR Ohio).

The overall Investment Policy establishes the policy and procedures by which the City Treasurer will invest funds not needed for daily cash flow. It defines three primary investment objectives which include, safety of principal, liquidity, and return of investments.

Upon approval by City Council, this revised Investment Policy will be filed with the State Auditor and submitted to the Association of Public Treasurers of the United States and Canada for certification.

The Treasury Investment Policy is recommended for City Council approval.

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

**CITY OF CINCINNATI, OHIO
TREASURY INVESTMENT POLICY**

A. POLICY

The policy of the City of Cincinnati (City) is to invest public funds in a manner which emphasizes maximum security of principal while meeting the daily cash flow needs of the City. Within these two parameters, the goal is to earn the highest investment return possible.

B. SCOPE

This investment policy applies to all funds that are pooled and deposited into the General Bank Depository Account and other accounts authorized by the City Treasurer. The investment pool will consolidate cash balances from all funds to maximize investment earnings. Investment income will be allocated to the various funds based on their respective participation established by the Cincinnati Municipal Code Section 301-15. All such funds are reported in the City's Annual Comprehensive Financial Report and include the General Fund, Special Revenue Funds, Capital Project Funds, Debt Service Funds, Enterprise Funds, Internal Service Funds, and Agency Funds.

Excluded from this policy are the City of Cincinnati Retirement System accounts and other restricted funds that are maintained in escrow accounts, trustee accounts, and accounts controlled by Boards and Commissions.

C. PRUDENCE

Investments shall be made with judgement and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs. Investment securities shall be purchased not for speculation but for investment considering the probable safety of capital as well as the probable income to be earned.

The standard of prudence to be used by Investment Officials (those engaged in investment transactions, the Finance Director, City Treasurer, and the City Investment Committee members) shall be the "prudent person" standard and shall be applied in the context of managing the overall portfolio. Investment officials acting in accordance with written procedures, this investment policy, and exercising due diligence, shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion, the liquidity and sale of the securities are carried out in accordance with the terms of this policy, and appropriate action is taken to control adverse developments.

Nothing in this policy shall be construed to relieve any investment official from the legal requirements established by the Ohio Revised Code (O.R.C. 135) or the Cincinnati Municipal Code (C.M.C. 301).

D. OBJECTIVES

The primary objectives, in priority order, of the City's investment activities are as follows:

Safety

Safety of principal is the foremost objective of the investment program. Investments of the City shall be undertaken in a manner that seeks to ensure the preservation of capital in the entire portfolio. The objective is to mitigate credit risk and interest rate risk.

- a. **Credit Risk** - The City will minimize credit risk, the risk of loss due to the failure of the security issuer or backer, by:
 - Limiting investments to the safest types of securities;
 - Pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisers with which the City will do business;
 - Diversifying the investment portfolio so that potential losses on individual securities will be minimized.

- b. **Interest Rate Risk** - The City will minimize interest risk, the risk that the market value of securities in the portfolio will fall due to changes in general interest rates, by:
 - Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity;
 - Investing funds needed to meet operating expenses and capital project needs primarily in shorter-term securities, money market mutual funds, or similar investment pools.

Liquidity

The City's investment portfolio will remain sufficiently liquid to meet all operating requirements, which might be reasonably anticipated. The City will primarily meet disbursement requirements using current receipts. Furthermore, because all possible cash demands cannot be anticipated, the portfolio should consist primarily of securities with active secondary or resale markets. A portion of the portfolio may be placed in money market mutual funds or the STAR Ohio investment pool that offer same-day liquidity for short-term funds.

Return on Investment

The investment portfolio shall be designed to achieve the performance standard rate of return (see Section N) throughout budgetary and economic cycles, taking into account the investment risk constraint and liquidity needs. Return on investment is of secondary importance compared to the safety and liquidity objectives described above. The core of investments are limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. Securities may be sold prior to maturity for the following reasons:

- A security with declining credit to minimize loss of principal;
- To improve the quality, yield, or target duration in the portfolio;
- Meet liquidity needs of the portfolio.

E. DELEGATION OF AUTHORITY

As a home-rule City, authority to manage the City's investment program is derived from Section 301-11(A), C.M.C. The Finance Director has created an Investment Committee to provide advice concerning the development and implementation of this policy and to select authorized security broker/dealers. The Finance Director has delegated the management responsibility of the investment program and the responsibility for establishing a system of controls to regulate the activities of subordinate officials to the City Treasurer.

The City Treasurer is authorized to engage in investment transactions. No other person, other than the Finance Director or Assistant Finance Director, may engage in an investment transaction unless recommended in writing by the City Treasurer and approved in writing by the Finance Director.

The Finance Director has created the City Investment Committee that will provide guidance to the City Treasurer and periodically review the City's investment program and strategy. The members of this Investment Committee include the Finance Director, Assistant Finance Director, Accounts and Audits Finance Manager, and any other individual(s) as designated by the Finance Director. The Assistant Finance Director will chair the Committee, and the City Treasurer will staff the committee.

As authorized by Ohio Revised Code (Chapter 135.14(N)), the City may utilize the services of a professional investment management firm(s) to manage a portion of the investment portfolio. These investment management firm(s) will be selected through a Request for Proposals (RFP) process, and their contract terms shall not exceed five years. The Investment Committee shall have the discretion to hire or terminate investment management firms.

Investments purchased by these firms for the City investment portfolio must comply with Ohio Revised Code Section 135, Cincinnati Municipal Code Chapter 301, as well as the requirements of this Investment Policy Statement. This Investment Policy Statement will be included as an addendum to all investment firm contracts. These investment management firms shall have the authority to purchase and sell securities on behalf of the City without obtaining prior approval of the City Treasurer.

All securities purchased for the City by these investment management firms will be held in City of Cincinnati custodial accounts. The custodian shall provide the City Treasurer with a monthly report that must include, but not be limited to, a list of all securities held in the portfolio, all transactions which occurred during the month, and the market value of each security.

These investment firms will be required to provide investment reports, performance reports and trade reports to the City Treasurer on a weekly basis.

F. ETHICS AND CONFLICT OF INTEREST

Investment Officials shall refrain from personal business activity that could conflict with proper execution and management of the policy and the investment program, or which could impair their ability to make impartial investment decisions. Investment officials must provide a public disclosure document by February 1 each year or when material interest in financial institutions or personal investment positions require it. The public disclosure document must contain any material interests in financial institutions with which they conduct business and shall further disclose any personal or financial investment positions that could be related to the performance of the investment portfolio. Furthermore, Investment Officials must refrain from undertaking personal investment transactions with the same individual(s) employed by the financial institution with whom business is conducted on behalf of the City.

G. AUTHORIZED FINANCIAL INSTITUTIONS AND BROKER/DEALERS

1. DEPOSITORIES

Each of the following criteria must be met in order for a financial institution to be considered an eligible depository:

- A) The financial institution must be approved by the Committee on Reinvestment as specified in Section 301-3, C.M.C.;
- B) The financial institution must meet the collateral requirements of this investment policy;
- C) In accordance with Section 135.03, Ohio Revised Code, the financial institution must also be, among other things:
 - 1.) A national bank located within the State of Ohio, or

- 2.) A bank subject to inspection by the Superintendent of Financial Institutions, or
- 3.) A domestic savings and loan association organized under the laws of this state and whose home office is located within the State of Ohio.

Requests for Proposals will be forwarded to eligible depositories in order to evaluate the best provider of banking services. The bank contracts will be evaluated on both a cost basis as well as the financial institution's ability to provide excellent banking services to the City of Cincinnati. In accordance with Section 301-5 C.M.C., the bank contracts for depository services will be awarded for periods not exceeding five years.

2. AUTHORIZED SECURITY BROKERS AND DEALERS

The Finance Director authorizes the Investment Committee to designate security broker/dealers for the purpose of purchasing and selling but not safekeeping or holding securities on behalf of the City. Only primary or regional broker/dealers that qualify under Securities and Exchange Commission Rule 15C3-1 shall be eligible to purchase and sell securities on behalf of the City. In addition, a list will be maintained of approved security broker/dealers selected by creditworthiness (e.g., a minimum capital requirement of \$10,000,000 and at least five years of operation). These may include primary broker/dealers or regional broker/dealers that qualify under Securities and Exchange Commission (SEC) Rule 15C3-1 (uniform net capital rule). Furthermore, the following criteria shall apply to broker/dealers:

- A) Must be licensed and registered with the State of Ohio, Commerce Department,
- B) Must be a member of the Financial Industry Regulatory Authority (FINRA), or
- C) Must be a bank or savings and loan association regulated by the Superintendent of Financial Institutions, or
- D) Must be an institution regulated by the Comptroller of the Currency, the Federal Deposit Insurance Corporation, or Board of Governors of the Federal Reserve System.

These broker/dealers will be selected through a Request for Qualifications (RFQ) process, and the term of list shall not exceed five years. The Investment Committee shall have the discretion to add or eliminate broker/dealers from the eligible broker/dealer list.

All broker/dealers will be provided with a copy of this Investment Policy Statement. As required by Section 135.14(O)(1) of the O.R.C., these broker/dealers will be required to submit a signed copy of this document to the City Treasurer in order to acknowledge the receipt and comprehension of the Investment Policy Statement.

In addition to the criteria mentioned above, an authorized broker/dealer through which securities will be purchased must provide to the City Treasurer, a completed and certified "Broker/Dealer Questionnaire and Certification" and audited financial statements.

From time to time, the Finance Director may choose to invest in instruments offered by economically disadvantaged financial institutions and community financial institutions. In such situations, a waiver to the criteria in this section may be granted. All terms and relationships will be fully disclosed prior to purchase and will be consistent with state and local law.

The City Treasurer will maintain the list of broker/dealers authorized by the Investment Committee to provide investment services. The Investment Committee will review the list at least annually to determine which broker/dealers shall be added to or deleted from the list. Whenever possible, investments will be purchased through a competitive bidding process using the broker/dealers on the approved list.

Investment management firms that manage an investment portfolio on behalf of the City are authorized to select the broker/dealers that will execute the trades on behalf of the City of Cincinnati. This authority is granted with the understanding that the investment managers will utilize the broker/dealers that are able to provide best execution when trading securities on behalf of the City of Cincinnati adhering to the criteria set above.

H. ELIGIBLE INVESTMENTS

In accordance with, and subject to, Section 301-11 of the C.M.C. and 135.14 of the O.R.C., monies in the Treasury of the City of Cincinnati may be invested in:

- 1) United States Treasury Bills, Notes, Bonds, or any other obligation guaranteed as to principal and interest by the United States.

Nothing in this classification of eligible obligations set forth in this section or in the classification of eligible obligations set forth in divisions (2) to (7) of this section shall be construed to authorize any investment in stripped principal or interest obligations of such eligible obligations.

- 2) Bonds, notes, debentures, or any other obligations or securities issued by any federal government agency or instrumentality, or government sponsored enterprise. All federal agency securities shall be direct issuances of federal government agencies or instrumentalities. These include, but are not limited to:

- Federal National Mortgage Association
- Federal Home Loan Bank
- Federal Farm Credit Bank
- Federal Home Loan Mortgage Corporation
- Government National Mortgage Association

- 3) Time certificates of deposit of eligible institutions as provided in Section 135.08 of the O.R.C., the payment of the principal and accrued interest thereon for which eligible securities are pledged and deposited with the City Treasurer or qualified trustee.

Eligible securities and qualified trustee for the purposes of this section shall have the same meaning as eligible securities and qualified trustee for the purpose of Section 135.18 of the O.R.C.

Up to \$25,000,000 of time certificates of deposit may be invested as linked deposits at less than market rates of return as negotiated by the Director of Finance or his designee. This is authorized by Section 301-11(3) of the Cincinnati Municipal Code.

- 4) No-load money market mutual funds (consisting exclusively of obligations described in (1) of this section) or repurchase agreements secured by such obligations (consisting exclusively of obligations described in (1) of this section) provided that investments in these securities are made only through eligible institutions mentioned in Section 135.03 of the O.R.C.
- 5) The Ohio subdivision's fund (STAR Ohio) as provided in Section 135.45 of the O.R.C. Standard and Poor's has assigned its highest rating (AAA) to the Star Ohio investment pool, and thus, it is considered to have superior capacity to maintain principal and limit exposure to loss. In addition to the eligible investments in this section, Star Ohio may invest in accordance with its policy, which includes commercial paper and banker's acceptances.
- 6) The State of Ohio endorsed cash management programs, including but not limited to GDP.

- 7) Repurchase Agreements in accordance with Section 135.14(E), O.R.C. The City Treasurer and the broker/dealer engaging in any repurchase agreement investment transactions with the City must sign a master repurchase agreement.
- 8) Municipal bonds or other obligations of the State of Ohio, or any political subdivision of the State of Ohio and any other state or political subdivision with at least a AA rating or better at the time of purchase. In the event a security is rated by three rating agencies, the middle rating will apply. If the security is rated by two rating agencies, the lowest rating will apply. In the event a security falls below an AA rating subsequent to purchase, the investment manager will notify the City Treasurer within 30 days of the downgrade. The manager may continue to hold the security if directed by the City. The Treasurer cannot be the sole purchaser of the bonds or other obligations at original issuance. Any investment must mature within five years from the date of settlement unless the investment is specifically matched to a specific obligation or debt of this city.

No investments in municipal bonds can be made until the City Treasurer has satisfied the additional training requirements mandated by the Ohio State Treasurer's Office.

- 9) Commercial Paper that meets the requirements of state law and that has assets exceeding \$500 million, to which notes all the following apply:
 - a) The notes are rated at the time of purchase in the highest classification established by at least two nationally recognized standard rating services.
 - b) The aggregate value of the notes does not exceed 10 percent of the aggregate value of the outstanding commercial paper of the issuing corporation.
 - c) The notes mature not later than 270 days after purchase

Nothing in this classification of eligible investments set forth in Section 301-11 C.M.C. shall be construed to authorize any investment in a derivative pursuant to Section 135.14 (C) of the O.R.C.

I. COLLATERAL

Certificate of deposit investments must be backed by either a collateral or surety bond with an aggregate market value of at least one hundred two percent (102%) of the City's deposits and investments including accrued interest. Collateral must be pledged in the name of the City of Cincinnati to the City's joint custody account at the Federal Reserve Bank, Cleveland, Ohio, or can be pledged at a different third-party depository within the State of Ohio upon written agreement between the pledging institution, the third party depository, and the City Treasurer. Collateral will be released upon the written authority of the City Treasurer.

Repurchase agreements must be backed by collateral as defined in the master repurchase agreement. The City will accept delivery of collateral at its custodian bank or bank as approved by the Finance Director. Collateral will be released only upon the authority of the City Treasurer.

J. SAFEKEEPING AND CUSTODY

All security transactions, entered by the City, shall be conducted on a delivery versus payment (DVP) basis. The DVP basis shall mean the broker/dealer will not be paid until the securities purchased are delivered to the City or the City's designated third-party safekeeping account.

The City Treasurer is responsible for the custody and safekeeping of all documents evidencing a deposit or investment per section 134.14(K), O.R.C. Investment in U.S. Treasury securities shall be held in the City's third-party safekeeping accounts at the City's custodian bank. All other investment securities shall be held in the custody of the City Treasurer. The Finance Director must approve any exceptions to this safekeeping and custody policy in writing.

All security third party safekeeping shall be performed by the City's custodian bank.

K. DIVERSIFICATION

Chapter 301-CMC does not set limits on the amount of funds which may be held in the eligible investment securities. However, the following guidelines are established in order to avoid overconcentration in securities from a specific issuer or sector

<u>Type</u>	<u>Not to exceed</u>
• U.S. Government Obligations	100%
• U.S. Federal Agency Securities	100%
• Non-negotiable Certificates of Deposits	60%
• Municipal Bonds/Notes	20%
• Repurchase Agreements	25%
• STAR Ohio (State of Ohio Investment Pool)	75%
• Commercial Paper	40%
• Overnight excess cash deposit	100%

L. MATURITIES

Any investment must mature within five years from the date of settlement, unless the investment is matched to a specific obligation or debt of the City.

The City's investments will generally follow a laddered strategy, which distributes assets not needed for anticipated disbursements evenly over a five-year period as determined by the Investment Committee.

M. INTERNAL CONTROLS

The City Treasurer, in consultation with the Division of Accounts & Audits, is responsible for establishing an internal control structure designed to ensure that the assets of the City are protected from loss, theft, or misuse. The Investment Committee shall approve the internal control structure. The internal control structure shall be designed to provide reasonable assurance that assets are protected, recognizing that (1) the cost of a control should not exceed the benefits likely to be derived, and (2) the valuation of costs and benefits requires estimates and judgments by management.

The City will hire an external certified public accounting firm to conduct an independent audit on an annual basis. The annual audit requires a review and test of the internal controls established by investment policies and procedures.

The internal controls address control of collusion, separation of transaction authority from accounting and recordkeeping, custodial safekeeping, avoidance of physical delivery securities, clear delegation of authority to subordinate staff members, written confirmation of transactions for investments and wire transfers, and development of wire transfer agreements with custodian banks and lead banks for transactions.

N. PERFORMANCE STANDARDS

The City has implemented a multidisciplined performance standard.

For funds managed internally by the City's staff the benchmark to be used will be the 24-month trailing average yield of the 2-year Constant Maturity Treasury (CMT).

In the event an investment management firm is selected to work with the City, the benchmark to be used will be the 1–5-year Treasury Index.

O. REPORTING

The Treasurer will report each investment to the Finance Manager of Accounts and Audits by the same business day. The information provided will include the type and issuer of the investment, date of purchase and maturity, the principal amount, the interest rate, and the amount paid for the investment.

The custodian bank shall generate a monthly report that provides the current market valuation of each security owned by the City. CUSIP numbers for each security are to be included in the report.

The City Treasurer will meet with the Finance Director and the Investment Committee on a quarterly basis to discuss investment strategies. Information provided to the Investment Committee will include a review of all securities purchased in the previous quarter, data on all securities held in the City portfolio, current yield curve environment, overall portfolio allocation, and quarterly reports provided by investment management firms.

P. TRAINING AND EDUCATION

The City Treasurer must maintain sufficient education and training as deemed necessary by the Finance Director. On an annual basis, the City Treasurer and Investment Officials must complete the continuing education programs prescribed by the State Treasurer in Section 135.22, O.R.C.

No investment shall be made under division (B)(4) of this section unless the treasurer or governing board has completed additional training for making the investments authorized by division (B)(4) of this section. The type and amount of additional training shall be approved by the treasurer of state and may be conducted by or provided under the supervision of the treasurer of state.

Q. REVIEW

This policy shall be reviewed at least annually but revisions may be made as frequently as deemed necessary. The Investment Committee and the Finance Director must approve any changes to the policy before submission to City Council for approval.

As required by Ohio Revised Code Chapter 135.14, this Investment Policy Statement must be filed with the Auditor of State after it has been approved by City Council.

R. INVESTMENT POLICY ADOPTION

This investment policy and subsequent revisions shall be presented to and approved by City Council.

INVESTMENT TERM GLOSSARY

Accrued Interest

The accumulated interest due on a bond as of the last Interest payment made by the issuer.

Agency

Debt security issued by a federal or federally sponsored agency. Federal agencies are backed by the full faith and credit of the U.S. Government. Federally sponsored agencies (FSAs) are backed by each particular agency with a market perception that there is an implicit government guarantee. An example of a federal agency is the Government National Mortgage Association (GNMA). An example of a FSA is the Federal National Mortgage Association (FNMA).

Amortization

The systematic reduction of the amount owed on a debt issue through periodic payments of principal.

Average Life

The average length of time that an issue of serial bonds and/or term bonds with a mandatory sinking fund feature is expected to be outstanding.

Basis Point

A unit of measurement used in the valuation of fixed-income securities equal to 1/100 of 1 percent of yield, e.g., "1/4" of 1 percent is equal to 25 basis points.

Bid

The indicated price at which a buyer is willing to purchase a security or commodity.

Book Value

The value at which a security is carried on the inventory lists or other financial records of an investor. The book value may differ significantly from the security's current value in the market.

Callable Bond

A bond issue in which all or part of its outstanding principal amount may be redeemed before maturity by the issuer under specified conditions.

Call Price

The price at which an issuer may redeem a bond prior to maturity. The price is usually at a slight premium to the bond's original issue price to compensate the holder for loss of income and ownership.

Call Risk

The risk to a bondholder that a bond may be redeemed prior to maturity.

Cash Sale/Purchase

A transaction which calls for delivery and payment of securities on the same day that the transaction is initiated.

Collateralization

Process by which a borrower pledges securities, property, or other deposits for the purpose of securing the repayment of a loan and/or security.

Commercial Paper

An unsecured short-term promissory note issued by Corporations, with maturities ranging from 2 to 270 days.

Convexity

A measure of a bond's price sensitivity to changing interest rates. A high convexity indicates greater sensitivity of a bond's price to interest rate changes.

Coupon Rate

The annual rate of interest received by an investor from the issuer of certain types of fixed-income securities. Also known as the "interest rate."

Credit Quality

The measurement of the financial strength of a bond issuer. This measurement helps an investor to understand an issuer's ability to make timely interest payments and repay the loan principal upon maturity. Generally, the higher the credit quality of a bond issuer, the lower the interest rate paid by the issuer because the risk of default is lower. Credit quality ratings are provided by nationally recognized rating agencies.

Credit Risk

The risk to an investor that an issuer will default in the payment of interest and/or principal on a security.

Current Yield (Current Return)

A yield calculation determined by dividing the annual interest received on a security by the current market price of that security.

Delivery versus Payment (DVP)

A type of securities transaction in which the purchaser pays for the securities when they are delivered either to the purchaser or his/her custodian.

Derivative Security

Financial instrument created from, or whose value depends upon, one or more underlying assets or indexes of asset values.

Discount

The amount by which the par value of a security exceeds the price paid for the security.

Diversification

A process of investing assets among a range of security types by sector, maturity, and quality rating.

Duration

A measure of the timing of the cash flows, such as the interest payments and the principal repayment, to be received from a given fixed-income security. This calculation is based on three variables: term to maturity, coupon rate, and yield to maturity. The duration of a security is a useful indicator of its price volatility for given changes in interest rates.

Fair Value

The amount at which an investment could be exchanged in a current transaction between willing parties, other than in a forced or liquidation sale.

Federal Funds (Fed Funds)

Funds placed in Federal Reserve banks by depository institutions in excess of current reserve requirements. These depository institutions may lend fed funds to each other overnight or on a longer basis. They may also transfer funds among each other on a same-day basis through the Federal Reserve banking system. Fed funds are considered to be immediately available funds.

Federal Funds Rate

Interest rate charged by one institution lending federal funds to the other.

Government Securities

An obligation of the U.S. government, backed by the full faith and credit of the government. These securities are regarded as the highest quality of investment securities available in the U.S. Securities market. See "Treasury Bills, Notes, and Bonds."

Interest Rate - See "Coupon Rate."

Interest Rate Risk

The risk associated with declines or rises in interest rates, which cause an investment in a fixed-income security to increase or decrease in value.

Internal Controls

An internal control structure designed to ensure that the assets of the entity are protected from loss, theft, or misuse. The internal control structure is designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that 1) the cost of a control should not exceed the benefits likely to be derived and 2) the valuation of costs and benefits require estimates and judgments by management. Internal controls should address the following points:

1. Control of collusion - Collusion is a situation where two or more employees are working in conjunction to defraud their employer.
2. Separation of transaction authority from accounting and record keeping. By separating the person who authorizes or performs the transaction from the people who record or otherwise account for the transaction, a separation of duties is achieved.
3. Custodial safekeeping - Securities purchased from any bank or dealer including appropriate collateral (as defined by state law) shall be placed with an independent third party for custodial safekeeping.
4. Avoidance of physical delivery securities - Book-entry securities are much easier to transfer and account for since actual delivery of a document never takes place. Delivered securities must be properly safeguarded against loss or destruction. The potential for fraud and loss increases with physically delivered securities.
5. Clear delegation of authority to subordinate staff members. Subordinate staff members must have a clear understanding of their authority and responsibilities to avoid improper actions. Clear delegation of authority also preserves the internal control structure that is contingent on the various staff positions and their respective responsibilities.
6. Written confirmation of transactions for investments and wire transfers. Due to the potential or error and improprieties arising from telephone and electronic transactions, all transactions should be supported by written communications and approved by the appropriate person. Written communications may be via fax if on letterhead and if the safekeeping institution has a list of authorized signatures.
7. Development of a wire transfer agreement with the lead bank and third party custodian. The designated official should ensure that an agreement will be entered into and will address the following points: controls, security provisions, and responsibilities of each party making and receiving wire transfers.

Inverted Yield Curve

A chart formation that illustrates long-term securities having lower yields than short-term securities. This configuration usually occurs during periods of high inflation coupled with low levels of confidence in the economy and a restrictive monetary policy.

Investment Company Act of 1940

Federal legislation which sets the standards by which investment companies, such as mutual funds, are regulated in the areas of advertising, promotion, performance reporting requirements, and securities valuations.

Investment Officials

The Finance Director, the City Treasurer, those engaged in investment transactions, and the Investment Committee members.

Investment Policy

A concise and clear statement of the objectives and parameters formulated by an investor or investment manager for a portfolio of investment securities.

Investment-grade Obligations

An investment instrument suitable for purchase by institutional investors under the prudent person rule. Investment-grade is restricted to those obligations rated BBB or higher by a rating agency.

Laddered Investments

The laddered investment strategy distributes assets not needed for anticipated disbursements and will be distributed evenly over a three year period.

Liquidity

An asset that can be converted easily and quickly into cash.

Local Government Investment Pool (LGIP)

An investment by local governments in which their money is pooled as a method for managing local funds.

Mark-to-market

The process whereby the book value or collateral value of a security is adjusted to reflect its current market value.

Market Risk

The risk that the value of a security will rise or decline as a result of changes in market conditions.

Market Value

Current market price of a security.

Maturity

The date on which payment of a financial obligation is due. The final stated maturity is the date on which the issuer must retire a bond and pay the face value to the bondholder. See "Weighted Average Maturity."

Money Market Mutual Fund

Mutual funds that invest solely in money market instruments (short-term debt instruments, such as Treasury bills, commercial paper, bankers' acceptances, repos and federal funds).

Mutual Fund

An investment company that pools money and can invest in a variety of securities, including fixed-income securities and money market instruments. Mutual funds are regulated by the Investment Company Act of 1940 and must abide by the following Securities and Exchange Commission (SEC) disclosure guidelines:

1. Report standardized performance calculations.
2. Disseminate timely and accurate information regarding the fund's holdings, performance, management and general investment policy.
3. Have the fund's investment policies and activities supervised by a board of trustees, which are independent of the adviser, administrator or other vendor of the fund.
4. Maintain the daily liquidity of the fund's shares.
5. Value their portfolios on a daily basis.
6. Have all individuals who sells SEC-registered products licensed with a self-regulating organization (SRO) such as the National Association of Securities Dealers (NASD).
7. Have an investment policy governed by a prospectus which is updated and filed by the SEC annually.

Mutual Fund Statistical Services

Companies that track and rate mutual funds, e.g., IBC/Donoghue, Lipper Analytical Services, and Morningstar.

National Association of Securities Dealers (NASD)

A self-regulatory organization (SRO) of brokers and dealers in the over-the-counter securities business. Its regulatory mandate includes authority over firms that distribute mutual fund shares as well as other securities.

Net Asset Value

The market value of one share of an investment company, such as a mutual fund. This figure is calculated by totaling a fund's assets which includes securities, cash, and any accrued earnings, subtracting this from the fund's liabilities and dividing this total by the number of shares outstanding. This is calculated once a day based on the closing price for each security in the fund's portfolio. (See below.) $[(\text{Total assets}) - (\text{Liabilities})] / (\text{Number of shares outstanding})$

No Load Fund

A mutual fund which does not levy a sales charge on the purchase of its shares.

Nominal Yield

The stated rate of interest that a bond pays its current owner, based on par value of the security. It is also known as the "coupon," "coupon rate," or "interest rate."

Offer

An indicated price at which market participants are willing to sell a security or commodity. Also referred to as the "Ask price."

Par

Face value or principal value of a bond, typically \$1,000 per bond.

Passive Investment Strategy

The practice of holding investments to maturity rather than actively trading the investment portfolio

Positive Yield Curve

A chart formation that illustrates short-term securities have lower yields than long-term securities.

Premium

The amount by which the price paid for a security exceeds the security's par value.

Prime Rate

A preferred interest rate charged by commercial banks to their most creditworthy customers. Many interest rates are keyed to this rate.

Principal

The face value or par value of a debt instrument. Also may refer to the amount of capital invested in a given security.

Prospectus

A legal document that must be provided to any prospective purchaser of new securities offering registered with the SEC. This can include information on the issuer, the issuer's business, the proposed use of proceeds, the experience of the issuer's management, and certain certified financial statements.

Prudent Person Rule

An investment standard outlining the fiduciary responsibilities of public funds investors relating to investment practices.

Regular Way Delivery

Securities settlement that calls for delivery and payment on the third business day following the trade date (T+3); payment on a T+1 basis is currently under consideration. Mutual funds are settled on a same day basis; government securities are settled on the next business day.

Reinvestment Risk

The risk that a fixed-income investor will be unable to reinvest income proceeds from a security holding at the same rate of return currently generated by that holding.

Repurchase Agreement (repo or RP)

An agreement of one party to sell securities at a specified price to a second party and a simultaneous agreement of the first party to repurchase the securities at a specified price or at a specified later date.

Reverse Repurchase Agreement (Reverse Repo)

An agreement of one party to purchase securities at a specified price from a second party and a simultaneous agreement by the first party to resell the securities at a specified price to the second party on demand or at a specified date.

Rule 2a-7 of the Investment Company Act

Applies to all money market mutual funds and mandates such funds to maintain certain standards, including a 13-month maturity limit and a 90-day average maturity on investments, to help maintain a constant net asset value of one dollar (\$1.00).

Safekeeping

Holding of assets (e.g., securities) by a financial institution.

Serial Bond

A bond issue, usually of a municipality, with various maturity dates scheduled at regular intervals until the entire issue is retired.

Sinking Fund

Money accumulated on a regular basis in a separate custodial account that is used to redeem debt securities or preferred stock issues.

Swap - Trading one asset for another.

Term Bond

Bonds comprising a large part or all of a particular issue which come due in a single maturity. The issuer usually agrees to make periodic payments into a sinking fund for mandatory redemption of term bonds before maturity.

Total Return

The sum of all investment income plus changes in the capital value of the portfolio. For mutual funds, return on an investment is composed of share price appreciation plus any realized dividends or capital gains. This is calculated by taking the following components during a certain time period. (Price Appreciation) + (Dividends paid) + (Capital gains) = Total Return

Treasury Bills

Short-term U.S. government non-interest bearing debt securities with maturities of no longer than one year and issued in minimum denominations of \$10,000. Auctions of three- and six-month bills are weekly, while auctions of one-year bills are monthly. The yields on these bills are monitored closely in the money markets for signs of interest rate trends.

Treasury Notes

Intermediate U.S. government debt securities with maturities of one to 10 years and issued in denominations ranging from \$1,000 to \$1 million or more.

Treasury Bonds

Long-term U.S. government debt securities with maturities of ten years or longer and issued in minimum denominations of \$1,000. Currently, the longest outstanding maturity for such securities is 30 years.

Uniform Net Capital Rule

SEC Rule 15C3-1 outlining capital requirements for broker/dealers.

Volatility

A degree of fluctuation in the price and valuation of securities.

"Volatility Risk" Rating

A rating system to clearly indicate the level of volatility and other non-credit risks associated with securities and certain bond funds. The ratings for bond funds range from those that have extremely low sensitivity to changing market conditions and offer the greatest stability of the returns ("aaa" by S&P; "V-1" by Fitch) to those that are highly sensitive with currently identifiable market volatility risk ("ccc-" by S&P, "V-10" by Fitch).

Weighted Average Maturity (WAM)

The average maturity of all the securities that comprise a portfolio. According to SEC rule 2a-7, the WAM for SEC registered money market mutual funds may not exceed 90 days and no one security may have a maturity that exceeds 397 days.

When Issued (WI)

A conditional transaction in which an authorized new security has not been issued. All "when issued" transactions are settled when the actual security is issued.

Yield

The current rate of return on an investment security generally expressed as a percentage of the security's current price.

Yield-to-call (YTC)

The rate of return an investor earns from a bond assuming the bond is redeemed (called) prior to its nominal maturity date.

Yield Curve

A graphic representation that depicts the relationship at a given point in time between yields and maturity for bonds that are identical in every way except maturity. A normal yield curve may be alternatively referred to as a positive yield curve.

Yield-to-maturity

The rate of return yielded by a debt security held to maturity when both interest payments and the investor's potential capital gain or loss are included in the calculation of return.

Zero-coupon Securities

Security that is issued at a discount and makes no periodic interest payments. The rate of return consists of a gradual accretion of the principal of the security and is payable at par upon maturity.

November 6, 2024

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

202402319

Subject: RESIDENTIAL SIDEWALK REPAIR ASSISTANCE

Reference Document #202401457

The Council at its session on May 30, 2024, referred the following item for review and report:

MOTION, dated May 14, 2024, submitted by Councilmember Albi, Vice Mayor Kearney and Councilmembers Jeffreys, Walsh, Johnson, and Owens, WE MOVE that the City Administration provide a report within ninety (90) days on the feasibility of setting up a fund to support residential sidewalk repair. This report should include the current financial burden that homeowners face with repairing their sidewalks and potential sources of funding, including from the sale of the Cincinnati Southern Railway, that could support residents.

The following report by the Department of Transportation and Engineering (DOTE) provides the current financial burden to homeowners and options for existing funding to support residential sidewalk repair.

BACKGROUND

There are approximately 1,800 miles of total sidewalks located in the city rights of way, estimated to be around 50 million square feet. The total sidewalk replacement value at current pricing is estimated at nearly 1 billion dollars.

DOTE has a program in place for sidewalk repair which follows C.M.C. Chapter 721 and Ohio Revised Code Chapter 729. The C.M.C. Sec. 721-147 requires the abutting property owner to maintain the adjacent sidewalk in good condition and free from nuisance.

Currently, due to existing resources, the DOTE Sidewalk Safety Program is a complaint-driven program. DOTE has received 2,028 customer service requests for sidewalk repairs from citizens in 2021-2023. City staff inspect the sidewalks noted in each request for condition or hazards. If repairs are necessary, a notification is sent to property owners to begin the sidewalk repair process.

CURRENT COST

The current financial burden homeowners face for repairing their sidewalks include the physical demolition, removal and construction of new concrete sidewalks and sidewalks through driveways, including associated contractor and permit fees. Once necessary sidewalk repairs are confirmed, the homeowner is notified that they have two (2) options to repair the sidewalk:

- A homeowner can hire their own general contractor to replace the defective walk and drive aprons.
- A homeowner can elect to have the City's general contractor replace the defective walks and drive aprons. If this option is selected, the homeowner is then given the option to "pay in full" or make payments through an assessment that is included in their property taxes over a three-year, five-year, or ten-year term period.

Current 2024 pricing using the City's general contractor is \$19.50 per square foot for removal and replacement of standard 5-inch-thick concrete sidewalk.

Based on DOTE's previous three years of data, the financial burden on residential property owners ranged from a few hundred dollars to over several thousand dollars with the average costs to a property owner being around \$2,500. For example, the current costs of replacing one sidewalk block (5 ft x 5 ft) is approximately \$500, a \$2,500 price tag would equate to replacing five (5) sidewalk blocks. The actual costs to a property owner are site specific as the condemnable sidewalk block widths and lengths differ for each property.

The City maintains the sidewalk around public transit stops and corner curb ramps that benefit users in residential neighborhoods. Also, the City maintains one frontage of residential corner properties with the property owner maintaining the other frontage.

FUNDING SOURCE(S)

Current funding sources available to support residential sidewalk repairs could include the following:

1. **General Capital Funds** that may come from multiple sources.
2. **Tax Increment Finance (TIF)** funds support public infrastructure improvements within the boundary of the TIF District.
3. **Cincinnati Southern Railway** trust disbursements for existing infrastructure, which may include sidewalks within the public right of way.

SUMMARY

DOTe will continue to provide pedestrian safety and accessibility on city sidewalks utilizing the Sidewalk Safety Program. More information can be seen at <https://www.cincinnati-oh.gov/dote/street-sidewalk-rehab/sidewalk-safety-program/>

RECENT ACTIONS

DOTe has acted on steps to make the Sidewalk Safety Program more efficient and effective and include the following:

1. **Pilot Project** being performed in Hartwell and Carthage neighborhoods utilizing a third-party vendor to inventory existing sidewalk conditions. Scheduled completion by the end of 2024. Should the Pilot Project be successful, DOTe will prepare a strategic plan and cost estimate to inventory all sidewalks.
2. **Public Safety Strategic Initiative Team** participation for Sidewalk Walkability. The Sidewalk Safety Program objective is to reduce the time it takes to repair sidewalks along with reducing the financial burden on property owners. To transition the program from complaint-driven to a more proactive approach for sidewalk maintenance.
3. **Update City Council** on the success of the pilot program and successful initiative tasks.

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

Date: November 6, 2024

To: Mayor and Members of City Council
From: Sheryl M. M. Long, City Manager
Subject: EMERGENCY LEGISLATIVE RESOLUTION - HARRISON AVENUE SAFETY IMPROVEMENT PROJECTS

202402341

Attached is an emergency legislative resolution captioned as follows:

DECLARING the intent to appropriate to public use certain real-property interests necessary to secure, stabilize, repair, improve, and protect a portion of the public roadway known as Harrison Avenue, and the sidewalk and retaining wall adjacent thereto.

The Harrison Avenue Safety Improvements Project (ODOT PID 118053) will include an improved lane configuration along Harrison Avenue, installation of various pedestrian safety initiatives and traffic calming techniques, roadway surface improvements, construction of sidewalks, and construction of retaining walls. This acquisition is necessary for construction and maintenance of the retaining walls that will be installed with the project.

The reason for the emergency is the immediate need to acquire all real property interests necessary to construct the Project without delay to ensure safe, dependable, and uninterrupted provision and protection of the public right of way and ancillary structures.

The Administration recommends passage of the attached legislative resolution.

Attachment A – Harrison Avenue Safety Improvement Projects

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

EMERGENCY

Legislative Resolution

DMZ

RESOLUTION NO. _____ - 2024

DECLARING the intent to appropriate to public use certain real-property interests necessary to secure, stabilize, repair, improve, and protect a portion of the public roadway known as Harrison Avenue, and the sidewalk and retaining wall adjacent thereto.

WHEREAS, the City, through its Department of Transportation and Engineering desires to repair, improve, or replace a portion of Harrison Avenue and a retaining wall and length of the sidewalk along the south side of said Harrison Avenue between Everglade Place and Tremont Street, and to retain a portion of the real property through such area for the protection and security of the retaining wall, sidewalk, and roadway to provide for the safe travel of vehicles and pedestrians.

WHEREAS, Council deems it necessary at this time to proceed with acquisition of certain real-property interests for the described Harrison Avenue safety improvements.

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

Section 1. That it is hereby declared to be the intent of Council to appropriate to public use fee simple title to and temporary easements in, on, under, and across portions of the real property described on Attachment A (collectively, "Property"), to secure, stabilize, repair, improve, and protect a portion of the public roadway known as Harrison Avenue, and the sidewalk and retaining wall adjacent thereto ("Project"), which interests in portions of the Property are hereby deemed necessary to ensure the completion of the Project and the undisturbed protection, improvement and maintenance of the roadway, the sidewalk, and the retaining wall. The portions of the Property and relative interests thereto to be appropriated are more particularly described and depicted in Attachment B. The owners of the Property are as follows:

<u>Owner</u>	<u>Hamilton Co. Auditor Parcel No.</u>
Casey Kinane	203-0027-0138-00
Casey Kinane	203-0027-0140-00
Casey Kinane	203-0027-0141-00
Casey Kinane	203-0027-0142-00
Westside Blue Jay, LLC	203-0027-0139-00
Martin Media	203-0029-0104-00

Section 2. That at any time after the effective date of this Resolution and before the passage of an ordinance to appropriate, the City Manager is hereby authorized, with the advice and assistance of the City Solicitor, to acquire by purchase any and all interests in the Property necessary to carry out the Project and, in accordance with such acquisition, to enter into special contracts for necessary services, expert or otherwise, as the City Manager deems necessary or appropriate.

Section 3. That this Resolution 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 acquire all real property interests necessary to construct the Project without delay to ensure the safe, dependable, and uninterrupted provision and protection of the public right of way and ancillary structures.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

ATTACHMENT A

ATTACHMENT A

Tract I

Parcel: 203-0027-0138-00

Owner: Casey Kinane

SITUATE IN THE CITY OF CINCINNATI, COUNTY OF HAMILTON AND STATE OF OHIO AND BOUND AND DESCRIBED AS FOLLOWS:

FROM THE NORTHWESTERLY CORNER OF REGISTERED LAND CERTIFICATE NO. 55581; THENCE SOUTH 88°34'30" EAST ALONG THE NORTHERLY LINE OF REGISTERED LAND CERTIFICATE NO. 55581 AND THE SOUTHERLY LINE OF HARRISON AVENUE, A DISTANCE OF 60.18 FEET TO A POINT FOR THE PLACE OF BEGINNING THENCE SOUTH 1°25'30" WEST A DISTANCE OF 150.70 FEET TO A POINT IN THE SOUTHERLY LINE OF REGISTERED LAND CERTIFICATE NO. 55581; THENCE NORTH 89°38'10" WEST ALONG THE SOUTHERLY LINE OF REGISTERED LAND CERTIFICATE NO. 55581, A DISTANCE OF 51.73 FEET TO A POINT; THENCE NORTH 1°45'30" WEST A DISTANCE OF 151.89 FEET TO A POINT; THENCE SOUTH 88°34'30" EAST ALONG THE NORTHERLY LINE OF REGISTERED LAND CERTIFICATE NO. 55581 AND THE SOUTHERLY LINE OF HARRISON AVENUE A DISTANCE OF 60.18 FEET TO THE PLACE OF BEGINNING.

SUBJECT TO THE EXCEPTIONS MENTIONED IN SECTION TWENTY-FIVE OF THE ACT OF MAY 6, 1913, 103 O. L. 914 AS AMENDED, PROVIDING FOR THE REGISTRATION OF LAND TITLES, AND SUBJECT TO THE LESSER ESTATES AND INTERESTS, LIENS, CHARGES AND ENCUMBRANCES MENTIONED AND DESCRIBED IN THE MEMORIALS ENDORSED HEREON OR ON THE SHEET OF MEMORIALS ATTACHED HERETO.

Tract II

Parcel: 203-0027-0140-00

Owner Casey Kinane

SITUATE IN THE CITY OF CINCINNATI, COUNTY OF HAMILTON, AND STATE OF OHIO, AND BOUNDED AND DESCRIBED AS FOLLOWS:

FROM THE NORTHWESTERLY CORNER OF REGISTERED LAND CERTIFICATE NO. 55581; THENCE SOUTH 88 DEGREES 34'30" EAST ALONG THE NORTHERLY LINE OF REGISTERED LAND CERTIFICATE NO. 55581 AND THE SOUTHERLY LINE OF HARRISON AVENUE, A DISTANCE OF SIXTY AND 18/100 (60.18) FEET TO A POINT FOR THE PLACE OF BEGINNING; THENCE CONTINUING SOUTH 88 DEGREES 34'30" EAST ALONG THE NORTHERLY LINE OF REGISTERED LAND CERTIFICATE NO. 55619 AND THE SOUTHERLY LINE OF HARRISON AVENUE, A DISTANCE OF FIFTY FIVE AND 62/100 (55.62) FEET TO A POINT; THENCE SOUTH 1 DEGREE 25'30" WEST, A DISTANCE OF ONE HUNDRED FORTY NINE AND 67/100 (149.67) FEET TO A POINT IN THE SOUTHERLY LINE OF REGISTERED LAND CERTIFICATE NO. 55619; THENCE NORTH 89 DEGREES 38'10" WEST ALONG THE SOUTHERLY LINE OF REGISTERED LAND CERTIFICATE NO. 55619, A DISTANCE OF FIFTY FIVE AND 63/100 (55.63) FEET TO A POINT; THENCE NORTH 1 DEGREE 25'30" EAST A DISTANCE OF ONE HUNDRED FIFTY AND 70/100 (150.70) FEET TO A POINT FOR THE PLACE OF BEGINNING.

SUBJECT TO THE EXCEPTIONS MENTIONED IN SECTION TWENTY-FIVE OF THE ACT OF MAY 6, 1913, 103 O.L. 914 AS AMENDED, PROVIDING FOR THE REGISTRATION OF LAND TITLES, AND SUBJECT TO THE LESSER ESTATES AND INTERESTS, LIENS, CHARGES AND ENCUMBRANCES MENTIONED AND DESCRIBED IN THE MEMORIALS ENDORSED HEREON OR ON THE SHEET OF MEMORIALS ATTACHED HERETO.

{00410774-1}

Tract III

Parcel: 203-0027-0141-00 and 203-0027-0142-00

Owner Casey Kinane

BEING PART OF REGISTERED LAND CERTIFICATE NO. 55581 AND ALL OF REGISTERED LAND CERTIFICATE NO. 56290, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM THE NORTHWESTERLY CORNER OF REGISTERED LAND CERTIFICATE NO. 55581; THENCE SOUTH 88° 34' 30" EAST ALONG THE NORTHERLY LINE OF REGISTERED LAND CERTIFICATE NO. 55581 AND NO. 55619 AND THE SOUTHERLY LINE OF HARRISON AVENUE, A DISTANCE OF 115.80 FEET TO A POINT FOR THE PLACE OF BEGINNING; THENCE CONTINUING SOUTH 88° 34' 30" EAST ALONG THE SOUTHERLY LINE OF HARRISON AVENUE A DISTANCE OF 64.21 FEET TO A POINT AT THE SOUTHWESTERLY CORNER OF HARRISON AVENUE AND LIMA STREET; THENCE SOUTH 1° 48' 30" EAST ALONG THE WESTERLY LINE OF LIMA STREET, A DISTANCE OF 148.54 FEET TO A POINT IN THE SOUTHERLY LINE OF REGISTERED LAND CERTIFICATE NO. 55581; THENCE NORTH 89° 38' 10" WEST A DISTANCE OF 72.62 FEET TO A POINT; THENCE NORTH 1° 25' 30" EAST, A DISTANCE OF 149.67 FEET TO A POINT THE PLACE OF BEGINNING. TOGETHER WITH AN EASEMENT AS SET FORTH IN DEED FROM MARCELLA C. FESSEL TO HERMAN FESSEL, RECORDED IN DEED BOOK 3382, PAGE 759 OF THE REGISTERED LAND RECORDS OF HAMILTON COUNTY, OHIO.

SUBJECT TO THE EXCEPTIONS MENTIONED IN SECTION TWENTY-FIVE OF THE ACT OF MAY 6, 1913, 103 O.L. 914 AS AMENDED, PROVIDING FOR THE REGISTRATION OF LAND TITLES, AND SUBJECT TO THE LESSER ESTATES AND INTERESTS, LIENS, CHARGES AND ENCUMBRANCES MENTIONED AND DESCRIBED IN THE MEMORIALS ENDORSED HEREON OR ON THE SHEET OF MEMORIALS ATTACHED HERETO.

Tract IV

Parcel: 203-0027-0139-00

Owner: Westside Blue Jay, LLC

Situate in Section 25, Town 3, Fractional Range 2, Millcreek Township, and being more particularly described as follows:

From a point in the westerly line of Rankin Street, said point being also the northeast corner of Registered Land Certificate No. 48432; thence North 8° 00' 25" West along said Westerly line, a distance of 122.56 feet to a point in the Southwesterly corner of Rankin Street and Harrison Avenue; thence South 77° 54' West along the Southerly line of Harrison Avenue, a distance of 388.77 feet to an angle point; thence continuing along said Southerly line of Harrison Avenue, South 86° 21' 30" West, a distance of 286.00 feet to an angle point; thence continuing along said Southerly line of Harrison Avenue, North 88° 34' 30" a distance of 287.82 feet to a point for the place of beginning; thence South 0° 18' West a distance of 144.75 feet to a point; thence North 89° 38' 10" West a distance of 174.48 feet to a point; thence North 1° 48' 30" West a distance of 148.18 feet to a point in the Southerly line of Harrison Avenue; thence South 88° 34' 30" East along the Southerly line of Harrison Avenue, a distance of 179.96 feet to a point, the place of Beginning.

{00410774-1}

Tract V

Parcel: 203-0029-0104-00

Owner: Martin Media et al

Situated in the City of Cincinnati, Hamilton County, Ohio, in Section Twenty-Five (25), Township Three (3), Fractional Range Two (2), Miami Purchase and being part of Lot Number Four Hundred and Forty-four (444) of the subdivision made by J.A. James, recorded in Plat Book 1, page 173 and known as Fairmount College and more particularly described as follows: Beginning at a point in the southerly line of Harrison Avenue which point is also the northeast corner of Lot Four Hundred and Forty-four (444); thence in a southerly direction one hundred and nine and 12/100 (109.12) feet which point is also the center of the east line of said lot; thence from said center point of original lot running in a westerly direction to the center of said lot on the west line of said lot; thence in a northerly direction from said point to the southerly side of Harrison Avenue, which point is also the northwest corner of said Lot Number Four Hundred and Forty-four (444); thence in an easterly direction along the southerly line of Harrison Avenue ninety-six and 50/100 (96.50) feet to the place of beginning, and being the northerly one half of said Lot Number Four Hundred and Forty-four (444).

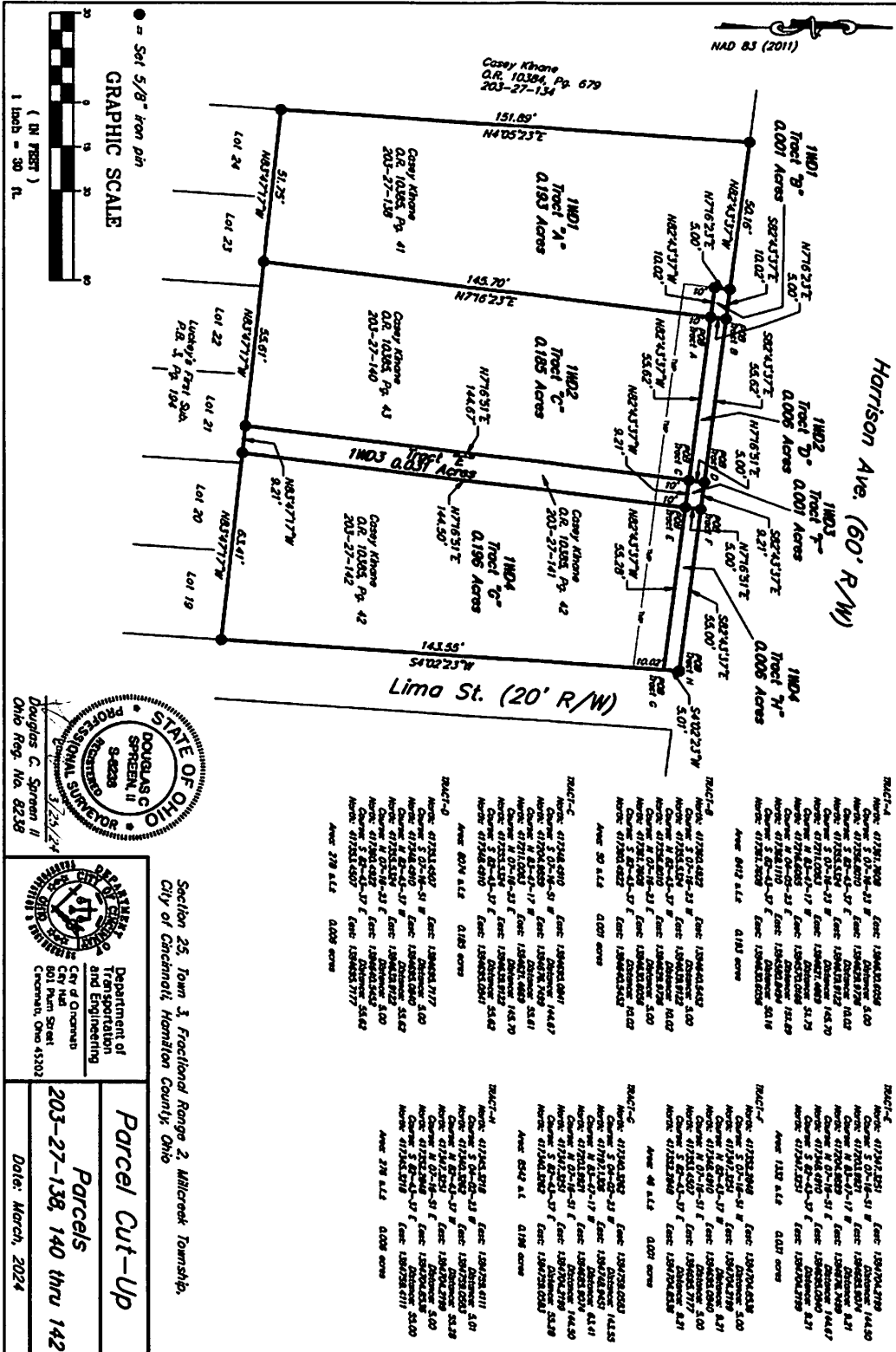
Situate in the City of Cincinnati, Hamilton County, Ohio, and being the north one-half of Lot Four Hundred and Forty-one (441) of James Subdivision of Faircount as shown on plat recorded in Plat Book 1, page 173 of the Hamilton County Ohio Records; said north one-half of said Lot Four Hundred and Forty-one (441) fronts three hundred and ninety-five (395) feet, more or less, on the south side of Harrison Avenue, and extends back southwardly one-half the distance to Montrose Street and lies between Rankin and Elizabeth Streets.

Being property conveyed to the said Grantor by deed recorded at Volume 1990, page 536 of Hamilton County Records.

ATTACHMENT B

ATTACHMENT B

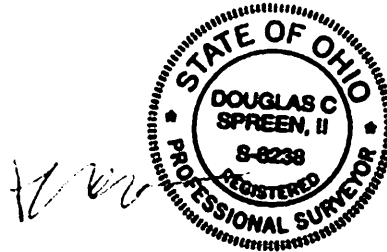
Casey Kinane Appropriation Cut-up



Casey Kinane Appropriation – Tract B – All interest in fee simple
Out of Parcel: 203-0027-0138-00

Situate in Section 25, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Casey Kinane in O.R. 10385, Pg. 41 and being more particularly described as follows:

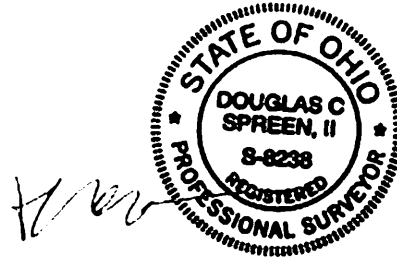
Commencing at the intersection of the west line of Lima Street, 20' R/W and the south line of Harrison Avenue, 60' R/W; thence with the south line of said Harrison Avenue, North 82°43'37" West, 119.83 feet to a set 5/8" iron pin being the Point of Beginning; thence South 07°16'23" West, 5.00 feet to a set 5/8" iron pin; thence North 82°43'37" West, 10.02 feet to a set 5/8" iron pin; thence North 07°16'23" East, 5.00 feet to a set 5/8" iron pin in the south line of said Harrison Avenue; thence with the south line of said Harrison Avenue, South 82°43'37" East, 10.02 feet to the Point of Beginning. Containing 0.001 acres of land more or less. Bearings based on NAD 83 (2011). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Douglas C. Spreen II, Ohio Registration Number 8238.



Casey Kinane Appropriation – Tract D – All interest in fee simple
Out of Parcel: 203-0027-0140-00

Situate in Section 25, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Casey Kinane in O.R. 10385, Pg. 43 and being more particularly described as follows:

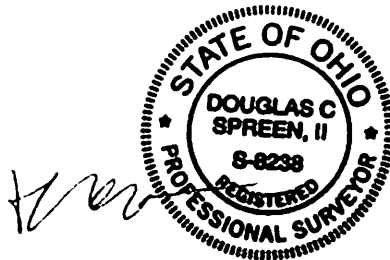
Commencing at the intersection of the west line of Lima Street, 20' R/W and the south line of Harrison Avenue, 60' R/W; thence with the south line of said Harrison Avenue, North 82°43'37" West, 64.21 feet to a set 5/8" iron pin being the Point of Beginning; thence South 07°16'51" West, 5.00 feet to a set 5/8" iron pin; thence North 82°43'37" West, 55.62 feet to a set 5/8" iron pin; thence North 07°16'23" East, 5.00 feet to a set 5/8" iron pin in the south line of said Harrison Avenue; thence with the south line of said Harrison Avenue, South 82°43'37" East, 55.62 feet to the Point of Beginning. Containing 0.006 acres of land more or less. Bearings based on NAD 83 (2011). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Douglas C. Spreen II, Ohio Registration Number 8238.



Casey Kinane Appropriation – Tract F – All interest in fee simple
Out of Parcel: 203-0027-0141-00

Situate in Section 25, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Casey Kinane in O.R. 10385, Pg. 42 and being more particularly described as follows:

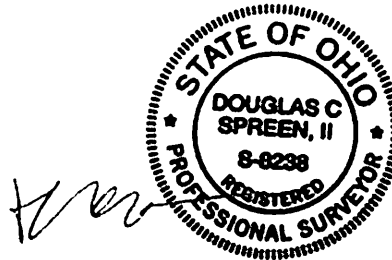
Commencing at the intersection of the west line of Lima Street, 20' R/W and the south line of Harrison Avenue, 60' R/W; thence with the south line of said Harrison Avenue, North 82°43'37" West, 55.00 feet to a set 5/8" iron pin being the Point of Beginning; thence South 07°16'51" West, 5.00 feet to a set 5/8" iron pin; thence North 82°43'37" West, 9.21 feet to a set 5/8" iron pin; thence North 07°16'51" East, 5.00 feet to a set 5/8" iron pin in the south line of said Harrison Avenue; thence with the south line of said Harrison Avenue, South 82°43'37" East, 9.21 feet to the Point of Beginning. Containing 0.001 acres of land more or less. Bearings based on NAD 83 (2011). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Douglas C. Spreen II, Ohio Registration Number 8238.



Casey Kinane Appropriation – Tract H – All interest in fee simple
Out of Parcel: 203-0027-0142-00

Situate in Section 25, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Casey Kinane in O.R. 10385, Pg. 42 and being more particularly described as follows:

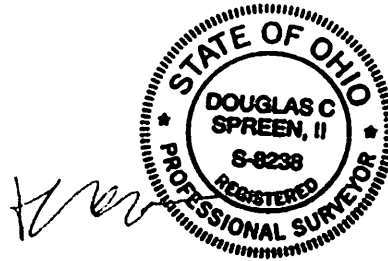
Beginning at a set 5/8" iron pin at the intersection of the west line of Lima Street, 20' R/W and the south line of Harrison Avenue, 60' R/W; thence with the west line of said Lima Street, South 04°02'23" West, 5.01 feet to a set 5/8" iron pin; thence North 82°43'37" West, 55.28 feet to a set 5/8" iron pin; thence North 07°16'51" East, 5.00 feet to a set 5/8" iron pin in the south line of said Harrison Avenue; thence with the south line of said Harrison Avenue, South 82°43'37" East, 55.00 feet to the Point of Beginning. Containing 0.006 acres of land more or less. Bearings based on NAD 83 (2011). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Douglas C. Spreen II, Ohio Registration Number 8238.



**Casey Kinane Appropriation – 1T1 – Temporary Easement for Construction and Work
Upon Parcel: 203-0027-0138-00**

Situate in Section 25, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Casey Kinane in O.R. 10385, Pg. 41 and being more particularly described as follows:

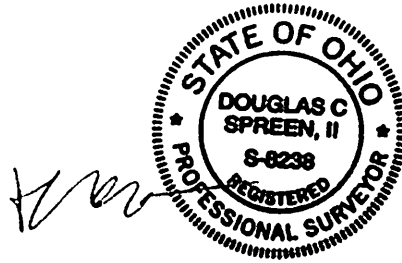
Commencing at the intersection of the west line of Lima Street, 20' R/W and the south line of Harrison Avenue, 60' R/W; thence with the south line of said Harrison Avenue, North 82°43'37" West, 119.83 feet to a point; thence South 07°16'23" West, 5.00 feet to the Point of Beginning; thence South 07°16'23" West, 10.00 feet to a point; thence North 82°43'37" West, 10.02 feet to a point; thence North 07°16'23" East, 10.00 feet to a point; thence South 82°43'37" East, 10.02 feet to the Point of Beginning. Containing 100 square feet of land more or less. Bearings based on NAD 83 (2011). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Douglas C. Spreen II, Ohio Registration Number 8238.



Casey Kinane Appropriation – 1T2 – Temporary Easement for Construction and Work Upon Parcel: 203-0027-0140-00

Situate in Section 25, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Casey Kinane in O.R. 10385, Pg. 43 and being more particularly described as follows:

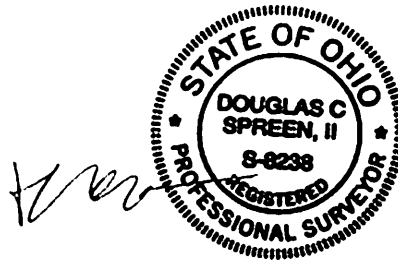
Commencing at the intersection of the west line of Lima Street, 20' R/W and the south line of Harrison Avenue, 60' R/W; thence with the south line of said Harrison Avenue, North 82°43'37" West, 64.21 feet to a point; thence South 07°16'51" West, 5.00 feet to the Point of Beginning; thence South 07°16'51" West, 10.00 feet to a point; thence North 82°43'37" West, 55.62 feet to a point; thence North 07°16'23" East, 10.00 feet to a point; thence South 82°43'37" East, 55.62 feet to the Point of Beginning. Containing 556 square feet of land more or less. Bearings based on NAD 83 (2011). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Douglas C. Spreen II, Ohio Registration Number 8238.



**Casey Kinane Appropriation – 1T3 – Temporary Easement for Construction and Work
Upon Parcel: 203-0027-0141-00**

Situate in Section 25, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Casey Kinane in O.R. 10385, Pg. 41 and being more particularly described as follows:

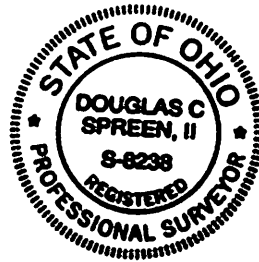
Commencing at the intersection of the west line of Lima Street, 20' R/W and the south line of Harrison Avenue, 60' R/W; thence with the south line of said Harrison Avenue, North 82°43'37" West, 55.00 feet to a point; thence South 07°16'51" West, 5.00 feet to the Point of Beginning; thence South 07°16'51" West, 10.00 feet to a point; thence North 82°43'37" West, 9.21 feet to a point; thence North 07°16'51" East, 10.00 feet to a point; thence South 82°43'37" East, 9.21 feet to the Point of Beginning. Containing 92 square feet of land more or less. Bearings based on NAD 83 (2011). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Douglas C. Spreen II, Ohio Registration Number 8238.



**Casey Kinane Appropriation – 1T4 – Temporary Easement for Construction and Work
Upon Parcel: 203-0027-0142-00**

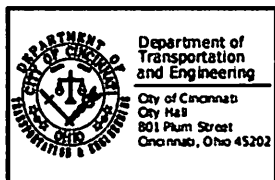
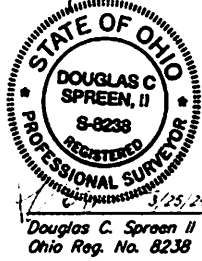
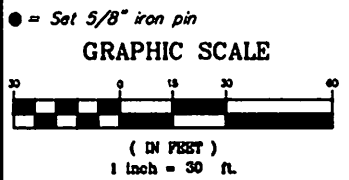
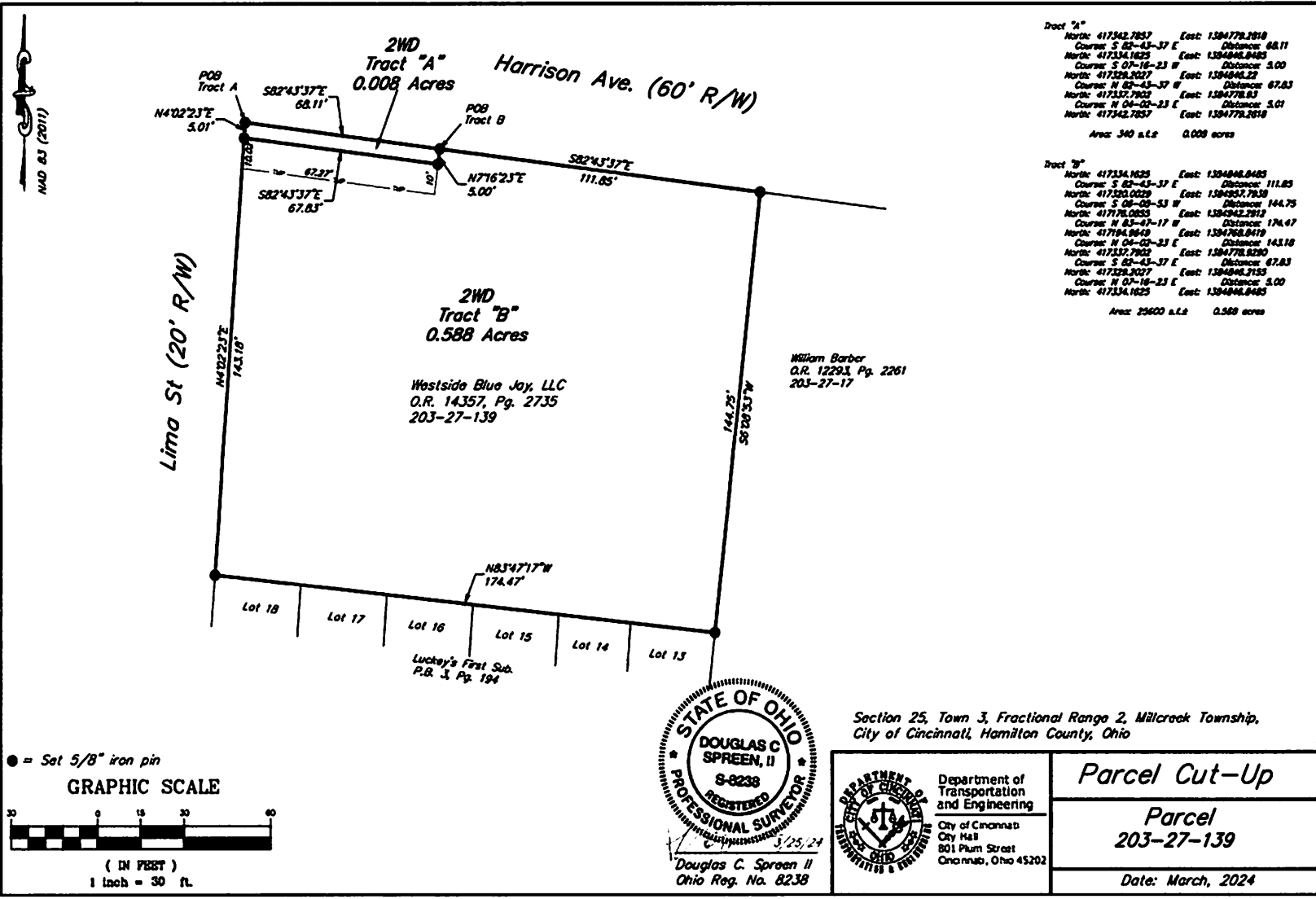
Situate in Section 25, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Casey Kinane in O.R. 10385, Pg. 42 and being more particularly described as follows:

Commencing at the intersection of the west line of Lima Street, 20' R/W and the south line of Harrison Avenue, 60' R/W; thence with the west line of said Lima Street, South 04°02'23" West, 5.01 feet to the Point of Beginning; thence South 04°02'23" West, 10.02 feet to a point; thence North 82°43'37" West, 55.85 feet to a point; thence North 07°16'51" East, 10.00 feet to a point; thence South 82°43'37" East, 55.28 feet to the Point of Beginning. Containing 556 square feet of land more or less. Bearings based on NAD 83 (2011). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Douglas C. Spreen II, Ohio Registration Number 8238.



A handwritten signature in black ink, appearing to read "Douglas C. Spreen II", written below the professional seal.

Westside Blue Jay, LLC Appropriation Cut-up



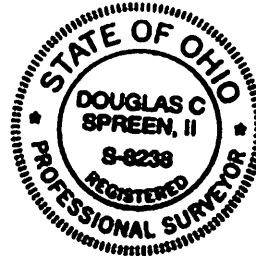
Parcel Cut-Up	
Parcel 203-27-139	
Date: March, 2024	

[00410759-1]

West Side Blue Jay, LLC Appropriation – Tract A – All interest in fee simple
Out of Parcel: 0203-0027-0139-00

Situate in Section 25, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Westside Blue Jay, LLC in O.R. 14357, Pg. 2735 and being more particularly described as follows:

Beginning at a set 5/8" iron pin at the intersection of the east line of Lima Street, 20' R/W and the south line of Harrison Avenue, 60' R/W; thence with the south line of said Harrison Avenue, South 82°43'37" East, 68.11 feet to a set 5/8" iron pin; thence South 07°16'23" West, 5.00 feet to a set 5/8" iron pin; thence North 82°43'37" West, 67.83 feet to a set 5/8" iron pin; thence with the east line of said Lima Street, North 04°02'23" East, 5.01 feet to the Point of Beginning. Containing 0.008 acres of land more or less. Bearings based on NAD 83 (2011). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Douglas C. Spreen II, Ohio Registration Number 8238.



Handwritten signature of Douglas C. Spreen, II

West Side Blue Jay, LLC Appropriation – 2T – Temporary easement for construction and work

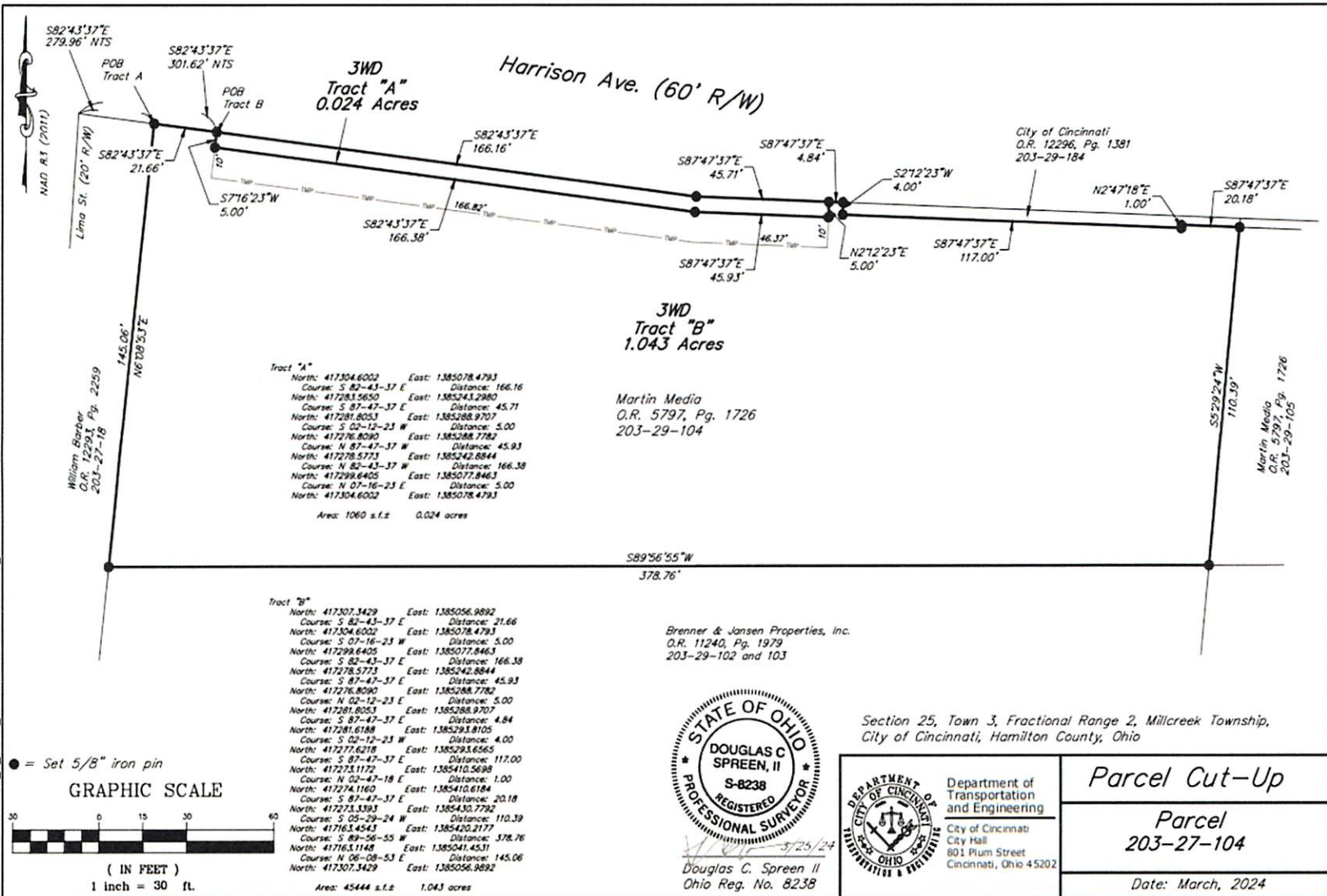
Upon Parcel: 0203-0027-0139-00

Situate in Section 25, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Westside Blue Jay, LLC in O.R. 14357, Pg. 2735 and being more particularly described as follows:

Commencing at the intersection of the east line of Lima Street, 20' R/W and the south line of Harrison Avenue, 60' R/W; thence with the east line of said Lima Street, South 04°02'23" West, 5.01 feet to the Point of Beginning; thence South 82°43'37" East, 67.83 feet to a point; thence South 07°16'23" West, 10.00 feet to a point; thence North 82°43'37" West, 67.27 feet to a point; thence with the east line of said Lima Street, North 04°02'23" East, 10.02 feet to the Point of Beginning. Containing 676 square feet of land more or less. Bearings based on NAD 83 (2011). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Douglas C. Spreen II, Ohio Registration Number 8238.



Martin Media Appropriation Cut-up

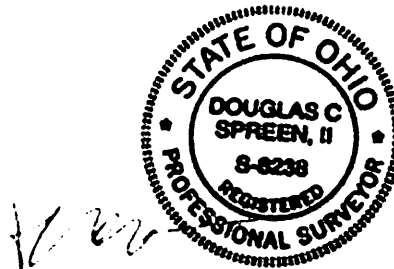


[00410759-1]

Martin Media Appropriation – Tract A – All interest in fee simple
Out of Parcel: 0203-0029-0104-00

Situate in Section 25, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Martin Media in O.R. 5797, Pg. 1726 and being more particularly described as follows:

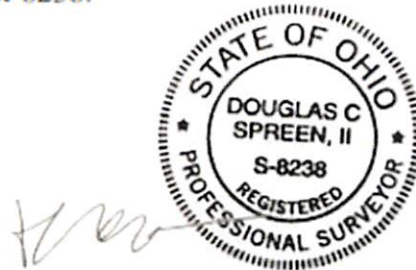
Commencing at the intersection of the east line of Lima Street, 20' R/W and the south line of Harrison Avenue, 60' R/W; thence with the south line of said Harrison Avenue, South 82°43'37" East, 301.62 feet to a set 5/8" iron pin being the Point of Beginning; thence continuing with the south line of said Harrison Avenue the following two courses; South 82°43'37" East, 166.16 feet to a set 5/8" iron pin; thence South 87°47'37" East, 45.71 feet to a set 5/8" iron pin; thence South 02°12'23" West, 5.00 feet to a set 5/8" iron pin; thence North 87°47'37" West, 45.93 feet to a set 5/8" iron pin; thence North 82°43'37" West, 166.38 feet to a set 5/8" iron pin; thence North 07°16'23" East, 5.00 feet to the Point of Beginning. Containing 0.024 acres of land more or less. Bearings based on NAD 83 (2011). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Douglas C. Spreen II, Ohio Registration Number 8238.



Martin Media Appropriation – 3T – Temporary easement for construction and work
Upon Parcel: 0203-0029-0104-00

Situate in Section 25, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Martin Media in O.R. 5797, Pg. 1726 and being more particularly described as follows:

Commencing at the intersection of the east line of Lima Street, 20' R/W and the south line of Harrison Avenue, 60' R/W; thence with the south line of said Harrison Avenue, South 82°43'37" East, 301.62 feet to a point; thence South 07°16'23" West, 5.00 feet to the Point of Beginning; thence South 82°43'37" East, 166.38 feet to a point; thence South 87°47'37" East, 45.93 feet to a point; thence South 02°12'23" West, 10.00 feet to a point; thence North 87°47'37" West, 46.37 feet to a point; thence North 82°43'37" West, 166.82 feet to a point; thence North 07°16'23" East, 10.00 feet to the Point of Beginning. Containing 2,127 square feet of land more or less. Bearings based on NAD 83 (2011). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Douglas C. Spreen II, Ohio Registration Number 8238.



Date: November 6, 2024

To: Mayor and Members of City Council
From: Sheryl M. M. Long, City Manager
Subject: EMERGENCY ORDINANCE - HARRISON AVENUE SAFETY IMPROVEMENT PROJECTS

202402342

Attached is an emergency ordinance captioned as follows:

APPROPRIATING to public use certain real property interests necessary to secure, stabilize, repair, improve, and protect a portion of the public roadway known as Harrison Avenue, and the sidewalk and retaining wall adjacent thereto.

The Harrison Avenue Safety Improvements Project (ODOT PID 118053) will include an improved lane configuration along Harrison Avenue, installation of various pedestrian safety initiatives and traffic calming techniques, roadway surface improvements, construction of sidewalks, and construction of retaining walls. This acquisition is necessary for construction and maintenance of the retaining walls that will be installed with the project.

The reason for the emergency ordinance is the immediate need to acquire all real property interests necessary to construct the Project without delay to ensure safe, dependable, and uninterrupted provision and protection of the public right of way and ancillary structures.

The Administration recommends passage of the attached ordinance.

Attachment A – Harrison Avenue Safety Improvement Project

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

EMERGENCY

DMZ

- 2024

APPROPRIATING to public use certain real property interests necessary to secure, stabilize, repair, improve, and protect a portion of the public roadway known as Harrison Avenue, and the sidewalk and retaining wall adjacent thereto.

WHEREAS, on _____, 2024, City Council of the City of Cincinnati passed Resolution No. _____, captioned, “**DECLARING** the intent to appropriate to public use certain real-property interests necessary to secure, stabilize, repair, improve, and protect a portion of the public roadway known as Harrison Avenue, and the sidewalk and retaining wall adjacent thereto.”; and

WHEREAS, notice of the passage of said Resolution No. _____ has been served according to law; now, therefore,

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

Section 1. That the Council hereby appropriates the following real property interests for the public purpose of securing, stabilizing, repairing, improving, and protecting a portion of the public roadway known as Harrison Avenue, and the sidewalk and retaining wall adjacent thereto (“Project”), fee simple interest and temporary easement interests in portions of the real property described in Attachment A attached hereto, whereas such interests to be appropriated are more particularly described and depicted on Attachment B, attached hereto and incorporated herein by reference (collectively, “Property”):

<u>Owner</u>	<u>Hamilton Co. Auditor Parcel No.</u>
Casey Kinane	203-0027-0138-00
Casey Kinane	203-0027-0140-00
Casey Kinane	203-0027-0141-00
Casey Kinane	203-0027-0142-00
Westside Blue Jay, LLC	203-0027-0139-00
Martin Media, et al	203-0029-0104-00

Section 2. That the City Solicitor is hereby authorized to commence proceedings in a proper court by filing a complaint for appropriation of the foregoing parcels at such time as the City has met the requirements of Ohio Revised Code Section 163.04.

Section 3. That at any time prior or subsequent to the filing of a complaint or complaints for appropriation, the City Manager is hereby authorized, with the approval of the City Solicitor, to acquire by purchase the real property interests described in Section 1 hereof, and in connection with such acquisition, or for the preparation of court proceedings, to enter into special contracts for necessary services, expert or otherwise, as the same may be required.

Section 4. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to acquire all real property interests necessary to construct the Project without delay to ensure the safe, dependable, and uninterrupted provision and protection of the public right-of-way and ancillary structures.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

ATTACHMENT A

ATTACHMENT A

Tract I

Parcel: 203-0027-0138-00

Owner: Casey Kinane

SITUATE IN THE CITY OF CINCINNATI, COUNTY OF HAMILTON AND STATE OF OHIO AND BOUND AND DESCRIBED AS FOLLOWS:

FROM THE NORTHWESTERLY CORNER OF REGISTERED LAND CERTIFICATE NO. 55581; THENCE SOUTH 88°34'30" EAST ALONG THE NORTHERLY LINE OF REGISTERED LAND CERTIFICATE NO. 55581 AND THE SOUTHERLY LINE OF HARRISON AVENUE, A DISTANCE OF 60.18 FEET TO A POINT FOR THE PLACE OF BEGINNING THENCE SOUTH 1°25'30" WEST A DISTANCE OF 150.70 FEET TO A POINT IN THE SOUTHERLY LINE OF REGISTERED LAND CERTIFICATE NO. 55581; THENCE NORTH 89°38'10" WEST ALONG THE SOUTHERLY LINE OF REGISTERED LAND CERTIFICATE NO. 55581, A DISTANCE OF 51.73 FEET TO A POINT; THENCE NORTH 1°45'30" WEST A DISTANCE OF 151.89 FEET TO A POINT; THENCE SOUTH 88°34'30" EAST ALONG THE NORTHERLY LINE OF REGISTERED LAND CERTIFICATE NO. 55581 AND THE SOUTHERLY LINE OF HARRISON AVENUE A DISTANCE OF 60.18 FEET TO THE PLACE OF BEGINNING.

SUBJECT TO THE EXCEPTIONS MENTIONED IN SECTION TWENTY-FIVE OF THE ACT OF MAY 6, 1913, 103 O. L. 914 AS AMENDED, PROVIDING FOR THE REGISTRATION OF LAND TITLES, AND SUBJECT TO THE LESSER ESTATES AND INTERESTS, LIENS, CHARGES AND ENCUMBRANCES MENTIONED AND DESCRIBED IN THE MEMORIALS ENDORSED HEREON OR ON THE SHEET OF MEMORIALS ATTACHED HERETO.

Tract II

Parcel: 203-0027-0140-00

Owner Casey Kinane

SITUATE IN THE CITY OF CINCINNATI, COUNTY OF HAMILTON, AND STATE OF OHIO, AND BOUNDED AND DESCRIBED AS FOLLOWS:

FROM THE NORTHWESTERLY CORNER OF REGISTERED LAND CERTIFICATE NO. 55581; THENCE SOUTH 88 DEGREES 34'30" EAST ALONG THE NORTHERLY LINE OF REGISTERED LAND CERTIFICATE NO. 55581 AND THE SOUTHERLY LINE OF HARRISON AVENUE, A DISTANCE OF SIXTY AND 18/100 (60.18) FEET TO A POINT FOR THE PLACE OF BEGINNING; THENCE CONTINUING SOUTH 88 DEGREES 34'30" EAST ALONG THE NORTHERLY LINE OF REGISTERED LAND CERTIFICATE NO. 55619 AND THE SOUTHERLY LINE OF HARRISON AVENUE, A DISTANCE OF FIFTY FIVE AND 62/100 (55.62) FEET TO A POINT; THENCE SOUTH 1 DEGREE 25'30" WEST, A DISTANCE OF ONE HUNDRED FORTY NINE AND 67/100 (149.67) FEET TO A POINT IN THE SOUTHERLY LINE OF REGISTERED LAND CERTIFICATE NO. 55619; THENCE NORTH 89 DEGREES 38'10" WEST ALONG THE SOUTHERLY LINE OF REGISTERED LAND CERTIFICATE NO. 55619, A DISTANCE OF FIFTY FIVE AND 63/100 (55.63) FEET TO A POINT; THENCE NORTH 1 DEGREE 25'30" EAST A DISTANCE OF ONE HUNDRED FIFTY AND 70/100 (150.70) FEET TO A POINT FOR THE PLACE OF BEGINNING.

SUBJECT TO THE EXCEPTIONS MENTIONED IN SECTION TWENTY-FIVE OF THE ACT OF MAY 6, 1913, 103 O.L. 914 AS AMENDED, PROVIDING FOR THE REGISTRATION OF LAND TITLES, AND SUBJECT TO THE LESSER ESTATES AND INTERESTS, LIENS, CHARGES AND ENCUMBRANCES MENTIONED AND DESCRIBED IN THE MEMORIALS ENDORSED HEREON OR ON THE SHEET OF MEMORIALS ATTACHED HERETO.

{00410774-1}

Tract III

Parcel: 203-0027-0141-00 and 203-0027-0142-00

Owner Casey Kinane

BEING PART OF REGISTERED LAND CERTIFICATE NO. 55581 AND ALL OF REGISTERED LAND CERTIFICATE NO. 56290, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM THE NORTHWESTERLY CORNER OF REGISTERED LAND CERTIFICATE NO. 55581; THENCE SOUTH 88° 34' 30" EAST ALONG THE NORTHERLY LINE OF REGISTERED LAND CERTIFICATE NO. 55581 AND NO. 55619 AND THE SOUTHERLY LINE OF HARRISON AVENUE, A DISTANCE OF 115.80 FEET TO A POINT FOR THE PLACE OF BEGINNING; THENCE CONTINUING SOUTH 88° 34' 30" EAST ALONG THE SOUTHERLY LINE OF HARRISON AVENUE A DISTANCE OF 64.21 FEET TO A POINT AT THE SOUTHWESTERLY CORNER OF HARRISON AVENUE AND LIMA STREET; THENCE SOUTH 1° 48' 30" EAST ALONG THE WESTERLY LINE OF LIMA STREET, A DISTANCE OF 148.54 FEET TO A POINT IN THE SOUTHERLY LINE OF REGISTERED LAND CERTIFICATE NO. 55581; THENCE NORTH 89° 38' 10" WEST A DISTANCE OF 72.62 FEET TO A POINT; THENCE NORTH 1° 25' 30" EAST, A DISTANCE OF 149.67 FEET TO A POINT THE PLACE OF BEGINNING. TOGETHER WITH AN EASEMENT AS SET FORTH IN DEED FROM MARCELLA C. FESSEL TO HERMAN FESSEL, RECORDED IN DEED BOOK 3382, PAGE 759 OF THE REGISTERED LAND RECORDS OF HAMILTON COUNTY, OHIO.

SUBJECT TO THE EXCEPTIONS MENTIONED IN SECTION TWENTY-FIVE OF THE ACT OF MAY 6, 1913, 103 O.L. 914 AS AMENDED, PROVIDING FOR THE REGISTRATION OF LAND TITLES, AND SUBJECT TO THE LESSER ESTATES AND INTERESTS, LIENS, CHARGES AND ENCUMBRANCES MENTIONED AND DESCRIBED IN THE MEMORIALS ENDORSED HEREON OR ON THE SHEET OF MEMORIALS ATTACHED HERETO.

Tract IV

Parcel: 203-0027-0139-00

Owner: Westside Blue Jay, LLC

Situate in Section 25, Town 3, Fractional Range 2, Millcreek Township, and being more particularly described as follows:

From a point in the westerly line of Rankin Street, said point being also the northeast corner of Registered Land Certificate No. 48432; thence North 8° 00' 25" West along said Westerly line, a distance of 122.56 feet to a point in the Southwesterly corner of Rankin Street and Harrison Avenue; thence South 77° 54' West along the Southerly line of Harrison Avenue, a distance of 388.77 feet to an angle point; thence continuing along said Southerly line of Harrison Avenue, South 86° 21' 30" West, a distance of 286.00 feet to an angle point; thence continuing along said Southerly line of Harrison Avenue, North 88° 34' 30" a distance of 287.82 feet to a point for the place of beginning; thence South 0° 18' West a distance of 144.75 feet to a point; thence North 89° 38' 10" West a distance of 174.48 feet to a point; thence North 1° 48' 30" West a distance of 148.18 feet to a point in the Southerly line of Harrison Avenue; thence South 88° 34' 30" East along the Southerly line of Harrison Avenue, a distance of 179.96 feet to a point, the place of Beginning.

{00410774-1}

Tract V

Parcel: 203-0029-0104-00

Owner: Martin Media et al

Situated in the City of Cincinnati, Hamilton County, Ohio, in Section Twenty-Five (25), Township Three (3), Fractional Range Two (2), Miami Purchase and being part of Lot Number Four Hundred and Forty-four (444) of the subdivision made by J.A. James, recorded in Plat Book 1, page 173 and known as Fairmount College and more particularly described as follows: Beginning at a point in the southerly line of Harrison Avenue which point is also the northeast corner of Lot Four Hundred and Forty-four (444); thence in a southerly direction one hundred and nine and 12/100 (109.12) feet which point is also the center of the east line of said lot; thence from said center point of original lot running in a westerly direction to the center of said lot on the west line of said lot; thence in a northerly direction from said point to the southerly side of Harrison Avenue, which point is also the northwest corner of said Lot Number Four Hundred and Forty-four (444); thence in an easterly direction along the southerly line of Harrison Avenue ninety-six and 50/100 (96.50) feet to the place of beginning, and being the northerly one half of said Lot Number Four Hundred and Forty-four (444).

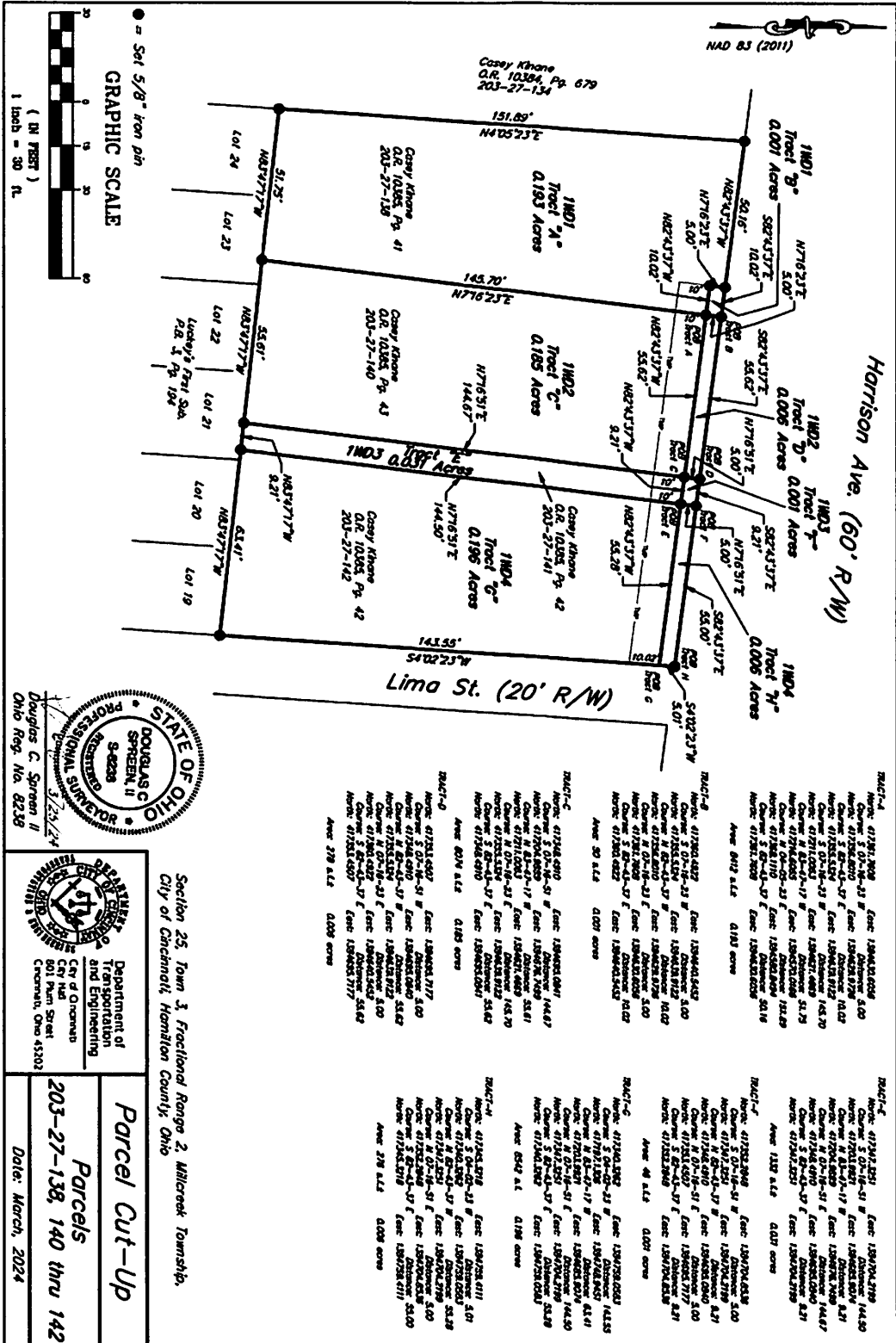
Situate in the City of Cincinnati, Hamilton County, Ohio, and being the north one-half of Lot Four Hundred and Forty-one (441) of James Subdivision of Faircount as shown on plat recorded in Plat Book 1, page 173 of the Hamilton County Ohio Records; said north one-half of said Lot Four Hundred and Forty-one (441) fronts three hundred and ninety-five (395) feet, more or less, on the south side of Harrison Avenue, and extends back southwardly one-half the distance to Montrose Street and lies between Rankin and Elizabeth Streets.

Being property conveyed to the said Grantor by deed recorded at Volume 1990, page 536 of Hamilton County Records.

ATTACHMENT B

ATTACHMENT B

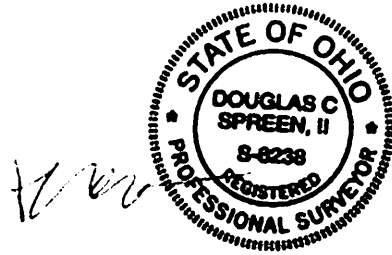
Casey Kinane Appropriation Cut-up



Casey Kinane Appropriation – Tract B – All interest in fee simple
Out of Parcel: 203-0027-0138-00

Situate in Section 25, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Casey Kinane in O.R. 10385, Pg. 41 and being more particularly described as follows:

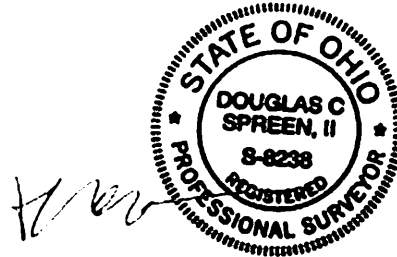
Commencing at the intersection of the west line of Lima Street, 20' R/W and the south line of Harrison Avenue, 60' R/W; thence with the south line of said Harrison Avenue, North 82°43'37" West, 119.83 feet to a set 5/8" iron pin being the Point of Beginning; thence South 07°16'23" West, 5.00 feet to a set 5/8" iron pin; thence North 82°43'37" West, 10.02 feet to a set 5/8" iron pin; thence North 07°16'23" East, 5.00 feet to a set 5/8" iron pin in the south line of said Harrison Avenue; thence with the south line of said Harrison Avenue, South 82°43'37" East, 10.02 feet to the Point of Beginning. Containing 0.001 acres of land more or less. Bearings based on NAD 83 (2011). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Douglas C. Spreen II, Ohio Registration Number 8238.



Casey Kinane Appropriation – Tract D – All interest in fee simple
Out of Parcel: 203-0027-0140-00

Situate in Section 25, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Casey Kinane in O.R. 10385, Pg. 43 and being more particularly described as follows:

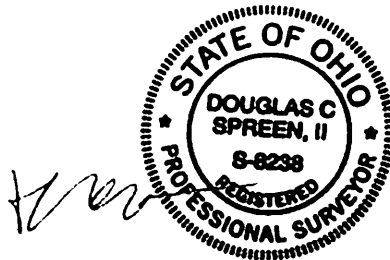
Commencing at the intersection of the west line of Lima Street, 20' R/W and the south line of Harrison Avenue, 60' R/W; thence with the south line of said Harrison Avenue, North 82°43'37" West, 64.21 feet to a set 5/8" iron pin being the Point of Beginning; thence South 07°16'51" West, 5.00 feet to a set 5/8" iron pin; thence North 82°43'37" West, 55.62 feet to a set 5/8" iron pin; thence North 07°16'23" East, 5.00 feet to a set 5/8" iron pin in the south line of said Harrison Avenue; thence with the south line of said Harrison Avenue, South 82°43'37" East, 55.62 feet to the Point of Beginning. Containing 0.006 acres of land more or less. Bearings based on NAD 83 (2011). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Douglas C. Spreen II, Ohio Registration Number 8238.



Casey Kinane Appropriation – Tract F – All interest in fee simple
Out of Parcel: 203-0027-0141-00

Situate in Section 25, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Casey Kinane in O.R. 10385, Pg. 42 and being more particularly described as follows:

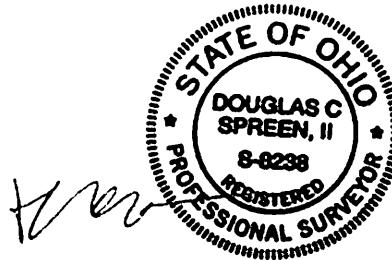
Commencing at the intersection of the west line of Lima Street, 20' R/W and the south line of Harrison Avenue, 60' R/W; thence with the south line of said Harrison Avenue, North 82°43'37" West, 55.00 feet to a set 5/8" iron pin being the Point of Beginning; thence South 07°16'51" West, 5.00 feet to a set 5/8" iron pin; thence North 82°43'37" West, 9.21 feet to a set 5/8" iron pin; thence North 07°16'51" East, 5.00 feet to a set 5/8" iron pin in the south line of said Harrison Avenue; thence with the south line of said Harrison Avenue, South 82°43'37" East, 9.21 feet to the Point of Beginning. Containing 0.001 acres of land more or less. Bearings based on NAD 83 (2011). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Douglas C. Spreen II, Ohio Registration Number 8238.



Casey Kinane Appropriation – Tract H – All interest in fee simple
Out of Parcel: 203-0027-0142-00

Situate in Section 25, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Casey Kinane in O.R. 10385, Pg. 42 and being more particularly described as follows:

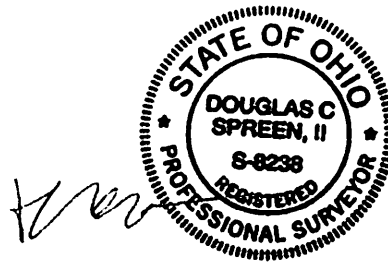
Beginning at a set 5/8" iron pin at the intersection of the west line of Lima Street, 20' R/W and the south line of Harrison Avenue, 60' R/W; thence with the west line of said Lima Street, South 04°02'23" West, 5.01 feet to a set 5/8" iron pin; thence North 82°43'37" West, 55.28 feet to a set 5/8" iron pin; thence North 07°16'51" East, 5.00 feet to a set 5/8" iron pin in the south line of said Harrison Avenue; thence with the south line of said Harrison Avenue, South 82°43'37" East, 55.00 feet to the Point of Beginning. Containing 0.006 acres of land more or less. Bearings based on NAD 83 (2011). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Douglas C. Spreen II, Ohio Registration Number 8238.



**Casey Kinane Appropriation – 1T1 – Temporary Easement for Construction and Work
Upon Parcel: 203-0027-0138-00**

Situate in Section 25, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Casey Kinane in O.R. 10385, Pg. 41 and being more particularly described as follows:

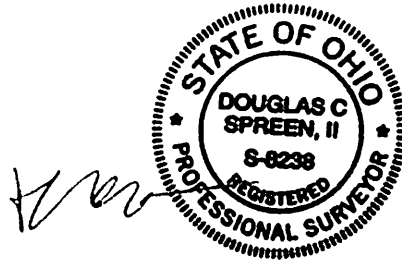
Commencing at the intersection of the west line of Lima Street, 20' R/W and the south line of Harrison Avenue, 60' R/W; thence with the south line of said Harrison Avenue, North 82°43'37" West, 119.83 feet to a point; thence South 07°16'23" West, 5.00 feet to the Point of Beginning; thence South 07°16'23" West, 10.00 feet to a point; thence North 82°43'37" West, 10.02 feet to a point; thence North 07°16'23" East, 10.00 feet to a point; thence South 82°43'37" East, 10.02 feet to the Point of Beginning. Containing 100 square feet of land more or less. Bearings based on NAD 83 (2011). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Douglas C. Spreen II, Ohio Registration Number 8238.



Casey Kinane Appropriation – 1T2 – Temporary Easement for Construction and Work Upon Parcel: 203-0027-0140-00

Situate in Section 25, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Casey Kinane in O.R. 10385, Pg. 43 and being more particularly described as follows:

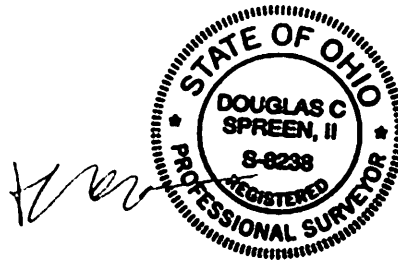
Commencing at the intersection of the west line of Lima Street, 20' R/W and the south line of Harrison Avenue, 60' R/W; thence with the south line of said Harrison Avenue, North 82°43'37" West, 64.21 feet to a point; thence South 07°16'51" West, 5.00 feet to the Point of Beginning; thence South 07°16'51" West, 10.00 feet to a point; thence North 82°43'37" West, 55.62 feet to a point; thence North 07°16'23" East, 10.00 feet to a point; thence South 82°43'37" East, 55.62 feet to the Point of Beginning. Containing 556 square feet of land more or less. Bearings based on NAD 83 (2011). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Douglas C. Spreen II, Ohio Registration Number 8238.



**Casey Kinane Appropriation – 1T3 – Temporary Easement for Construction and Work
Upon Parcel: 203-0027-0141-00**

Situate in Section 25, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Casey Kinane in O.R. 10385, Pg. 41 and being more particularly described as follows:

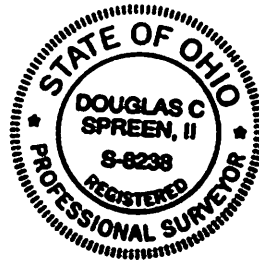
Commencing at the intersection of the west line of Lima Street, 20' R/W and the south line of Harrison Avenue, 60' R/W; thence with the south line of said Harrison Avenue, North 82°43'37" West, 55.00 feet to a point; thence South 07°16'51" West, 5.00 feet to the Point of Beginning; thence South 07°16'51" West, 10.00 feet to a point; thence North 82°43'37" West, 9.21 feet to a point; thence North 07°16'51" East, 10.00 feet to a point; thence South 82°43'37" East, 9.21 feet to the Point of Beginning. Containing 92 square feet of land more or less. Bearings based on NAD 83 (2011). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Douglas C. Spreen II, Ohio Registration Number 8238.



**Casey Kinane Appropriation – 1T4 – Temporary Easement for Construction and Work
Upon Parcel: 203-0027-0142-00**

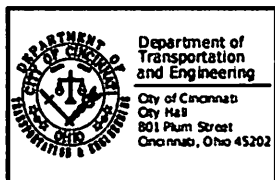
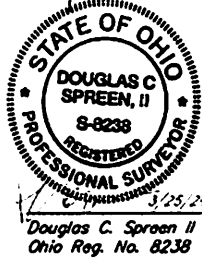
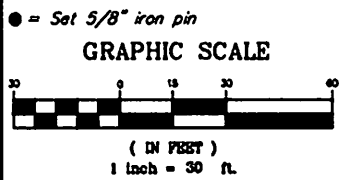
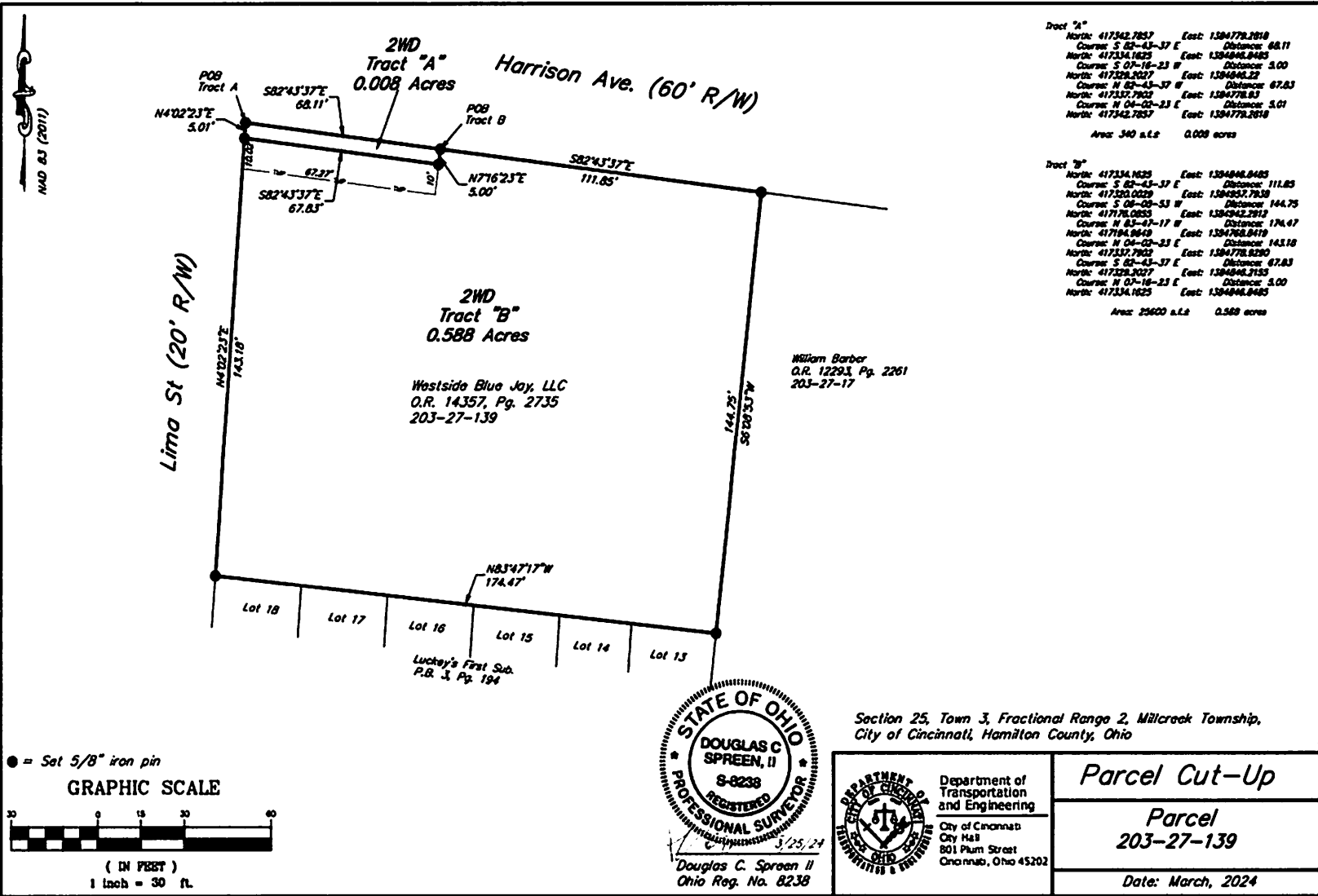
Situate in Section 25, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Casey Kinane in O.R. 10385, Pg. 42 and being more particularly described as follows:

Commencing at the intersection of the west line of Lima Street, 20' R/W and the south line of Harrison Avenue, 60' R/W; thence with the west line of said Lima Street, South 04°02'23" West, 5.01 feet to the Point of Beginning; thence South 04°02'23" West, 10.02 feet to a point; thence North 82°43'37" West, 55.85 feet to a point; thence North 07°16'51" East, 10.00 feet to a point; thence South 82°43'37" East, 55.28 feet to the Point of Beginning. Containing 556 square feet of land more or less. Bearings based on NAD 83 (2011). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Douglas C. Spreen II, Ohio Registration Number 8238.



A handwritten signature in black ink, appearing to read "Douglas C. Spreen, II", located below the professional seal.

Westside Blue Jay, LLC Appropriation Cut-up



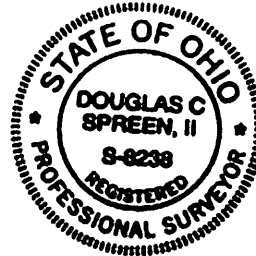
Parcel Cut-Up	
Parcel 203-27-139	
Date: March, 2024	

[00410759-1]

West Side Blue Jay, LLC Appropriation – Tract A – All interest in fee simple
Out of Parcel: 0203-0027-0139-00

Situate in Section 25, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Westside Blue Jay, LLC in O.R. 14357, Pg. 2735 and being more particularly described as follows:

Beginning at a set 5/8" iron pin at the intersection of the east line of Lima Street, 20' R/W and the south line of Harrison Avenue, 60' R/W; thence with the south line of said Harrison Avenue, South 82°43'37" East, 68.11 feet to a set 5/8" iron pin; thence South 07°16'23" West, 5.00 feet to a set 5/8" iron pin; thence North 82°43'37" West, 67.83 feet to a set 5/8" iron pin; thence with the east line of said Lima Street, North 04°02'23" East, 5.01 feet to the Point of Beginning. Containing 0.008 acres of land more or less. Bearings based on NAD 83 (2011). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Douglas C. Spreen II, Ohio Registration Number 8238.



Handwritten signature of Douglas C. Spreen, II

West Side Blue Jay, LLC Appropriation – 2T – Temporary easement for construction and work

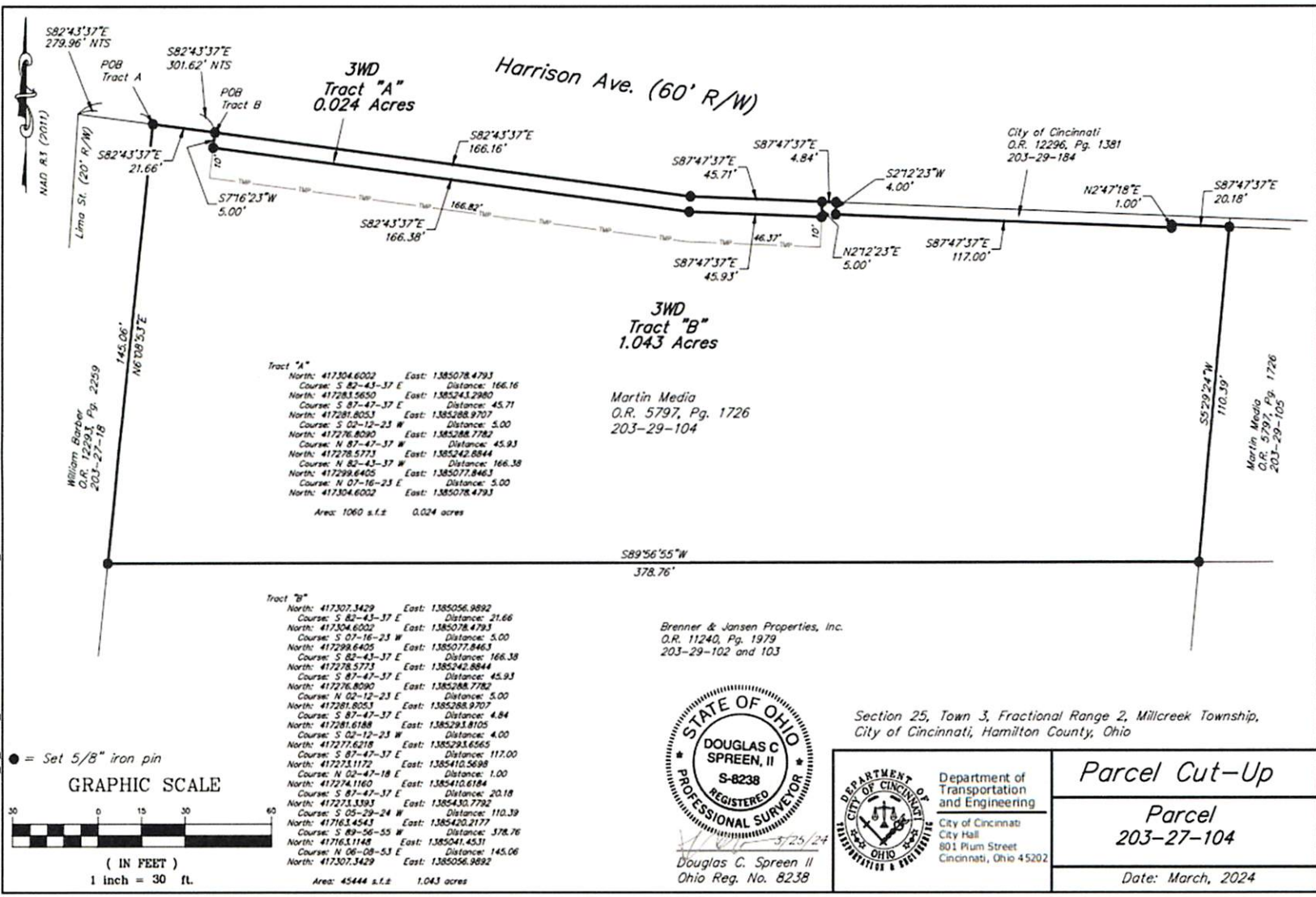
Upon Parcel: 0203-0027-0139-00

Situate in Section 25, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Westside Blue Jay, LLC in O.R. 14357, Pg. 2735 and being more particularly described as follows:

Commencing at the intersection of the east line of Lima Street, 20' R/W and the south line of Harrison Avenue, 60' R/W; thence with the east line of said Lima Street, South 04°02'23" West, 5.01 feet to the Point of Beginning; thence South 82°43'37" East, 67.83 feet to a point; thence South 07°16'23" West, 10.00 feet to a point; thence North 82°43'37" West, 67.27 feet to a point; thence with the east line of said Lima Street, North 04°02'23" East, 10.02 feet to the Point of Beginning. Containing 676 square feet of land more or less. Bearings based on NAD 83 (2011). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Douglas C. Spreen II, Ohio Registration Number 8238.



Martin Media Appropriation Cut-up

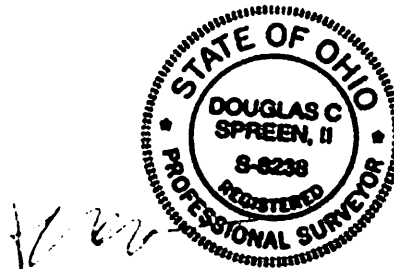


[00410759-1]

Martin Media Appropriation – Tract A – All interest in fee simple
Out of Parcel: 0203-0029-0104-00

Situate in Section 25, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Martin Media in O.R. 5797, Pg. 1726 and being more particularly described as follows:

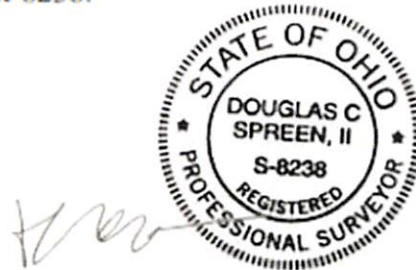
Commencing at the intersection of the east line of Lima Street, 20' R/W and the south line of Harrison Avenue, 60' R/W; thence with the south line of said Harrison Avenue, South 82°43'37" East, 301.62 feet to a set 5/8" iron pin being the Point of Beginning; thence continuing with the south line of said Harrison Avenue the following two courses; South 82°43'37" East, 166.16 feet to a set 5/8" iron pin; thence South 87°47'37" East, 45.71 feet to a set 5/8" iron pin; thence South 02°12'23" West, 5.00 feet to a set 5/8" iron pin; thence North 87°47'37" West, 45.93 feet to a set 5/8" iron pin; thence North 82°43'37" West, 166.38 feet to a set 5/8" iron pin; thence North 07°16'23" East, 5.00 feet to the Point of Beginning. Containing 0.024 acres of land more or less. Bearings based on NAD 83 (2011). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Douglas C. Spreen II, Ohio Registration Number 8238.



Martin Media Appropriation – 3T – Temporary easement for construction and work
Upon Parcel: 0203-0029-0104-00

Situate in Section 25, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Martin Media in O.R. 5797, Pg. 1726 and being more particularly described as follows:

Commencing at the intersection of the east line of Lima Street, 20' R/W and the south line of Harrison Avenue, 60' R/W; thence with the south line of said Harrison Avenue, South 82°43'37" East, 301.62 feet to a point; thence South 07°16'23" West, 5.00 feet to the Point of Beginning; thence South 82°43'37" East, 166.38 feet to a point; thence South 87°47'37" East, 45.93 feet to a point; thence South 02°12'23" West, 10.00 feet to a point; thence North 87°47'37" West, 46.37 feet to a point; thence North 82°43'37" West, 166.82 feet to a point; thence North 07°16'23" East, 10.00 feet to the Point of Beginning. Containing 2,127 square feet of land more or less. Bearings based on NAD 83 (2011). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Douglas C. Spreen II, Ohio Registration Number 8238.



202402371
Date: November 13, 2024

To: Mayor Aftab Pureval
From: Emily Smart Woerner, City Solicitor *EESW*
Subject: **Ordinance - Transfer Hamilton County Auditor Real Estate Assessment (REA) Funds to Deferred Appropriations Reserve Account**

Transmitted herewith is an ordinance captioned as follows:

RENAMING General Fund balance sheet reserve account no. 050x3422, “Deferred Appropriations,” to “Discretionary Reserve”; and **AUTHORIZING** the transfer of \$1,782,421 from the General Fund unappropriated surplus to renamed General Fund balance sheet reserve account no. 050x3422, “Discretionary Reserve,” to reserve resources to be used for one-time FY 2026 General Fund Operating Budget priorities.

EESW/CMZ(dmm)
Attachment
411056

EMERGENCY

City of Cincinnati

CMZ

EESW

An Ordinance No. _____

2024

RENAMING General Fund balance sheet reserve account no. 050x3422, “Deferred Appropriations,” to “Discretionary Reserve”; and **AUTHORIZING** the transfer of \$1,782,421 from the General Fund unappropriated surplus to renamed General Fund balance sheet reserve account no. 050x3422, “Discretionary Reserve,” to reserve resources to be used for one-time FY 2026 General Fund Operating Budget priorities.

WHEREAS, every six years since 1994, the Hamilton County Auditor’s Office has returned the unspent balance from the Auditor’s Real Estate Assessment Fund to local governments, school districts, and other taxing authorities in Hamilton County; and

WHEREAS, on October 29, 2024, the Hamilton County Auditor’s Office notified the City that the distribution to the City of Cincinnati in 2024 is \$1,782,421; and

WHEREAS, the \$1,782,421 received by the City from the Hamilton County Auditor’s Office will be set aside to reserve resources to be used for one-time FY 2026 General Fund Operating Budget priorities during FY 2026 operating budget development; now, therefore,

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

Section 1. General Fund balance sheet reserve account no. 050x3422, “Deferred Appropriations,” is hereby renamed “Discretionary Reserve.”

Section 2. That \$1,782,421 is transferred from the unappropriated surplus of the General Fund to balance sheet reserve account no. 050x3422, “Discretionary Reserve,” to reserve resources to be used for one-time FY 2026 General Fund Operating Budget priorities.

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

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

the immediate need to reserve resources to be used for one-time FY 2026 General Fund Operating Budget priorities.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

November 6, 2024

To: Mayor and Members of City Council 202402335

From: Sheryl M. M. Long, City Manager

Subject: **Ordinance – DOTE: Accept City of Norwood Resources for Edwards Road Rehabilitation**

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to accept and appropriate up to \$25,000 from the City of Norwood to capital improvement program project account no. 980x233x242308, “Street Rehabilitation,” to rehabilitate the section of Edwards Road from Wasson Road to Madison Road, a portion of which is located within the City of Norwood; and **AUTHORIZING** the Director of Finance to deposit the resources into capital improvement program project account no. 980x233x242308, “Street Rehabilitation.”

This Ordinance authorizes the City Manager to accept and appropriate up to \$25,000 from the City of Norwood to existing capital improvement program project account no. 980x233x242308, “Street Rehabilitation,” to provide resources to rehabilitate the section of Edwards Road from Wasson Road to Madison Road, a portion of which is located within the City of Norwood.

Ordinance No. 0271-2023 authorized the City Manager to accept and appropriate a Federal Highway Administration (“FHWA”) grant to rehabilitate Edwards Road from Madison Avenue to Observatory Avenue (the “Edwards Road Rehabilitation Project”).

The southbound side of Edwards Road is located within the City of Norwood, while the northbound side of Edwards Road is located within the City of Cincinnati. It is mutually beneficial for one jurisdiction to complete the Edwards Road Rehabilitation Project and for the other jurisdiction to provide reimbursement for its share of the work.

Accepting resources from the City of Norwood to complete this portion of the Edwards Road Rehabilitation Project satisfies the local match required by the FHWA grant when combined with resources available in capital improvement program project account no. 980x233x242308, “Street Rehabilitation.” No new FTEs/full time equivalents are required.

The Edwards Road Rehabilitation Project is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood vitality” and strategy to “[p]lan, design, and implement a safe and sustainable transportation system” as described on pages 129 - 138 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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



Attachment

AUTHORIZING the City Manager to accept and appropriate up to \$25,000 from the City of Norwood to capital improvement program project account no. 980x233x242308, “Street Rehabilitation,” to rehabilitate the section of Edwards Road from Wasson Road to Madison Road, a portion of which is located within the City of Norwood; and **AUTHORIZING** the Director of Finance to deposit the resources into capital improvement program project account no. 980x233x242308, “Street Rehabilitation.”

WHEREAS, Ordinance No. 271-2023 authorized the City Manager to accept and appropriate a Federal Highway Administration (“FHWA”) grant (ALN 20.205) to rehabilitate Edwards Road from Madison Avenue to Observatory Avenue (HAM-561-1.83 PID 115742) (the “Edwards Road Rehabilitation Project”); and

WHEREAS, the Edwards Road Rehabilitation Project is a joint project among the City of Cincinnati, the City of Norwood, and the Ohio Department of Transportation, with the City of Cincinnati acting as the primary recipient of the FHWA grant; and

WHEREAS, between Wasson Road and Madison Road, the southbound side of Edwards Road is located within the City of Norwood, while the northbound side of Edwards Road is located within the City of Cincinnati; and

WHEREAS, it is mutually beneficial for one jurisdiction to complete the Edwards Road Rehabilitation Project between Wasson Road and Madison Road, and for the other jurisdiction to provide reimbursement for its share of the work; and

WHEREAS, these resources from the City of Norwood, when combined with resources currently available in capital improvement program project account no. 980x233x242308, “Street Rehabilitation,” satisfy the local match resources required by the FHWA grant previously accepted by Council in Ordinance No. 271-2023; and

WHEREAS, the Edwards Road Rehabilitation Project is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood vitality” and strategy to “[p]lan, design, and implement a safe and sustainable transportation system” as described on pages 129 - 138 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is authorized to accept and appropriate up to \$25,000 from the City of Norwood to capital improvement program project account no. 980x233x242308, “Street Rehabilitation,” to rehabilitate the section of Edwards Road from Wasson Road to Madison Road, a portion of which is located within the City of Norwood.

Section 2. That the Director of Finance is authorized to deposit the resources from the City of Norwood into capital improvement program project account no. 980x233x242308, “Street Rehabilitation.”

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

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

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

November 6, 2024

To: Mayor and Members of City Council

202402338

From: Sheryl M. M. Long, City Manager

Subject: Ordinance – DOTE: Accept Hamilton County Resources for West Galbraith Road Rehabilitation

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to accept and appropriate up to \$180,000 from Hamilton County to capital improvement program project account no. 980x233x242308, “Street Rehabilitation,” to provide resources for rehabilitating the section of West Galbraith Road from Vine Street to the corporation line, a portion of which is located in Springfield Township; and **AUTHORIZING** the Director of Finance to deposit the resources from Hamilton County into capital improvement program project account no. 980x233x242308, “Street Rehabilitation.”

This Ordinance authorizes the City Manager to accept and appropriate up to \$180,000 from Hamilton County to existing capital improvement program project account no. 980x233x242308, “Street Rehabilitation,” to provide resources to rehabilitate the section of West Galbraith Road from Vine Street to the corporation line, a portion of which is in Springfield Township.

Ordinance No. 0005-2021 authorized the City Manager to accept and appropriate a grant from the Ohio Public Works Commission (OPWC) to rehabilitate several roads, including West Galbraith Road. A section of West Galbraith Road from Vine Street to the corporation line is in Springfield Township. Hamilton County is responsible for the maintenance of roads in Springfield Township. The City is completing the rehabilitation work, and Hamilton County is reimbursing the City for rehabilitating that portion of West Galbraith Road for which it has financial responsibility.

These resources from Hamilton County, when combined with existing resources in various “Street Rehabilitation” capital improvement program project accounts, will satisfy the matching resources requirement for the OPWC grant. No new FTEs/full time equivalents are required.

The West Galbraith Road Rehabilitation project is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood vitality” and strategy to “[p]lan, design, and implement a safe and sustainable transportation system” as described on pages 129 - 138 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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



Attachment

AUTHORIZING the City Manager to accept and appropriate up to \$180,000 from Hamilton County to capital improvement program project account no. 980x233x242308, “Street Rehabilitation,” to provide resources for rehabilitating the section of West Galbraith Road from Vine Street to the corporation line, a portion of which is located in Springfield Township; and **AUTHORIZING** the Director of Finance to deposit the resources from Hamilton County into capital improvement program project account no. 980x233x242308, “Street Rehabilitation.”

WHEREAS, Ordinance No. 5-2021 authorized the City Manager to accept and appropriate a grant from the Ohio Public Works Commission (“OPWC”) to rehabilitate several roads, including West Galbraith Road; and

WHEREAS, a section of West Galbraith Road from Vine Street to the corporation line is located in Springfield Township; and

WHEREAS, Hamilton County is responsible for the maintenance of roads in Springfield Township; and

WHEREAS, rehabilitating this section of road is part of a joint project between the City and Hamilton County, for which the City is designated as the primary grant recipient; and

WHEREAS, the City is completing the rehabilitation work, and Hamilton County is reimbursing the City for rehabilitating that portion of West Galbraith Road for which it has financial responsibility; and

WHEREAS, this project is within the scope of the existing Street Rehabilitation OPWC Grants capital improvement program project established by Ordinance No. 5-2021; and

WHEREAS, these resources, when combined with existing resources in various “Street Rehabilitation” capital improvement program project accounts, will satisfy the matching resources requirement for the OPWC grant previously accepted by Council in Ordinance No. 5-2021; and

WHEREAS, there are no new FTEs/full time equivalents associated with acceptance of these resources; and

WHEREAS, the West Galbraith Road Rehabilitation project is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood vitality” and strategy to “[p]lan, design, and implement a safe and sustainable transportation system” as described on pages 129 - 138 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is authorized to accept and appropriate up to \$180,000 from Hamilton County to existing capital improvement program project account no. 980x233x242308, "Street Rehabilitation," to provide resources for the rehabilitation of the section of West Galbraith Road from Vine Street to the corporation line, a portion of which is in Springfield Township and the responsibility of Hamilton County to maintain.

Section 2. That the Director of Finance is authorized to deposit the resources from Hamilton County into capital improvement program project account no. 980x233x242308, "Street Rehabilitation."

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

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

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

November 6, 2024

To: Mayor and Members of City Council 202402332
From: Sheryl M. M. Long, City Manager
Subject: **Emergency Ordinance – Parks: W. W. Grainger, Inc. Moral Obligation**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the payment of \$2,257.14 from Parks Department capital improvement program project account 980x203x242000, “Park Infrastructure Rehabilitation,” as a moral obligation to W. W. Grainger, Inc. for charges related to the purchase of shop supplies for the Parks Department Division of Natural Resources building.

Approval of this Emergency Ordinance will authorize the payment of \$2,257.14 to W. W. Grainger, Inc. as a moral obligation from capital improvement program project account no. 980x203x242000, “Park Infrastructure Rehabilitation” for outstanding charges related to shop supplies needed for the Parks Department Division of Natural Resources (DNR) building.

Sufficient resources are available in “Park Infrastructure Rehabilitation” capital improvement program project account no. 980x203x242000 to cover the amount of the moral obligation.

The reason for the emergency is the immediate need to pay W. W. Grainger, Inc. for the outstanding charges in a timely manner.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment

EMERGENCY

KKF

- 2024

AUTHORIZING the payment of \$2,257.14 from Parks Department capital improvement program project account 980x203x242000, “Park Infrastructure Rehabilitation,” as a moral obligation to W. W. Grainger, Inc. for charges related to the purchase of shop supplies for the Parks Department Division of Natural Resources building.

WHEREAS, the Parks Department ordered \$2,257.14 of supplies from vendor W. W. Grainger, Inc. under Master Agreement No. 137 191R025077 and pursuant to Delivery Order (“DO”) No. 200 2024003000; and

WHEREAS, DO 200 2024003000 had already been fulfilled and closed out, and the new order was unrelated to the scope of work for that DO; and

WHEREAS, because there was no DO for this order, there was no contract against which the Director of Finance could certify funds for the purchase of these supplies; and

WHEREAS, Council desires to provide payment of \$2,257.14 to W. W. Grainger, Inc.; now, therefore,

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

Section 1. That the Director of Finance is authorized to make a payment of \$2,257.14 from Parks Department capital improvement program project account 980x203x242000, “Park Infrastructure Rehabilitation,” as a moral obligation to W. W. Grainger, Inc. for charges related to the purchase of shop supplies for the Parks Department Division of Natural Resources building.

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

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 pay W. W. Grainger, Inc. for the outstanding charges in a timely manner.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

November 14, 2024

To: Mayor and Members of City Council

202402366

From: Sheryl M. M. Long, City Manager

Subject: Emergency Ordinance – Parks: Moral Obligation Payment to CDW Government LLC

Attached is an Emergency Ordinance captioned:

AUTHORIZING the payment of \$2,288.01 from Parks Department General Fund non-personnel operating budget account no. 050x202x1000x7316 to CDW Government LLC as a moral obligation for outstanding charges related to the purchase of telephones and headsets for use in City parks.

The Parks Department ordered and obtained some of the equipment required for use by the Division of Natural Resources without encumbering funds to the Master Agreement (MA) with CDW Government LLC (“CDW”) for that equipment. Parks later purchased the remainder of the required equipment with properly encumbered funds. CDW submitted invoices totaling \$2,288.01 for the initial equipment order, for which funds had not been encumbered prior to the order.

This Emergency Ordinance further authorizes the Finance Director to make a payment of \$2,288.01 from Parks Department General Fund non-personnel operating budget account no. 050x202x1000x7316 as a moral obligation for outstanding charges related to the purchase of telephones and headsets for use by the Division of Natural Resources in City parks.

The reason for the emergency is the immediate need to pay CDW for the outstanding charges in a timely manner.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment

EMERGENCY

MSS

- 2024

AUTHORIZING the payment of \$2,288.01 from Parks Department General Fund non-personnel operating budget account no. 050x202x1000x7316 to CDW Government LLC as a moral obligation for outstanding charges related to the purchase of telephones and headsets for use in City parks.

WHEREAS, the Parks Department (“Parks”) required telephones and headsets for use by the new Division of Natural Resources in City parks; and

WHEREAS, Parks ordered and obtained some of the required equipment without encumbering funds to the City’s master agreement with CDW Government LLC (“CDW”) for that equipment; and

WHEREAS, Parks later purchased the remainder of the required equipment with properly encumbered funds; and

WHEREAS, CDW submitted invoices totaling \$2,288.01 for the initial equipment order, for which funds had not been encumbered prior to the order; and

WHEREAS, Parks has implemented training and changes to its policies and procedures to address the issue that caused this error; and

WHEREAS, Council desires to pay \$2,288.01 to CDW as a moral obligation for the outstanding charges related to the purchase of telephones and headsets for use in City parks; now, therefore,

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

Section 1. That the Director of Finance is authorized to pay \$2,288.01 to CDW Government LLC from Parks Department General Fund non-personnel operating budget account no. 050x202x1000x7316 as a moral obligation for charges related to the purchase of telephones and headsets for use in City parks.

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

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 pay CDW for the outstanding charges in a timely manner.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

November 14, 2024

To: Mayor and Members of City Council

202402367

From: Sheryl M. M. Long, City Manager

Subject: Emergency Ordinance – Parks: Moral Obligation Payment to W. W. Grainger, Inc.

Attached is an Emergency Ordinance captioned:

AUTHORIZING the payment of \$999.99 to W. W. Grainger, Inc. from Parks Department Private Endowment and Donations Fund 430 non-personnel operating budget account no. 430x202x1059x7379 as a moral obligation for outstanding charges related to the purchase of a workbench for the new Division of Natural Resources building.

The City entered into a Master Agreement (contract no. MA 191R025077) with W.W. Grainger, Inc. (“Contractor”), effective June 27, 2019, for electrical and industrial supplies and equipment. The Cincinnati Parks Department (“Parks”) submitted an order to the Contractor to purchase a workbench for the new Division of Natural Resources building and received an invoice from the Contractor dated April 18, 2024, however a Delivery Order (D.O.) was inadvertently not created in the Cincinnati Financial System (CFS). Before the creation of a D.O., and pursuant to the terms of the Agreement, the Contractor provided Parks with a workbench at a cost of \$999.99. Administrative Regulation (AR) 14 stipulates that purchases made against a contract, inclusive of purchases below the no-certification limit, require the creation of a D.O. and approval by a Purchasing Agent in advance of the purchase. Sufficient resources are available in Parks Department Private Endowment and Donations Fund 430 non-personnel operating budget account no. 430x202x1059x7379 to pay the Contractor for the workbench.

This Emergency Ordinance further authorizes the Finance Director to make a payment of \$999.99 from the Parks Department Private Endowment and Donations Fund 430 non-personnel operating budget account no. 430x202x1059x7379 as a moral obligation for outstanding charges related to the purchase of goods from W. W. Grainger, Inc.

The reason for the emergency is the immediate need to pay W.W. Grainger, Inc. for the outstanding charges in a timely manner.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment

EMERGENCY

CNS

- 2024

AUTHORIZING the payment of \$999.99 to W. W. Grainger, Inc. from Parks Department Private Endowment and Donations Fund 430 non-personnel operating budget account no. 430x202x1059x7379 as a moral obligation for outstanding charges related to the purchase of a workbench for the new Division of Natural Resources building.

WHEREAS, the City entered into a Master Agreement (contract no. MA 191R025077) with W.W. Grainger, Inc. (“Contractor”), effective June 27, 2019, for electrical and industrial supplies and equipment; and

WHEREAS, the Cincinnati Parks Department (“Parks”) submitted an order to Contractor to purchase a workbench for the new Division of Natural Resources building and received an invoice from Contractor dated April 18, 2024, however a delivery order was inadvertently not created in the Cincinnati Financial System; and

WHEREAS, before the creation of a delivery order, and pursuant to the terms of the Master Agreement, Contractor provided Parks with a workbench at a cost of \$999.99; and

WHEREAS, Administrative Regulation 14 stipulates purchases made against a contract, inclusive of purchases below the no-certification limit, require creation of a delivery order and approval by the Purchasing Agent in advance of purchase; and

WHEREAS, Parks has committed to closely monitoring and addressing this procedural issue with staff to ensure this issue is avoided in the future; and

WHEREAS, sufficient resources are available in Parks Department Private Endowment and Donations Fund 430 non-personnel operating budget account no. 430x202x1059x7379 to pay Contractor for the goods; and

WHEREAS, Council desires to provide payment to Contractor for the City’s outstanding obligation of \$999.99 for charges related to the purchase of a workbench; now, therefore,

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

Section 1. That the Director of Finance is authorized to pay \$999.99 to W. W. Grainger, Inc. from Parks Department Private Endowment and Donations Fund 430 non-personnel operating budget account no. 430x202x1059x7379 as a moral obligation for outstanding charges related to the purchase of a workbench for the new Division of Natural Resources building.

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

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 pay W. W. Grainger, Inc. for the outstanding charges in a timely manner.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

November 6, 2024

To: Mayor and Members of City Council 202402334

From: Sheryl M. M. Long, City Manager

Subject: **Emergency Ordinance – Parks Department: Then and Now Payment to Forevergreen Complete Ground Care**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the payment of \$5,487.50 from Parks Department Private Endowment and Donations Fund 430 non-personnel operating budget account no. 430x202x3137x7373 to Forevergreen Complete Ground Care for charges related to the clearing of the Fort Washington Way planter irrigation systems, pursuant to the attached then and now certificate from the Director of Finance.

This Emergency Ordinance authorizes the Director of Finance to make the payment of \$5,487.50 from Parks Department Private Endowment and Donations Fund 430 non-personnel operating budget account no. 430x202x3137x7373 to Forevergreen Complete Ground Care for charges related to the clearing of the Fort Washington Way planter irrigation systems, pursuant to the attached then and now certificate from the Director of Finance.

Pursuant to Ohio Revised Code (ORC) Section 5705.41(D)(1), the Director of Finance has issued a certificate, attached to this Emergency Ordinance, verifying that a sufficient sum was appropriated and in the City Treasury for the purpose of paying such charges under the contract both at the time the quote was issued and at the time the attached certificate was issued.

The reason for the emergency is the immediate need to pay Forevergreen Complete Ground Care for the outstanding charges in a timely manner.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment

EMERGENCY

CNS

- 2024

AUTHORIZING the payment of \$5,487.50 from Parks Department Private Endowment and Donations Fund 430 non-personnel operating budget account no. 430x202x3137x7373 to Forevergreen Complete Ground Care for charges related to the clearing of the Fort Washington Way planter irrigation systems, pursuant to the attached then and now certificate from the Director of Finance.

WHEREAS, the City entered into a contract (contract no. MA 107 24R005467) with Forevergreen Complete Ground Care (“Contractor”) effective May 6, 2024, for landscape maintenance in City parks; and

WHEREAS, Contractor completed various landscaping and greenspace maintenance services for the Cincinnati Parks Department (“Parks”) under the contract, and Contractor sent the City periodic invoices for the services; and

WHEREAS, Contractor completed services for Parks under the contract related to the clearing of the Fort Washington Way planter irrigation systems, and Parks received an invoice from Contractor totaling \$5,487.50 dated June 17, 2024; and

WHEREAS, the City certified \$10,219.50 for landscaping and greenspace maintenance charges (delivery order (DO) 200 2024003505) but did not certify enough resources in the Cincinnati Financial System to provide for all charges related to the clearing of the Fort Washington Way planter irrigation systems; and

WHEREAS, pursuant to Ohio Revised Code Section 5705.41(D)(1), the Director of Finance has issued a certificate, attached to this ordinance, verifying that a sufficient sum was appropriated and in the City Treasury for the purpose of paying such charges under the contract both at the time the quote was issued and at the time the attached certificate was issued; and

WHEREAS, Council desires to provide payment to Contractor for the City’s outstanding obligation of \$5,487.50 for charges related to the clearing of the Fort Washington Way planter irrigation systems; now, therefore,

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

Section 1. That the Director of Finance is authorized to pay \$5,487.50 from Parks Department Private Endowment and Donations Fund 430 non-personnel operating budget account no. 430x202x3137x7373 to Forevergreen Complete Ground Care for charges related to the clearing of the Fort Washington Way planter irrigation systems.

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

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 pay Forevergreen Complete Ground Care for the outstanding charges in a timely manner.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

CITY OF CINCINNATI
DIRECTOR OF FINANCE
THEN AND NOW CERTIFICATE

I, Karen Alder, Director of Finance for the City of Cincinnati, state the following:

WHEREAS, the City of Cincinnati (“City”) and Forevergreen Complete Ground Care (“Contractor”) entered into an agreement (“Agreement”) (contract no. MA 211R005467) effective April 22, 2021 for landscape maintenance in City parks; and

WHEREAS, Contractor completed various landscaping and greenspace maintenance services for the Cincinnati Parks Department (“Parks”) under the Agreement and Contractor sent the City periodic invoices for the services; and

WHEREAS, Contractor completed services for Parks under the Agreement related to the clearing of the Fort Washington Way planter irrigation systems and Parks received an invoice from Contractor totaling \$5,487.50 dated June 17, 2024; and


WHEREAS, on April 3, 2024, the City certified \$10,219.50 for landscaping and greenspace maintenance charges (delivery order (DO) 200 2024003505) but did not certify enough resources in the Cincinnati Financial System to provide for all charges related to the clearing of the Fort Washington Way planter irrigation systems; and

WHEREAS, Contractor has therefore not been compensated for the services it provided related to the clearing of the Fort Washington Way planter irrigation systems in an amount of \$5,487.50;

NOW, THEREFORE,

1. As of April 3, 2024, and as of the date this certificate was executed, I hereby verify that the City Treasury held a sufficient sum that was appropriated and available for the purpose of paying for goods and services delivered under the delivery order contract and all orders thereunder, including but not limited to the delivery and order reflected in the final invoice of June 17, 2024. This verification is conditioned upon and subject to Council’s approval of an ordinance authorizing the drawing of a warrant in payment of the amount due to Forevergreen Complete Ground Care under the Agreement and delivery order.

Signed,



Karen Alder, Director of Finance
City of Cincinnati

Date: 10/30/24

{00410394-3}

November 6, 2024

To: Mayor and Members of City Council

202402337

From: Sheryl M. M. Long, City Manager

**Subject: Emergency Ordinance – Parks Department: Then and Now
Payment to Southwestern Ohio Services**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the payment of \$3,000 from Parks Department capital improvement program project account 980x203x242000, “Park Infrastructure Rehabilitation,” to Southwestern Ohio Services pursuant to the attached certificate from the Director of Finance to repair the pickleball courts at Sawyer Point.

This Emergency Ordinance authorizes the payment of \$3,000 from the Parks Department capital improvement program project account 980x203x242000, “Park Infrastructure Rehabilitation,” to Southwestern Ohio Services pursuant to the attached certificate from the Director of Finance, to repair the pickleball courts at Sawyer Point.

Pursuant to Ohio Revised Code (ORC) Section 5705.41(D)(1), the Director of Finance has issued a certificate, attached to this Emergency Ordinance, verifying that a sufficient sum was appropriated and in the City Treasury for the purpose of paying such charges under the contract both at the time the quote was issued and at the time the attached certificate was issued.

The reason for the emergency is the immediate need to pay Southwestern Ohio Services for the outstanding charges in a timely manner.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment

EMERGENCY

KKF

- 2024

AUTHORIZING the payment of \$3,000 from Parks Department capital improvement program project account 980x203x242000, “Park Infrastructure Rehabilitation,” to Southwestern Ohio Services pursuant to the attached certificate from the Director of Finance to repair the pickleball courts at Sawyer Point.

WHEREAS, on January 10, 2024, Southwestern Ohio Services (“Southwestern”) provided a quote for \$3,000 to the Parks Department to repair several damaged spots on the Sawyer Point pickleball courts under Master Agreement No. 107 221W006043 and Delivery Order No. 200 2024002769; and

WHEREAS, the encumbered funds were mistakenly used to pay for similar work performed in 2023 by the same company also in the amount of \$3,000, so the work performed in 2024 was not paid; and

WHEREAS, pursuant to Ohio Revised Code Section 5705.41(D)(1), the Director of Finance has issued a certificate, attached to this ordinance, verifying that a sufficient sum was appropriated and in the City Treasury for the purpose of paying such charges under the contract both at the time the quote was issued and at the time the attached certificate was issued; and

WHEREAS, Council desires to provide payment to Southwestern for its outstanding obligation of \$3,000; now, therefore,

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

Section 1. That the Director of Finance is authorized to pay \$3,000 from Parks Department capital improvement program project account 980x203x242000, “Park Infrastructure Rehabilitation,” to Southwestern Ohio Services pursuant to the attached certificate from the Director of Finance for repairs to the pickleball courts at Sawyer Point.

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

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 pay Southwestern Ohio Services for the outstanding charges in a timely manner.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

CITY OF CINCINNATI
DIRECTOR OF FINANCE
THEN AND NOW CERTIFICATE

I, Karen Alder, Director of Finance for the City of Cincinnati, state the following:

WHEREAS, on January 10, 2024, Southwestern Ohio Services (“Southwestern”) provided a quote for \$3,000 to the Parks Department to repair several damaged spots on the Sawyer Point pickleball courts under Master Agreement No. 107 221 W006043 and Delivery Order (“DO”) No. 200 2024002769 issued February 4, 2024; and

WHEREAS, the encumbered funds were mistakenly used to pay for similar work performed by the same company in 2023 also in the amount of \$3,000, so that the work performed in 2024 was not paid; and

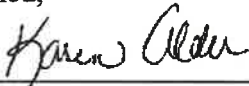
WHEREAS, during the period preceding the encumbrance, and pursuant to the terms of the contract, Southwestern Ohio Services provided the Parks Department with services amounting to \$3,000; and

WHEREAS, Southwestern Ohio Services therefore has not been compensated for the services it provided pursuant to the contract, in an amount of \$3,000;

NOW, THEREFORE,

1. As of February 4, 2024, and as of the date this certificate was executed, I hereby verify that the City Treasury held a sufficient sum that was appropriated and available for the purpose of paying for goods and services rendered under the City’s contract with Southwestern Ohio Services. This verification is conditioned upon and subject to Council’s approval of an ordinance authorizing the drawing of a warrant in payment of amount due to Southwestern Ohio Services during this time period.

Signed,



Karen Alder, Director of Finance
City of Cincinnati

Date: 10/29/24

November 6, 2024

To: Mayor and Members of City Council 202402336
From: Sheryl M. M. Long, City Manager
Subject: **Emergency Ordinance – OES: FHWA Grant for EV Infrastructure**

Attached is an Emergency Ordinance captioned:

ESTABLISHING new capital improvement program project account no. 980x104x251056, “Public Access EV Charging Ports – Grant,” to provide grant resources for public-facing electric vehicle charging infrastructure at City-owned properties that are in or adjacent to disadvantaged communities; **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$854,547 from the U.S. Department of Transportation Federal Highway Administration Charging and Fueling Infrastructure Discretionary Grant Program (ALN 20.205) to newly established capital improvement program project account no. 980x104x251056, “Public Access EV Charging Ports – Grant”; and **AUTHORIZING** the Director of Finance to deposit grant resources into capital improvement program project account no. 980x104x251056, “Public Access EV Charging Ports – Grant.”

This Emergency Ordinance establishes capital improvement program project account no. 980x104x251056, “Public Access EV Charging Ports – Grant,” to provide grant resources for public-facing electric vehicle (EV) charging infrastructure at City-owned properties that are in or adjacent to disadvantaged communities. This Emergency Ordinance also authorizes the City Manager to apply for, accept, and appropriate a grant of up to \$854,547 from the U.S. Department of Transportation (DOT) Federal Highway Administration (FHWA) Charging and Fueling Infrastructure Discretionary Grant Program to the newly established capital improvement program project account.

The EV Grant does not require matching funds from the City, but the private entity contracted by the City to complete the EV Grant projects is required to provide a 20 percent match. No new FTEs/full time equivalents are associated with acceptance of the EV grant. Grant resources may be used to support a contracted position.

The installation of electric vehicle charging infrastructure is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” and strategy to “[c]reate a healthy environment and reduce energy consumption” as described on pages 181-186 of Plan Cincinnati (2012).

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

The Administration recommends passage of this Emergency Ordinance.

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



Attachment

EMERGENCY

IMD

- 2024

ESTABLISHING new capital improvement program project account no. 980x104x251056, “Public Access EV Charging Ports – Grant,” to provide grant resources for public-facing electric vehicle charging infrastructure at City-owned properties that are in or adjacent to disadvantaged communities; **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$854,547 from the U.S. Department of Transportation Federal Highway Administration Charging and Fueling Infrastructure Discretionary Grant Program (ALN 20.205) to newly established capital improvement program project account no. 980x104x251056, “Public Access EV Charging Ports – Grant”; and **AUTHORIZING** the Director of Finance to deposit grant resources into capital improvement program project account no. 980x104x251056, “Public Access EV Charging Ports – Grant.”

WHEREAS, the U.S. Department of Transportation Federal Highway Administration is offering grant resources through the Charging and Fueling Infrastructure Discretionary Grant Program (ALN 20.205) (the “EV Grant”) to fund the deployment of publicly accessible electric vehicle charging and alternative fueling infrastructure in communities and along designated Alternative Fuel Corridors to reduce greenhouse gas emissions, expand infrastructure access, and support national environmental and sustainability goals; and

WHEREAS, the EV Grant requires the City to contract with a private entity for the acquisition and installation of publicly accessible electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure that is directly related to the charging or fueling of a vehicle; and

WHEREAS, acceptance of the EV Grant requires no local matching funds from the City, but instead requires the private entity contracted by the City to cover twenty percent of the total cost of each project undertaken through the EV Grant; and

WHEREAS, no new FTEs/full time equivalents are associated with acceptance of the EV Grant, but grant resources may be utilized to support a contracted position; and

WHEREAS, the City already applied for the EV Grant in order to meet the application deadline, but no grant funds will be accepted without approval by Council; and

WHEREAS, the installation of electric vehicle charging infrastructure is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” and strategy to “[c]reate a healthy environment and reduce energy consumption” as described on pages 181-186 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the Director of Finance is authorized to establish capital improvement program project account no. 980x104x251056, “Public Access EV Charging Ports – Grant,” to provide grant resources for public-facing electric vehicle charging infrastructure at City-owned properties that are in or adjacent to disadvantaged communities.

Section 2. That the City Manager is authorized to apply for, accept, and appropriate grant resources of up to \$854,547 from the U.S. Department of Transportation Federal Highway Administration Charging and Fueling Infrastructure Discretionary Grant Program (ALN 20.205) (the “EV Grant”) to newly established capital improvement program project account no. 980x104x251056, “Public Access EV Charging Ports – Grant.”

Section 3. That the Director of Finance is authorized to deposit grant resources into capital improvement program project account no. 980x104x251056, “Public Access EV Charging Ports – Grant.”

Section 4. That the City Manager is authorized to enter into any agreements necessary for the administration of the EV Grant funds and that proper City officials are authorized to do all things necessary and proper to carry out the terms of the EV Grant and Sections 1 through 3.

Section 5. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to accept grant resources to meet established grant deadlines.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

November 6, 2024

To: Mayor and Members of City Council 202402340
From: Sheryl M. M. Long, City Manager
Subject: **Ordinance – DOTE: Ohio Public Works Commission (OPWC) Grants**

Attached is an Ordinance captioned:

ESTABLISHING new capital improvement program project account no. 980x233x252321, “Columbia Parkway Landslide OPWC Grant,” to provide Ohio Public Works Commission (“OPWC”) grant resources for landslide stabilization work along Columbia Parkway and new capital improvement program project account no. 980x233x252322, “Warsaw Avenue OPWC Grant,” to provide OPWC grant resources for the Warsaw Avenue rehabilitation project; **AUTHORIZING** the City Manager to accept and appropriate grant resources of up to \$2,438,518 from OPWC Funding Round 38 to provide OPWC grant resources of up to \$1,166,000 to newly established capital improvement program project account no. 980x233x252321, “Columbia Parkway Landslide OPWC Grant,” for landslide stabilization work along Columbia Parkway and up to \$1,272,518 to newly established capital improvement program project account no. 980x233x252322, “Warsaw Avenue OPWC Grant,” for the Warsaw Avenue rehabilitation project; **AUTHORIZING** the Director of Finance to deposit OPWC grant resources of up to \$1,166,000 into capital improvement program project account no. 980x233x252321, “Columbia Parkway Landslide OPWC Grant,” and up to \$1,272,518 into capital improvement program project account no. 980x233x252322, “Warsaw Avenue OPWC Grant”; and **AUTHORIZING** the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

This Ordinance establishes new capital improvement program project account no. 980x233x252321, “Columbia Parkway Landslide OPWC Grant,” to provide Ohio Public Works Commission (OPWC) grant resources for landslide stabilization work along Columbia Parkway and new capital improvement program project account no. 980x233x252322, “Warsaw Avenue OPWC Grant,” to provide OPWC grant resources for the Warsaw Avenue rehabilitation project. This Ordinance also authorizes the City Manager to accept and appropriate grant resources of up to \$2,438,518 from OPWC Funding Round 38 to provide resources of up to \$1,166,000 to newly established capital improvement program project account no. 980x233x252321, “Columbia Parkway Landslide OPWC Grant,” and up to \$1,272,518 to newly established capital improvement program project account no. 980x233x252322, “Warsaw Avenue OPWC Grant.”

On May 24, 2023, Council passed Ordinance No. 0171-2023, which authorized the City Manager to apply for grants, loans, and loan assistance awarded by Hamilton County from the Municipal Road Fund (MRF) Program and the Ohio Public Works Commission State Capital Improvement Program (SCIP), the Local Transportation Improvement Program (LTIP), and the Revolving Loan Program (Funding Round 38) to ensure the timely completion of various road and bridge construction projects throughout the City. The City was awarded up to \$2,438,518 from OPWC Funding Round 38 to provide landslide stabilization along Columbia Parkway and to rehabilitate Warsaw Avenue.

The OPWC grant requires matching resources of up to \$291,500 for the Columbia Parkway Landslide Stabilization project, which will be provided from capital improvement program project account no. 980x233x242312, "Wall Stab. & Landslide Correction," and other anticipated grant resources and up to \$4,852,482 for the Warsaw Avenue Rehabilitation project, which will be provided from capital improvement program project account no. 980x233x222393, "Warsaw Avenue Transit Grant," and capital improvement program project account no. 980x233x252308, "Street Rehabilitation." There are no new FTE/full time equivalents associated with this grant funding.

The capital improvement projects enabled by this ordinance are in accordance with the "Connect" goal to "[d]evelop an efficient multi-modal transportation system that supports neighborhood livability" and strategy to "[p]lan, design, and implement a safe and sustainable transportation system" as described on pages 129-138 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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



Attachment

ESTABLISHING new capital improvement program project account no. 980x233x252321, “Columbia Parkway Landslide OPWC Grant,” to provide Ohio Public Works Commission (“OPWC”) grant resources for landslide stabilization work along Columbia Parkway and new capital improvement program project account no. 980x233x252322, “Warsaw Avenue OPWC Grant,” to provide OPWC grant resources for the Warsaw Avenue rehabilitation project; **AUTHORIZING** the City Manager to accept and appropriate grant resources of up to \$2,438,518 from OPWC Funding Round 38 to provide OPWC grant resources of up to \$1,166,000 to newly established capital improvement program project account no. 980x233x252321, “Columbia Parkway Landslide OPWC Grant,” for landslide stabilization work along Columbia Parkway and up to \$1,272,518 to newly established capital improvement program project account no. 980x233x252322, “Warsaw Avenue OPWC Grant,” for the Warsaw Avenue rehabilitation project; **AUTHORIZING** the Director of Finance to deposit OPWC grant resources of up to \$1,166,000 into capital improvement program project account no. 980x233x252321, “Columbia Parkway Landslide OPWC Grant,” and up to \$1,272,518 into capital improvement program project account no. 980x233x252322, “Warsaw Avenue OPWC Grant”; and **AUTHORIZING** the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

WHEREAS, on May 24, 2023, Council passed Ordinance No. 171-2023, which authorized the City Manager to apply for grants, loans, and loan assistance awarded by Hamilton County from the Municipal Road Fund Program and the Ohio Public Works Commission (“OPWC”) State Capital Improvement Program, the Local Transportation Improvement Program, and the Revolving Loan Program (“Funding Round 38”) to ensure the timely completion of various road and bridge construction projects throughout the City; and

WHEREAS, the City was awarded up to \$2,438,518 from OPWC Funding Round 38 to provide landslide stabilization along Columbia Parkway and to rehabilitate Warsaw Avenue; and

WHEREAS, the OPWC grant requires matching resources of up to \$291,500 for the Columbia Parkway Landslide Stabilization project, which will be provided from capital improvement program project account no. 980x233x242312, “Wall Stab. & Landslide Correction,” and other anticipated grant resources and up to \$4,852,482 for the Warsaw Avenue Rehabilitation project, which will be provided from capital improvement program project account no. 980x233x222393, “Warsaw Avenue Transit Grant,” and capital improvement program project account no. 980x233x252308, “Street Rehabilitation”; and

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

WHEREAS, the capital improvement projects enabled by this ordinance are in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability” and strategy to “[p]lan, design, and implement a safe and sustainable transportation system” as described on pages 129-138 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That Council authorizes the establishment of new capital improvement program project account no. 980x233x252321, “Columbia Parkway Landslide OPWC Grant,” to provide Ohio Public Works Commission (“OPWC”) grant resources for landslide stabilization work along Columbia Parkway and new capital improvement program project account no. 980x233x252322, “Warsaw Avenue OPWC Grant,” to provide OPWC grant resources for the Warsaw Avenue rehabilitation project.

Section 2. That the City Manager is authorized to accept and appropriate grant resources of up to \$2,438,518 from OPWC Funding Round 38 to provide OPWC grant resources of up to \$1,166,000 to newly established capital improvement program project account no. 980x233x252321, “Columbia Parkway Landslide OPWC Grant,” for landslide stabilization work along Columbia Parkway and up to \$1,272,518 to newly established capital improvement program project account no. 980x233x252322, “Warsaw Avenue OPWC Grant,” for the Warsaw Avenue rehabilitation project.

Section 3. That the Director of Finance is authorized to deposit OPWC grant resources of up to \$1,166,000 into capital improvement program project account no. 980x233x252321, “Columbia Parkway Landslide OPWC Grant,” and up to \$1,272,518 into capital improvement program project account no. 980x233x252322, “Warsaw Avenue OPWC Grant.”

Section 4. That the City Manager is authorized to enter into any agreements necessary for the receipt and administration of these grant resources.

Section 5. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of the grants and Sections 1 through 4.

Section 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

November 14, 2024

To: Mayor and Members of City Council 202402365
From: Sheryl M. M. Long, City Manager
Subject: **Emergency Ordinance – DOTE: Ohio Airport Improvement Program (AIP) Grant for Lunken Runway Decommissioning**

Attached is an Emergency Ordinance captioned:

ESTABLISHING new capital improvement program project account no. 980x234x252352, “Lunken Runway 3L-21R 2025 OH AIP Grant,” to provide grant matching resources for the decommissioning of runway 3L-21R at Lunken Airport; **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$76,265 from the 2025 Ohio Airport Improvement Program awarded by the Ohio Department of Transportation to newly established capital improvement program project account no. 980x234x252352, “Lunken Runway 3L-21R 2025 OH AIP Grant,” for the purpose of decommissioning Runway 3L-21R at Lunken Airport; and **AUTHORIZING** the Director of Finance to deposit the grant resources into capital improvement program project account 980x234x252352, “Lunken Runway 3L-21R 2025 OH AIP Grant.”

This Emergency Ordinance establishes new capital improvement program project account no. 980x234x252352, “Lunken Runway 3L-21R 2025 OH AIP Grant,” to provide grant matching resources for the decommissioning of runway 3L-21R at Lunken Airport. This Emergency Ordinance also authorizes the City Manager to apply for, accept, and appropriate a grant of up to \$76,265 from the 2025 Ohio Airport Improvement Program awarded by the Ohio Department of Transportation (ODOT) to newly established capital improvement program project account no. 980x234x252352, “Lunken Runway 3L-21R 2025 OH AIP Grant,” for the purpose of decommissioning Runway 3L-21R at Lunken Airport.

On January 31, 2024, the City Council passed Ordinance No. 0031-2024, which authorized the City Manager to apply for, accept, and appropriate a grant of up to \$1,400,000 from the Federal Aviation Administration Airport Improvement Program (the “FAA/AIP Grant”) for the purpose of decommissioning runway 3L-21R at Lunken Airport.

The FAA/AIP Grant requires a 10% local match of up to \$152,528, approximately half of which will be provided from existing capital improvement program project account no. 980x234x222352, “FAA/ODOT Local Match,” and the remainder of which will be provided from the OH AIP Grant. There are no matching resources or new FTEs/full-time equivalents associated with the OH AIP Grant.

Decommissioning Runway 3L-21R at Lunken Airport is in accordance with the “Connect” goal to “[d]evelop a regional transportation system that promotes economic vitality” as described on page 139 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to apply for and accept the grant by the applicable deadlines.

The Administration recommends passage of this Emergency Ordinance.

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



Attachment

EMERGENCY

IMD

-2024

ESTABLISHING new capital improvement program project account no. 980x234x252352, “Lunken Runway 3L-21R 2025 OH AIP Grant,” to provide grant matching resources for the decommissioning of runway 3L-21R at Lunken Airport; **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$76,265 from the 2025 Ohio Airport Improvement Program awarded by the Ohio Department of Transportation to newly established capital improvement program project account no. 980x234x252352, “Lunken Runway 3L-21R 2025 OH AIP Grant,” for the purpose of decommissioning Runway 3L-21R at Lunken Airport; and **AUTHORIZING** the Director of Finance to deposit the grant resources into capital improvement program project account 980x234x252352, “Lunken Runway 3L-21R 2025 OH AIP Grant.”

WHEREAS, a grant of up to \$76,265 is available from the 2025 Ohio Airport Improvement Program awarded by the Ohio Department of Transportation (the “OH AIP Grant”) to provide resources to decommission Runway 3L-21R at Lunken Airport; and

WHEREAS, on January 31, 2024, Council passed Ordinance No. 31-2024, which authorized the City Manager to apply for, accept, and appropriate a grant of up to \$1,400,000 from the Federal Aviation Administration Airport Improvement Program (the “FAA/AIP Grant”) for the purpose of decommissioning runway 3L-21R at Lunken Airport; and

WHEREAS, the FAA/AIP Grant requires a ten percent local match of the cost of the project, which match amount is up to \$152,528, and Ordinance 31-2024 misstated that the amount of the local match was up to \$140,000; and

WHEREAS, approximately half of the local match will be provided from existing capital improvement program project account no. 980x234x222352, “FAA/ODOT Local Match,” and the remainder will be provided from the OH AIP Grant; and

WHEREAS, there are no matching resources or new FTEs/full-time equivalents associated with the OH AIP Grant; and

WHEREAS, the City intends to apply for the OH AIP Grant by the deadline of December 31, 2024, and the OH AIP Grant application requires an approved ordinance authorizing the City Manager to apply for, accept, and appropriate the grant funds; and

WHEREAS, decommissioning Runway 3L-21R at Lunken Airport is in accordance with the “Connect” goal to “[d]evelop a regional transportation system that promotes economic vitality” as described on page 139 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That new capital improvement program project account no. 980x234x252352, “Lunken Runway 3L-21R 2025 OH AIP Grant,” is established to provide grant matching resources for the decommissioning of runway 3L-21R at Lunken Airport.

Section 2. That the City Manager is authorized to apply for, accept, and appropriate a grant of up to \$76,265 from the 2025 Ohio Airport Improvement Program awarded by the Ohio Department of Transportation to newly established capital improvement program project account no. 980x234x252352, “Lunken Runway 3L-21R 2025 OH AIP Grant,” for the purpose of decommissioning Runway 3L-21R at Lunken Airport.

Section 3. That the Director of Finance is authorized to deposit the grant resources into capital improvement program project account 980x234x252352, “Lunken Runway 3L-21R 2025 OH AIP Grant.”

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

Section 5. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to apply for and accept the grant by the applicable deadlines.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

November 6, 2024

To: Mayor and Members of City Council 202402333

From: Sheryl M. M. Long, City Manager

Subject: **Emergency Ordinance – Police: Acceptance of Monetary Donation from Paul M. Jurgensen**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager to accept a donation of \$4,999 from Paul M. Jurgensen to be used for Cincinnati Police Department members’ special weapons and tactics (SWAT) training; **AUTHORIZING** the Director of Finance to deposit the donation into General Fund revenue account no. 050x8571; and **AUTHORIZING** the transfer and appropriation of \$4,999 from the unappropriated surplus of the General Fund to Cincinnati Police Department General Fund non-personnel operating budget account no. 050x222x7200.

This Emergency Ordinance authorizes the City Manager to accept a donation of \$4,999 from Paul M. Jurgensen to be used for Cincinnati Police Department members’ special weapons and tactics (SWAT) training. This Emergency Ordinance also authorizes the Director of Finance to deposit the donation into General Fund revenue account no. 050x8571. This Emergency Ordinance further authorizes the transfer and appropriation of \$4,999 from the unappropriated surplus of the General Fund to Cincinnati Police Department General Fund non-personnel operating budget account no. 050x222x7200.

Paul M. Jurgensen has graciously offered to donate \$4,999 to support special weapons and tactics (SWAT) training for members of the Cincinnati Police Department. The SWAT training will consist of exercises such as close quarters tactics, mechanical breaching, and vehicle interdiction.

This donation does not require additional FTEs/full time equivalents or matching funds.

Acceptance of this donation is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” as described on pages 209-211 of Plan Cincinnati (2012).

The reason for the emergency is the need to ensure timely acceptance of the donation from Paul M. Jurgensen.

The Administration recommends passage of this Emergency Ordinance.

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



Attachment

EMERGENCY

CNS

- 2024

AUTHORIZING the City Manager to accept a donation of \$4,999 from Paul M. Jurgensen to be used for Cincinnati Police Department members' special weapons and tactics (SWAT) training; **AUTHORIZING** the Director of Finance to deposit the donation into General Fund revenue account no. 050x8571; and **AUTHORIZING** the transfer and appropriation of \$4,999 from the unappropriated surplus of the General Fund to Cincinnati Police Department General Fund non-personnel operating budget account no. 050x222x7200.

WHEREAS, Paul M. Jurgensen has graciously offered to donate \$4,999 to support special weapons and tactics ("SWAT") training for members of the Cincinnati Police Department; and

WHEREAS, the SWAT training will consist of exercises such as close quarters tactics, mechanical breaching, and vehicle interdiction; and

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

WHEREAS, acceptance of this donation is in accordance with the "Collaborate" goal to "[w]ork in synergy with the Cincinnati community" as described on pages 209-211 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is authorized to accept a donation of \$4,999 from Paul M. Jurgensen to be used for Cincinnati Police Department members' special weapons and tactics (SWAT) training.

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

Section 3. That Council authorizes the transfer and appropriation of \$4,999 from the unappropriated surplus of the General Fund to Cincinnati Police Department General Fund non-personnel operating budget account no. 050x222x7200.

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

Section 5. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the need to ensure timely acceptance of the donation from Paul M. Jurgensen.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

November 6, 2024

To: Mayor and Members of City Council 202402339

From: Sheryl M. M. Long, City Manager

Subject: **Emergency Ordinance – Police: Solicit and Accept Donations for Victims Assistance Liaison Unit (VALU) / Cincinnati Citizens Respect Our Witnesses (CCROW)**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager and employees of the Cincinnati Police Department to solicit and accept donations of money, in-kind contributions, and other things of value from the Cincinnati business community, individual benefactors, entertainment industries, and other available sources for the Victims Assistance Liaison Unit/Cincinnati Citizens Respect Our Witnesses to provide food and gift cards to the surviving families of homicide victims during the upcoming holiday season; and **AUTHORIZING** the Director of Finance to deposit funds donated to the City of Cincinnati into Public Safety Special Projects Fund 456.

This Emergency Ordinance authorizes the City Manager and employees of the Cincinnati Police Department to solicit and accept donations of money, in-kind contributions, and other things of value from the Cincinnati business community, individual benefactors, entertainment industries, and other available sources for the Victims Assistance Liaison Unit (VALU) / Cincinnati Citizens Respect Our Witnesses (CCROW) to provide food and gift cards to the surviving families of homicide victims during the upcoming holiday season. This Emergency Ordinance also authorizes the Director of Finance to deposit funds donated to the City of Cincinnati into Public Safety Special Projects Fund 456.

The Victims Assistance Liaison Unit/Cincinnati Citizens Respect Our Witnesses (VALU/CCROW) offers support and resources to the surviving families of homicide victims, helping them to navigate emotional and practical challenges. VALU/CCROW will provide resources for holiday meals to promote peace and comfort for the families during the upcoming winter holiday season.

Providing holiday meals to the families supported by VALU/CCROW is in accordance with the “Live” goal to “[c]reate a more livable community” as described on pages 156-163 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to solicit and accept donations for the winter holiday season.

The Administration recommends passage of this Emergency Ordinance.

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



Attachment

EMERGENCY

LES

- 2024

AUTHORIZING the City Manager and employees of the Cincinnati Police Department to solicit and accept donations of money, in-kind contributions, and other things of value from the Cincinnati business community, individual benefactors, entertainment industries, and other available sources for the Victims Assistance Liaison Unit/Cincinnati Citizens Respect Our Witnesses to provide food and gift cards to the surviving families of homicide victims during the upcoming holiday season; and **AUTHORIZING** the Director of Finance to deposit funds donated to the City of Cincinnati into Public Safety Special Projects Fund 456.

WHEREAS, the Victims Assistance Liaison Unit/Cincinnati Citizens Respect Our Witnesses (“VALU/CCROW”) offers support and resources to the surviving families of homicide victims, helping them to navigate emotional and practical challenges; and

WHEREAS, VALU/CCROW will provide resources for holiday meals to promote peace and comfort for the families during the upcoming winter holiday season; and

WHEREAS, donations of money, in-kind contributions, and other things of value from the Cincinnati business community, individual benefactors, entertainment industries, and other available sources will be used to provide food and gift cards for holiday meals for the families supported by VALU/CCROW; and

WHEREAS, providing holiday meals to the families supported by VALU/CCROW is in accordance with the “Live” goal to “[c]reate a more livable community” as described on pages 156-163 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager and employees of the Cincinnati Police Department are authorized to solicit and accept donations of money, in-kind contributions, and other things of value from the Cincinnati business community, individual benefactors, entertainment industries, and other available sources for the Victims Assistance Liaison Unit/Cincinnati Citizens Respect Our Witnesses to provide food and gift cards to the surviving families of homicide victims during the upcoming holiday season.

Section 2. That the Director of Finance is authorized to deposit any donated funds into Public Safety Special Projects Fund 456.

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

Section 4. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to solicit and accept donations for the winter holiday season.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

202402328

Date: November 20, 2024

To: Mayor Aftab Pureval
From: Emily Smart Woerner, City Solicitor *EESW*
Subject: **Ordinance – Donation for State of the City Address**

Transmitted herewith is an ordinance captioned as follows:

AUTHORIZING the City Manager to accept an in-kind donation of event space valued at \$2,200 from the Cincinnati Center City Development Corporation for the purpose of holding the State of the City address at Memorial Hall on November 12, 2024.

EESW/CMZ(dmm)
Attachment
411539

EMERGENCY

City of Cincinnati

CMZ

EESW

An Ordinance No. _____

- 2024

AUTHORIZING the City Manager to accept an in-kind donation of event space valued at \$2,200 from the Cincinnati Center City Development Corporation for the purpose of holding the State of the City address at Memorial Hall on November 12, 2024.

WHEREAS, the State of the City address was held at Memorial Hall on November 12, 2024; and

WHEREAS, the Cincinnati Center City Development Corporation ("3CDC") donated the Memorial Hall ballrooms and theatre to the City to utilize for the State of the City address; and

WHEREAS, the rental value of the Memorial Hall ballrooms and theatre totaled \$2,200; and

WHEREAS, Council authorization is required to accept the in-kind donation of event space from 3CDC to hold the State of the City address; now, therefore,

BE IT RESOLVED by the Council of the City of Cincinnati:

Section 1. The City Manager is hereby authorized to accept an in-kind donation of event space valued at \$2,200 from the Cincinnati Center City Development Corporation for the purpose of holding the State of the City address at Memorial Hall.

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

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is

the immediate need to accept the in-kind donation of event space from the Cincinnati Center City Development Corporation for the purpose of holding the State of the City address at Memorial Hall.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

November 14, 2024

To: Mayor and Members of City Council

202402370

From: Sheryl M. M. Long, City Manager

**Subject: Emergency Ordinance – FY 2025 Capital Improvement Program (CIP)
Sunset**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the establishment of capital improvement program project account nos. 980x203x252038, “Mt. Airy Trails Expansion - GF,” to provide resources for the expansion of trails in the Mt. Airy Park; 980x203x252037, “Park Trails Expansion - GF,” to provide resources for trail expansions in the Cincinnati Park network; 980x255x252501, “City Facility Renovation and Repairs - CSR,” to provide resources for the continuation of ongoing repairs, alterations, and upgrades to City facilities such as those used by the Police, Fire, and Public Services Departments; and 980x252x252533, “Brine Equipment,” to provide resources for the upgrade of the City’s salt brine system; **AUTHORIZING** the establishment of permanent improvement program project account no. 758x227x252226, “Records Management System Peripherals,” to provide resources for printers, scanners, and other peripherals to support the upgrade and conversion of the existing records management system; **AUTHORIZING** the redirection of \$11,797.82 in Cincinnati Board of Park Commissioners Private Endowment Funds from existing capital improvement program project account no. 980x203x182017, “Drabner-Funded Infrastructure Improvements,” to the unappropriated surplus of Parks Private Endowment and Donations Fund 430 to close out or decrease existing capital improvement program project account no. 980x203x182017, “Drabner-Funded Infrastructure Improvements”; **AUTHORIZING** the transfer and return to source of \$7,707,176.06 from various General Capital Budget capital improvement program project accounts to close out or decrease certain existing capital improvement program project accounts according to Section A of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of \$6,602,832.06 from the unappropriated surplus of various General Capital Funds to new or existing capital improvement program project accounts to provide resources for certain capital improvement program project accounts according to Section B of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of \$716,344 from the unappropriated surplus of Income Tax Permanent Improvement Fund 758 to new or existing permanent improvement project accounts to provide resources for certain permanent improvement project accounts

according to Section C of the attached Schedule of Transfer; **AUTHORIZING** the transfer and return to source of \$3,281,585.40 from various Restricted and Special Revenue Funds capital improvement program project accounts to close out or decrease certain existing capital improvement program project accounts according to Section D of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of \$1,180,973.23 from the unappropriated surplus of various Restricted and Special Revenue Funds to new or existing capital improvement program project accounts to provide resources for certain capital improvement program project accounts according to Section E of the attached Schedule of Transfer; **AUTHORIZING** the transfer of \$17,000 from the unappropriated surplus of Parking System Facilities Fund 102 to Parking System Facilities Fund balance sheet reserve account no. 102x3441, “U-Square Garage – Reserve for Capital Projects”; **AUTHORIZING** the transfer and appropriation of \$308,000 from the unappropriated surplus of the General Fund to City Manager’s Office General Fund non-personnel operating budget account no. 050x101x7200 to provide resources for emergency rental assistance and audio-visual equipment contract support; and further **DECLARING** certain projects to be for a public purpose, all for the purpose of carrying out the Capital Improvement Program.

Approval of the annual Capital Sunset Ordinance would authorize the establishment of various new capital improvement program project and permanent improvement program project accounts as well as authorize various adjustments to the City’s Capital Improvement Program (CIP).

Section A of the attached Schedule of Transfer includes the return of \$7,707,176.06 to various General Capital Budget funding sources. Section B of the Schedule of Transfer authorizes the transfer of \$6,602,832.06 from various General Capital Budget funding sources to various new and existing capital improvement program project accounts. Section C of the Schedule of Transfer authorizes the transfer of \$716,344.00 from Income Tax Permanent Improvement Fund 758 and the General Fund to existing permanent improvement program project accounts.

Section D of the attached Schedule of Transfer includes the return of \$3,281,585.40 to various Restricted and Special Revenue Funds Capital Budget sources. Section E authorizes the transfer of \$1,180,973.23 from various Restricted and Special Revenue Funds to various existing capital improvement program project accounts.

Schedule of Transfer – Section A

Section A of the attached Schedule of Transfer returns \$7,707,176.06 to various General Capital Budget sources. A significant portion of capital project resources returned to the various funding sources in Section A is no longer needed for the original intended purposes. Other project balances are returned to source to better align sources with uses.

1. The sum of \$6,602,832.06 will be reprogrammed to fulfill needs in other capital improvement program project accounts, as indicated in Section B of the Schedule of Transfer.
2. The sum of \$716,344.00 will be reprogrammed to fulfill needs in other permanent improvement program project accounts, as indicated in Section C of the Schedule of Transfer.
3. The sum of \$308,000.00 returned to the General Fund will be appropriated to the City Manager's Office non-personnel budget, as shown in Section 10 of the Emergency Ordinance. These resources will support operating needs related to emergency rental assistance and audio-visual equipment contract implementation.

Schedule of Transfer – Section B

Section B of the Schedule of Transfer will transfer and appropriate \$6,602,832.06 from the unappropriated surplus of various General Capital Funds to new or existing capital improvement program project accounts.

Enterprise Technology Solutions (ETS)

1. Lifecycle Asset Acquisition and Replacement: A total of \$20,970.50 will be appropriated to the “Lifecycle Asset Acquisition and Replacement” capital improvement program project account. Project funding will support the procurement of information systems, personal computers, software, and related equipment.
2. 800 MHz Microwave Replacement: \$0.50 will be appropriated to the “800 MHz Microwave Replacement” capital improvement program project account. ETS will use these resources for the replacement of microwave dishes and related equipment within the City's Radio Communications System.

Emergency Communications Center (ECC)

1. 911 Facility Safety & Security Improvements: \$65,307.19 will be appropriated to the “911 Facility Safety & Security Improvements” capital improvement program project account. The ECC will use these resources for additional fencing, gates, and other security and safety enhancements needed at the shared 911, Police, and Fire Facility located at 2000 Radcliff Drive.

Office of Environment and Sustainability (OES)

1. Solar Panel Battery Backup Resiliency Hub: \$68,168.60 will be appropriated to the “Solar Panel Battery Backup Resiliency Hub” capital improvement program project account. OES will use these resources to install battery backups on Recreation Centers that currently have solar panels, enabling these facilities to serve as resiliency hubs for residents in the event of emergency or power loss.

Parks

1. Mt. Airy Trails Expansion – GF: \$800,000.00 will be appropriated to the “Mt. Airy Trails Expansion – GF” capital improvement program project. Resources will support the expansion of trails at the Mt. Airy Park.

2. Park Trails Expansion – GF: \$500,000.00 will be appropriated to the “Park Trails Expansion – GF” capital improvement program project account. Parks will use these resources for trail expansions in the Cincinnati Park network.
3. Sinton Facility Renovation: \$120,000.00 will be appropriated to the “Sinton Facility Renovation” project. This project will provide resources for improvements to the Sinton facility, which serves as the Cincinnati Parks headquarters of the Eastern Operations team. Major project components include the total renovation of the site for better workflow and material management, full-building renovation to include dedicated zoned conditioning, as well as working offices and upgraded restroom facilities. Improvements also include a mechanics area to replace the one that was vacated in the sale of the Reading Road property. Additional future funding may be needed to complete this project.
4. Park Infrastructure Rehabilitation: \$1,300,000.00 will be appropriated to the “Park Infrastructure Rehabilitation” project. These resources will be used for general upgrades at Park facilities, as well as infrastructure improvements to roadways, walks, retaining walls, and other structures.

Department of Transportation and Engineering (DOT E)

1. Streetcar System: \$61,308.30 will be appropriated to the “Streetcar System” capital improvement program project. Project funding will provide resources for the Cincinnati Streetcar system, including infrastructure improvements, major repairs, system enhancements, and replacement components. This sum is anticipated to be used for heating, ventilation, and air conditioning (HVAC) improvements at the streetcar operations facility.
2. Traffic Control Device Installation: \$72,914.82 will be appropriated to the “Traffic Control Device Installation & Renovation” capital improvement program project. This DOT E project will provide resources for approved traffic control devices, including raised pavement markers, reflective raised separators, rumble strips, attenuation devices or hazard markers typically installed in curves and other roadway areas where the visibility or normal painted markings is not sufficient. These traffic control devices are installed on areas with high crash rates and on streets that are not on the street rehabilitation six-year plan.
3. Traffic Signals Infrastructure – GFCO: \$30,000.00 will be appropriated to the “Traffic Signals Infrastructure – GFCO” capital improvement program project. DOT E will use these resources for the design, planning, installation, maintenance, rehabilitation, replacement, expansion, modernization, and inspection of traffic signal, overhead sign, and school flasher infrastructure. This sum is anticipated to be used for Mill Creek Bridge signal modifications.

Department of Public Services (DPS)

1. City Facility Renovation and Repairs: A total of \$3,563,952.15 will be appropriated to various “City Facility Renovation and Repairs” capital improvement program project accounts. This DPS project will provide resources for the continuation of ongoing repairs, alterations, and upgrades to City facilities such as those used by Police, Fire, and DPS.

Fire

1. Firefighter PPE: \$210.00 will be appropriated to the “Firefighter PPE” capital improvement program project. This project will provide resources for the replacement of firefighter turnout gear.

Schedule of Transfer – Section C

Section C of the Schedule of Transfer will transfer and appropriate \$716,344.00 from the unappropriated surplus of Income Tax Permanent Improvement Fund 758 and the General Fund to various new or existing capital improvement program project accounts.

Enterprise Technology Solutions (ETS)

1. Data Center Infrastructure Replacement: \$16,961.99 will be appropriated to the “Data Center Infrastructure Replacement” permanent improvement program project. This ETS project will provide resources for the cyclic replacement or upgrade of infrastructure equipment and software related to the enterprise data center and to optimize capacity to meet business needs.
2. Enterprise Networks and Security Enhancements: \$181,728.91 will be appropriated to the “Enterprise Networks and Security Enhancements” permanent improvement program project. Project funding will provide resources for the upgrade and implementation of a multi-year strategy for upgrading the City’s communications network including, but not limited to, updating the Communications Master Plan, replacing obsolete and unsupported hardware, and upgrading the fiber network facilities to support voice, data, and video while maintaining information security.

Emergency Communications Center (ECC)

1. 911 Answering Position Replacement: \$79,000.00 will be appropriated to the “911 Answering Position Replacement” permanent improvement program project. The ECC will use project funding for the replacement of 911 answering positions at the ECC primary (Radcliff) and backup (Spinney) locations.

Office of Environment and Sustainability (OES)

1. Center Hill Gas & Leachate: \$75,123.36 will be appropriated to the “Center Hill Gas & Leachate” permanent improvement program project. This project will provide resources for continuing operations and maintenance of the methane gas and leachate collection systems at the former Center Hill Landfill to comply with State and Federal solid waste regulations.
2. Wheeled Recycling Cart Replacement: \$20,000.00 will be appropriated to the “Wheeled Recycling Cart Replacement” permanent improvement program project. Project funding will support the replacement of aging wheeled recycling carts for City residents.

Law Department

1. Prosecution Case Management System: \$150,000.00 will be appropriated from the General Fund to the “Prosecution Case Management System” permanent improvement program project. The Law Department will use these resources for the design, integration, production testing, and implementation of a Case Management Software System for the Prosecution Division of the City Solicitor’s Office. This sum is anticipated to be used for providing a direct connection between the City Solicitor’s Office and the Hamilton County Municipal Court.

Department of Community and Economic Development (DCED)

1. Neighborhood Business Property Holding: \$110,213.34 will be appropriated to the “Neighborhood Business Property Holding” permanent improvement program project. DCED will use these resources for the rehabilitation and maintenance of City-owned properties and properties acquired by the Hamilton County Land Bank on behalf of the City by providing necessary upkeep.

Cincinnati Police Department (CPD)

1. Records Management System Peripherals: \$83,316.40 will be appropriated to the “Records Management System Peripherals” permanent improvement program project. CPD will use these resources for printers, scanners, and other peripherals to support the upgrade and conversion of the existing Records Management System.

Schedule of Transfer – Section D

Section D of the Schedule of Transfer returns \$3,281,585.40 to various Restricted and Special Revenue Funds Capital Budget sources.

1. The combined sum of \$2,494,243.06 from Funds 104, 107, 481, and 493 will be returned to source and remain available in the unappropriated surplus of each fund.
2. The combined total \$101,822.11 from Fund 823 and Fund 846 will be returned to source and be used to pay debt service.
3. The amount of \$88,962.00 will be returned to source Fund 430 from the “Ault Park Improvements – Caretaker’s House and Ault Pavilion” and “Bettman Nature Center HVAC Upgrades” capital improvement program project accounts. This funding is appropriated to the “Burnet Woods Dog Park” capital improvement program project, as indicated in Schedule of Transfer – Section E.

This Emergency Ordinance will also authorize the sum of \$11,797.82 in donated resources from the Cincinnati Board of Park Commissioners Private Endowment Funds be redirected from the “Drabner-Funded Infrastructure Improvements” capital improvement program project to the unappropriated surplus of Parks Private Endowment and Donations Fund 430, as indicated in Section 3 of the Emergency Ordinance. This funding will be appropriated to the “Burnet Woods Dog Park” project, as shown in Section E of the Schedule of Transfer.

This Emergency Ordinance also returns the sum of \$17,000.00 from the “USquare Garage Lighting Replacement” capital improvement program project to source Fund 102. Section 9 of the Emergency Ordinance transfers \$17,000.00 from the unappropriated surplus of Fund 102 to Parking System Facilities Fund balance sheet reserve account no. 102x3441, “U-Square Garage – Reserve for Capital Projects.”

Schedule of Transfer – Section E

Section E of the Schedule of Transfer will transfer and appropriate \$1,180,973.23 from the unappropriated surplus of various Restricted and Special Revenue Funds to new or existing capital improvement program project accounts.

Parks

1. Burnet Woods Dog Park: \$101,415.00 will be appropriated from Parks Private Endowment and Donations Fund 430 to the “Burnet Woods Dog Park” capital improvement program project. Project funding will be used for the development of the Burnet Woods Dog Park.

Department of Transportation and Engineering (DOTe)

1. Airport Infrastructure Improvements: \$242,745.96 will be appropriated to the “Airport Infrastructure Improvements” capital improvement program project. DOTe will use these resources for improvements to Lunken Airport that are not typically funded by the Federal Aviation Administration (FAA) or Ohio Department of Transportation (ODOT).
2. General Aviation Motorized Equipment: \$200,000.00 will be appropriated to the “General Aviation Motorized Equipment” capital improvement program project. DOTe will use these resources for the acquisition of motorized vehicles and maintenance equipment for utilization at Lunken Airport.
3. Facility Improvements: \$79,041.82 will be appropriated to the “Facility Improvements” capital improvement program project. This project will provide resources for improvements to airport-owned facilities at Lunken Airport that will include roofing, plumbing, electrical, building code upgrades, and other improvements.

Department of Public Services (DPS)

1. Brine Equipment: \$500,000.00 will be appropriated to the “Brine Equipment” capital improvement program project. DPS will use this to upgrade the City’s salt brine system.

Stormwater Management Utility (SMU)

1. Stormwater Fleet and Equipment: \$57,770.45 will be appropriated from Stormwater Management Fund 107 to the “Stormwater Fleet and Equipment” capital improvement program project. Project funding will support the acquisition of fleet and equipment needed by SMU.

This Emergency Ordinance will declare certain projects to be for a public purpose.

Authorizing Capital Sunset activities is in accordance with the “Sustain” goal to “[m]anage our financial resources” as well as the strategies to “[b]etter coordinate our capital improvement spending” and “[s]pend public funds more strategically” as described on pages 199-205 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to provide resources for the Capital Improvement Program.

The Administration recommends passage of this Emergency Ordinance.

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



Attachments

EMERGENCY

LES

- 2024

AUTHORIZING the establishment of capital improvement program project account nos. 980x203x252038, “Mt. Airy Trails Expansion - GF,” to provide resources for the expansion of trails in the Mt. Airy Park; 980x203x252037, “Park Trails Expansion - GF,” to provide resources for trail expansions in the Cincinnati Park network; 980x255x252501, “City Facility Renovation and Repairs - CSR,” to provide resources for the continuation of ongoing repairs, alterations, and upgrades to City facilities such as those used by the Police, Fire, and Public Services Departments; and 980x252x252533, “Brine Equipment,” to provide resources for the upgrade of the City’s salt brine system; **AUTHORIZING** the establishment of permanent improvement program project account no. 758x227x252226, “Records Management System Peripherals,” to provide resources for printers, scanners, and other peripherals to support the upgrade and conversion of the existing records management system; **AUTHORIZING** the redirection of \$11,797.82 in Cincinnati Board of Park Commissioners Private Endowment Funds from existing capital improvement program project account no. 980x203x182017, “Drabner-Funded Infrastructure Improvements,” to the unappropriated surplus of Parks Private Endowment and Donations Fund 430 to close out or decrease existing capital improvement program project account no. 980x203x182017, “Drabner-Funded Infrastructure Improvements”; **AUTHORIZING** the transfer and return to source of \$7,707,176.06 from various General Capital Budget capital improvement program project accounts to close out or decrease certain existing capital improvement program project accounts according to Section A of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of \$6,602,832.06 from the unappropriated surplus of various General Capital Funds to new or existing capital improvement program project accounts to provide resources for certain capital improvement program project accounts according to Section B of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of \$716,344 from the unappropriated surplus of Income Tax Permanent Improvement Fund 758 to new or existing permanent improvement project accounts to provide resources for certain permanent improvement project accounts according to Section C of the attached Schedule of Transfer; **AUTHORIZING** the transfer and return to source of \$3,281,585.40 from various Restricted and Special Revenue Funds capital improvement program project accounts to close out or decrease certain existing capital improvement program project accounts according to Section D of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of \$1,180,973.23 from the unappropriated surplus of various Restricted and Special Revenue Funds to new or existing capital improvement program project accounts to provide resources for certain capital improvement program project accounts according to Section E of the attached Schedule of Transfer; **AUTHORIZING** the transfer of \$17,000 from the unappropriated surplus of Parking System Facilities Fund 102 to Parking System Facilities Fund balance sheet reserve account no. 102x3441, “U-Square Garage – Reserve for Capital Projects”; **AUTHORIZING** the transfer and appropriation of \$308,000 from the unappropriated surplus of the General Fund to City Manager’s Office General Fund non-personnel operating budget account no. 050x101x7200 to provide resources for emergency rental assistance and audio-visual equipment contract support; and further **DECLARING** certain projects to be for a public purpose, all for the purpose of carrying out the Capital Improvement Program.

WHEREAS, passage of this capital sunset ordinance will allow the Administration to provide resources for the Capital Improvement Program, to provide resources for certain capital improvement program projects, to close out or decrease certain existing capital improvement program project accounts, to transfer and return to source certain funds, and to transfer and appropriate certain funds; and

WHEREAS, authorizing Capital Sunset activities is in accordance with the “Sustain” goal to “[m]anage our financial resources” as well as the strategies to “[b]etter coordinate our capital improvement spending” and “[s]pend public funds more strategically” as described on pages 199-205 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the Director of Finance is authorized to establish capital improvement program project account nos. 980x203x252038, “Mt. Airy Trails Expansion - GF,” to provide resources for the expansion of trails in the Mt. Airy Park; 980x203x252037, “Park Trails Expansion - GF,” to provide resources for trail expansions in the Cincinnati Park network; 980x255x252501, “City Facility Renovation and Repairs - CSR,” to provide resources for the continuation of ongoing repairs, alterations, and upgrades to City facilities such as those used by the Police, Fire, and Public Services Departments; and 980x252x252533, “Brine Equipment,” to provide resources for the upgrade of the City’s salt brine system.

Section 2. That the Director of Finance is authorized to establish permanent improvement program project account no. 758x227x252226, “Records Management System Peripherals,” to provide resources for printers, scanners, and other peripherals to support the upgrade and conversion of the existing records management system.

Section 3. That the \$11,797.82 in donated resources from the Cincinnati Board of Park Commissioners Private Endowment Funds is redirected from existing capital improvement program project account no. 980x203x182017, “Drabner-Funded Infrastructure Improvements,” to the unappropriated surplus of Parks Private Endowment and Donations Fund 430 to close out or decrease existing capital improvement program project account no. 980x203x182017, “Drabner-Funded Infrastructure Improvements.”

Section 4. That \$7,707,176.06 is transferred and returned to source from various General Capital Budget capital improvement program project accounts to close out or decrease certain existing capital improvement program project accounts according to Section A of the attached Schedule of Transfer.

Section 5. That \$6,602,832.06 is transferred to and appropriated from the unappropriated surplus of various General Capital Funds to new or existing capital improvement program project accounts to provide resources for certain capital improvement program project accounts according to Section B of the attached Schedule of Transfer.

Section 6. That \$716,344 is transferred to and appropriated from the unappropriated surplus of Income Tax Permanent Improvement Fund 758 to new or existing permanent improvement project accounts to provide resources for certain permanent improvement project accounts according to Section C of the attached Schedule of Transfer.

Section 7. That \$3,281,585.40 is transferred and returned to source from various Restricted and Special Revenue Funds capital improvement program project accounts to close out or decrease certain existing capital improvement program project accounts according to Section D of the attached Schedule of Transfer.

Section 8. That \$1,180,973.23 is transferred to and appropriated from the unappropriated surplus of various Restricted and Special Revenue Funds to new or existing capital improvement program project accounts to provide resources for certain capital improvement program project accounts according to Section E of the attached Schedule of Transfer.

Section 9. That \$17,000 is transferred from the unappropriated surplus of Parking System Facilities Fund 102 to Parking System Facilities Fund balance sheet reserve account no. 102x3441, "U-Square Garage – Reserve for Capital Projects."

Section 10. That \$308,000 is transferred to and appropriated from the unappropriated surplus of the General Fund to City Manager’s Office General Fund non-personnel operating budget account no. 050x101x7200 to provide resources for emergency rental assistance and audio-visual equipment contract support.

Section 11. That Council declares that the “Mt. Airy Trails Expansion – GF,” “Park Trails Expansion – GF,” and “Brine Equipment” capital improvement program projects and the “Records Management System Peripherals” permanent improvement project serve a public purpose because the projects will foster local improvements and investment and increase neighborhood vitality.

Section 12. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Sections 1 through 11.

Section 13. 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 resources for the Capital Improvement Program.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

Return to Source: \$7,707,176.06

DEPT. DIVISION	PROJECT OR FUND TO BE TRANSFERRED FROM NUMBER: DESCRIPTION		PROJECT OR FUND TO BE TRANSFERRED TO NUMBER: DESCRIPTION	TOTAL BUDGETED COST ALL FUNDS		AMOUNT TO BE APPROPRIATED OR TRANSFERRED
				PRIOR	REVISED	
ETS 091	220912 Data Center Infrastructure Replacement	758	Income Tax Permanent Improvement Fund	61,000.00	44,038.01	16,961.99
	200903 Enterprise Networks and Security Enhancements	758	Income Tax Permanent Improvement Fund	291,500.00	200,525.56	90,974.44
	210903 Enterprise Networks and Security Enhancements	758	Income Tax Permanent Improvement Fund	169,500.00	78,745.53	90,754.47
	170901 MAN-SONET System Replacement	758	Income Tax Permanent Improvement Fund	3,656,665.00	3,650,000.00	6,665.00
	170901 MAN-SONET System Replacement	864	Automotive and Other Equipment Bond Fund	3,650,000.00	3,649,694.50	305.50
	210910 Real Time Crime Center Camera Program	758	Income Tax Permanent Improvement Fund	150,000.00	149,620.08	379.92
	240926 Route Optimization Software	758	Income Tax Permanent Improvement Fund	250,000.00	245,698.20	4,301.80
	230915 Workflow Management System	758	Income Tax Permanent Improvement Fund	160,500.00	155,873.42	4,626.58
City Manager's Office 101	231036 Communication Equipment - GFCO	050	General Fund	225,000.00	117,000.00	108,000.00
Emergency Communications Center 103	231019 911 Dispatcher Radio Console	758	Income Tax Permanent Improvement Fund	81,000.00	35,000.00	46,000.00
	231033 Expand E911 Workstations	758	Income Tax Permanent Improvement Fund	79,000.00	0.00	79,000.00
	221027 NICE System Replacement and Upgrade	758	Income Tax Permanent Improvement Fund	450,500.00	431,192.81	19,307.19
City Manager Environment & Sustainability 104	221002 Center Hill Gas & Leachate	758	Income Tax Permanent Improvement Fund	85,000.00	9,876.64	75,123.36
	221012 Emergency Environmental Cleanup/UST	758	Income Tax Permanent Improvement Fund	20,000.00	0.00	20,000.00
	221001 Regulatory Compliance & Energy Conservation	758	Income Tax Permanent Improvement Fund	68,168.60	0.00	68,168.60
City Manager Performance & Data Analytics 108	231016 Enterprise Data Warehouse	758	Income Tax Permanent Improvement Fund	32,000.00	0.00	32,000.00
Community & Economic Dev. Economic Development 164	201608 Neighborhood Business Property Holding	758	Income Tax Permanent Improvement Fund	200,000.00	89,786.66	110,213.34
Parks Administration and Program Services 203	222008 Mt. Airy Trails Expansion	860	Park and Recreation Improvement	1,050,000.00	250,000.00	800,000.00
	222007 Park Trails Expansion	860	Park and Recreation Improvement	500,000.00	0.00	500,000.00
	232004 Park Infrastructure Rehabilitation - GF	050	General Fund	1,500,000.00	200,000.00	1,300,000.00
	232030 Daniel Drake Park Restoration - GF	050	General Fund	500,000.00	0.00	500,000.00
Buildings & Inspections 211	232104 Electronic Plan Review - ERP	758	Income Tax Permanent Improvement Fund	100,000.00	0.00	100,000.00
Police Investigations Bureau 225	222227 Latent Fingerprint Case Management and Training System	758	Income Tax Permanent Improvement Fund	50,000.00	49,995.00	5.00
Police Support Bureau 226	222200 NICE Recorder Upgrades	864	Automotive and Other Equipment Bond Fund	14,000.00	0.00	14,000.00
Police Administration Bureau 227	202218 Records Management System (RMS)	758	Income Tax Permanent Improvement Fund	500,000.00	499,878.84	121.16
	212218 Records Management System (RMS)	758	Income Tax Permanent Improvement Fund	115,000.00	31,809.76	83,190.24
Transportation & Engineering Traffic Engineering 239	222318 Gas Street Light Repair and Replacement	870	Street Improvement Bond Fund	168,000.00	95,085.18	72,914.82

DEPT. DIVISION	PROJECT OR FUND TO BE TRANSFERRED FROM NUMBER: DESCRIPTION	PROJECT OR FUND TO BE TRANSFERRED TO NUMBER: DESCRIPTION	TOTAL BUDGETED COST ALL FUNDS		AMOUNT TO BE APPROPRIATED OR TRANSFERRED
			PRIOR	REVISED	
Public Services Neighborhood Operations 253	232537 Trash Receptacles & Collection Carts	758 Income Tax Permanent Improvement Fund	301,000.00	183,047.85	117,952.15
Public Services CFM 255	232504 Community Facility Improvements - Art Museum	758 Income Tax Permanent Improvement Fund	200,000.00	0.00	200,000.00
	252500 City Facility Renovation and Repairs	712 Railway Trust Infrastructure Fund	8,306,000.00	5,060,000.00	3,246,000.00
Fire Response 271	202714 Self-Contained Breathing Apparatus Equipment	864 Automotive and Other Equipment Bond Fund	3,000,000.00	2,999,999.50	0.50
	212717 Fire Helmet Replacement	864 Automotive and Other Equipment Bond Fund	225,000.00	224,790.00	210.00

Transfer and Appropriation: \$6,602,832.06

DEPT. DIVISION	PROJECT OR FUND TO BE TRANSFERRED FROM		PROJECT OR FUND TO BE TRANSFERRED TO		TOTAL BUDGETED COST ALL FUNDS		AMOUNT TO BE APPROPRIATED OR TRANSFERRED
	NUMBER:	DESCRIPTION	NUMBER:	DESCRIPTION	PRIOR	REVISED	
ETS 091	758	Income Tax Permanent Improvement Fund	230918	Lifecycle Asset Acquisition and Replacement	495,000.00	501,665.00	6,665.00
	864	Automotive and Other Equipment Bond Fund	230918	Lifecycle Asset Acquisition and Replacement	501,665.00	515,970.50	14,305.50
	864	Automotive and Other Equipment Bond Fund	200907	800 MHz Microwave Replacement	844,905.70	844,906.20	0.50
Emergency Communications Center 103	758	Income Tax Permanent Improvement Fund	231010	911 Facility Safety & Security Improvements	70,000.00	135,307.19	65,307.19
Office of the City Manager Environment & Sustainability 104	758	Income Tax Permanent Improvement Fund	241040	Solar Panel Battery Backup Resiliency Hub	725,000.00	793,168.60	68,168.60
Parks Administration and Program 203	050	General Fund	252038	Mt. Airy Trails Expansion - GF	0.00	800,000.00	800,000.00
	050	General Fund	252037	Park Trails Expansion - GF	0.00	500,000.00	500,000.00
	050	General Fund	252034	Sinton Facility Renovation	1,580,000.00	1,700,000.00	120,000.00
	860	Park and Recreation Improvement	222000	Park Infrastructure Rehabilitation	2,055,000.00	3,355,000.00	1,300,000.00
Transportation & Engineering Streetcar Operations 236	758	Income Tax Permanent Improvement Fund	252351	Streetcar System	660,000.00	721,308.30	61,308.30
Transportation & Engineering Traffic Enginnering 239	870	Street Improvement Bond Fund	222300	Traffic Control Device Installation & Renovation	114,000.00	186,914.82	72,914.82
	050	General Fund	232347	Traffic Signals Infrastructure - GFCO	2,000,000.00	2,030,000.00	30,000.00
Public Services CFM 255	758	Income Tax Permanent Improvement Fund	242500	City Facility Renovation and Repairs	5,217,336.01	5,535,288.16	317,952.15
	712	Railway Trust Infrastructure Fund	252501	City Facility Renovation and Repairs - CSR	0.00	3,246,000.00	3,246,000.00
Fire Response 271	864	Automotive and Other Equipment Bond Fund	212700	Firefighter PPE	209,000.00	209,210.00	210.00

Transfer and Appropriation: \$716,344.00

DEPT. DIVISION	PROJECT OR FUND TO BE TRANSFERRED FROM		PROJECT OR FUND TO BE TRANSFERRED TO		TOTAL BUDGETED COST ALL FUNDS		AMOUNT TO BE APPROPRIATED OR TRANSFERRED
	NUMBER:	DESCRIPTION	NUMBER:	DESCRIPTION	PRIOR	REVISED	
ETS 091	758	Income Tax Permanent Improvement Fund	250912	Data Center Infrastructure Replacement	97,000.00	113,961.99	16,961.99
	758	Income Tax Permanent Improvement Fund	250903	Enterprise Networks and Security Enhancements	105,000.00	286,728.91	181,728.91
Emergency Communications Center 103	758	Income Tax Permanent Improvement Fund	251049	911 Answering Position Replacement	500,000.00	579,000.00	79,000.00
City Manager Environment & Sustainability 104	758	Income Tax Permanent Improvement Fund	251002	Center Hill Gas & Leachate	52,000.00	127,123.36	75,123.36
	758	Income Tax Permanent Improvement Fund	251005	Wheeled Recycling Cart Replacement	52,000.00	72,000.00	20,000.00
Law Administrative Hearings 112	050	General Fund	241109	Prosecution Case Management System	125,000.00	275,000.00	150,000.00
Community & Economic Dev. Economic Development 164	758	Income Tax Permanent Improvement Fund	251608	Neighborhood Business Property Holding	100,000.00	210,213.34	110,213.34
Police Administration Bureau 227	758	Income Tax Permanent Improvement Fund	252226	Records Management System Peripherals	0.00	83,316.40	83,316.40

Return to Source: \$3,281,585.40

DEPT. DIVISION	PROJECT OR FUND TO BE TRANSFERRED FROM NUMBER: DESCRIPTION	PROJECT OR FUND TO BE TRANSFERRED TO NUMBER: DESCRIPTION	TOTAL BUDGETED COST ALL FUNDS		AMOUNT TO BE APPROPRIATED OR TRANSFERRED
			PRIOR	REVISED	
Community & Economic Dev. Housing Development 162	181683 Reach Program	493 Price Hill Equivalent Fund	380,610.00	317,522.12	63,087.88
Community & Economic Dev. Economic Development 164	231637 Saks Acquisition-TIF	481 Downtown South/Riverfront Equivalent Fund	3,000,000.00	2,976,752.51	23,247.49
Recreation Golf 195	201919 Golf Equipment Replacements	823 Automotive and Other Equipment Bond Fund	3,000,000.00	2,998,238.03	1,761.97
Parks Administration and Program Services 203	222014 Ault Park Improvements - Caretaker's House and Ault Pavilion	430 Parks Private Endowment and Donations	87,500.00	28,538.00	58,962.00
	222015 Bettman Nature Center HVAC Upgrades	430 Parks Private Endowment and Donations	30,000.00	0.00	30,000.00
Transportation & Engineering Aviation 234	222332 Airport Infrastructure Improvements	104 General Aviation Fund	1,007,449.10	564,703.14	442,745.96
	232332 Airport Infrastructure Improvements	104 General Aviation Fund	70,000.00	0.00	70,000.00
	212333 Facility Improvements	104 General Aviation Fund	225,000.00	215,958.18	9,041.82
	232333 Facility Improvements	104 General Aviation Fund	70,000.00	0.00	70,000.00
Enterprise Services Parking Facilities 248	222404 USquare Garage Lighting Replacement	102 Parking System Facilities Fund	17,000.00	0.00	17,000.00
Stormwater Management 311	184124 Cincinnati Local Flood Protection	846 Stormwater Improvement Bond Fund	526,479.14	518,140.00	8,339.14
	204124 Cincinnati Local Flood Protection Project	846 Stormwater Improvement Bond Fund	2,904,854.60	2,813,133.60	91,721.00
	224101 Stormwater Fleet and Equipment	107 Stormwater Management Fund	500,000.00	442,229.55	57,770.45
	224143 Linear Asset Condition Assessment	107 Stormwater Management Fund	3,200,000.00	862,092.31	2,337,907.69

Transfer and Appropriation: \$1,180,973.23

DEPT. DIVISION	PROJECT OR FUND TO BE TRANSFERRED FROM		PROJECT OR FUND TO BE TRANSFERRED TO		TOTAL BUDGETED COST ALL FUNDS		AMOUNT TO BE APPROPRIATED OR TRANSFERRED
	NUMBER:	DESCRIPTION	NUMBER:	DESCRIPTION	PRIOR	REVISED	
Parks Administration and Program 203	430	Parks Private Endowment and Donations	232035	Burnet Woods Dog Park	344,550.00	445,965.00	101,415.00
Transportation & Engineering Aviation 234	104	General Aviation Fund	252332	Airport Infrastructure Improvements	140,000.00	382,745.96	242,745.96
	104	General Aviation Fund	252330	General Aviation Motorized Equipment	61,000.00	261,000.00	200,000.00
	104	General Aviation Fund	252333	Facility Improvements	139,000.00	218,041.82	79,041.82
Public Services Traffic & Road 252	306	Municipal Motor Vehicle License Tax	252533	Brine Equipment	0.00	500,000.00	500,000.00
Stormwater Management 311	107	Stormwater Management	254101	Stormwater Fleet and Equipment	200,000.00	257,770.45	57,770.45

November 18, 2024

To: Members of the Budget and Finance Committee

From: Sheryl M.M. Long, City Manager

202402394

Subject: Emergency Ordinance – First Amendment to Three Oaks Development Agreement

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager to execute a First Amendment to Development Agreement with Oakley Yards Land, LLC, an affiliate of Neyer Properties, Inc., pertaining to the redevelopment of property located at 2800 Robertson Avenue in the Oakley neighborhood of Cincinnati.

STATEMENT

HOUSING: The additional housing units this project will provide will go toward helping to alleviate Cincinnati’s strained housing market, which is currently experiencing increasing affordability issues due to lack of supply.

BACKGROUND/CURRENT CONDITIONS

In December of 2019, in anticipation of financing public infrastructure improvements to support the redevelopment of the former Kenner Toy Factory site located at 2800 Robertson Avenue in the Oakley neighborhood of Cincinnati, City Council passed Ordinance No. 493-2019, which created an ORC 5709.40(B) project-based TIF on the site for a period of 30 years.

In December 2021, pursuant to Ordinance Nos. 190-2021, 191-2021, and 192-2021, the City and Developer entered into a Development Agreement and other related agreements that outlined the scope of the site’s redevelopment as well as the City’s support. At that time, the Developer proposed a mixed-use development that included approximately 350 to 400 market-rate residential apartment units, 150 to 200 units of senior housing, 105 single-family homes, and necessary public infrastructure improvements to support the overall development. Additionally, the City executed two commercial CRA tax abatement agreements for the multi-family and senior housing projects, and authorized revenue from the project-based TIF to pay bond obligations issued by the Port to finance public infrastructure improvements. Since then, the Developer has completed \$15,150,000 in public infrastructure improvements, namely in acquisition of public right-of-way, site demolition/environmental remediation, roadways, utilities, landscaping, and the construction of the public park in the southeast corner of the project. The Developer has also built several single-family for-sale homes, with 19 on hold, sold, or under contract.

DEVELOPER INFORMATION

The Developer, Oakley Yards Land, LLC, is an affiliate of Neyer Properties, Inc. of Cincinnati. Neyer Properties, formed in 1995, is a fully integrated real estate company headquartered in the Evanston neighborhood of Cincinnati. Projects completed by Neyer in Cincinnati include the Baldwin building renovation in Walnut Hills and the Keystone Parke development in Evanston. Neyer is partnering with WP Land Company, a custom homebuilder company in Montgomery, Ohio to construct the single-family project. Neyer will be partnering with CASTO Communities, a commercial real estate company in Columbus, Ohio to construct and operate the multi-family project. Neyer plans to select a senior housing partner in 2025.

PROJECT DESCRIPTION

The Developer has requested that the Development Agreement be amended to reduce the number of single-family homes from 105 to 79. The Developer anticipates up to 15 of the 79 single-family lots will be part of the 2025 Homearama. In the area where the Developer previously anticipated constructing 26 homes, the Developer now desires to construct approximately 31 car condo units. The Developer has engaged the Oakley Community Council on this proposed change and the community council provided a letter of support for the Major Amendment to the Concept Plan and Development Program Statement in June 2024.

Regarding public subsidy, the Developer requested an additional \$5,000,000 (\$21,000,000 in total) in funding for environmental remediation, mass excavation, utilities and related soft costs on the multi-family and senior housing project sites due to price increases since the project commenced. The net proceeds from the bonds will not be used for the car condo project. To meet the Developer's request and increase the public infrastructure improvements, the principal bond proceeds need to be increased to \$30,600,000. It is anticipated that the Port will be issuing the bonds that are guaranteed by the Developer. The City will not provide or guarantee revenue for the bonds aside from the revenues created by the project. The Developer has also requested timelines for each component of the project, i.e., the multi-family, senior housing, single-family, public infrastructure improvements be extended to complete the project.

RECOMMENDATION

The Administration recommends approval of this Emergency Ordinance. The reason for the emergency is to enable the parties to execute the Amendment as soon as possible so that Developer can immediately move forward with the amended project, thereby creating jobs, stimulating economic growth in the area, and enabling the project site to be put to its highest and best use, for the economic benefit of the City, at the earliest possible time.

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

Exhibit A: Amended Site Plan and 2024 Aerial Imagery

Exhibit A: Amended Site Plan and 2024 Aerial Imagery



EMERGENCY

SSB

- 2024

AUTHORIZING the City Manager to execute a First Amendment to Development Agreement with Oakley Yards Land, LLC, an affiliate of Neyer Properties, Inc., pertaining to the redevelopment of property located at 2800 Robertson Avenue in the Oakley neighborhood of Cincinnati.

WHEREAS, pursuant to Ordinance No. 190-2021, passed on May 26, 2021, the City of Cincinnati (the “City”) entered into a certain Development Agreement (the “Agreement”), with Oakley Yards Land, LLC (“Developer”), an affiliate of Neyer Properties, Inc., dated December 15, 2021; and

WHEREAS, as more particularly described in the Agreement, Developer agreed to redevelop certain real property located at 2800 Robertson Avenue in Cincinnati (the “Project Site”), which redevelopment was to consist of Developer’s design and construction of approximately 350-400 market-rate apartments, approximately 150-200 units of senior housing, approximately 105 single-family homes (the “Single-Family Project”), and various public infrastructure improvements in support thereof (the “Public Infrastructure Improvements); and

WHEREAS, Developer now desires to update the Single-Family Project by reducing the number of single-family homes from approximately 105 to 79, and instead now construct approximately 31 car condo units on the area upon which the previously anticipated 26 additional homes were to be constructed (the “Car Condo Project”); and

WHEREAS, pursuant to Ordinance No. 493-2019, passed on December 11, 2019 (the “TIF Ordinance”), Council declared that the Improvement (as defined in Ohio Revised Code (“R.C.”) Section 5709.40(A)(4)) to the Project Site constitutes a public purpose and exempted 100 percent of the Improvement from real property taxation for a period of thirty years pursuant to R.C. Section 5709.40(B) (the “TIF Exemption”); and

WHEREAS, under the TIF Ordinance, and in accordance with the Agreement, the City required the owners of the parcels subject to the TIF Ordinance to make service payments in lieu of real property taxes within the meaning of R.C. Section 5709.42 (collectively, with any minimum service payments imposed from time to time pursuant to Service Agreements entered into in connection with the Agreement, the “Service Payments”); and

WHEREAS, pursuant to the Agreement, the City and Developer anticipated that the City would pledge a portion of the Service Payments it receives to facilitate the issuance by the Port of Greater Cincinnati Development Authority (the “Port”) of bond obligations in one or more series to finance a portion of the Public Infrastructure Improvements, which bonds were anticipated to be issued by the Port (i) in a principal amount not to exceed \$10,000,000 with respect to bonds having a senior pledge of the Service Payments (the “Senior Bonds”), and

(ii) in a principal amount not to exceed \$6,000,000 with respect to bonds having a subordinate pledge of the Service Payments (the “Subordinate Bonds”; and together with the Senior Bonds, the “Bonds”); and

WHEREAS, Developer now desires to increase the maximum principal amounts of the Bonds anticipated to be issued under the Agreement due to the rising costs of construction; and

WHEREAS, the City is amenable to entering into a certain First Amendment to Development Agreement, substantially in the form attached as Attachment A hereto (the “Amendment”), to amend the aforementioned Single-Family Project definition, add the new Car Condo Project, and increase the maximum principal amount(s) of the Bonds, all upon the terms and conditions contained therein; now, therefore,

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

Section 1. That the City Manager is hereby authorized to execute a First Amendment to Development Agreement with Oakley Yards Land, LLC (“Developer”), in substantially the form attached to this ordinance as Attachment A (the “Amendment”), thereby amending that certain Development Agreement between the City and Developer, dated December 15, 2021 (the “Agreement”), pertaining to a mixed-use project located at 2800 Robertson Avenue in the Oakley neighborhood of Cincinnati, as more particularly described in the Agreement and the Amendment (the “Project” and the “Project Site”, as applicable).

Section 2. That Council authorizes the appropriate City officials to take all necessary and proper actions to fulfill the terms of this ordinance, the Amendment, any and all Project-related documents described or contemplated in the Agreement, as amended by the Amendment (including, without limitation, one or more service agreements and a cooperative agreement, as more particularly described therein), and all ancillary agreements, amendments, and other documents related to the Project and/or the Project Site, all as deemed necessary or appropriate by the City Manager.

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 to enable the parties to execute the Amendment as soon as possible so that Developer can immediately move forward with the amended Project, thereby creating jobs, stimulating economic growth in the area, and enabling the Project Site to be put to its highest and best use, for the economic benefit of the City, at the earliest possible time.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

FIRST AMENDMENT TO
DEVELOPMENT AGREEMENT
(Three Oaks)

THIS FIRST AMENDMENT TO DEVELOPMENT AGREEMENT (this "**Amendment**") is made and entered into on the Effective Date (as defined on the signature page hereof) by and among the CITY OF CINCINNATI, an Ohio municipal corporation (the "**City**"), and OAKLEY YARDS LAND, LLC, an Ohio limited liability company ("**Developer**").

Recitals:

A. On December 15, 2021, the City and Developer entered into that certain *Development Agreement* (the "**Agreement**"), relating to the redevelopment of approximately 30 acres of real property located at 2800 Robertson Avenue in the Oakley neighborhood of Cincinnati. Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Agreement.

B. Developer desires to update the Private Improvements component of the Project by reducing the number of single-family homes in the Single-Family Project from approximately 105 to 79. In the area where Developer previously anticipated constructing the additional 26 homes, Developer now desires to construct approximately 31 car condo units, as more particularly described herein.

C. Additionally, Developer desires to amend the Agreement to reflect an updated Construction Schedule and to increase maximum principal amount for the Bonds and the maximum amount of Bond proceeds netted to the Project authorized under the Agreement.

D. The City is amenable to amending the Agreement upon the terms and conditions provided herein.

NOW, THEREFORE, the parties agree as follows:

1. Amendments to Recitals B-D. Recitals B-D of the Agreement are hereby deleted and replaced in their entirety with the following:

B. Developer currently anticipates redeveloping the Project Site, as depicted on Exhibit A-1 (Site Plan) hereto, and as more particularly described on Exhibit C-1 (Description of Private Improvements) and Exhibit C-2 (Description of Public Infrastructure Improvements) hereto. The "**Private Improvements**" will consist of Developer's design and construction of (i) approximately 350 to 400 market-rate residential apartment units (the "**Multi-Family Project**"), (ii) approximately 150 to 200 units of senior housing (the "**Senior Project**"), (iii) approximately 79 single-family homes (the "**Single-Family Project**"), and (iv) approximately 31 car condo units (the "**Car Condo Project**"). The "**Public Infrastructure Improvements**" include but are not limited to Developer's demolition, environmental remediation, and design and construction of (a) public right of way, (b) public roads, (c) public pedestrian path, (d) park space, (e) stormwater management, (f) utilities, and (g) sitework, *provided that* such improvements, if financed by the Bonds (as defined below), must be eligible for reimbursement pursuant to Ohio Revised Code ("**ORC**") Section 5709.40 in order to constitute Public Infrastructure Improvements that are eligible to be financed by the Bonds (as defined below). The Public Infrastructure Improvements and the Private Improvements are collectively, the "**Project**".

C. The total estimated cost (including, without limitation, hard construction costs, soft costs, and acquisition costs) of (i)(a) the Multi-Family Project is approximately \$78,000,000, (b) the Single-Family Project is approximately \$37,800,000, (c) the Senior Project is approximately \$61,000,000, and (d) the Car Condo Project is approximately \$9,000,000, for an aggregate total estimated cost for the Private Improvements of \$185,800,000, as more particularly described on Exhibit D-1 (Preliminary Budget – Private Improvements) hereto; and (ii) the Public Infrastructure Improvements is approximately \$21,000,000, as more particularly described on Exhibit D-2 (Preliminary Budget – Public Infrastructure Improvements) hereto. Developer has represented to the City that it intends to use various sources of funds to finance the costs associated with the Project, as set forth on Exhibit E-1 (Sources of Funds – Private Improvements) and Exhibit E-2 (Sources of Funds – Public Infrastructure Improvements) hereto.

D. Developer currently anticipates that it will (i) commence construction of (a) the Public Infrastructure Improvements on or about July 1, 2021, (b) the Multi-Family Project on or about August 31, 2025, (c) the Single-Family Project on or about December 31, 2022, (d) the Senior Project on or about December 1, 2025, and (e) the Car Condo Project on or about March 1, 2025; and (ii) complete construction substantially in accordance with the Final Plans (as defined below) of (a) the Public Infrastructure Improvements no later than December 31, 2026, (b) the Multi-Family Project no later than August 31, 2027, (c) the Single-Family Project no later than December 31, 2027, (d) the Senior Project no later than June 1, 2028, and (e) the Car Condo Project no later than December 31, 2026, and that the Project will be completed substantially in accordance with the construction schedule shown on Exhibit F (Construction Schedule) hereto.

2. Amendment to Recital F. Recital F to the Agreement is hereby deleted in its entirety and replaced with the following:

F. The parties currently anticipate that the Public Infrastructure Improvements will be financed by the Port of Greater Cincinnati Development Authority (the “**Port Authority**”), Developer presently intends to finance the construction of the Public Infrastructure Improvements by entering into a separate construction agreement, cooperative agreement, service agreement(s), and other ancillary agreements with the City and/or the Port Authority pursuant to which (i) the Port Authority will issue one or more series of special obligation development revenue bonds, with no series having a term in excess of the maximum maturity allowable at law for such series, in a principal amount not to exceed \$23,600,000 (estimated to net approximately \$15,000,000 in proceeds to the Project fund) for the financing of the Public Infrastructure Improvements (the “**Senior Bonds**”), (ii) the Port will issue (which may be assigned in accordance with the aforementioned documents) subordinate bonds in a principal amount not to exceed \$7,000,000 (estimated to net approximately \$6,000,000 in proceeds to the Project fund) for the financing of the Public Infrastructure Improvements and that will be underwritten to fully amortize no later than December 31, 2045 (the “**Subordinate Bonds**”, collectively with the Senior Bonds, the “**Bonds**”), and (iii) make the net proceeds from the Senior Bonds and the Subordinate Bonds available to Developer to pay for the construction of the Public Infrastructure Improvements (as determined by the separate agreements that may be entered into by the Port Authority, the City, and Developer). For the avoidance of doubt, it is acknowledged and agreed that the aforementioned Bond proceeds estimated to be deposited in the Project fund are merely estimates and the parties anticipate that the actual amounts deposited in the Project fund will be negotiated and determined through the parties’ negotiation of the Bond documents.

3. Construction Timelines. In regard to the timelines for construction of the various components of the Project, the first two sentences of Section 2(C)(i), and the entirety of Sections 2(C)(ii), (iii), and (iv) of the Agreement are hereby deleted and replaced with the following:

(i) Public Infrastructure Improvements. Developer shall commence construction of the Public Infrastructure Improvements not later than July 1, 2021. Developer shall complete construction, substantially in accordance with the Final Plans and substantially in accordance with Exhibit F with respect to the Public Infrastructure Improvements, not later than December 31, 2026.

(ii) Multi-Family Project. Developer shall commence construction of the Multi-Family Project not later than August 31, 2025. Developer shall complete construction, substantially in accordance with the Final Plans with respect to the Multi-Family Project not later than August 31, 2027.

(iii) Senior Project. Developer shall commence construction of the Senior Project not later than December 1, 2025. Developer shall complete construction, substantially in accordance with the Final Plans with respect to the Senior Project, not later than June 1, 2028.

(iv) Single-Family Project. Developer shall commence construction, or cause the commencement of construction of the Single-Family Project not later than December 31, 2022. Developer shall use best efforts to complete or cause the completion of construction, substantially in accordance with the Final Plans with respect to the Single-Family Project not later than December 31, 2027.

4. Car Condo Project. New Section 2(C)(v), "Car Condo Project," is added immediately following existing Section 2(C)(iv), which is to read as follows:

(v) Car Condo Project. Developer shall commence construction of the Car Condo Project not later than March 1, 2025. Developer shall use best efforts to complete construction, substantially in accordance with the Final Plans with respect to the Car Condo Project, not later than December 31, 2026.

5. Environmental Condition. New Section 2(F), "Environmental Covenant," is added immediately following existing Section 2(E), which is to read as follows:

(F) Environmental Covenant. Developer shall prepare and record a restrictive covenant to limit activity and land use that is environmentally protective of conditions identified in the Phase I and Phase II Environmental Site Assessments as to the portion of the Property upon which the Car Condo Project is to be located (the "**Environmental Covenant**") no later than [_____]. The Environmental Covenant shall be prepared in a form acceptable to the City and shall be recorded in the real property records of Hamilton County, Ohio Records, all at Developer's expense.

6. Excess Project TIF Revenue. Section 3(B) is hereby deleted in its entirety and replaced with the following:

(B) Excess Project TIF Revenue. To the extent the Project TIF Revenue in any year exceeds the amount payable to the Port Authority for payment of the Bond Obligations for such year, as more particularly described in one or more separate agreements to be executed by the City, Developer, and the Port Authority, the City shall be entitled to retain and use such excess Project TIF Revenue for any lawful purpose. For the avoidance of doubt, (i) to the extent the Project TIF Revenue associated with any portion of the Project is not to be used to secure Bond Obligations associated with the applicable phase of the Bonds, for any reason, the City shall be entitled to retain and use such excess Project TIF Revenue for any lawful purpose and (ii) the Subordinate Bonds will mature no later than December 31, 2045, and following the maturity of the Subordinate Bonds, any Project TIF Revenue in excess of the Senior Bonds will be retained by the City.

For the avoidance of doubt, no Project TIF Revenue will be used to service the Subordinate Bonds after December 31, 2045.

7. Exhibits to Agreement. Exhibit A-1 (Site Plan), Exhibit C-1 (Description of Private Improvements), Exhibit D-1 (Preliminary Budget – Private Improvements), Exhibit D-2 (Preliminary Budget – Public Infrastructure Improvements), Exhibit E-1 (Sources of Funds – Private Improvements), Exhibit E-2 (Sources of Funds – Public Infrastructure Improvements), and Exhibit F (Construction Schedule) are hereby deleted and replaced with Exhibit A-1-1 (Amended Site Plan), Exhibit C-1-1 (Amended Description of Private Improvements), Exhibit D-1-1 (Amended Preliminary Budget – Private Improvements), Exhibit D-2-1 (Amended Preliminary Budget – Public Infrastructure Improvements), Exhibit E-1-1 (Amended Sources of Funds – Private Improvements), Exhibit E-2-1 (Amended Sources of Funds – Public Infrastructure Improvements), and Exhibit F-1 (Amended Construction Schedule) hereto, respectively, which are hereby incorporated into and made a part of the Agreement and which, on and after the Effective Date hereof, shall be deemed to be Exhibit A-1, Exhibit A-2, Exhibit C-1, Exhibit D-1, Exhibit D-2, Exhibit E-1, Exhibit E-2, and Exhibit F, respectively, for all purposes of the Agreement.

8. Representations and Warranties. Developer hereby represents and warrants to the City that all representations and warranties made by Developer in the Agreement continue to be true and correct as of the Effective Date of this Amendment.

9. Release. In consideration of the City's execution of this Amendment, Developer hereby waives any and all defaults or failures to observe or perform any of the City's obligations under the Agreement or any other document relating to the Project, and any other liability of any kind on the part of the City to the extent any such default, failure, or liability occurred or arose before the Effective Date hereof.

10. Ratification. All terms of the Agreement not amended hereby or not inconsistent herewith shall remain in full force and effect, and the Agreement, as amended hereby, is hereby ratified and reaffirmed by the parties.

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

[SIGNATURES ON FOLLOWING PAGE]

This Amendment is executed by the parties on the dates indicated below, effective as of the latest of such dates (the "**Effective Date**").

CITY OF CINCINNATI

OAKLEY YARDS LAND, LLC

By: _____
Sheryl M. M. Long, City Manager

By: _____

Date: _____, 2024

Printed Name: _____

Title: _____

Date: _____, 2024

Approved as to Form:

Assistant City Solicitor

Certified Date: _____

Fund/Code: _____

Amount: _____

By: _____
Karen Alder, City Finance Director

Exhibit A-1-1
to First Amendment to Development Agreement
(Three Oaks)

Amended Site Plan

TO BE ATTACHED

Exhibit C-1-1
to First Amendment to Development Agreement
(Three Oaks)

Amended Description of Private Improvements

Developer will develop the approximately 30.86-acre site located at 2800 Robertson Ave in the Oakley neighborhood, which at full buildout shall include approximately 79 single-family homes, 31 for-sale car condos, 393 multi-family and townhome units, and 150-200 senior living units along with a public park, bike path, and other amenities. The Private Improvements will be developed in phases following the completion of Public Infrastructure Improvements.

Multi-Family Project: Private Improvements will include approximately 15 buildings consisting of the following components:

- Block A - Private Improvements will consist of Developer's design and construction of approximately 6 three-story townhome-style apartment buildings and associated parking.
- Block B - Private Improvements will consist of Developer's design and construction of approximately 6 three-story garden-style apartment buildings and associated parking.
- Block C - Private Improvements will consist of Developer's design and construction of:
 - o Approximately 2 four-story apartment buildings and associated parking areas.
 - o An approximately 3,000 square foot amenity building and community green space.
-

Single-Family Project: Private Improvements will consist of Developer's design and construction of:

- Approximately 79 single-family detached homes and attached townhome product.
- Alleys will be constructed to access home garages from the rear.
- Amenity spaces throughout as shown on Exhibit A-2.

Senior Project: Private Improvements will consist of Developer's design and construction of:

- Approximately 150-200 senior living units designated for Independent Living, Assisted Living, and/or Memory Care and associated building amenities.

Car Condo Project: Private Improvements will consist of Developer's design and construction of:

- Approximately 5 buildings consisting of approximately 31 car condo units and associated landscaping.
- A private road with gated access to the car condo units.

Exhibit D-1-1
to First Amendment to Development Agreement
(Three Oaks)

Amended Preliminary Budget – Private Improvements

Land Acquisition	\$12,000,000
Multi-Family Project	
Hard Construction Cost Estimate	\$68,000,000
Soft Cost Estimate	\$9,350,000
Contingency	\$650,000
Subtotal Multi-Family Project	\$78,000,000
Single-Family Project	
Hard Construction Cost Estimate - Lots	\$2,500,000
Home Construction Hard Cost Estimate	\$32,700,000
Soft Cost Estimate	\$2,450,000
Contingency	\$150,000
Subtotal Single-Family Project	\$37,800,000
Senior Project	
Hard Construction Cost Estimate	\$50,000,000
Soft Cost Estimate	\$10,500,000
Contingency	\$500,000
Subtotal Senior Project	\$61,000,000
Car Condo Project	
Hard Construction Cost Estimate	\$7,800,000
Soft Cost and Contingency Estimate	\$1,200,000
Subtotal Car Condo Project	\$9,000,000
Total Private Improvements Estimate	\$185,800,000

Exhibit D-2-1
to First Amendment to Development Agreement
(Three Oaks)

Amended Preliminary Budget – Public Infrastructure Improvements

Land for Public Right of Way	\$3,500,000
Building/Site Demo and Environmental Remediation	\$3,400,000
Mass Excavation/Fill	\$2,800,000
Dedicated Public Roadways, Walks, and Curbs	\$1,860,000
Utilities	\$5,100,000
Landscape/Hardscape	\$990,000
Public Park	\$200,000
Estimated Soft Costs	\$1,700,000
Developer Fee	\$850,000
Project Contingency	\$600,000
Total Public Improvements Estimate*	\$21,000,000

*It is anticipated that the total costs listed herein are the uses of the net proceeds of the Bonds. It is understood that the net proceeds of the Bonds may increase or decrease from the estimated amount. The Director of DCED, at her sole discretion, may permit, via written approval, adjustments to the budget line items at the request of Developer should the net proceeds of the Bonds differ from the estimated amount.

Exhibit E-1-1
to First Amendment to Development Agreement
(Three Oaks)

Amended Sources of Funds – Private Improvements

Private Debt - Multi-Family Project & Senior Project	\$88,200,000
Private Debt – Single-Family Project	\$32,700,000
Proceeds of Sales of Lots in Single-Family Project	\$11,850,000
Proceeds of Sales of Units in Car Condo Project	\$10,850,000
Developer Equity	\$42,200,000
Total Sources – Private Improvements	\$185,800,000

Exhibit E-2-1
to First Amendment to Development Agreement
(Three Oaks)

Amended Sources of Funds – Public Infrastructure Improvements

Estimated Proceeds from Senior Bonds	\$15,000,000
Estimated Proceeds from Subordinate Bonds	<u>\$ 6,000,000</u>
	\$21,000,000

Exhibit F-1
to First Amendment to Development Agreement
(Three Oaks)

Amended Construction Schedule

Break Ground on Mass Excavation, Public Utility and Roadway Construction.....	7/1/2021
Closings on sale of initial single-family lots / break ground on home construction.....	12/31/2022
Single family project infrastructure substantially complete.....	12/1/2023
Closing on car condo portion of project / break ground.....	3/1/2025
Closing on multifamily portion of project / break ground.....	8/31/2025
Car Condo project substantially complete.....	12/31/2026
Closing on Senior Living Portion of the project / break ground.....	12/01/2025
Remaining / overall project infrastructure substantially complete.....	12/31/2026
Multifamily project substantially complete.....	8/31/2027
Senior Living project substantially complete.....	6/1/2028
Single Family buildout substantially complete.....	12/31/2027



202402360

Mark Jeffreys
Councilmember

November 1, 2024

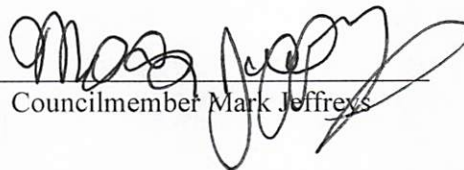
MOTION

Property Tax Relief

WE MOVE, that the \$1,782,421 returned to the City of Cincinnati from the Hamilton County Auditor and the Real Estate Assessment Fund be directed towards relief for individuals with delinquent property taxes.

STATEMENT

Hamilton County Auditor Jessica Miranda recently announced that her office would be returning \$20 million to taxing entities across the county, proportional to that entity's total annual property taxes collected. This means that nearly \$4 million is returned to Cincinnati Public Schools, and \$1,782,421 is returned to the City of Cincinnati. Many Cincinnatians are struggling to their property tax bills after seeing a drastic increase from the most recent sexennial reassessment. Since the reassessment, the amount of delinquent property taxes in the city has more than doubled. The City of Cincinnati launched the HomeSafe Property Tax Program last July with \$1 million to provide relief for struggling homeowners with delinquent taxes. The Property Tax Task Force released its final report this past September, which recommends providing another \$1 million in tax relief funds. The funds being returned to the City, having been generated from a percentage of property taxes collected in the city, should go towards assisting struggling homeowners who need it most.


Councilmember Mark Jeffreys



002402304

Mark Jeffreys
Councilmember

November 13, 2024

MOTION

Protecting the Mental Health & Safety of Transgender and Gender Nonbinary Youth

We move that the administration make funding for the mental health and safety of transgender and gender nonbinary youth one of the priorities within the Human Services Fund for the next FY funding. This should include working with Cincinnati Public Schools, local foundations and non-profit partners to ensure separate efforts are holistically meeting the need. It should also include identifying ways to track and measure the impact of this effort.

STATEMENT

Over the past few years, mental health among our children has become a crisis in the U.S. as well as in our city; multiple efforts are under way to address it in our city. The mental health challenges faced by transgender and gender nonbinary youth in particular is an especially urgent issue. A recent study published in the journal Nature Human Behavior concluded that state laws focused on transgender issues have led to an up to 72% increase in attempted suicide by transgender and gender nonbinary youth in the past year. And that was before the heated political rhetoric of this year's national election, which demonized transgender youth. The result: an acute crisis with the mental health and safety of transgender and gender nonbinary youth that must be addressed.

By making the mental health and safety services for transgender and gender nonbinary youth a priority – whether it's by leveraging existing programs and/or carving out new ones where needed – is to ensure that this crisis is addressed in an urgent fashion so all children in our city can thrive and live to their fullest potential.

Councilmember Mark Jeffreys

Councilmember Victoria Parks

Vice Mayor Jan Michele Lemon-Kearney