

April 19, 2023

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager 

202301181

Subject: Emergency Ordinance – OES: WarmUp Cincy Program Appropriation

Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the City Manager to accept additional franchise fee resources of \$175,000 from Duke Energy, Inc. (“Duke”) to provide resources for the WarmUp Cincy program; **AUTHORIZING** the Director of Finance to deposit the additional Duke franchise fee resources into General Fund revenue account no. 050x8221; and **AUTHORIZING** the transfer and appropriation of \$175,000 from the unappropriated surplus of the General Fund to the Office of Environment and Sustainability non-personnel operating budget account no. 050x104x7400 to provide resources for the WarmUp Cincy program.

Approval of this Emergency Ordinance authorizes the City Manager to accept additional franchise fee resources of \$175,000 from Duke Energy, Inc. (Duke), to provide resources for the WarmUp Cincy program. This Emergency Ordinance also authorizes the Director of Finance to deposit the additional Duke franchise fee resources into General Fund revenue account no. 050x8221. Finally, this Emergency Ordinance authorizes the transfer and appropriation of \$175,000 from the unappropriated surplus of the General Fund to the Office of Environment and Sustainability (OES) non-personnel operating budget account no. 050x104x7400 to provide resources for the WarmUp Cincy program.

OES established the WarmUp Cincy program pursuant to Ordinance No. 0319-2019, using resources from a settlement between Duke and the Public Utilities Commission of Ohio (PUCO) regarding rate-setting proceedings. On December 14, 2022, PUCO approved a tariff increase for Duke and Duke agreed to pay the City an annual franchise fee of \$1,326,743. The City committed to use at least \$350,000 of the Duke franchise fee annually to provide weatherization, energy efficiency improvements, and utility bill assistance to qualifying Duke customers through the City’s WarmUp Cincy program. The first \$175,000 of the Duke franchise fee will be received in FY 2023 and must be appropriated to the OES budget and expended in FY 2023 to satisfy the commitment.

The WarmUp Cincy program 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 and page 209 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to transfer and appropriate resources for the WarmUp Cincy program to avoid a delay in service delivery.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment

