



# City of Cincinnati

801 Plum Street  
Cincinnati, Ohio 45202

## CALENDAR

### Cincinnati City Council

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Wednesday, January 8, 2025

2:00 PM

Council Chambers, Room 300

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#### ROLL CALL

#### PRAYER AND PLEDGE OF ALLEGIANCE

#### FILING OF THE JOURNAL

#### MAYOR AFTAB

#### Cincinnati Zoo & Botanical Gardens Board of Trustees

1. [202402583](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Daniel Rajaiah to the Board of Trustees for the Cincinnati Zoo & Botanical Gardens for a term expiring on Dec 31, 2027. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Male/Indian American).

Recommendation CONFIRM

Sponsors: Mayor

#### Cincinnati Accessibility Board of Advisors

2. [202402584](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Tonia Smith to the Cincinnati Accessibility Board of Advisors for a term expiring December 31st, 2026. This appointment is submitted to City Council for its advise & consent pursuant to its Rules. (Female/AA)

Recommendation CONFIRM

Sponsors: Mayor

3. [202402585](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Sgt. Deon Mack to the Cincinnati Accessibility Board of Advisors as the First Responder representative, for a term expiring December 31st, 2026. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Male/AA).

Recommendation CONFIRM

Sponsors: Mayor

#### MS. PARKS

4. [202500011](#) **ORDINANCE**, submitted by Councilmember Parks from Emily Smart Woerner, City Solicitor, **AUTHORIZING** the transfer of \$2,800 within the General Fund from President Pro Tem Parks' General Fund personnel operating budget account no. 050x027x7100 to President Pro Tem Parks' General Fund

non-personnel operating budget account no. 050x027x7200 to realign the office budget for President Pro Tem Parks.

**Recommendation** BUDGET AND FINANCE COMMITTEE

**Sponsors:** Parks

## MR. WALSH

5. [202402596](#) **MOTION**, submitted by Councilmember Walsh, **WE MOVE** that the Administration provide a report within 30 days, or before the held fee adjustments (item # 202402562) are considered by Council, on the rationale and impacts of the fee adjustments for planning-related services. (STATEMENT ATTACHED)

**Recommendation** BUDGET AND FINANCE COMMITTEE

**Sponsors:** Walsh

## MR. NOLAN

6. [202500014](#) **MOTION**, submitted by Councilmember Nolan, **I MOVE** that the Clerk of Council be registered with the State of Ohio Office of the Attorney General as my public records training designee for the term ending in January 2026. (STATEMENT ATTACHED)

**Recommendation** ADOPT

**Sponsors:** Nolan

## CITY MANAGER

7. [202402517](#) **REPORT**, dated 12/11/2024 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Garden on the Rock Bar & Grill LLC, 1686 Blue Rock Street 1st floor & Patio. (#3027835, TRFO, D5 D6) [Objections: Yes]

**Recommendation** FILE

**Sponsors:** City Manager

8. [202402581](#) **REPORT**, dated 12/18/2024 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Crawfish Creek LTD, DBA Catalinas, 1032 1034 Delta Avenue. (#1893565, TFOL, D5 D6) [Objections: None]

**Recommendation** FILE

**Sponsors:** City Manager

9. [202402582](#) **REPORT**, dated 12/18/2024 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for 835 Main Event LLC, DBA Main Event, 835 Main Street. (#2382568, TRFO, D2 D2X D3 D3A) [Objections: Yes]

**Recommendation** FILE

**Sponsors:** City Manager

10. [202402626](#) **REPORT**, dated 1/8/2025, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for Cold Nights and Warm Spirits.

**Recommendation** FILE**Sponsors:** City Manager

11. [202402627](#) **REPORT**, dated 1/8/2025, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for Bockfest 2025.

**Recommendation** FILE**Sponsors:** City Manager

12. [202402628](#) **REPORT**, dated 1/8/2025, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for Bock Beer 5K.

**Recommendation** FILE**Sponsors:** City Manager

13. [202402629](#) **REPORT**, dated 1/8/2025, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for Reds Opening Day Block Party.

**Recommendation** FILE**Sponsors:** City Manager

14. [202402631](#) **REPORT**, dated 1/8/2025, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for Kids Opening Day Block Party.

**Recommendation** FILE**Sponsors:** City Manager

15. [202402632](#) **REPORT**, dated 1/8/2025, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for Special Olympics Polar Plunge.

**Recommendation** FILE**Sponsors:** City Manager

16. [202402633](#) **REPORT**, dated 1/8/2025 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Reddy Clifton Mart Inc, 2330 Clifton Avenue 1st Flr & Basement. #7224803, TRFO, C1 C2) [Objections: None]

**Recommendation** FILE**Sponsors:** City Manager

17. [202500001](#) **REPORT**, dated 1/8/2025, submitted Sheryl M. M. Long, City Manager, regarding HR Department's response to Motion 202400694.

**Recommendation** PUBLIC SAFETY & GOVERNANCE COMMITTEE**Sponsors:** City Manager

18. [202500002](#) **REPORT**, dated 1/8/2025, submitted Sheryl M. M. Long, City Manager, regarding Liquor Permit Violations and Enforcement. (Ref. Doc. 202402230)

**Recommendation** PUBLIC SAFETY & GOVERNANCE COMMITTEE

**Sponsors:** City Manager

19. [202500005](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 1/8/2025, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$100,000 from the Bloomberg Philanthropies Youth Climate Action Fund to Environment and Sustainability Fund 436 to continue funding the Cincinnati Youth Climate Action Program; and **AUTHORIZING** the Director of Finance to deposit grant revenues into Environment and Sustainability Fund 436 revenue account no. 436x8571.

**Recommendation** BUDGET AND FINANCE COMMITTEE

**Sponsors:** City Manager

20. [202500006](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 1/8/2025, **ESTABLISHING** new capital improvement program project account no. 980x232x252347, "Ped Safety ODOT FY25 Grant PID 119754," to implement pedestrian safety at six locations throughout the City (the "PID 119754 projects"); **AUTHORIZING** the City Manager to apply for, accept, and appropriate a Highway Safety Improvement Program Systemic Safety grant awarded by the Ohio Department of Transportation ("ODOT") of up to \$981,000 to newly established capital improvement program project account no. 980x232x252347, "Ped Safety ODOT FY25 Grant PID 119754"; **AUTHORIZING** the Director of Finance to deposit the grant resources into capital improvement program project account no. 980x232x252347, "Ped Safety ODOT FY25 Grant PID 119754"; **AUTHORIZING** the City Manager to enter into a Local Public Agency agreement with ODOT to complete the PID 119754 projects; and **AUTHORIZING** the City Manager to do all things necessary to cooperate with the Director of ODOT to complete the pedestrian safety PID 119754 projects.

**Recommendation** BUDGET AND FINANCE COMMITTEE

**Sponsors:** City Manager

21. [202500007](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 1/8/2025, **AUTHORIZING** the payment of \$42,918.38 from Department of Transportation and Engineering capital improvement program project account no. 980x233x5000x7666x192367, "Maintenance Fund for Bridges 2017-2021," to Michael Baker International, Inc. for charges related to the inspection of the Western Hills Viaduct, pursuant to the attached then and now certificate from the Director of Finance.

**Recommendation** BUDGET AND FINANCE COMMITTEE

**Sponsors:** City Manager

22. [202500008](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 1/8/2025, **ESTABLISHING**, the classification and salary range schedule for new employment classifications of Arborist 1 and Arborist 2 and **ORDAINING** Sections 843 and 844 of Division 1, Chapter 307, "Classified Compensation Schedules," of the Cincinnati Municipal Code to reflect these new employment classifications.

**Recommendation** PUBLIC SAFETY & GOVERNANCE COMMITTEE

**Sponsors:** City Manager

23. [202500009](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 1/8/2025, **MODIFYING** Chapter 307, "Classified Compensation Schedules," of the Cincinnati Municipal Code by **AMENDING** Section 932 of Division 4 to increase the salary schedule for the classification of Municipal Worker.  
**Recommendation** PUBLIC SAFETY & GOVERNANCE COMMITTEE  
**Sponsors:** City Manager
24. [202500010](#) **REPORT**, dated 1/8/2025, submitted Sheryl M. M. Long, City Manager, regarding the Finance and Budget Monitoring Report for the Period Ending October 31, 2024.  
**Recommendation** BUDGET AND FINANCE COMMITTEE  
**Sponsors:** City Manager
25. [202500013](#) **REPORT**, dated 1/8/2025, submitted Sheryl M. M. Long, City Manager, regarding Appointing Representatives to the Board of Directors of Organizations Receiving City Funding. (Ref. Doc. # 202401578)  
**Recommendation** BUDGET AND FINANCE COMMITTEE  
**Sponsors:** City Manager

## CLERK OF COUNCIL

26. [202500012](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Reginald Harris/Former Councilmember. (ETHICS)  
**Recommendation** FILE  
**Sponsors:** Clerk of Council

## BUDGET AND FINANCE COMMITTEE

### Item held during the 12/18/2024 Council meeting

27. [202402562](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 12/16/2024, **AUTHORIZING** the Department of City Planning and Engagement ("DCPE") to adjust fees charged for certain services for planning-related functions and in administering the Cincinnati Zoning Code to allow the DCPE to recover a higher portion of its true cost of the services provided.  
**Recommendation** PASS  
**Sponsors:** City Manager

## ANNOUNCEMENTS

Adjournment




**AFTAB PUREVAL**  
City of Cincinnati, Office of the Mayor

December 2024

**REAPPOINTMENT**

I hereby reappoint Daniel Rajaiah to the Board of Trustees for the Cincinnati Zoo & Botanical Gardens for a term expiring on Dec 31, 2027. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



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Mayor Aftab Pureval



# AFTAB PUREVAL

City of Cincinnati, Office of the Mayor

Dec 2024

## REAPPOINTMENT

I hereby reappoint Tonia Smith to the Cincinnati Accessibility Board of Advisors for a term expiring December 31<sup>st</sup>, 2026. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



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Mayor Aftab Pureval



202500011

**Date:** January 8, 2025

**To:** Councilmember Victoria Parks  
**From:** Emily Smart Woerner, City Solicitor *EESW*  
**Subject:** **Ordinance - FY 2025 Office Budget Adjustments**

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Transmitted herewith is an ordinance captioned as follows:

**AUTHORIZING** the transfer of \$2,800 within the General Fund from President Pro Tem Parks' General Fund personnel operating budget account no. 050x027x7100 to President Pro Tem Parks' General Fund non-personnel operating budget account no. 050x027x7200 to realign the office budget for President Pro Tem Parks.

EESW/AKS(dmm)  
Attachment  
412992



EMERGENCY

City of Cincinnati

AKS

EESW

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

- 2025

**AUTHORIZING** the transfer of \$2,800 within the General Fund from President Pro Tem Parks' General Fund personnel operating budget account no. 050x027x7100 to President Pro Tem Parks' General Fund non-personnel operating budget account no. 050x027x7200 to realign the office budget for President Pro Tem Parks.

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

Section 1. That 2,800 existing within President Pro Tem Parks' General Fund personnel operating budget account no. 050x027x7100 is transferred to President Pro Tem Parks' General Fund non-personnel operating budget account no. 050x027x7200 to realign the office budget for President Pro Tem Parks.

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 ensure necessary funds for the operation of President Pro Tem Parks' office.

Passed: \_\_\_\_\_, 2025

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

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



202402562

**Seth Walsh**  
Councilmember

12/19/2024

## **MOTION**

*To provide a report on the plan to adjust fees charged for planning-related services*

**WE MOVE** that the Administration provide a report within 30 days, or before the held fee adjustments (item #202402562) are considered by Council, on the rationale and impacts of the fee adjustments for planning-related services.

## **STATEMENT**

Council held item #202402562 to receive more information regarding the potential impacts and outcomes associated with raising fees for planning-related services and ensure that Cincinnati remains competitive both in comparative cost and quality of service.

The report on this proposed fee increase should include a rationale on the fee adjustments for planning-related services, comparisons to costs for similar processes in peer cities including Columbus, Indianapolis, Louisville, Cleveland, Pittsburgh and Kansas City as well as neighboring cities, villages and townships, potential impacts on development in the City and small or emerging developers, what impacts a fee increase would have on service delivery, and any other pertinent information.

Councilmember Seth Walsh



000500014

**Evan Nolan**  
Councilmember

1/7/2025

### **Motion**

*I move that the Clerk of Council be registered with the State of Ohio Office of the Attorney General as my public records training designee for the term ending in January 2026.*

### **Statement**

State House Bill 9 requires all elected officials to attend public records training offered by the Office of the Attorney General and Ohio Auditor or to assign a designee to represent them. Each elected official is required to attend the (3) three-hour training session online or in person each term in which they are elected to serve in office if a designee is not assigned. This does not prohibit the elected official from attending the course in conjunction with the designee.

*Evan T. Nolan*

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Councilmember Evan Nolan

**Date:** December 11, 2024

**To:** Mayor and Members of City Council  
**From:** Sheryl M. M. Long, City Manager  
**Subject:** **Liquor License – TRFO**

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***FINAL RECOMMENDATION REPORT***

**OBJECTIONS:** The Cincinnati Police Department

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

**APPLICATION:** 3027835  
**PERMIT TYPE:** TRFO  
**CLASS:** D5 D6  
**NAME:** GARDEN ON THE ROCK BAR & GRILL LLC  
**DBA:** NONE LISTED  
1686 BLUE ROCK ST 1<sup>ST</sup> FL & PATIO  
CINCINNATI OH 45223

As of today's date, the Buildings and Inspections Department has declined comment on their investigation.

On November 13, 2024, the Northside Community Council was notified and does not object.

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Police Department Approval

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

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: December 31, 2024

**Date:** December 18, 2024

**To:** Mayor and Members of City Council  
**From:** Sheryl M. M. Long, City Manager  
**Subject:** **Liquor License – TFOL**

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***FINAL RECOMMENDATION REPORT***

**OBJECTIONS:** None

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

**APPLICATION:** 1893565  
**PERMIT TYPE:** TFOL  
**CLASS:** D5 D6  
**NAME:** CRAWFISH CREEK LTD  
**DBA:** CATALINAS  
1032 1034 DELTA AVE  
CINCINNATI OH 45208

As of today's date, the Buildings and Inspections Department has declined comment on their investigation.

On November 7, 2024, the Mt Lookout Community Council was notified and does not object.

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Police Department Approval

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

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: December 31, 2024.

**Date:** December 18, 2024

**To:** Mayor and Members of City Council  
**From:** Sheryl M. M. Long, City Manager  
**Subject:** **Liquor License – TRFO**

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***FINAL RECOMMENDATION REPORT***

**OBJECTIONS:** The Cincinnati Police Department & the Downtown Residents Council

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

**APPLICATION:** 2382568  
**PERMIT TYPE:** TRFO  
**CLASS:** D2 D2X D3 D3A  
**NAME:** 835 MAIN EVENT LLC  
**DBA:** MAIN EVENT  
835 MAIN ST  
CINCINNATI OH 45202

As of today's date, the Buildings and Inspections Department has declined comment on their investigation.

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Police Department Approval

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

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: January 10, 2025

Date: 1/8/2025

202402626

To: Mayor and Members of City Council  
From: Sheryl M. M. Long, City Manager  
Subject: **SPECIAL EVENT PERMIT APPLICATION: (Cold Nights and Warm Spirits)**

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In accordance with Cincinnati Municipal Code, Chapter 765; (Ault Park Advisory Council) has submitted a Special Event Permit Application Form to the Chief of Police. The Special Event Permit Application has been reviewed by the following department(s): (Cincinnati Police Department, Fire Department, Health Department, Parks Department, Department of Building and Inspections, Department of Community and Economic Development, Department of Finance, Department of Public Services, and Department of Transportation and Engineering). There are no objections to issuing the Special Events Permit.

The particulars of the requested event are as indicated:

EVENT NAME/TITLE: Cold Nights and Warm Spirits  
EVENT SPONSOR/PRODUCER: Ault Park Advisory Council  
CONTACT PERSON: Kevin Frank  
LOCATION: Ault Park, 5090 Observatory Ave.  
DATE(S) AND TIME(S): February 28th, 2025 6pm to 10pm  
EVENT DESCRIPTION: Whiskey tasting inside Ault Park Pavilion. Live band or DJ. Maybe carry in food prepared off site, and/or maybe a food truck.  
ANTICIPATED ATTENDANCE: 250  
ALCOHOL SALES:  YES.  NO.  
TEMPORARY LIQUOR PERMIT HOLDER IS: (Ault Park Advisory Council)

cc: Colonel Teresa A. Theetge, Police Chief



Date: 1/8/2025

To: Mayor and Members of City Council 202402627  
From: Sheryl M. M. Long, City Manager  
Subject: **SPECIAL EVENT PERMIT APPLICATION: (Bockfest 2025)**

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In accordance with Cincinnati Municipal Code, Chapter 765; (Brewery District CURC) has submitted a Special Event Permit Application Form to the Chief of Police. The Special Event Permit Application has been reviewed by the following department(s): (Cincinnati Police Department, Fire Department, Health Department, Parks Department, Department of Building and Inspections, Department of Community and Economic Development, Department of Finance, Department of Public Services, and Department of Transportation and Engineering). There are no objections to issuing the Special Events Permit.

The particulars of the requested event are as indicated:

EVENT NAME/TITLE: 2025 Bockfest Parade  
EVENT SPONSOR/PRODUCER: Brewery District Community Urban Redevelopment Corporation  
CONTACT PERSON: Aaron Deininger  
LOCATION: Arnolds Bar and O.T.R.  
DATE(S) AND TIME(S): March 7th, 5pm to 8pm  
EVENT DESCRIPTION: 2025 Bockfest Parade - Annual celebrating Bockfest with marchers, floats and pre-parade Beer Garden.  
ANTICIPATED ATTENDANCE: 10,000  
ALCOHOL SALES:  YES.  NO.  
TEMPORARY LIQUOR PERMIT HOLDER IS: (TBD)

cc: Colonel Teresa A. Theetge, Police Chief

Date: 1/8/2025

To: Mayor and Members of City Council 202402628  
From: Sheryl M. M. Long, City Manager  
Subject: **SPECIAL EVENT PERMIT APPLICATION: (Bock Beer 5K)**

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In accordance with Cincinnati Municipal Code, Chapter 765; (Pig Works) has submitted a Special Event Permit Application Form to the Chief of Police. The Special Event Permit Application has been reviewed by the following department(s): (Cincinnati Police Department, Fire Department, Health Department, Parks Department, Department of Building and Inspections, Department of Community and Economic Development, Department of Finance, Department of Public Services, and Department of Transportation and Engineering). There are no objections to issuing the Special Events Permit.

The particulars of the requested event are as indicated:

EVENT NAME/TITLE: Bock Beer 5K  
EVENT SPONSOR/PRODUCER: Pig Works  
CONTACT PERSON: Jeanette Kiely  
LOCATION: The Banks  
DATE(S) AND TIME(S): Saturday March 8, 2024 10 am to 11 am  
EVENT DESCRIPTION: 5K road race for charity  
ANTICIPATED ATTENDANCE: 3,000 Runners  
ALCOHOL SALES:  YES.  NO.  
TEMPORARY LIQUOR PERMIT HOLDER IS: (TBD)

cc: Colonel Teresa A. Theetge, Police Chief

Date: 1/8/2025

To: Mayor and Members of City Council 202402629  
From: Sheryl M. M. Long, City Manager  
Subject: **SPECIAL EVENT PERMIT APPLICATION: (Reds Opening Day Block Party)**

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In accordance with Cincinnati Municipal Code, Chapter 765; (Cincinnati Reds Community Fund) has submitted a Special Event Permit Application Form to the Chief of Police. The Special Event Permit Application has been reviewed by the following department(s): (Cincinnati Police Department, Fire Department, Health Department, Parks Department, Department of Building and Inspections, Department of Community and Economic Development, Department of Finance, Department of Public Services, and Department of Transportation and Engineering). There are no objections to issuing the Special Events Permit.

The particulars of the requested event are as indicated:

EVENT NAME/TITLE: Reds Opening Day Block Party  
EVENT SPONSOR/PRODUCER: Cincinnati Reds Community Fund  
CONTACT PERSON: Matthew Wagner  
LOCATION: On Freedom Way at the Banks  
DATE(S) AND TIME(S): 3/27/2025 11AM to 5PM  
EVENT DESCRIPTION: Street party in celebration of Cincinnati Reds Opening Day, this event will be used as a fundraiser for the Reds Community Fund's P&G Cincinnati Reds Youth Academy.  
ANTICIPATED ATTENDANCE: 10,000  
ALCOHOL SALES:  YES.  NO.  
TEMPORARY LIQUOR PERMIT HOLDER IS: (Cincinnati Reds Community Fund)

cc: Colonel Teresa A. Theetge, Police Chief

Date: 1/8/2025

202402631

To: Mayor and Members of City Council  
From: Sheryl M. M. Long, City Manager  
Subject: **SPECIAL EVENT PERMIT APPLICATION: (Kids Opening Day Block Party)**

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In accordance with Cincinnati Municipal Code, Chapter 765; (The Cincinnati Reds, LLC) has submitted a Special Event Permit Application Form to the Chief of Police. The Special Event Permit Application has been reviewed by the following department(s): (Cincinnati Police Department, Fire Department, Health Department, Parks Department, Department of Building and Inspections, Department of Community and Economic Development, Department of Finance, Department of Public Services, and Department of Transportation and Engineering). There are no objections to issuing the Special Events Permit.

The particulars of the requested event are as indicated:

EVENT NAME/TITLE: Kids Opening Day Block Party  
EVENT SPONSOR/PRODUCER: The Cincinnati Reds, LLC  
CONTACT PERSON: Kaitlin Simcoe  
LOCATION: 100 Joe Nuxhall Way  
DATE(S) AND TIME(S): 3/29/2025 10:30am to 1:30pm  
EVENT DESCRIPTION: We will have the players and coaches of the 2025 Reds team walk a red carpet to wave, sign autographs, and toss soft baseballs to fans..  
ANTICIPATED ATTENDANCE: 1,500  
ALCOHOL SALES:  YES.  NO.  
TEMPORARY LIQUOR PERMIT HOLDER IS: (N/A)

cc: Colonel Teresa A. Theetge, Police Chief

Date: 1/8/2025

To: Mayor and Members of City Council 202402632  
From: Sheryl M. M. Long, City Manager  
Subject: **SPECIAL EVENT PERMIT APPLICATION: (Special Olympics Polar Plunge)**

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In accordance with Cincinnati Municipal Code, Chapter 765; (Hamilton County Special Olympics) has submitted a Special Event Permit Application Form to the Chief of Police. The Special Event Permit Application has been reviewed by the following department(s): (Cincinnati Police Department, Fire Department, Health Department, Parks Department, Department of Building and Inspections, Department of Community and Economic Development, Department of Finance, Department of Public Services, and Department of Transportation and Engineering). There are no objections to issuing the Special Events Permit.

The particulars of the requested event are as indicated:

EVENT NAME/TITLE: Special Olympics Polar Plunge  
EVENT SPONSOR/PRODUCER: Hamilton County Special Olympics  
CONTACT PERSON: Lori Salzarulo  
LOCATION: 161 Joe Nuxhall Way  
DATE(S) AND TIME(S): Saturday 1/25/2025 - 11:00 AM to 1:00 PM  
EVENT DESCRIPTION: Community event to benefit Special Olympics of Hamilton County  
ANTICIPATED ATTENDANCE: 350  
ALCOHOL SALES:  YES.  NO.  
TEMPORARY LIQUOR PERMIT HOLDER IS: (N/A)

cc: Colonel Teresa A. Theetge, Police Chief

**Date:** January 8, 2025

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

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

202402633

**Subject: Liquor License – TRFO**

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***FINAL RECOMMENDATION REPORT***

**OBJECTIONS:** None

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

**APPLICATION:** 7224803  
**PERMIT TYPE:** TRFO  
**CLASS:** C1 C2  
**NAME:** REDDY CLIFTON MART INC  
**DBA:** NONE LISTED  
2330 CLIFTON AVE 1<sup>ST</sup> FL & BSMT  
CINCINNATI OH 45219

As of today's date, the Buildings and Inspections Department has declined comment on their investigation.

On December 2, 2024, the CUF Neighborhood Association was notified and does not object.

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Police Department Approval

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David M. Laing, Assistant City Prosecutor  
Law Department - Recommendation

Objection

No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: January 17, 2025.

January 8, 2025

To: Mayor and Members of City Council  
From: Sheryl M. M. Long, City Manager   
Subject: HR Department's Response to Motion 202400694

202500001

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REFERENCE DOCUMENT # 202400694

On March 19, the Public Safety and Governance Committee referred the following for a report:

MOTION, submitted by Vice Mayor Kearney and Councilmember Johnson, Individuals who already are struggling financially can be further harmed by old, low-level misdemeanor crimes that can prevent them from obtaining employment and/or housing, and sometimes result in the loss of custody of their children. According to the Center for Community Change, two-thirds of people detained in jails report an income of less than \$12,000. We request a report within 90 days on the feasibility and next steps for City Council to take the following actions: 1. Unilaterally, automatically and annually purge and dismiss capiases and warrants that are seven years old for low-lying, non-violent misdemeanor crimes. (BALANCE ON FILE IN THE CLERK'S OFFICE) (BALANCE OF MOTION ON FILE IN THE CLERK'S OFFICE).

The Motion requested information about three potential actions. First, the feasibility and next steps for City Council to “unilaterally, automatically and annually purge and dismiss capiases and warrants that are seven years old for low-lying, non-violent misdemeanor crimes.” Second, the feasibility and next steps for City Council to “repeal city laws that call for mandatory sentencing for crimes for which the state does not require the same punishment.” Finally, the feasibility and next steps for City Council to “overturn the city’s current policy of delaying employment for all candidates until five years after their conviction, and narrow this requirement to specific crimes. This report addresses each of these items in turn.

**I. Purging and dismissing certain capiases and warrants**

Background

The City prosecutes all misdemeanor offenses that occur within the City limits. The City Charter provides that “The solicitor shall act as prosecuting attorney in the municipal court.” Charter, Article IV, Section 5a. When a defendant is charged with a crime and served with a citation or warrant, but then does not appear in court on the court date, the case is in “capias” status. If a case is in capias status, it has been assigned to a judge. Warrant status means that a defendant is charged with a crime but has not yet been issued a citation or served with a warrant. If a case is in warrant status, it has not been assigned to a judge.

When a case is stale, meaning that it has not moved forward for many years, the likelihood of successful prosecution plumets. In addition, if a warrant was not served for a time under certain circumstances, a defendant’s right to a speedy trial might be violated, which can result in dismissal of the charges. Therefore, examining whether certain types of capiases or warrants should be purged is within the public’s interest.



Feasibility of automatically purging and dismissing capiases and warrants

Under the Charter, any action regarding misdemeanor prosecutions must be taken by the City Solicitor or her assistants. The motion identifies capiases or warrants for low-level, non-violent misdemeanors that are seven years or older for purging. The Solicitor’s office has been engaged with the Clerk of Courts on this topic to identify all outstanding capias and warrant cases. The current approach has been to compile the case information; identify which cases implicate Marsy’s Law, a victim’s-rights law; further sort the cases between cases that are in warrant status versus capias status; and make a determination on an appropriate outcome. To date, the Solicitor’s office has identified a list of over 11,000 cases that were in warrant or capias status from the 1970s through 2011. The data can be updated to include cases through 2017. Marsy’s Law requires that victims receive notification and an opportunity to be heard about the outcome of a case. A variety of misdemeanor offenses can implicate Marsy’s Law, including some traffic offenses. Further analysis must be done, but a previous review suggested that approximately 75% of the cases did not implicate Marsy’s Law.

The Motion does not identify exactly which misdemeanor offenses would be considered “low-lying” or “non-violent.” The Solicitor’s Office recommends moving forward on purging capiases and warrants that do not implicate Marsy’s Law – in other words, cases that do not have a person that fits the definition of “victim.”

For cases that do not implicate Marsy’s Law, the Solicitor’s Office can dismiss them via an omnibus court entry if the Municipal Court judges agree to accept a single entry that lists all the key information about the various cases. In the alternative, the cases could be dismissed via individual entries, though this is not the recommended process due to additional time and expense.

Although beyond the scope of this Motion, the Solicitor’s Office will also analyze certain stale cases that do implicate Marsy’s Law. However, any potential dismissal process would need to comply with a victim’s right to be notified, as well as engage in an analysis about any speedy trial implications. This involves a case-by-case analysis.

Next Steps

There are no next steps for City Council on this matter at this time. The Solicitor’s Office will continue to pursue the dismissal of cases that are over seven years old that do not implicate Marsy’s Law, including engaging with the Clerk of Courts and the Municipal Court Judges and Administrators.

**II. Repealing city laws that require mandatory sentencing for crimes**

City Council has authority to amend municipal criminal violations. The following charts identify crimes where the Cincinnati Municipal Code penalty has a mandatory component that the analogous state crime does not. Please note that offenses are not always charged under the CMC as opposed to the ORC. If Council desires to amend any of these provisions, the City Solicitor’s office can draft the appropriate legislation upon request.

**Permitting Drug Abuse, C.M.C. 911-5 and R.C. 2925.13**

	C.M.C. 911-5	R.C. 2925.13
Level of Offense	M1 or M3	M1 or F5
Punishment	M1 – mandatory jail of at least 30 days M3 – mandatory jail of at least 10 days	No mandatory minimum jail time

**Trespass on the Land or Premises of a Medical Facility, CMC 907.5 and R.C. 2911.21, Criminal Trespass (no Ohio medical facility trespass statute)**

	C.M.C. 911-5	R.C. 2911.21
Level of Offense	M1	M4 or M1
Punishment	<p>M1, but <u>three consecutive days shall be served</u> and may be sentenced to a longer term of imprisonment <u>and shall be fined not less than \$150 nor more than \$1000.</u></p> <p>M1, but <u>six consecutive days shall be served</u> and may be sentenced to a longer term of imprisonment and <u>shall be fined not less than \$300 nor more than \$1000</u> if, within five years of the offense, defendant was convicted of one violation of 907-5.</p> <p>M1, but <u>twelve consecutive days shall be served</u> and may be sentenced to a longer term of imprisonment and <u>shall be fined not less than \$600 nor more than \$1000</u> if, within five years of the offense, defendant was convicted of more than one violation of 907-5.</p>	No mandatory minimum jail time; fine of up to \$1000

**Storage of Unlicensed or Inoperable Vehicles in Residence or Commercial Districts, C.M.C. 511-31 and R.C. 4513.64, Willfully leaving abandoned junk motor vehicle**

	C.M.C. 511-31	R.C. 2911.21
Level of Offense	Civil Offense, or MM, M4, or M1	MM
Punishment	<p>MM on the first offense</p> <p><u>Previous Conviction within the past year, M4</u></p> <p><u>Two Previous Convictions within the past two years M1 and fined not less than \$500 and imprisoned not less than 30 days</u></p>	

**Traffic Code Violations – C.M.C. 512-1 provides for enhancements for repeat violations where the state code does not:**

Except as written pleas of guilty are accepted as provided by rules of the Hamilton County Municipal Court, every person convicted of or found guilty of a violation of any of the provisions of the traffic code for which another penalty not provided shall,

For a first offense thereof, be fined not more than \$100;

For a second offense within one year thereafter, not more than \$150 or imprisoned in the Hamilton County Justice Center for not more than 10 days, and

For a third or subsequent offense within one year after the first offense, shall be fined not more than \$200 or imprisoned in the Hamilton County Justice Center for not more than 30 days, or both.

Additionally, when a person is found guilty of a first offense for a violation of Section 506-8 upon a finding that the person operated a motor vehicle faster than 35 miles an hour in a business district or faster than 50 miles an hour in other portions, or faster than 70 miles per hour on an interstate highway, or faster than 35 miles per hour while passing through a school zone during recess or while children are going to or leaving school during the opening or closing hours, the court may, in addition to the penalty herein provided, sentence such offender to the Hamilton County Justice Center for not more than five days.

*Note: current practice is to treat each offense as a minor misdemeanor and not enforce enhancements.*

### **III. City process for hiring candidates with criminal records**

The following report from the Department of Human Resources addresses bullet three of the referenced motion, which reads: "Overturn the City's current policy of delaying employment for all candidates until five years after their conviction and narrow this requirement to specific crimes." The report also clarifies the City's existing policy language, outlines state law requirements, details current departmental efforts to support "ban-the-box" initiatives and offers options for consideration by the City Manager.

#### **CURRENT CITY POLICY**

The City's current policy, HR P&P 2.11, requires that all candidates vying for employment undergo criminal background checks if the positions are classified as sensitive. According to Civil Service Rule 15, sensitive positions are those involving the following:

1. Access to a private home
2. Handling of money and/or negotiable instruments
3. Inspections for granting licenses, approval of work being done, etc.
4. Contact with children.
5. Access to chemicals, drugs and/or medications
6. Exposure to possibility of bribery or extortion
7. Opportunity for pilferage
8. Concerned with community security (e.g., police and fire protection, water supply, computer programs)
9. Access to sensitive information.
10. Possession of weapons, e.g., firearm, chemical irritant, batons, etc.
11. Any other factor which is determined by the Commission to be a job-related concern is sufficient to consider the classification as sensitive.

Civil Service Rule 15 also stipulates that the Civil Service Commission shall maintain a list of sensitive job classifications or positions for which background investigations shall comprise a portion of the selection process. This list is also available on page five of HRP&P Chapter 2.11 (attached).

For the Police and Fire Departments, background checks are integral to the selection process. For other positions, criminal background checks are conducted after the department determines that an applicant is qualified and extends a conditional offer of employment.

For roles not classified as sensitive, only a Hamilton County record check conducted through Police Records is required. The applicant or employee must fill out a Cincinnati Police Department Personal Information Release form, which is then submitted to Police Records. The resulting report (RCIC Response) is sent directly to the requesting department.

HR P&P 2.11 prohibits employment for any misdemeanors or felonies related to sexual crimes, drug offenses, violent crimes, or domestic violence within the past five years, as well as any felony during the same period.

When a conviction exceeds five years, the Human Resources Department evaluates its relevance to the job duties to decide on the candidate's eligibility. If deemed unsuitable due to their criminal history, such as a theft conviction for a job involving home entry, candidates are issued a rejection letter detailing the reasons.

## **CINCINNATI AS A BAN-THE-BOX EMPLOYER**

The "Ban the Box" movement aims to remove the checkbox that asks about criminal history from job application forms. This initiative began in the United States with Hawaii implementing the first such law in 1998. The goal is to prevent initial discrimination against applicants with criminal records, allowing them a fair chance to present their qualifications before their criminal background is disclosed.

The City of Cincinnati adopted a "Ban the Box" policy in April of 2010. This initiative was part of a broader movement aimed at removing the checkbox asking about criminal history from job applications, thus helping to reduce employment barriers for individuals with past convictions.

HR policy and procedure chapter 2 section 11 aligns with "ban-the-box" practices by not including conviction questions on initial job applications and making hiring decisions based on a detailed review of the candidate's background relative to the job's requirements. Further, "Ban-the-box" practices are supported through the policy's approach of delaying criminal history questions until after a preliminary decision of qualification has been made, ensuring initial assessments are based on merit rather than criminal background. This approach is designed to reduce bias in the hiring process and increase employment opportunities for individuals with prior convictions, thereby aiding in their reintegration into society.

## **OHIO STATE LAW REQUIREMENTS**

Under Ohio Administrative Code Rule 3701-13-05, background checks are mandatory for public employment, especially in positions involving vulnerable populations such as in schools, healthcare, and daycare centers and certain crimes, such as severe violent offenses or specific sexual offenses, permanently bar individuals from holding these sensitive classifications positions.<sup>1</sup> Further, under Ohio Administrative Code Rule 3701-13-05, certain drug-related convictions are listed as criteria that can disqualify an individual from being employed in a position that involves providing direct care to an older adult. The specific drug-related offenses that can bar employment include corrupting another with drugs, trafficking or aggravated trafficking in drugs, possession of controlled substances, permitting drug abuse, deception to obtain a dangerous drug, and illegal processing of drug documents, among others.

While the state does not specify a uniform period for barring employment but requires that the relevance of a conviction be evaluated based on the nature of the job and the time elapsed since the conviction. The Ohio Revised Code Section 124.34 outlines the regulations for forfeiture of public employment due to felony convictions. According to this code, individuals convicted of a felony immediately lose their status as a classified employee in public employment from the date of conviction. This applies specifically to felonies that include offenses of violence, felony drug abuse, crimes of moral turpitude, felonies involving dishonesty, theft, fraud, and certain felonies related to obstruction of justice, such as having an unlawful interest in a public contract or retaliation.

Further, if an individual is convicted of a felony involving the same conduct for which they were previously removed, they are barred from receiving any compensation after their removal, unless the felony conviction is later reversed or annulled. Those removed due to felony convictions are entitled to a cash payment for any accrued but unused sick, personal, and vacation leave as authorized by law.<sup>2</sup>

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<sup>1</sup> [Rule 3701-13-05 - Ohio Administrative Code | Ohio Laws](#)

<sup>2</sup> <https://codes.ohio.gov/ohio-revised-code/section-124.34>

Given the stipulations outlined in the Ohio Revised Code Section 124.34, convictions for specified felonies including those related to violence, drug abuse, moral turpitude, dishonesty, theft, fraud, and particular acts of obstruction of justice necessitate the immediate forfeiture of public employment. Consequently, to maintain compliance with state law and ensure integrity within its workforce, the City as an employer incorporates these felony convictions as criteria that bar individuals from employment, aligning local hiring policies with the rigorous standards mandated at the state level to uphold public trust and safety in civil service.

## **PROPOSED REVISION OPTIONS TO HRP&P 2.11**

Given the flexibility in state law regarding the relevance and recency of convictions, it is proposed that the City, with approval from the City Manager, revises HR P&P 2.11 to:

1. Shorten the blanket restriction period from five years to a more tailored timeframe based on the type of conviction, which considers the nature and gravity of the offense and the responsibilities of the position.

However, the Equal Employment Opportunities Commission (EEOC) does recommend that specific time periods during which a conviction, especially for violent crimes, may impact employment eligibility. More severe crimes, especially violent offenses, often carry longer periods during which they are considered relevant to employment decisions.<sup>3</sup>

Consideration of shortened time periods of convictions barring employment (misdemeanor for any drug offense, crime of violence or a crime of domestic violence knowingly causing the victim harm and any felony conviction in the last five years) requires further research in conjunction with the City Solicitor's Office.

2. Narrow the scope of drug-related crimes that result in automatic disqualification from employment to specifically include those offenses outlined by the Ohio Administrative Code Rule 3701-13-05. This adjustment could encompass convictions such as Corrupting Another with Drugs, Trafficking or Aggravated Trafficking in Drugs, Possession of Controlled Substances, Permitting Drug Abuse, Deception to Obtain a Dangerous Drug, and Illegal Processing of Drug Documents.

Such narrowing of drug-related crimes barring employment also requires further analysis and legal opinion by the City Solicitor's Office.

## **SUMMARY**

In conclusion, the Department of Human Resources recognizes that revising HRP&P 2.11 to specify disqualifying drug-related offenses or to adjust the blanket restriction period for felonies and violent crimes would meet the requirements of the Council's motion. However, further analysis is needed in collaboration with the City Solicitor's Office to ensure that these changes adhere to state law, promote fair employment practices while upholding workforce safety considerations. Any decision to amend the existing policy, HR P&P 2.11, remains at the discretion of the City Manager. Additionally, any changes to Civil Service Rule 15 must receive approval from the Cincinnati Civil Service Commission.

cc: Latisha Hazel, Director Human Resources Department  
Emily Smart Woerner, City Solicitor, Law Department

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<sup>3</sup> [Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions under Title VII of the Civil Rights Act | U.S. Equal Employment Opportunity Commission \(eoc.gov\)](https://www.eeoc.gov/enforcement/guidance/consideration-arrest-conviction-records-employment-decisions)

January 8, 2025

To: Mayor and Members of City Council

202500002

From: Sheryl M.M. Long, City Manager 

Subject: Report on Liquor Permit Violations and Enforcement

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REFERENCE DOCUMENT # Motion 202402230

On October 23, 2034, the Council referred the following for a report:

WE MOVE for the administration to provide a report within 60 days on the following: 1. A list of establishments in the Central Business District and/or the 45202 zip code for which liquor licenses have been revoked or denied from January 1, 2023 to the present; 2. Violations of every bar or restaurant with an existing liquor license in the Central Business District and/or the 45202 zip code from January 1, 2023 to the present; and 3. In both reports, include the name and address of the bar or restaurant, as well as the number of violations, violation type, date of the violations, and if available, the race and gender of the establishment's owner. (Balance of motion on file).

**REPORT**

The following reports details (A) pertinent background on the liquor permit process including application and enforcement; information requested by the Motion related to liquor permits in the Central Business District for 2023-2024 including (B) number of permits revoked/denied and (C) liquor violations (type, number, and date).

**A. Ohio Division of Liquor Control: Permit Applications and Enforcement**

The ability to sell beer, wine and intoxicating liquor is regulated in Ohio by the state, specifically the Ohio Department of Commerce. Through the Ohio Division of Liquor Control (ODLC), the Department of Commerce manages the liquor permit process from beginning to end.

{00412967-3}

When a new application is received, ODLC reviews the submission to ensure that the applicant and location of the business meets the statutory requirements related to holding a permit. Different classes of permits are available for different activities, for example: selling beer versus hard liquor, carry-out versus consumption on the premises; or selling on Sundays, etc. ODLC will notify the local jurisdiction of the application and conduct its own inspection of the premises prior to making a final determination to issue. When a determination is made, it can be appealed to ODLC, then the Ohio Liquor Control Commission, then to court.

In contrast, municipalities have a more restricted role in the process. Cities may object to a new permit or to the annual renewal of a permit based on specific statutory grounds. The City is also required to engage in liquor compliance as part of funding from the state. However, local law enforcement cannot directly enforce administrative liquor violations against a permit holder. When a compliance check uncovers a violation of liquor law, local law enforcement must notify the state and request the issuance of a liquor violation notice from the state. The state then issues a notice of violation, holds a hearing and issues a decision to uphold or reject the violation.

Most liquor permits holders—100% of the permits located in the Central Business District—choose to hold their permits in a business entity or trust. Consequently, the owner, being an artificially constructed person under the law, has no demographic information. While ODLC requires each person with more than 5% ownership interest in the business entity to be disclosed, demographic information is not requested or maintained.

## **B. Liquor Permits Denied/Revoked**

The City does not maintain a database with the information requested regarding all revoked or rejected permits. However, a review of ODLC records indicate there are 274 addresses with an associated liquor permit in the 45202 zip code. Of those, there have been seven liquor permits in the 45202 zip code that were revoked or rejected since January 1, 2023:

- All American Burger Bar LLC DBA Americano
- Cincinnati I HOB LLC DBA Bar 4S/East Side 1<sup>st</sup> FL & Patio
- Cincinnati I HOB LLC
- Cincinnati I HOB LLC DBA Bar 3 S/West Side 1<sup>st</sup> FL & Patio
- MTA Convenience Store LLC
- New Management Group LLC
- Studio 615 LLC DBA Studio 615



As referenced above, the owners of all permits are business entities without demographic information.

### **C. Liquor Permit Violations**

To fulfill the City's obligations, the Cincinnati Police Department conducts regular compliance checks at liquor permit premises. Officers verify compliance with liquor laws including basic health code requirements, underage consumption, after hours consumption, and Sunday sales.

Over the last twelve months, the City conducted 156 compliance checks at 92 different locations in the 45202 zip code. Seventeen establishments had at least one violation.

When a violation occurs, the Cincinnati Police Department will typically follow up at the same establishment to ensure the violation is corrected. Of the seventeen establishments with one violation in the 45202 zip code, only six establishments had liquor violations at subsequent compliance checks:

- Bar on Race LLC (2)
- Sporting Club Management LLC DBA Scene (2)
- Jack Potts LLC DBA the Drinkery (2)
- Nattiz LLC DBA Knockback Nats (3)
- El Barril Mexican Sport Bar LLC (5)
- Risconi Bar & Kitchen LLC (8)

The number in parenthesis indicates the number of separate dates with a liquor violation. Attached as Appendix I is additional information on each violation including the type and date of occurrence. Again, the owners of all permits are business entities without demographic information.

cc: Emily Smart Woerner, City Solicitor  
Colonel Theresa Theetge, Police Chief

**APPENDIX I**

<b><u>Violation No.</u></b>	<b><u>Violations</u></b>	<b><u>Date</u></b>	<b><u>Permit No.</u></b>	<b><u>DBA</u></b>	<b><u>Name</u></b>
49388	4301.69(A) - Furnishing Intoxicating Liquor To A Person Under 21 Years Of Age; 4301.69(A) - Sale Of Intoxicating Liquor To A Person Under 21 Years Of Age	06/06/2024	0435353		BAR ON RACE LLC
50658	4301.69(A) - Furnishing Beer To A Person Under 21 Years Of Age; 4301.69(A) - Sale Of Beer To A Person Under 21 Years Of Age	01/11/2024	0435353		BAR ON RACE LLC
49342	4301:1-1-21 - Permit Not Posted; 4301:1-1-46(B) - Sale Or Transfer Of Alcoholic Beverages Between Permit Holders	09/29/2023	8437503	SCENE	SPORTING CLUB MANAGEMENT GROUP LLC
49341	4301.69(A) - Furnishing Beer To A Person Under 21 Years Of Age; 4301.69(A) - Sale Of Beer To A Person Under 21 Years Of Age	08/25/2023	8437503	SCENE	SPORTING CLUB MANAGEMENT GROUP LLC
49370	4301.69(A) - Furnishing Beer To A Person Under 21 Years Of Age; 4301.69(A) - Sale Of Beer To A Person Under 21 Years Of Age	11/30/2023	7038805	THE DRINKERY	JACK POTTS LLC
49339	4301.69(A) - Furnishing Beer To A Person Under 21 Years Of Age; 4301.69(A) - Sale Of Beer To A Person Under 21 Years Of Age	8/25/2023	7038805	THE DRINKERY	JACK POTTS LLC
49507	4301:1-1-17(J) - Insanitary Conditions (Alcoholic Beverages Not Maintained In Potable Condition); 4301:1-1-52(B)(5) - Improper Conduct - Drug Possession	8/4/2023	6315799	KNOCKBAC K NATS	NATTIZ LLC
49506	4301:1-1-52(B)(5) - Improper Conduct - Drug Possession; 4301:1-1-52(B)(5) - Improper Conduct - Drug Sales; 4301:1-1-52(B)(5) - Improper Conduct - Drug Use	8/1/2023	6315799	KNOCKBAC K NATS	NATTIZ LLC

<u>Violation No.</u>	<u>Violations</u>	<u>Date</u>	<u>Permit No.</u>	<u>DBA</u>	<u>Name</u>
49505	4301:1-1-52(B)(5) - Improper Conduct - Drug Possession; 4301:1-1-52(B)(5) - Improper Conduct - Drug Sales; 4301:1-1-52(B)(5) - Improper Conduct - Drug Use	7/25/2023	6315799	KNOCKBAC K NATS	NATTIZ LLC
49512	4301:1-1-17(E) - Insanitary Conditions (Fixtures, Equipment, Tables, Counters, Coolers/Refrigerators, Or Utensils Not Clean Or Sanitary); 4301:1-1-28(E) - Failure To Maintain Coil Cleaning Records; 4301:1-1-17(J) - Insanitary Conditions (Alcoholic Beverages Not Maintained In Potable Condition)	03/21/2024	0470146		EL BARRIL MEXICAN SPORT BAR LLC
49476	4301:1-1-17(E) - Insanitary Conditions (Fixtures, Equipment, Tables, Counters, Coolers/Refrigerators, Or Utensils Not Clean Or Sanitary); 4301:1-1-17(J) - Insanitary Conditions (Alcoholic Beverages Not Maintained In Potable Condition);	07/13/2023	0470146		EL BARRIL MEXICAN SPORT BAR LLC
49475	4301:1-1-53 - Gambling - Acquire, Possess, Control Or Operate A Gambling Device; 4301:1-1-53 - Gambling - Electronic Video Gambling Device; 4301:1-1-53 - Gambling - Game Of Chance For Profit Or Scheme Of Chance; 4301:1-1-53 - Gambling - Operating A Gambling House	07/11/2023	0470146		EL BARRIL MEXICAN SPORT BAR LLC
49474	4301:1-1-53 - Gambling - Acquire, Possess, Control Or Operate A Gambling Device; 4301:1-1-53 - Gambling - Electronic Video Gambling Device; 4301:1-1-53 - Gambling - Game Of Chance For Profit Or Scheme Of Chance; 4301:1-1-53 - Gambling - Operating A Gambli; 4301:1-1-53 - Gambling - Game Of Chance For Profit Or Scheme Of Chance; 4301:1-1-53 - Gambling - Operating A Gambling House	05/19/2023	0470146		EL BARRIL MEXICAN SPORT BAR LLC

<u>Violation No.</u>	<u>Violations</u>	<u>Date</u>	<u>Permit No.</u>	<u>DBA</u>	<u>Name</u>
49473	4301:1-1-53 - Gambling - Acquire, Possess, Control Or Operate A Gambling Device; 4301:1-1-53 - Gambling - Electronic Video Gambling Device; 4301:1-1-53 - Gambling - Game Of Chance For Profit Or Scheme Of Chance; 4301:1-1-53 - Gambling - Operating A Gambling House	04/21/2023	0470146		EL BARRIL MEXICAN SPORT BAR LLC
49472	4301:1-1-53 - Gambling - Acquire, Possess, Control Or Operate A Gambling Device; 4301:1-1-53 - Gambling - Electronic Video Gambling Device; 4301:1-1-53 - Gambling - Game Of Chance For Profit Or Scheme Of Chance; 4301:1-1-53 - Gambling - Operating A Gambling House	03/31/2023	0470146		EL BARRIL MEXICAN SPORT BAR LLC
49586	4301.69(A) - Furnishing Intoxicating Liquor To A Person Under 21 Years Of Age; 4301.69(A) - Sale Of Intoxicating Liquor To A Person Under 21 Years Of Age	6/19/2024	7391066		RISCONI BAR & KITCHEN LLC
49585	4301.69(A) - Sale Of Intoxicating Liquor To A Person Under 21 Years Of Age; 4301.69(A) - Furnishing Intoxicating Liquor To A Person Under 21 Years Of Age	6/6/2024	7391066		RISCONI BAR & KITCHEN LLC
50654	4301.66 - Hindering Or Obstructing Inspection; 4301:1-1-17(I) - Insanitary Conditions (Toilet Facility Not Clean Or Sanitary); 4301:1-1-28(E) - Failure To Maintain Coil Cleaning Records; 4301:1-1-49 - After Hours Consumption Of Beer; 4301:1-1-49 - After Hours Consumption Of Intoxicating Liquor	1/20/2024	7391066		RISCONI BAR & KITCHEN LLC

<u>Violation No.</u>	<u>Violations</u>	<u>Date</u>	<u>Permit No.</u>	<u>DBA</u>	<u>Name</u>
50641	4301.58(C) - Illegal Possession Of Intoxicating Liquor Not Obtained From An Authorized Source; 4301:1-1-49 - After Hours Consumption Of Intoxicating Liquor; 4301:1-1-49 - After Hours Sale Of Intoxicating Liquor; 4301:1-1-49 - Failure To Comply With Provision(S) Of Hours Of Sale Of Alcoholic Beverages	1/13/2024	7391066		RISCONI BAR & KITCHEN LLC
49368	4301.69(A) - Furnishing Beer To A Person Under 21 Years Of Age; 4301.69(A) - Sale Of Beer To A Person Under 21 Years Of Age	11/30/2023	7391066		RISCONI BAR & KITCHEN LLC
49347	4301.69(A) - Furnishing Beer To A Person Under 21 Years Of Age; 4301.69(A) - Sale Of Beer To A Person Under 21 Years Of Age	11/8/2023	7391066		RISCONI BAR & KITCHEN LLC
49344	4301:1-1-49 - After Hours Consumption Of Intoxicating Liquor	10/14/2023	7391066		RISCONI BAR & KITCHEN LLC

January 8, 2025

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

202500005

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

**Subject: Emergency Ordinance – OES: Bloomberg Philanthropies Youth Climate Action Fund (YCAF) Grant**

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Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$100,000 from the Bloomberg Philanthropies Youth Climate Action Fund to Environment and Sustainability Fund 436 to continue funding the Cincinnati Youth Climate Action Program; and **AUTHORIZING** the Director of Finance to deposit grant revenues into Environment and Sustainability Fund 436 revenue account no. 436x8571.

This Emergency Ordinance authorizes the City Manager to apply for, accept, and appropriate a grant of up to \$100,000 from the Bloomberg Philanthropies Youth Climate Action Fund to Environment and Sustainability Fund 436 to continue funding the Cincinnati Youth Climate Action Program (the “Program”).

The Program supports Cincinnati youth, ages fifteen to 24, in designing, producing, and overseeing urgent climate solutions for potential projects.

Pursuant to Ordinance No. 0133-2024, the City previously accepted \$50,000 from the Bloomberg Philanthropies Youth Climate Action Fund to create the Program. An additional grant of up to \$100,000 is now available from the Bloomberg Philanthropies Youth Climate Action Fund to provide continued support to the Program.

This grant does not require matching funds, and there are no new FTEs/full time equivalents associated with this grant. The City has already applied for the grant, but no grant resources will be accepted without approval by the City Council.

Continuing to fund the Program is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” and strategies to “[c]reate a healthy environment and reduce energy consumption” and “[m]ake sustainable access to and use of fresh, healthy food a priority in all neighborhoods,” as well as the “Sustain” goal to “[p]reserve our natural and built environment” and strategy to “[p]rotect our natural resources” as described on pages 181-186 and 190-196 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to accept the grant and meet established program timelines.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment



**EMERGENCY**

**IMD**

**- 2025**

**AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$100,000 from the Bloomberg Philanthropies Youth Climate Action Fund to Environment and Sustainability Fund 436 to continue funding the Cincinnati Youth Climate Action Program; and **AUTHORIZING** the Director of Finance to deposit grant revenues into Environment and Sustainability Fund 436 revenue account no. 436x8571.

WHEREAS, the Cincinnati Youth Climate Action Program (the “Program”) supports Cincinnati youth, ages fifteen to 24, in designing, producing, and overseeing urgent climate solutions for potential projects including education, outreach, research, co-development initiatives, and launching climate mitigation and adaptation initiatives, as well as their involvement in governance of local climate action plans; and

WHEREAS, pursuant to Ordinance No. 133-2024, the City previously accepted \$50,000 from the Bloomberg Philanthropies Youth Climate Action Fund to create the Program; and

WHEREAS, an additional grant of up to \$100,000 is now available from the Bloomberg Philanthropies Youth Climate Action Fund to provide additional funding to the Program; and

WHEREAS, this grant does not require matching funds, and there are no new FTEs/full time equivalents associated with this grant; and

WHEREAS, the City has already applied for the grant, but no grant resources will be accepted without approval by Council; and

WHEREAS, continuing to fund the Program is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” and strategies to “[c]reate a healthy environment and reduce energy consumption” and “[m]ake sustainable access to and use of fresh, healthy food a priority in all neighborhoods,” as well as the “Sustain” goal to “[p]reserve our natural and built environment” and strategy to “[p]rotect our natural resources” as described on pages 181-186 and 190-196 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 apply for, accept, and appropriate a grant of up to \$100,000 from the Bloomberg Philanthropies Youth Climate Action Fund to Environment and Sustainability Fund 436 to continue funding the Cincinnati Youth Climate Action Program.

Section 2. That the Director of Finance is authorized to deposit grant revenues into Environment and Sustainability Fund revenue account no. 436x8571.

Section 3. 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 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 accept the grant and meet established program timelines.

Passed: \_\_\_\_\_, 2025

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

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



January 8, 2025

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

202500006

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

**Subject: Emergency Ordinance – DOTE: Highway Safety Improvement Program (HSIP) Grant for Pedestrian Safety Improvements**

---

Attached is an Emergency Ordinance captioned:

**ESTABLISHING** new capital improvement program project account no. 980x232x252347, “Ped Safety ODOT FY25 Grant PID 119754,” to implement pedestrian safety at six locations throughout the City (the “PID 119754 projects”); **AUTHORIZING** the City Manager to apply for, accept, and appropriate a Highway Safety Improvement Program Systemic Safety grant awarded by the Ohio Department of Transportation (“ODOT”) of up to \$981,000 to newly established capital improvement program project account no. 980x232x252347, “Ped Safety ODOT FY25 Grant PID 119754”; **AUTHORIZING** the Director of Finance to deposit the grant resources into capital improvement program project account no. 980x232x252347, “Ped Safety ODOT FY25 Grant PID 119754”; **AUTHORIZING** the City Manager to enter into a Local Public Agency agreement with ODOT to complete the PID 119754 projects; and **AUTHORIZING** the City Manager to do all things necessary to cooperate with the Director of ODOT to complete the pedestrian safety PID 119754 projects.

Approval of this Emergency Ordinance authorizes the following:

1. the establishment of capital improvement program project account no. 980x232x252347, “Ped Safety ODOT FY25 Grant PID 119754,” to implement pedestrian safety at six locations throughout the City (the “PID 119754 projects”);
2. the City Manager to apply for, accept, and appropriate a Highway Safety Improvement Program (“HSIP”) Systemic Safety grant awarded by the Ohio Department of Transportation (“ODOT”) of up to \$981,000 to the newly established capital improvement program project account;
3. the Director of Finance to deposit the grant resources into the newly established capital improvement program project account;
4. the City Manager to enter into a Local Public Agency agreement with ODOT to complete the pedestrian safety PID 119754 projects; and
5. the City Manager to do all things necessary to cooperate with the Director of ODOT to complete the pedestrian safety PID 119754 projects.

NOTE already submitted six applications for grant resources, and pursuant to ODOT’s request, all applications were submitted under a single Local Public Agency agreement resulting in a total grant award of up to \$981,000. No funds will be accepted without approval by the City Council.

Acceptance of HSIP grant resources requires a ten percent local match, which will be provided from existing capital improvement program project accounts for “Pedestrian Safety Improvements” and “Street Improvements,” as well as Transportation Infrastructure Fund grants. There are no new FTEs/full time equivalents associated with this grant.

Implementing pedestrian safety measures is 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 127-138 of Plan Cincinnati (2012).

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

The Administration recommends passage of this Emergency Ordinance.

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



Attachment

**EMERGENCY**

**KKF**

**- 2025**

**ESTABLISHING** new capital improvement program project account no. 980x232x252347, “Ped Safety ODOT FY25 Grant PID 119754,” to implement pedestrian safety at six locations throughout the City (the “PID 119754 projects”); **AUTHORIZING** the City Manager to apply for, accept, and appropriate a Highway Safety Improvement Program Systemic Safety grant awarded by the Ohio Department of Transportation (“ODOT”) of up to \$981,000 to newly established capital improvement program project account no. 980x232x252347, “Ped Safety ODOT FY25 Grant PID 119754”; **AUTHORIZING** the Director of Finance to deposit the grant resources into capital improvement program project account no. 980x232x252347, “Ped Safety ODOT FY25 Grant PID 119754”; **AUTHORIZING** the City Manager to enter into a Local Public Agency agreement with ODOT to complete the PID 119754 projects; and **AUTHORIZING** the City Manager to do all things necessary to cooperate with the Director of ODOT to complete the PID 119754 projects.

WHEREAS, there are grants available from the Ohio Department of Transportation’s (“ODOT”) Highway Safety Improvement Program (“HSIP”); and

WHEREAS, grant resources could be used by the Department of Transportation and Engineering (“DOTE”) to ensure timely completion of various safety projects throughout the City deemed to have a high priority by DOTE; and

WHEREAS, DOTE already submitted six applications for grant resources, and pursuant to ODOT’s request all applications were submitted under a single Local Public Agency agreement resulting in a total grant award of up to \$981,000, but no funds will be accepted without approval by Council; and

WHEREAS, acceptance of HSIP grant resources requires a ten percent local match, which will be provided from existing capital improvement program project accounts for “Pedestrian Safety Improvements” and “Street Improvements,” as well as Transportation Infrastructure Fund grants; and

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

WHEREAS, implementing pedestrian safety measures is 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 127-138 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the Director of Finance is authorized to establish new capital improvement program project account no. 980x232x252347, “Ped Safety ODOT FY25 Grant PID 119754,” to implement pedestrian safety at six locations throughout the City (the “PID 119754 projects”).

Section 2. That the City Manager is authorized to apply for, accept, and appropriate a Highway Safety Improvement Program (“HSIP”) Systemic Safety grant awarded by the Ohio Department of Transportation (“ODOT”) of up to \$981,000 to newly established capital improvement program project account no. 980x232x252347, “Ped Safety ODOT FY25 Grant PID 119754.”

Section 3. That the Director of Finance is authorized to deposit the grant resources into capital improvement program project account no. 980x232x252347, “Ped Safety ODOT FY25 Grant PID 119754.”

Section 4. That the City Manager is authorized to enter into a Local Public Agency agreement with ODOT to complete the PID 119754 projects.

Section 5. That the City Manager is authorized to do all things necessary to cooperate with the Director of ODOT to complete the PID 119754 projects.

Section 6. 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 5.

Section 7. 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 and meet established project deadlines.

Passed: \_\_\_\_\_, 2025

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

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

January 8, 2025

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

202500007

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

**Subject: Emergency Ordinance – DOTE: Then and Now Payment to Michael Baker International, Inc.**

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Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the payment of \$42,918.38 from Department of Transportation and Engineering capital improvement program project account no. 980x233x5000x7666x192367, “Maintenance Fund for Bridges 2017-2021,” to Michael Baker International, Inc. for charges related to the inspection of the Western Hills Viaduct, pursuant to the attached then and now certificate from the Director of Finance.

This Emergency Ordinance authorizes the payment of \$42,918.38 from Department of Transportation and Engineering capital improvement program project account no. 980x233x5000x7666x192367, “Maintenance Fund for Bridges 2017-2021,” to Michael Baker International, Inc. for charges related to the inspection of the Western Hills Viaduct, pursuant to the attached then and now certificate from the Director of Finance.

The City entered into a Master Services Agreement (Contract #MA 107 45X0044) with Michael Baker International, Inc. (“Contractor”), effective December 12, 2023, to perform architectural and engineering services for the Department of Transportation and Engineering (“DOTE”). On April 22, 2024, DOTE requested work from the Contractor, via professional services work order MAC0001760, for inspection of the Western Hills Viaduct (WHV). The Contractor provided DOTE with all labor, materials and services contained in the work order. At the time of the request, the delivery order (DO) was not created in the Cincinnati Financial System (CFS). Before the creation of a DO and pursuant to the terms of the contract, the Contractor provided DOTE with services related to the inspection of the Western Hills Viaduct at a total cost of \$42,918.38.

Pursuant to Ohio Revised Code (ORC) Section 5705.41(D)(1), the Director of Finance issued a certificate, 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. City Council desires to provide payment to the Contractor for the City’s outstanding obligation of \$42,918.38 for charges related to the inspection of the Western Hills Viaduct.

The reason for the emergency is the immediate need to make payment in a timely manner to Michael Baker International, Inc. for outstanding charges.

The Administration recommends passage of this Emergency Ordinance.

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

Attachments

**EMERGENCY**

CNS

- 2025

**AUTHORIZING** the payment of \$42,918.38 from Department of Transportation and Engineering capital improvement program project account no. 980x233x5000x7666x192367, “Maintenance Fund for Bridges 2017-2021,” to Michael Baker International, Inc. for charges related to the inspection of the Western Hills Viaduct, pursuant to the attached then and now certificate from the Director of Finance.

WHEREAS, the City entered into a Master Services Agreement (Contract #MA 107 45X0044) with Michael Baker International, Inc. (“Contractor”), effective December 12, 2023, to perform architectural and engineering services for the Department of Transportation and Engineering (“DOTE”); and

WHEREAS, on April 22, 2024, DOTE requested work from Contractor, via professional services work order MAC0001760, for inspection of the Western Hills Viaduct; and

WHEREAS, Contractor provided DOTE with all labor, materials, and services contained in the work order, however, at the time of the request, the requisite delivery order inadvertently was not created in the Cincinnati Financial System; and

WHEREAS, before the creation of a delivery order and pursuant to the terms of the contract, Contractor provided DOTE with services related to the inspection of the Western Hills Viaduct at a total cost of \$42,918.38; 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 work order 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 \$42,918.38 for charges related to the inspection of the Western Hills Viaduct; 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 \$42,918.38 from Department of Transportation and Engineering capital improvement program project account no. 980x233x5000x7666x192367, “Maintenance Fund for Bridges 2017-2021,” to Michael Baker International, Inc. for outstanding charges related to the inspection of the Western Hills Viaduct.

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 make payment in a timely manner to Michael Baker International, Inc. for outstanding charges.

Passed: \_\_\_\_\_, 2025

\_\_\_\_\_  
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 entered into a Master Services Agreement (Contract #MA 107 45X0044) with Michael Baker International, Inc. (“Contractor”), effective December 12, 2023, to perform architectural and engineering services for the Department of Transportation and Engineering (“DOTe”); and

WHEREAS, on April 22, 2024, DOTe requested work from Contractor, via professional services work order MAC0001760, for inspection of the Western Hills Viaduct; and

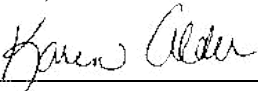
WHEREAS, Contractor provided DOTe with all labor, materials and services contained in the work order, however, at the time of the request, a delivery order was inadvertently not created in the Cincinnati Financial System; and

WHEREAS, before the creation of a delivery order and pursuant to the terms of the contract, Contractor provided DOTe with services related to the inspection of the Western Hills Viaduct at a total cost of \$42,918.38;

NOW, THEREFORE,

1. As of April 22, 2024, and as of the date this certificate was executed, I 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 Contract with Michael Baker International, Inc. 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 Michael Baker International, Inc. under the Contract.

Signed,



\_\_\_\_\_  
Karen Alder, Director of Finance  
City of Cincinnati

Date: 12/31/24



**January 08, 2025**

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

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

202500008

**Subject: Ordinance: Arborist Series**

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Attached is an Ordinance captioned:

**ESTABLISHING**, the classification and salary range schedule for new employment classifications of Arborist 1 and Arborist 2 and **ORDAINING** Sections 843 and 844 of Division 1, Chapter 307, “Classified Compensation Schedules,” of the Cincinnati Municipal Code to reflect these new employment classifications.

The Department of Human Resources has done its due diligence and conducted appropriate internal comparisons to ensure that the new classifications and salary ranges are consistent with the scope of services and the level of responsibility of these new positions, considering such factors throughout the evaluation process including liability, scope of responsibility, judgment and independent action and accountability.

The Administration recommends passage of this Ordinance.

cc: Latisha Hazell, HR Director

**ESTABLISHING** the classification and salary range schedule for new employment classifications of Arborist 1 and Arborist 2 and **ORDAINING** Sections 843 and 844 of Division 1, Chapter 307, “Classified Compensation Schedules,” of the Cincinnati Municipal Code to reflect these new employment classifications.

WHEREAS, the Department of Human Resources, in consultation with the Parks Department, has determined that it is necessary to create new Arborist 1 and Arborist 2 classifications to recruit and retain quality employees; and

WHEREAS, the new employment classifications and compensation plans are necessary to ensure consistency in the knowledge, skills, and abilities required to carry out the duties and tasks prescribed for the positions; and

WHEREAS, creation of the Arborist 1 and Arborist 2 positions and salary ranges provides an opportunity to increase effectiveness while maintaining a standard of excellence and a clear pathway for continued growth and career progression for employees; and

WHEREAS, the Department of Human Resources has done its due diligence and conducted appropriate internal comparisons to ensure that the new classifications and salary ranges are consistent with the scope of services and the level of responsibility of these new positions, considering throughout the evaluation process factors including liability, scope of responsibility, judgment and independent action, accountability, and responsibility; and

WHEREAS, adopting the new salary ranges and classification titles for these positions is based upon a market analysis and internal cost of living adjustment comparisons as approved by Council; now, therefore,

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

Section 1. That new Sections 843 and 844 of Division 1, Chapter 307, “Classified Compensation Schedules,” of the Cincinnati Municipal Code are ordained as follows:

<b>Section</b>	<b>Classification</b>	<b>Minimum Annual Salary</b>	<b>Maximum Annual Salary</b>	<b>Division</b>
843	Arborist 1	\$47,736.00	\$54,820.04	D1
844	Arborist 2	\$54,820.04	\$63,252.80	D1

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

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

Passed: \_\_\_\_\_, 2025

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Aftab Pureval, Mayor

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

January 08, 2025

**To:** Mayor and Members of City Council  
202500009

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

**Subject: Emergency Ordinance: Salary Change for Non-Represented  
Municipal Workers**

---

Attached is an Ordinance captioned:

**MODIFYING** Chapter 307, “Classified Compensation Schedules,” of the Cincinnati Municipal Code by **AMENDING** Section 932 of Division 4 to increase the salary schedule for the classification of Municipal Worker.

The Department of Human Resources has done its due diligence and conducted appropriate internal comparisons to ensure that the modified salary is consistent with the scope of services and the level of responsibilities of the Municipal Worker classification.

The Administration recommends passage of this Emergency Ordinance.

cc: Latisha Hazell, HR Director

**EMERGENCY**

CNS

- 2025

**MODIFYING** Chapter 307, “Classified Compensation Schedules,” of the Cincinnati Municipal Code by **AMENDING** Section 932 of Division 4 to increase the salary schedule for the classification of Municipal Worker.

WHEREAS, Cincinnati Municipal Code (“CMC”) Chapter 307, “Classified Compensation Schedules,” currently provides a salary schedule for the classification of Municipal Worker; and

WHEREAS, all represented Municipal Workers in the American Federation of State, County and Municipal Employees (“AFSCME”) bargaining unit received an across-the-board wage adjustment to \$17.55 per hour, effective August 4, 2024; and

WHEREAS, the AFSCME-represented Municipal Worker classification is limited to Municipal Workers in Salary Division 4M, which is limited to employees of the Department of Public Services and the Cincinnati Recreation Commission; and

WHEREAS, non-represented Municipal Workers in Salary Division 4 are employed by other departments but perform similar work to AFSCME-represented Municipal Workers; and

WHEREAS, Council wishes to modify the current salary schedule for non-represented Municipal Workers within Salary Division 4 of CMC Chapter 307 to align with the wage increase provided to AFSCME-represented Municipal Workers to ensure wage equity for similar work and to retain qualified staff across departments; now, therefore,

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

Section 1. That Section 932 of Division 4 of Chapter 307, “Classified Compensation Schedules,” of the Cincinnati Municipal Code is amended to read as follows:

<b>Classification</b>	<b>Hourly (Annual) Salary</b>
Municipal Worker (932)	<del>\$16.38 (\$34,070.40)</del>
	<u>\$17.55 (\$36,504.00)</u>

Section 2. That the proper City officials are authorized to do all things necessary to carry out the provisions of Section 1, including updating applicable rules and regulations and policies

and procedures in accordance with the modifications to the Cincinnati Municipal Code provided for by this ordinance.

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to adjust the salary schedule of the Municipal Worker classification to ensure competitive recruitment and retention.

Passed: \_\_\_\_\_, 2025

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

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

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

**January 8, 2025**

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

202500010

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

**Subject: Finance and Budget Monitoring Report for the Period Ending October 31, 2024**

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The purpose of this report is to provide the City Council with the status of the City's Fiscal Year (FY) 2025 financial and operating budget conditions as of October 31, 2024, to note any significant variances, identify potential budget issues, and provide recommendations. The report is divided into two sections: revenues and expenditures. Various supplemental reports are attached to reflect forecasted revenue, actual revenue, expenditures, and commitments through October 31, 2024.

The following Citywide issues may impact the General Fund 050, Special Revenue Funds, and Enterprise Funds.

1. General Fund revenues are greater than projected by \$6.3 million through the end of October. However, this report highlights increased potential expenditure needs in the amount of \$12.0 million.
2. Overtime in the Cincinnati Fire Department (CFD) and the Cincinnati Police Department (CPD) is currently outpacing the budget. In CFD, the increased overtime is primarily driven by increased leave and the assignment of sworn positions to administrative tasks. Additionally, CFD operates one engine and two medical units due to increased demand. The temporary engine is expected to retire in November, which should reduce overtime. The graduation of Recruit Class #122 in September 2024 is expected to reduce overtime usage. If trends do not curtail, CFD projects an overtime need of \$7.2 million. In CPD, the increased overtime is primarily due to Police Visibility Overtime (PVO) related to Downtown Event Deployment to curb violence and for large public events such as BLINK, FC Cincinnati soccer games, and Cincinnati Bengals home football games. If overtime trends do not curtail, CPD projects a need of up to \$4.1 million by fiscal year end.
3. The Approved FY 2024 Budget included a 2.0% wage increase for sworn International Association of Fire Fighters (IAFF) employees and sworn Fraternal Order of Police (FOP) employees. Labor agreements were not

approved until September 2024 and included a 5.0% across-the-board increase retroactive to FY 2024 for both labor units. The unused FY 2024 resources for wage adjustments were included as General Fund savings in the Year-End Report [#202402132](#). As a result, FY 2024 Closeout Ordinance No. 0320-2024 appropriated \$6.0 million to the Fire Department for the retroactive payments for IAFF and \$3.6 million to the Police Department for FOP. While the retroactive payments will not occur until November 2024, no budget needs are anticipated given supplemental appropriations were already approved in the Closeout Ordinance.

4. The Approved FY 2025 Budget Update includes a 2.0% wage increase for sworn International Association of Fire Fighters (IAFF) employees and sworn Fraternal Order of Police (FOP) employees. As noted above, labor agreements were not approved until September 2024 and included a 4.0% across-the-board wage increase for both labor units. FY 2024 Closeout Ordinance No. 0320-2024 transferred \$5.8 million to the Reserve for Weather Events, Other Emergency and One-Time Needs General Fund balance sheet reserve account to cover the additional costs related to the newly agreed to bargaining agreements. These resources will be transferred as part of the Final Adjustment Ordinance (FAO) as necessary.
5. The Approved FY 2025 Budget Update assumes a 2.0% wage increase for the Cincinnati Organized and Dedicated Employee (CODE) employees. The collective bargaining agreement with CODE expires in March 2025 and negotiations are expected to begin closer to the contract's expiration. Any agreements that exceed budgeted wage increase amounts, or any agreements that provide additional wage item increases, may result in a budget need. If necessary, supplemental appropriations may be required.

## **REVENUE**

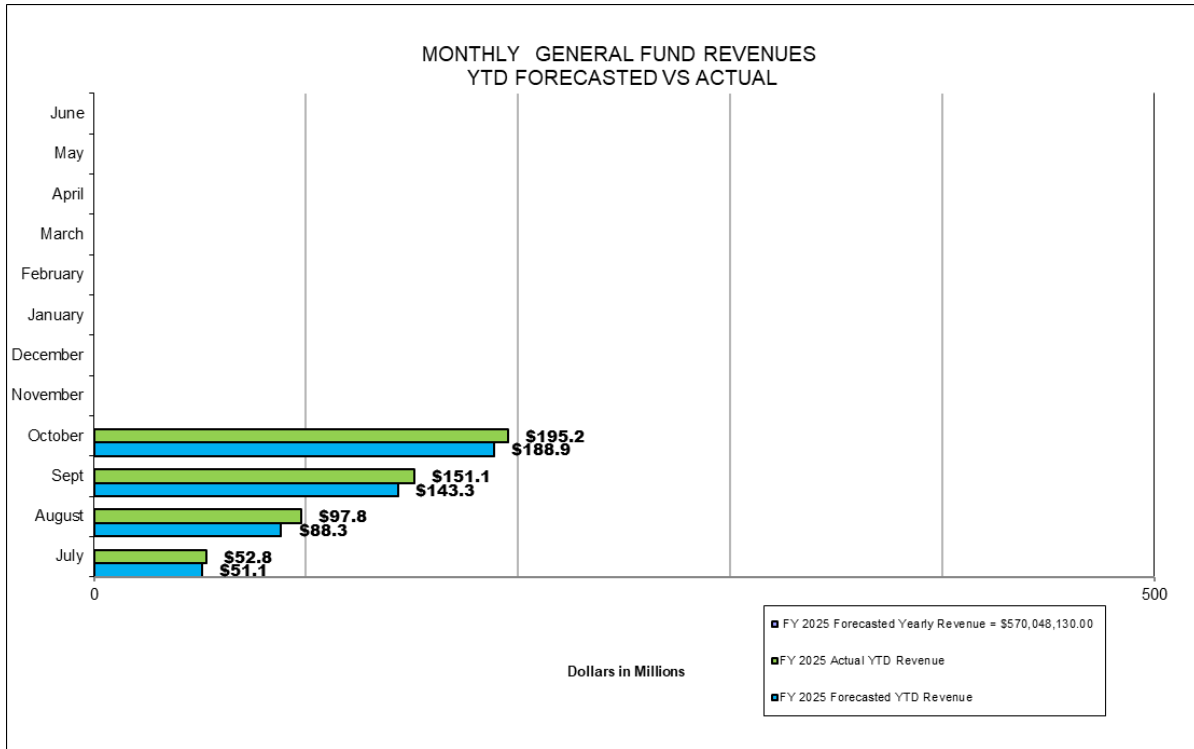
The following report provides an update on the City of Cincinnati's financial condition as of the month ending October 31, 2024. This represents the fourth month's revenue report for the new fiscal year, ending June 30, 2025. Variances are based on current year estimates and prior year activity in attached schedules.

A more detailed explanation of revenues and expenditures is attached for review, including reports comparing the current year's actual revenue versus forecasted revenue and prior year's actual revenue versus current year actual revenue. Both of those reports are presented on a monthly and year-to-date basis.



## I. GENERAL FUND 050

The chart below portrays the performance of actual revenue collected against the forecasted revenue collected through October 31, 2024 and shows that actual revenue of \$195.2 million was above forecasted revenue of \$188.9 million by \$6.3 million.



The major revenue components of the General Fund are listed in the table below. This table highlights the year-to-date variance (favorable and unfavorable) in General Fund revenue collections as compared to forecasted revenue collections. Each major category that differs significantly from forecasted collections will be discussed in further detail.

## GENERAL FUND REVENUE SOURCES

	FAVORABLE VARIANCE	(UNFAVORABLE) VARIANCE	PERCENTAGE VARIANCE
General Property Tax		(\$627,592)	-2.63%
City Income Tax	6,872,120		10.58%
Admissions Tax	535,662		0.53%
Short Term Rental Excise Tax	265,076		19.97%
Licenses & Permits	2,483,409		18.18%
Fines, Forfeitures, & Penalties		(\$452,310)	-24.63%
Investment Income	713,573		18.09%
Local Government	285,972		0.71%
Casino		(\$123,117)	-2.51%
Police	616,892		11.85%
Buildings and Inspections	184,381		9.63%
Fire		(\$1,326,281)	-75.95%
Parking Meter	7		0.04%
Other		(\$3,164,311)	-36.52%
	11,957,090	(\$5,693,611)	
Difference	6,263,479		

**General Fund (favorable variance) is \$6.3 million above** the amount forecasted through October in the FY 2025 Budget. This is the fourth month's revenue report for the new fiscal year. What follows is an explanation of significant variances of individual General Fund revenue components.

**Property Tax (unfavorable variance) is down \$628k** below the forecasted amount. Property value challenges and delinquent taxes are most likely contributing to the variance.

**Income Taxes (favorable variance) is \$6.9 million above** the forecasted amount. An adjustment will be made in November to increase revenue estimates to offset the use of the Mercy claw back.

**Admissions Tax (favorable variance) is up \$535k above** the forecasted amount. Concert revenue is trending higher than expected in this first quarter.

**License & Permits (favorable variance) is \$2.5 million up** from the forecasted amount. General Building permits are strongly exceeding first quarter estimates.

**Investment Income (favorable variance) is up \$714k above** the forecasted amount. Finance is actively managing more cash than originally planned to take advantage of the current market conditions.

**Police (favorable variance) is \$617k above** the forecasted amount. Detail revenues are exceeding estimates so far this year.

**Fire (unfavorable variance) is \$1.3 million below** the forecasted amount. The Cincinnati Fire Department's EMS collector is starting to submit payments as a result of their cyberattack earlier this calendar year. This variance should decrease in the coming months as more receipts get entered.

**Other (unfavorable variance) is down \$3.2 million** from the forecasted amount. A large portion of this variance is due to timing of billing for overhead. This variance should decrease next month when the billing and receipts are applied.

## II. RESTRICTED FUNDS

**A. Parking Systems Facilities (favorable variance) is up \$545k** from the forecasted amount. Special events have created higher demand than estimated. There was also a receipt that was made this year from a prior year billing that increased the variance. Finance is also seeing more activity as businesses are establishing hybrid work schedules.

**B. Convention Center (favorable variance) is \$744k above** the forecasted amount. The facility's final receipts for FY 2024 were received this fiscal year. New revenue is not estimated for FY 2025 as no shows will be taking place. In addition, transient occupancy tax (TOT) revenue is exceeding estimates.

**C. Sawyer Point (favorable variance) is \$114k up** from the forecasted amount. Parking revenue at the park increased from last year's reports, which is leading to the positive variance.

**D. Recreation Special Activities (favorable variance) is \$478k above** the forecasted amount. The variance is a result of timing in recording the receipts. This revenue should level out during the fiscal year and this category should finish closer to the estimate.

## EXPENDITURES

The following provides an update on the City of Cincinnati's operating budget position as of the month ending October 31, 2024. The attached Fund Summary Report provides the current budget, expenditures, and commitments of each appropriated fund. This report is presented on a year-to-date basis.

## **I. GENERAL FUND 050**

As shown on the attached report, total expenditures are 29.3% of budget, and commitments are 35.0% of budget in the General Fund 050 as compared to the estimated period ending October 31, 2024, or 33.0% of the fiscal year. "Non-personnel expenses" are trending higher at 49.1% committed year to date due to encumbering twelve months of expenditures for certain commodities such as gas and electric costs, contractual services, and materials and supplies. This is not unusual for this reporting period.

The majority of departments have indicated their FY 2025 General Fund 050 appropriation will meet their budgetary needs through the end of the fiscal year. However, budget transfers may be necessary to move funds from divisions and programs with savings to others within the respective departments that have budget needs. These transfers will be included in the Final Adjustment Ordinance (FAO), which will be presented to the City Council in May 2025.

### **A. Budget Savings Identified**

As of October 31, 2024, no General Fund 050 departments are projecting savings at the end of FY 2025. Any savings identified will be available to support budget needs in other departments and programs as necessary. Interdepartmental transfers of funds from one department to another will be included in the FAO as appropriate.

### **B. Budget Needs Identified**

Based on current expenditure projections, the following General Fund 050 departments are forecasting a budget need in FY 2025. The departments have been advised to manage their appropriated resources so that supplemental appropriations will not be required. However, the Administration will continue to closely monitor departments in the coming months and work with them to mitigate the need for supplemental appropriations. As appropriate, any remaining budget needs will be addressed within the FAO.

#### **1. Department of City Planning and Engagement (\$100,000)**

The Department of City Planning and Engagement projects a salary and benefits need of up to \$100,000 related to a new administrative staffing plan, which will be monitored closely. A possible non-personnel need related to presenting Connected Communities at the International City/County Management Association (ICMA) conference and onboarding new staff will be monitored.

#### **2. Cincinnati Police Department (\$4.1 million)**

The Cincinnati Police Department (CPD) projects a total personnel need of \$4.1 million primarily due to overtime. This need does not include any needs related to

the newly executed labor contract. This personnel overage is attributed to increased Police Visibility Overtime (PVO) related to Downtown Event Deployment to curb violence and for large public events such as BLINK, and FC Cincinnati and Cincinnati Bengals home games. The graduation of Recruit Class 115 in late August is expected to help curtail the overtime spending. Overtime spending and lump sum payments will be closely monitored as the fiscal year progresses.

### **3. Cincinnati Fire Department (\$7.5 million)**

The Cincinnati Fire Department (CFD) projects a total need of up to \$7.5 million primarily due to overtime. This need does not include any needs related to the newly executed labor contract. The department added a new engine company to Westwood Station 35 in November 2022, as well as two new peak demand medical units at Avondale Station 32 and Winton Place Station 38 in July 2024, resulting in additional staffing requirements and associated overtime. The department plans to run the additional engine and medic units until the number of runs performed daily reverts to the mean. The temporary engine in Westwood is expected to retire in November, which should reduce overtime. The graduation of Recruit Class #122 in September 2024 is expected to reduce overtime usage and the next recruit class is scheduled to start in January 2025. If overtime trends do not curtail, the CFD projects a need of up to \$7.2 million by fiscal year end due to increased overtime. Finally, the department projects a non-personnel need of \$300,000 related to increased collections fees from the department's EMS billing provider. Both the department and the Office of Budget and Evaluation will continue to closely monitor staffing trends and overtime needs.

### **4. Non-Departmental Accounts (\$281,641)**

A prior year encumbrance related to the False Alarm Settlement was mistakenly closed in the Judgments Against the City non-departmental account. These resources will need to be restored in a future budget adjustment ordinance.

## **C. Within Budget, Intradepartmental Budget Transfers May Be Needed**

Numerous General Fund 050 departments have indicated the ability to manage their resources within their appropriation. However, budget adjustments within their departments may be required. These transfers are referred to as Intradepartmental Budget Transfers. Unless noted otherwise, these Intradepartmental Budget Transfers will be included in the FAO, which will be presented to the City Council for approval in May 2025.

### **1. Clerk of Council**

The Clerk of Council's Office projects no budget savings or need at this time.

- 2. Enterprise Technology Solutions**  
The Department of Enterprise Technology Solutions projects no budget savings or need at this time, pending reimbursement processing.
- 3. City Manager's Office**  
The City Manager's Office projects no budget savings or need at this time.
- 4. City Manager's Office: Office of Budget and Evaluation**  
The Office of Budget and Evaluation projects no budget savings or need at this time, pending reimbursement processing.
- 5. City Manager's Office: Office of Environment and Sustainability**  
The Office of Environment and Sustainability projects no budget savings or need at this time.
- 6. City Manager's Office: Emergency Communications Center**  
The Emergency Communications Center projects no budget savings or need at this time.
- 7. City Manager's Office: Office of Procurement**  
The Office of Procurement projects no budget savings or need at this time, pending reimbursement processing.
- 8. City Manager's Office: Office of Performance and Data Analytics**  
The Office of Performance and Data Analytics (OPDA) projects potential personnel savings, which will be monitored. No savings or needs are anticipated in the non-personnel budget.
- 9. City Manager's Office: Internal Audit**  
Internal Audit projects a possible personnel savings, which will be monitored.
- 10. Department of Law**  
The Department of Law projects no net budget savings or need. Transfers within appropriations may be required as part of the Final Adjustment Ordinance (FAO).
- 11. Department of Human Resources**  
The Department of Human Resources projects no budget savings or needs, pending reimbursement processing.
- 12. Department of Finance**  
The Department of Finance projects no budget savings or need, pending reimbursement processing.

- 13. Department of Community and Economic Development**  
The Department of Community and Economic Development (DCED) projects no budget savings or need.
- 14. Citizen Complaint Authority**  
The Citizen Complaint Authority (CCA) projects personnel savings due to position vacancies. The department projects a small non-personnel need due to temporary staffing services as well as travel expenses, which can be offset by personnel savings.
- 15. Cincinnati Recreation Commission**  
The Cincinnati Recreation Commission projects no budget savings or need, pending reimbursement processing for the summer 2024 aquatics season.
- 16. Cincinnati Parks Department**  
The Parks Department projects no budget savings or need at this time, pending reimbursement processing.
- 17. Department of Buildings and Inspections**  
The Department of Buildings and Inspections projects no budget savings or need at this time. Budgeted reimbursements into the General Fund will continue to be prioritized and aligned with various department programs.
- 18. Department of Transportation and Engineering**  
The Department of Transportation and Engineering projects a potential personnel need of up to \$120,000 due to lower than expected capital improvement program project reimbursements. This need may be partially offset with position vacancy savings as well as increased reimbursements from other sources. Additionally, DOTE projects a non-personnel need of \$100,000 due to increased utility expenses for street lighting. This need may be offset by reimbursements from other sources.
- 19. Department of Public Services**  
The Department of Public Services (DPS) projects a possible non-personnel need due to increased stormwater expenses and City Hall maintenance.
- 20. Department of Economic Inclusion**  
The Department of Economic Inclusion projects a potential non-personnel need related to the hiring of a diversity consultant. This potential need will be offset by salary and benefits savings generated through position vacancies.

## **II. ENTERPRISE FUNDS**

Enterprise Funds account for any activity for which a fee is charged to external users for goods or services. If an activity's principal revenue source meets any one of the following criteria, it is required to be reported as an enterprise fund: (1) an activity financed with debt that is secured solely by pledge of the net revenues from fees and charges for the activity; (2) laws or regulations which require that the activity's costs of providing services, including capital costs, be recovered with fees and charges, rather than with taxes or similar revenues; or (3) pricing policies which establish fees and charges designed to recover the activity's costs.

### **A. Water Works Fund 101**

Water Works Fund 101 is 22.4% expended year to date. The Greater Cincinnati Water Works (GCWW) projects personnel savings due to position vacancies and increased reimbursements. The Division of Business Services projects a non-personnel need in contractual services related to the Hydrant Flow Test Project and the Division of Water Distribution projects a non-personnel need in materials and supplies due to increased valve and fire hydrant component replacements. These needs can be offset with personnel savings.

### **B. Parking System Facilities Fund 102**

Parking System Facilities Fund 102 includes the budget for off-street parking enterprises, including garages. Fund 102 is currently 12.4% expended year to date. The Division of Parking Facilities within the Department of Community and Economic Development projects no budget savings or needs at this time.

### **C. Duke Energy Convention Center Fund 103**

Duke Energy Convention Center Fund 103 is 15.2% expended year to date. The Convention Center reports no budget savings or need. A supplemental appropriation of \$200,000 was provided by Ordinance No. 0355-2024, which was passed by the City Council on October 30, 2024.

### **D. General Aviation Fund 104**

General Aviation Fund 104 is 19.2% expended year to date. The Department of Transportation and Engineering projects no significant budget savings or need.

### **E. Municipal Golf Fund 105**

Municipal Golf Fund 105 is 40.9% expended year to date. Water utility expenses are greater than expected due to the dry summer season. Additionally, petroleum and contractual services expenses exceed estimates due to an increased number of golf rounds played. The Cincinnati Recreation Commission projects no budget savings or need at this time, but non-personnel expenses will be monitored.



#### **F. Stormwater Management Fund 107**

Stormwater Management Fund 107 provides resources to various City departments. The major recipient of resources from this fund is the Stormwater Management Utility (SMU). The Department of Public Services, the Parks Department, the Office of Environment and Sustainability, the Cincinnati Recreation Commission, and the Department of Buildings and Inspections also receive appropriations from this fund. The Stormwater Management Fund is 16.1% expended year to date. SMU, the Office of Environment and Sustainability, the Cincinnati Recreation Commission, the Parks Department, and the Department of Public Services all project no budget savings or need at this time. The Department of Buildings and Inspections projects a potential non-personnel need that could be offset by salary and benefits savings within Fund 107. A transfer within appropriations may be necessary in the Final Adjustment Ordinance.

### **III. DEBT SERVICE FUNDS**

Debt Service Funds account for the accumulation of resources for, and the payment of, principal and interest on the City's bonds issued in support of governmental activities.

#### **A. Bond Retirement Fund 151**

Bond Retirement Fund 151 is 0.3% expended year to date. The Finance Department projects no budget savings or need at this time.

### **IV. APPROPRIATED SPECIAL REVENUE FUNDS**

Special Revenue Funds account for the proceeds of specific revenue sources (other than trusts for individuals, private organizations, or other governments, or for major capital projects) that are legally restricted to expenditures for specific purposes.

The Office of Budget and Evaluation, in cooperation with various City departments, reviewed appropriated special revenue funds to ensure the Approved FY 2025 Budget Update remains in balance. Based on expenditures and revenues through October 31, 2024, most special revenue funds are on target with regards to their budget and require no additional appropriations at this time. Any identified issues are highlighted in the narrative summaries provided below. If warranted, budget adjustments will be addressed in the FAO later in the fiscal year.

#### **A. Street Construction, Maintenance & Repair Fund 301**

Street Construction, Maintenance & Repair Fund 301 is 25.7% expended year to date. The Department of Public Services anticipates no savings or needs at this

time. This will be monitored as forthcoming winter weather events may occur. The Department of Transportation and Engineering projects no budget savings or needs.

**B. Income Tax-Infrastructure Fund 302**

Income Tax-Infrastructure Fund 302 provides resources to several City departments. The Department of Transportation and Engineering (DOTe) is the largest recipient of resources from this fund. The Department of Public Services (DPS) also receives Income Tax-Infrastructure Fund resources. Fund 302 is 25.2% expended year to date. DOTe currently projects a net savings of \$120,000 due to position vacancies; however, transfers will be required in the Final Adjustment Ordinance. This net savings will offset needs in other funds. Additionally, DPS projects a non-personnel need of \$200,000 related to unexpected city facility maintenance as well as an \$80,000 need in personnel due to unmet budgeted position vacancy allowance. A supplemental appropriation may be required to address the needs in DPS. The Law Department, the Human Resources Department, the Department of Building and Inspections, and the Department of Economic Inclusion project no budget savings or need.

**C. Parking Meter Fund 303**

Parking Meter Fund 303 includes the budget for on-street parking enterprises, including parking meters. Fund 303 is currently 31.7% expended year to date. The Division of Parking Facilities within the Department of Community and Economic Development projects neither a savings nor a need in the fund.

**D. Municipal Motor Vehicle License Tax Fund 306**

Municipal Motor Vehicle License Tax Fund 306 is 17.6% expended year to date. The Department of Public Services anticipates neither a savings nor a need in this fund. The Department of Transportation and Engineering projects a small personnel need of \$20,000 due to overtime and lump sum payments.

**E. Sawyer Point Fund 318**

Sawyer Point Fund 318 is 17.7% expended year to date. The Parks Department projects a non-personnel need due to increased credit card fees. This need is offset by increased revenue.

**F. Recreation Special Activities Fund 323**

Recreation Special Activities Fund 323 is currently 24.7% expended year to date. The Cincinnati Recreation Commission (CRC) previously reported a \$1,251,000 need in Fund 323 due to prior year energy expenses, and the acquisition of minibuses and fitness equipment. Ordinance No. 0355-2024 was subsequently passed by the City Council on October 30, 2024 to address this need. CRC reports an outstanding need of \$110,000 in non-personnel related to summer

programming, which may be offset with personnel savings. Additional transfers may be required as part of the Final Adjustment Ordinance (FAO).

**G. Cincinnati Riverfront Park Fund 329**

Cincinnati Riverfront Park Fund 329 is the appropriated fund for Smale Park. Fund 329 is currently 6.4% expended year to date. The Parks Department projects no budget savings or need in Fund 329.

**H. Hazard Abatement Fund 347**

Hazard Abatement Fund 347 is 0.5% expended year to date. The Department of Buildings and Inspections projects no budgeted savings or need within Fund 347 at this time.

**I. 9-1-1 Cell Phone Fees Fund 364**

9-1-1 Cell Phone Fees Fund 364 is the appropriated fund that governs the City portion of state collected revenue from mobile device fees. Fund 364 is currently 5.2% expended year to date. The Emergency Communications Center projects no budget savings or needs in Fund 364.

**J. Safe and Clean Fund 377**

Safe and Clean Fund 377 is the appropriated fund that collects revenue associated with billboard leases. These resources are allocated to Keep Cincinnati Beautiful (KCB) expenditures. The fund is currently 0.0% expended year to date. The Department of Public Services anticipates neither a savings nor a need in this fund.

**K. Community Health Center Activities Fund 395**

Community Health Center Activities Fund 395 is 24.3% expended year to date. The Cincinnati Health Department (CHD) projects potential personnel savings resulting from position vacancies. This will offset a projected need in non-personnel for temporary staffing services, nursing uniform allowances, and the unbudgeted repair and replacement of equipment.

**L. Cincinnati Health District Fund 416**

General operational support to the Cincinnati Health Department is provided by Cincinnati Health District Fund 416. This fund is 26.2% expended year to date. The Cincinnati Health Department (CHD) projects potential personnel savings resulting from position vacancies. This will offset a projected need in non-personnel for temporary staffing services, nursing uniform allowances, and unbudgeted repair expenses to clinic sites and other Health Department facilities.

**M. Cincinnati Area Geographic Information System (CAGIS) Fund 449**

Cincinnati Area Geographic Information System Fund 449 is 24.1% expended year to date. The Office of Performance and Data Analytics projects no budget savings or need at this time.

**N. Streetcar Operations Fund 455**

Streetcar Operations Fund 455 is 16.6% expended year to date. The Department of Transportation and Engineering projects no budget savings or need at this time.

**O. County Law Enforcement Applied Regionally (CLEAR) Fund 457**

The CLEAR Fund is 15.1% expended year to date. Enterprise Technology Solutions projects no budget savings or need for FY 2025.

**Summary**

Through October 31, 2024, major budget issues include overtime needs for both the Fire Department and Police Department as well as the pending labor contract for CODE. Departments have identified possible savings and shortfalls, which will continue to be monitored and updated monthly.

Submitted herewith are the following Office of Budget & Evaluation reports:

1. Fund Summary Report for the month ended October 31, 2024.

Submitted herewith are the following Department of Finance reports:

2. Comparative Statement of Revenue (Actual, Forecast and Prior Year) as of October 31, 2024.
3. Audit of the City Treasurer's Report for the month ended September 30, 2024.
4. Statement of Balances in the various funds as of October 31, 2024.

By approval of this report, City Council appropriates the revenues received in the various restricted funds on the attached Statement of Balances and as stated in greater detail on the records maintained by the Department of Finance, Division of Accounts & Audits. Such revenues are to be expended in accordance with the purposes for which the funds were established.

cc: William "Billy" Weber, Assistant City Manager  
Karen Alder, Finance Director  
Andrew M. Dudas, Budget Director

**CITY OF CINCINNATI  
FUND SUMMARY  
FOR FISCAL YEAR 2025  
AS OF 10/31/2024**

FUND	FUND NAME	EXPENDITURE CATEGORY	CURRENT BUDGET	EXPENDED	PERCENT EXPENDED	ENCUMBERED	TOTAL COMMITTED	PERCENT COMMITTED	REMAINING BALANCE
050	General	PERSONNEL SERVICES	314,068,650.00	91,827,761.54	29.2%	.00	91,827,761.54	29.2%	222,240,888.46
		EMPLOYEE BENEFITS	121,175,920.00	43,104,343.03	35.6%	79,093.48	43,183,436.51	35.6%	77,992,483.49
		NON-PERSONNEL EXPENSES	121,957,952.00	28,536,228.05	23.4%	31,397,912.99	59,934,141.04	49.1%	62,023,810.96
		PROPERTIES	20,200.00	.00	0.0%	.00	.00	0.0%	20,200.00
<b>*TOTAL FUND_CD 050</b>			<b>557,222,722.00</b>	<b>163,468,332.62</b>	<b>29.3%</b>	<b>31,477,006.47</b>	<b>194,945,339.09</b>	<b>35.0%</b>	<b>362,277,382.91</b>
101	Water Works	PERSONNEL SERVICES	50,170,110.00	11,476,223.21	22.9%	.00	11,476,223.21	22.9%	38,693,886.79
		EMPLOYEE BENEFITS	20,452,890.00	5,250,438.06	25.7%	.00	5,250,438.06	25.7%	15,202,451.94
		NON-PERSONNEL EXPENSES	56,700,170.00	9,119,574.53	16.1%	19,744,800.40	28,864,374.93	50.9%	27,835,795.07
		DEBT SERVICE	48,846,880.00	13,570,615.48	27.8%	57,500.00	13,628,115.48	27.9%	35,218,764.52
<b>*TOTAL FUND_CD 101</b>			<b>176,170,050.00</b>	<b>39,416,851.28</b>	<b>22.4%</b>	<b>19,802,300.40</b>	<b>59,219,151.68</b>	<b>33.6%</b>	<b>116,950,898.32</b>
102	Parking System Facilities	PERSONNEL SERVICES	378,700.00	130,383.42	34.4%	.00	130,383.42	34.4%	248,316.58
		EMPLOYEE BENEFITS	165,260.00	38,824.19	23.5%	.00	38,824.19	23.5%	126,435.81
		NON-PERSONNEL EXPENSES	5,462,870.00	809,371.01	14.8%	2,510,957.26	3,320,328.27	60.8%	2,142,541.73
		DEBT SERVICE	1,866,760.00	.00	0.0%	.00	.00	0.0%	1,866,760.00
<b>*TOTAL FUND_CD 102</b>			<b>7,873,590.00</b>	<b>978,578.62</b>	<b>12.4%</b>	<b>2,510,957.26</b>	<b>3,489,535.88</b>	<b>44.3%</b>	<b>4,384,054.12</b>
103	Convention-Exposition Center	PERSONNEL SERVICES	90,000.00	.00	0.0%	.00	.00	0.0%	90,000.00
		EMPLOYEE BENEFITS	40,000.00	.00	0.0%	.00	.00	0.0%	40,000.00
		NON-PERSONNEL EXPENSES	4,577,130.00	760,316.25	16.6%	3,096,813.75	3,857,130.00	84.3%	720,000.00
		DEBT SERVICE	292,870.00	.00	0.0%	.00	.00	0.0%	292,870.00
<b>*TOTAL FUND_CD 103</b>			<b>5,000,000.00</b>	<b>760,316.25</b>	<b>15.2%</b>	<b>3,096,813.75</b>	<b>3,857,130.00</b>	<b>77.1%</b>	<b>1,142,870.00</b>
104	General Aviation	PERSONNEL SERVICES	947,430.00	256,615.12	27.1%	.00	256,615.12	27.1%	690,814.88
		EMPLOYEE BENEFITS	404,660.00	108,902.47	26.9%	.00	108,902.47	26.9%	295,757.53
		NON-PERSONNEL EXPENSES	1,189,290.00	131,369.01	11.0%	149,398.51	280,767.52	23.6%	908,522.48
		PROPERTIES	.00	.00		.00	.00		.00
		DEBT SERVICE	45,170.00	.00	0.0%	.00	.00	0.0%	45,170.00
<b>*TOTAL FUND_CD 104</b>			<b>2,586,550.00</b>	<b>496,886.60</b>	<b>19.2%</b>	<b>149,398.51</b>	<b>646,285.11</b>	<b>25.0%</b>	<b>1,940,264.89</b>
105	Municipal Golf	PERSONNEL SERVICES	219,400.00	58,686.72	26.7%	.00	58,686.72	26.7%	160,713.28
		EMPLOYEE BENEFITS	79,280.00	23,014.71	29.0%	.00	23,014.71	29.0%	56,265.29
		NON-PERSONNEL EXPENSES	6,212,280.00	2,832,733.66	45.6%	741,192.95	3,573,926.61	57.5%	2,638,353.39
		DEBT SERVICE	615,510.00	.00	0.0%	.00	.00	0.0%	615,510.00
<b>*TOTAL FUND_CD 105</b>			<b>7,126,470.00</b>	<b>2,914,435.09</b>	<b>40.9%</b>	<b>741,192.95</b>	<b>3,655,628.04</b>	<b>51.3%</b>	<b>3,470,841.96</b>

**CITY OF CINCINNATI  
FUND SUMMARY  
FOR FISCAL YEAR 2025  
AS OF 10/31/2024**

FUND	FUND NAME	EXPENDITURE CATEGORY	CURRENT BUDGET	EXPENDED	PERCENT EXPENDED	ENCUMBERED	TOTAL COMMITTED	PERCENT COMMITTED	REMAINING BALANCE
107	Stormwater Management	PERSONNEL SERVICES	10,180,160.00	1,668,643.87	16.4%	.00	1,668,643.87	16.4%	8,511,516.13
		EMPLOYEE BENEFITS	4,319,570.00	689,000.79	16.0%	.00	689,000.79	16.0%	3,630,569.21
		NON-PERSONNEL EXPENSES	14,915,810.00	2,733,146.70	18.3%	2,202,221.86	4,935,368.56	33.1%	9,980,441.44
		PROPERTIES	5,000.00	.00	0.0%	.00	.00	0.0%	5,000.00
		DEBT SERVICE	2,248,650.00	.00	0.0%	.00	.00	0.0%	2,248,650.00
<b>*TOTAL FUND_CD 107</b>			<b>31,669,190.00</b>	<b>5,090,791.36</b>	<b>16.1%</b>	<b>2,202,221.86</b>	<b>7,293,013.22</b>	<b>23.0%</b>	<b>24,376,176.78</b>
151	Bond Retirement - City	PERSONNEL SERVICES	330,770.00	60,963.46	18.4%	.00	60,963.46	18.4%	269,806.54
		EMPLOYEE BENEFITS	130,300.00	18,835.78	14.5%	.00	18,835.78	14.5%	111,464.22
		NON-PERSONNEL EXPENSES	3,599,260.00	371,163.55	10.3%	301,250.21	672,413.76	18.7%	2,926,846.24
		DEBT SERVICE	135,095,240.00	.00	0.0%	.00	.00	0.0%	135,095,240.00
<b>*TOTAL FUND_CD 151</b>			<b>139,155,570.00</b>	<b>450,962.79</b>	<b>0.3%</b>	<b>301,250.21</b>	<b>752,213.00</b>	<b>0.5%</b>	<b>138,403,357.00</b>
301	Street Construction Maintenance & Repair	PERSONNEL SERVICES	7,110,430.00	1,720,068.87	24.2%	.00	1,720,068.87	24.2%	5,390,361.13
		EMPLOYEE BENEFITS	2,726,310.00	884,415.51	32.4%	.00	884,415.51	32.4%	1,841,894.49
		NON-PERSONNEL EXPENSES	8,011,840.00	1,978,643.05	24.7%	1,752,391.31	3,731,034.36	46.6%	4,280,805.64
<b>*TOTAL FUND_CD 301</b>			<b>17,848,580.00</b>	<b>4,583,127.43</b>	<b>25.7%</b>	<b>1,752,391.31</b>	<b>6,335,518.74</b>	<b>35.5%</b>	<b>11,513,061.26</b>
302	Income Tax-Infrastructure	PERSONNEL SERVICES	13,433,310.00	3,359,130.09	25.0%	.00	3,359,130.09	25.0%	10,074,179.91
		EMPLOYEE BENEFITS	4,923,800.00	1,461,861.34	29.7%	.00	1,461,861.34	29.7%	3,461,938.66
		NON-PERSONNEL EXPENSES	6,257,730.00	1,383,359.29	22.1%	675,282.09	2,058,641.38	32.9%	4,199,088.62
<b>*TOTAL FUND_CD 302</b>			<b>24,614,840.00</b>	<b>6,204,350.72</b>	<b>25.2%</b>	<b>675,282.09</b>	<b>6,879,632.81</b>	<b>27.9%</b>	<b>17,735,207.19</b>
303	Parking Meter	PERSONNEL SERVICES	1,990,040.00	564,640.60	28.4%	.00	564,640.60	28.4%	1,425,399.40
		EMPLOYEE BENEFITS	1,043,970.00	285,375.83	27.3%	.00	285,375.83	27.3%	758,594.17
		NON-PERSONNEL EXPENSES	2,391,090.00	870,755.01	36.4%	726,577.48	1,597,332.49	66.8%	793,757.51
<b>*TOTAL FUND_CD 303</b>			<b>5,425,100.00</b>	<b>1,720,771.44</b>	<b>31.7%</b>	<b>726,577.48</b>	<b>2,447,348.92</b>	<b>45.1%</b>	<b>2,977,751.08</b>
306	Municipal Motor Vehicle License Tax	PERSONNEL SERVICES	1,929,960.00	465,756.76	24.1%	.00	465,756.76	24.1%	1,464,203.24
		EMPLOYEE BENEFITS	833,870.00	242,915.95	29.1%	.00	242,915.95	29.1%	590,954.05
		NON-PERSONNEL EXPENSES	1,747,240.00	85,005.38	4.9%	178,435.21	263,440.59	15.1%	1,483,799.41
<b>*TOTAL FUND_CD 306</b>			<b>4,511,070.00</b>	<b>793,678.09</b>	<b>17.6%</b>	<b>178,435.21</b>	<b>972,113.30</b>	<b>21.5%</b>	<b>3,538,956.70</b>

**CITY OF CINCINNATI  
FUND SUMMARY  
FOR FISCAL YEAR 2025  
AS OF 10/31/2024**

FUND	FUND NAME	EXPENDITURE CATEGORY	CURRENT BUDGET	EXPENDED	PERCENT EXPENDED	ENCUMBERED	TOTAL COMMITTED	PERCENT COMMITTED	REMAINING BALANCE
318	Sawyer Point	PERSONNEL SERVICES	534,920.00	53,132.38	9.9%	.00	53,132.38	9.9%	481,787.62
		EMPLOYEE BENEFITS	132,370.00	14,508.18	11.0%	.00	14,508.18	11.0%	117,861.82
		NON-PERSONNEL EXPENSES	584,490.00	153,755.58	26.3%	238,502.33	392,257.91	67.1%	192,232.09
		<b>*TOTAL FUND_CD 318</b>	<b>1,251,780.00</b>	<b>221,396.14</b>	<b>17.7%</b>	<b>238,502.33</b>	<b>459,898.47</b>	<b>36.7%</b>	<b>791,881.53</b>
323	Recreation Special Activities	PERSONNEL SERVICES	3,414,320.00	1,150,407.33	33.7%	.00	1,150,407.33	33.7%	2,263,912.67
		EMPLOYEE BENEFITS	242,430.00	62,595.64	25.8%	.00	62,595.64	25.8%	179,834.36
		NON-PERSONNEL EXPENSES	4,095,700.00	708,161.43	17.3%	377,104.00	1,085,265.43	26.5%	3,010,434.57
		PROPERTIES	14,000.00	.00	0.0%	.00	.00	0.0%	14,000.00
		<b>*TOTAL FUND_CD 323</b>	<b>7,766,450.00</b>	<b>1,921,164.40</b>	<b>24.7%</b>	<b>377,104.00</b>	<b>2,298,268.40</b>	<b>29.6%</b>	<b>5,468,181.60</b>
329	Cincinnati Riverfront Park	PERSONNEL SERVICES	780,380.00	.00	0.0%	.00	.00	0.0%	780,380.00
		EMPLOYEE BENEFITS	369,280.00	.00	0.0%	.00	.00	0.0%	369,280.00
		NON-PERSONNEL EXPENSES	495,580.00	104,811.83	21.1%	169,400.41	274,212.24	55.3%	221,367.76
		<b>*TOTAL FUND_CD 329</b>	<b>1,645,240.00</b>	<b>104,811.83</b>	<b>6.4%</b>	<b>169,400.41</b>	<b>274,212.24</b>	<b>16.7%</b>	<b>1,371,027.76</b>
347	Hazard Abatement Fund	PERSONNEL SERVICES	465,210.00	.00	0.0%	.00	.00	0.0%	465,210.00
		EMPLOYEE BENEFITS	221,680.00	.00	0.0%	.00	.00	0.0%	221,680.00
		NON-PERSONNEL EXPENSES	10,320.00	3,596.85	34.9%	.00	3,596.85	34.9%	6,723.15
		<b>*TOTAL FUND_CD 347</b>	<b>697,210.00</b>	<b>3,596.85</b>	<b>0.5%</b>	<b>.00</b>	<b>3,596.85</b>	<b>0.5%</b>	<b>693,613.15</b>
364	9-1-1 Cell Phone Fees	PERSONNEL SERVICES	662,780.00	.00	0.0%	.00	.00	0.0%	662,780.00
		EMPLOYEE BENEFITS	283,480.00	.00	0.0%	.00	.00	0.0%	283,480.00
		NON-PERSONNEL EXPENSES	659,160.00	83,358.33	12.6%	.00	83,358.33	12.6%	575,801.67
		<b>*TOTAL FUND_CD 364</b>	<b>1,605,420.00</b>	<b>83,358.33</b>	<b>5.2%</b>	<b>.00</b>	<b>83,358.33</b>	<b>5.2%</b>	<b>1,522,061.67</b>
377	Safe & Clean	NON-PERSONNEL EXPENSES	51,010.00	.00	0.0%	51,010.00	51,010.00	100.0%	.00
		<b>*TOTAL FUND_CD 377</b>	<b>51,010.00</b>	<b>.00</b>	<b>0.0%</b>	<b>51,010.00</b>	<b>51,010.00</b>	<b>100.0%</b>	<b>.00</b>
395	Community Health Center Activities	PERSONNEL SERVICES	14,535,530.00	3,648,734.94	25.1%	.00	3,648,734.94	25.1%	10,886,795.06
		EMPLOYEE BENEFITS	6,041,950.00	1,824,595.53	30.2%	.00	1,824,595.53	30.2%	4,217,354.47
		NON-PERSONNEL EXPENSES	9,164,910.00	1,753,073.32	19.1%	5,452,096.12	7,205,169.44	78.6%	1,959,740.56
		<b>*TOTAL FUND_CD 395</b>	<b>29,742,390.00</b>	<b>7,226,403.79</b>	<b>24.3%</b>	<b>5,452,096.12</b>	<b>12,678,499.91</b>	<b>42.6%</b>	<b>17,063,890.09</b>

**CITY OF CINCINNATI  
FUND SUMMARY  
FOR FISCAL YEAR 2025  
AS OF 10/31/2024**

FUND	FUND NAME	EXPENDITURE CATEGORY	CURRENT BUDGET	EXPENDED	PERCENT EXPENDED	ENCUMBERED	TOTAL COMMITTED	PERCENT COMMITTED	REMAINING BALANCE
416	Cincinnati Health District	PERSONNEL SERVICES	14,767,730.00	3,783,035.92	25.6%	.00	3,783,035.92	25.6%	10,984,694.08
		EMPLOYEE BENEFITS	5,816,790.00	1,659,569.62	28.5%	.00	1,659,569.62	28.5%	4,157,220.38
		NON-PERSONNEL EXPENSES	1,553,190.00	363,911.23	23.4%	562,589.17	926,500.40	59.7%	626,689.60
		PROPERTIES	3,040.00	.00	0.0%	.00	.00	0.0%	3,040.00
		<b>*TOTAL FUND_CD 416</b>	<b>22,140,750.00</b>	<b>5,806,516.77</b>	<b>26.2%</b>	<b>562,589.17</b>	<b>6,369,105.94</b>	<b>28.8%</b>	<b>15,771,644.06</b>
449	Cincinnati Area Geographic Information System (CAGIS)	PERSONNEL SERVICES	2,120,220.00	518,472.57	24.5%	.00	518,472.57	24.5%	1,601,747.43
		EMPLOYEE BENEFITS	768,370.00	236,397.46	30.8%	.00	236,397.46	30.8%	531,972.54
		NON-PERSONNEL EXPENSES	2,272,760.00	488,601.03	21.5%	236,457.21	725,058.24	31.9%	1,547,701.76
		<b>*TOTAL FUND_CD 449</b>	<b>5,161,350.00</b>	<b>1,243,471.06</b>	<b>24.1%</b>	<b>236,457.21</b>	<b>1,479,928.27</b>	<b>28.7%</b>	<b>3,681,421.73</b>
455	Streetcar Operations	PERSONNEL SERVICES	568,640.00	145,406.68	25.6%	.00	145,406.68	25.6%	423,233.32
		EMPLOYEE BENEFITS	212,810.00	46,916.56	22.0%	.00	46,916.56	22.0%	165,893.44
		NON-PERSONNEL EXPENSES	5,430,047.00	841,829.16	15.5%	4,368,356.64	5,210,185.80	96.0%	219,861.20
		<b>*TOTAL FUND_CD 455</b>	<b>6,211,497.00</b>	<b>1,034,152.40</b>	<b>16.6%</b>	<b>4,368,356.64</b>	<b>5,402,509.04</b>	<b>87.0%</b>	<b>808,987.96</b>
457	County Law Enforcement Applied Regionally (CLEAR)	PERSONNEL SERVICES	1,673,310.00	309,666.68	18.5%	.00	309,666.68	18.5%	1,363,643.32
		EMPLOYEE BENEFITS	520,000.00	122,616.89	23.6%	.00	122,616.89	23.6%	397,383.11
		NON-PERSONNEL EXPENSES	4,301,500.00	545,251.66	12.7%	488,946.53	1,034,198.19	24.0%	3,267,301.81
		PROPERTIES	.00	.00		.00	.00		.00
		<b>*TOTAL FUND_CD 457</b>	<b>6,494,810.00</b>	<b>977,535.23</b>	<b>15.1%</b>	<b>488,946.53</b>	<b>1,466,481.76</b>	<b>22.6%</b>	<b>5,028,328.24</b>
<b>TOTAL</b>			<b>1,061,971,639.00</b>	<b>245,501,489.09</b>	<b>23.1%</b>	<b>75,558,289.91</b>	<b>321,059,779.00</b>	<b>30.2%</b>	<b>740,911,860.00</b>



**January 8, 2025**

**To: Mayor and Members of Council**

202500013

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

**Subject: Report on Appointing Representatives to the Board of Directors of Organizations Receiving City Funding**

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**REFERENCE DOCUMENT # 202401578**

At its session on June 12, 2024, Council referred the following for review and report:

MOTION, submitted by Councilmembers Jeffreys, Walsh, Albi, Owens and Harris, WE MOVE that the Administration report back to Council within sixty (60) days, recommendations for requiring organizations that receive funds from the City to allow the City the option of appointing a representative to those organizations' board of directors. The report should consider a funding threshold for the requirement, term length, voting abilities, and the process for appointment.

**INTRODUCTION**

The City routinely provides substantial funding to organizations that it believes serve the public good. The City reviews the organizations requesting public funds and creates requirements for those organizations to achieve specified goals before funding them. Despite this process, it is difficult to ensure the success of the program being funded or the organization's success long term.

This issue was highlighted by the decision of Cincinnati Red Bike's board of directors to cease operations due to funding concerns, despite having received over \$2,000,000 from the City in the past decade. In order to allow Red Bike to continue services, Council passed Ordinance No. 116-2024, appropriating an additional \$197,197.76 to Red Bike. The additional funding was a one-time allocation to allow Red Bike to continue to operate while creating a sustainable long-term plan for the program. As part of this process, the City would like Red Bike to restructure its board to include Red Bike's stakeholders, including the City, as members. Council also would like to explore the City's ability to appoint a member to the boards of directors of

organizations that receive funding from the City to allow greater oversight of such organizations and help protect the City's investment in the organizations.

## ANALYSIS

Due to restrictions in Ohio's ethics laws, the best way for a City appointee to the board of an organization receiving City funding is to have the organization amend its relevant bylaws or articles to have a board member be a City official serving in that person's official City capacity. The City could require this as a condition of City funding, but if the organization refuses, the City's recourse would be to not fund the organization. Each organization may have its own restrictions or process to create or amend its bylaws, and it is possible that they have other restrictions (from other sources of funding) that could conflict with the City's condition. Implementing this policy more broadly could raise other practical concerns outlined below.

### *1. Ethics and Fiduciary Concerns*

An ethics law issue arises if a City employee or City official is appointed to the board of an organization that receives City funds. First, in many situations the City appointee would have an unlawful interest in a public contract in violation of R.C. 2921.42. The Ohio Attorney General has held that a board of county commissioners cannot participate in the management or control of a non-profit with which the county contracts. 1979 Ohio Op. Atty Gen. No. 55. Whether the board of directors is participating in the management or control of the organization is fact specific. Thus, the analysis to determine whether a City employee or official would violate R.C. 2921.42 by serving on the board of an organization that receives funding from the City can be complicated as it requires review of the articles of incorporation, bylaws, and regulations of the organization. This analysis would have to be done for each organization the City funds. Violations of Ohio ethics laws can result in criminal penalties for the public employee or official who is appointed to the board. Additionally, such violations detract from public confidence in City government.

Second, the City appointee would have conflicting duties to the board and the City. R.C. Section 1702.30 requires that the appointee act in the best interest of the organization with the care that an ordinarily prudent person in a like position would use under similar circumstances. Conversely, if the appointee is a City employee or City official, the appointee owes a duty to the City to act in the City's interest. This would place the appointee in the untenable position of choosing between the City and the organization being funded whenever their interests diverge and breaching the appointee's duty to one of the entities. Failure to comply with R.C. Section 1702.30 can result in a civil action for damages against the appointee for action taken with a reckless disregard for the best interests of the organization. An organization can opt out of allowing an action against a director by having a provision in its articles or regulations specifically referring to the provisions of R.C. 1702.30(E) and stating that they do not apply to the organization. Hence a review of each organization's articles

and regulations would be necessary to determine the personal liability risk to the members of the board.

There are two possible solutions that could address these concerns if the organization agreed to allow the City to appoint a member of its board. First, Council could appoint someone who is not a City official or City employee to the organization's board of directors. This means that a third party over whom the City does not have direct authority and who does not owe any duty to the City would be appointed.

As an alternative, the City could use the "official capacity" exception in making the appointment. That exception specifically requires:

- (1) Organizations to enact bylaws that a City appointee to their board represents the interests only of the City; and,
- (2) For the City to formally instruct City appointees to represent the City's interests as part of their appointment.

Having the bylaws of the organization reflect that the role of the City appointee is to represent the City and not the organization removes the conflict of interest concerns because the appointee is not obliged to act in the best interests of the organization, but rather to protect the interests of the City. It is important to note that if the decision is to appoint City employees to the boards of organizations in their official capacity that this could result in significant additional time commitments for the employee, and so close coordination with the City Manager and examination of priorities is recommended.

## *2. Concerns of the Funded Organizations*

Organizations establish bylaws to govern their operation and are required to follow their bylaws, which typically set out the number, term length and limits, voting, and appointment or election requirements for the board, as well as any particular characteristics required of board members. The City cannot legally force an organization to change their bylaws to permit the City to appoint a member of the board of directors. It is possible the City could condition the City's funding on the organization's permitting the City to appoint a board member, but if the organization refused, the City's sole recourse would be to not fund the organization.

Absent a change in an organization's bylaws, anyone appointed by the City would be required to follow the bylaws in all regards. Similarly, if the City appointee is a City official or employee who is acting in their official capacity and in the interest of the City, a bylaw change would be needed to reflect that.

Even if the organization agreed to amend its bylaws, doing so likely raises a number of concerns for the organization:

- 1) An organization is unlikely to undertake amending its bylaws for just one year of funding from the City without a guarantee of funding beyond that one year, yet Council cannot bind a future Council to such an agreement.
- 2) An organization likely will not want a City appointed board member to remain on the Board once it no longer receives funding from the City. To remove the City appointee would require that the organization amend its bylaws again to remove the provisions regarding the City appointee.
- 3) The processes and governance structures of the organization may not lend themselves to having a City appointed board member with different term lengths, voting abilities, or processes for appointment or election than other board members.

Organizations may have to invest significant time, money, and work in negotiating these terms and amending their bylaws, which may have the unintended effect of organizations not applying for funding unless they believe that they will receive a substantial amount of funding to offset the burden of changing their bylaws and processes.

### 3. Funding Thresholds, Term Length, Voting Abilities, and Appointment Process

Decisions regarding appropriate funding thresholds, term length, voting abilities, and appointment process in the event Council implements a requirement of City appointments to boards of funded organizations are generally business decisions rather than legal ones. The Administration recommends that Council consider some additional items when establishing these parameters.

Given the complexities in having organizations amend bylaws, a high funding threshold likely makes the most sense. Looking at the leveraged funding support for this fiscal year, a \$200,000 yearly threshold would capture nine different organizations: Cincy Tech, Cintrifuse, KCB, REDI, African American Chamber, Shelterhouse, Center for Closing the Health Gap, Red Bike, and Cincinnati Works. There will be some increased administrative burden on the City to begin tracking the amounts given to organizations each year to know when an organization has hit the funding threshold and needs to amend its bylaws to permit a City appointee on its board. This will delay the City's disbursement of funds until the organization amends its bylaws and the City makes its appointment.

For term lengths, the simplest approach would be to follow the term lengths and limits of the organization, unless those term lengths are unusually long. However, this would not address concerns of the organization about having a City appointed

board member on the board after City funding of the organization ends. In order to address that concern, the term could be limited to the time period of City funding, or the time period of the specific program that the City is funding. This approach would likely require a change in the organization's bylaws.

In terms of voting abilities, if the City's goal is to help ensure the success of the organization, then having the City appointee be a voting member of the board is essential. Without a vote, the appointee's ability to guide the organization is far more limited. The appointment process could mirror any of the processes currently being utilized to appoint members to other boards and commissions. Council could elect to have approval authority over appointee recommendations made by the Mayor or the City Manager, and in the event that the appointee is not a Councilmember, set reporting timelines to Council for the appointee.

### **RECOMMENDATION**

There are ethical and fiduciary concerns with requiring an organization receiving City funds to allow the City to appoint a member to the organization's board. These concerns can be addressed but would either require the City to appoint a non-City official or employee or require the receiving organization to amend its bylaws to eliminate the ethical concerns. This can be accomplished but will place an additional burden on the organizations receiving funding.

cc: Emily Smart Woerner, City Solicitor  
Ann Schooley, Senior Assistant City Solicitor

December 18, 2024

TO: Members of the Budget and Finance Committee 202402562  
FROM: Sheryl M.M. Long, City Manager  
SUBJECT: Ordinance – Department of City Planning and Engagement Revised Fees

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Attached is an Ordinance captioned:

**AUTHORIZING** the Department of City Planning and Engagement (“DCPE”) to adjust fees charged for certain services for planning-related functions and in administering the Cincinnati Zoning Code to allow the DCPE to recover a higher portion of its true cost of the services provided.

The Department of City Planning and Engagement (DCPE) charges fees for certain planning- and zoning-related services in performing city planning-related functions in administering the Cincinnati Zoning Code and Subdivision Regulations. The current fees have not been adjusted since 2014 and 2015. Some fees require City Planning Commission approval while others require approval by City Council.

DCPE conducted a detailed analysis of its current fees, fees charged by other cities, the cost of staff time for each of their fees, and impact of inflation. This analysis found that the contrast with other cities was a dissimilar comparison, given that each city’s processes and application types are different. The analysis also found that the cost of staff time for each application type outweighed the revenue received from the current fee.

In order to adjust fees to better align with staff time without creating a drastic increase, most proposed fee increases are based on inflation. In most cases, the percentage of increase is between 50% and 67%. The one outlier is the Notwithstanding Ordinance (150%), which was considered appropriate to price at the same cost as a zone change.

Approval of this Ordinance will adjust the fees for Zoning Map or Text Amendments, Map Amendment to Planned Development, Planned Development Major Amendment, and Notwithstanding Ordinance. The City Planning Commission approved fee increases for Minor Subdivisions, Major Subdivisions, Final Development Plan, Mapping Services, and Copies, which will go into effect concurrent with the date the City Council-established fees go into effect.

Although the proposed fees do not fully cover the cost of staff time, the modest increases will allow the department to recoup a higher portion of its costs each year for planning and zoning services.

cc: William “Billy” Weber, Assistant City Manager  
Katherine Keough-Jurs, FAICP, Director, Department of City Planning and Engagement

**AUTHORIZING** the Department of City Planning and Engagement (“DCPE”) to adjust fees charged for certain services for planning-related functions and in administering the Cincinnati Zoning Code to allow the DCPE to recover a higher portion of its true cost of the services provided.

WHEREAS, the Department of City Planning and Engagement (“DCPE”) provides certain services for City of Cincinnati planning-related functions and in administering the Cincinnati Zoning Code; and

WHEREAS, after a review of the DCPE actual costs to provide certain services, the DCPE determined that an increase to various fees is necessary to recover a higher portion of the true costs of the services being provided; and, therefore,

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

Section 1. The Department of City Planning and Engagement is hereby authorized to assess and charge the following fees for the following planning- and zoning-related services effective as of January 1, 2025:

- a) Processing and Administration of Notwithstanding Ordinance Applications Related to the Cincinnati Zoning Code.....\$2,500
- b) Processing and Administration of Text Amendment Applications Related to the Cincinnati Zoning Code.....\$2,500
- c) Processing and Administration of Zone Map Amendment Applications Related to the Cincinnati Zoning Code .....\$2,500
- d) Processing and Administration of Applications for the Establishment of Planned Development Concept Plans.....\$5,000
- e) Processing and Administration of Applications for Major Amendments to Planned Development Concept Plans.....\$5,000

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_, 2024

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Aftab Pureval, Mayor

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