



# City of Cincinnati

801 Plum Street  
Cincinnati, Ohio 45202

## CALENDAR

### Cincinnati City Council

Wednesday, February 8, 2023

2:00 PM

Council Chambers, Room 300

#### ROLL CALL

#### PRAYER AND PLEDGE OF ALLEGIANCE

#### FILING OF THE JOURNAL

#### MAYOR AFTAB

#### Internal Audit Committee

1. [202300520](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Norman C. Bouwie to the Internal Audit Committee for a term of two years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Male/African American)

**Recommendation** HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL

**Sponsors:** Mayor

2. [202300521](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Tricia A. Williams to the Internal Audit Committee for a term of two years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Female/White)

**Recommendation** HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL

**Sponsors:** Mayor

#### Lunken Airport Oversight & Advisory Board

3. [202300522](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Jeff McClean to the Lunken Airport Oversight & Advisory Board in the role of Corporate Airport User for a term of three years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Male/White)

**Recommendation** HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL

**Sponsors:** Mayor

#### Port of Greater Cincinnati Development Authority

4. [202300592](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Damon Jones to the Port of Greater Cincinnati Development Authority for a term of four years beginning March 13, 2023. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Male/African American)

**Recommendation** HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL

Sponsors: Mayor

**MAYOR AFTAB**

**MS. KEARNEY**

**MS. KEATING**

**MR. JOHNSON**

**MS. OWENS**

5. [202300605](#) **RESOLUTION**, submitted by Mayor Aftab Pureval, Vice Mayor Kearney, and Councilmembers Keating, Johnson and Owens, from Emily Smart Woerner, City Solicitor, **EXPRESSING** the belief of the Mayor and City Council that they must take action to address the public health crisis caused by gun violence in Cincinnati through the common-sense regulation of deadly weapons; and further **EXPRESSING** the Mayor and City Council's commitment to protecting children and victims of domestic violence from gun violence.

Recommendation PASS

Sponsors: Mayor, Kearney, Keating, Johnson and Owens

**MR. JOHNSON**

6. [202300528](#) **RESOLUTION**, submitted by Councilmember Johnson, from Emily Smart Woerner, City Solicitor, **RECOGNIZING** the late Bishop Paul Alexander Bowers as a 2023 Black History Month honoree, and **EXPRESSING** the appreciation of the Mayor and the Council of the City of Cincinnati for his life and legacy of tireless service and invaluable impact in the City of Cincinnati.

Recommendation PASS

Sponsors: Johnson

7. [202300450](#) **RESOLUTION**, submitted by Councilmember Johnson, from Emily Smart Woerner, City Solicitor, **RECOGNIZING** Dudley Layfield III as a 2023 Black History Month honoree, and **EXPRESSING** the appreciation of the Mayor and the Council of the City of Cincinnati for his decades of service and selfless contributions to the citizens of Cincinnati.

Recommendation PASS

Sponsors: Johnson

**MR. JEFFREYS**

8. [202300534](#) **RESOLUTION**, submitted by Councilmember Jeffreys, from Emily Smart Woerner, City Solicitor, **RECOGNIZING** Reverend Daniel A. Buford as a 2023 City of Cincinnati Black History Month honoree and **EXPRESSING** the appreciation of the Mayor and Council of the City of Cincinnati for his commitment to human rights, religious freedom, social justice, as well as history and arts in Cincinnati and communities around the world.

Recommendation PASS

**Sponsors:** Jeffreys

## MR. HARRIS

9. [202300546](#) **RESOLUTION**, submitted by Councilmember Harris, from Emily Woerner Smart, City Solicitor, **RECOGNIZING** February 7, 2023 as National Black HIV/AIDS Awareness Day.

**Recommendation** PASS

**Sponsors:** Harris

## MS. OWENS

10. [202300540](#) **RESOLUTION**, submitted by Councilmember Owens, from Emily Smart Woerner, City Solicitor, **RECOGNIZING** Cynthia Booth as a 2023 City of Cincinnati Black History Month honoree and **EXPRESSING** the appreciation of the Mayor and the Council of the City of Cincinnati for her entrepreneurial success and leadership of COBCO Enterprises and Emerge Manufacturing and her dedication to supporting her customers, employees, and community.

**Recommendation** PASS

**Sponsors:** Owens

## MS. KEARNEY

11. [202300574](#) **RESOLUTION**, submitted by Vice Mayor Kearney, from Emily Smart Woerner, City Solicitor, **RECOGNIZING** and honoring Dr. Jenny Laster for her many years of service to our community and her legacy of nurturing and supporting emerging African American leaders and other community leaders in the City of Cincinnati and our region.

**Recommendation** PASS

**Sponsors:** Kearney

12. [202300567](#) **MOTION**, submitted by Vice Mayor Kearney, **WE MOVE** that the Administration prepare a REPORT on the following suggestions made concerning the proposed new three-tiered tax abatement program during public comment at the January 31, 2023 Equitable Housing Committee: 1. Create and fund a new position in the City's Department of Community and Economic Development (DCED) to assist with educating the public on the tax abatement program. (BALANCE ON FILE IN THE CLERK'S OFFICE)

**Recommendation** EQUITABLE GROWTH & HOUSING COMMITTEE

**Sponsors:** Kearney

## MS. KEARNEY

## MS. PARKS

## MR. WALSH

13. [202300324](#) **MOTION**, submitted by Vice Mayor Kearney and Councilmembers Parks and Walsh, **WE MOVE** that the City Administration create a bonding program for MBE and WBE contractors who have proven themselves with the City through

previous project completions in order to overcome one of the major barriers to equitable opportunities. The City Administration should consider self-bonding, working with bonding agencies and/or co-signing for first-time bonds when the MBE and WBE company meets the City's pre-determined qualifications such as *successfully* completing projects for the City totaling at least \$1 million and limiting the upper end of our bonding threshold. Successful completion of projections should be clearly defined as approval by the City Manager's Office. **WE FURTHER MOVE** that City Council receive a report at quarterly on MBEs and WBEs that have participated in the City's bonding program, and the status of the projects, in order to assess the efficacy of the City's bonding program. (STATEMENT ATTACHED)

**Recommendation** HEALTHY NEIGHBORHOODS COMMITTEE

**Sponsors:** Kearney, Parks and Walsh

## MS. KEARNEY

## MS. PARKS

14. [202300325](#) **MOTION**, submitted by Vice Mayor Kearney and Councilmember Parks, **WE MOVE** that City administration work with 3CDC, the Master Developer for the City of Cincinnati's Convention Center District Development Project, to increase opportunities for minority and women contractors, including establishing a minority/women contractor mentorship program to augment agreed upon diversity and inclusion goals for the Convention Center District Development Project and create pathways to growth for minority and women contractors. (BALANCE ON FILE IN THE CLERK'S OFFICE) (STATEMENT ATTACHED).

**Recommendation** HEALTHY NEIGHBORHOODS COMMITTEE

**Sponsors:** Kearney and Parks

## CITY MANAGER

15. [202300488](#) **REPORT**, dated 2/8/2023 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 6550 Parkland Sports Pub LLC, DBA Parkland Sports Pub, 6550 Parkland Avenue. (#8199014, D1 D2 D3 D3A D6, Transfer) [Objections: None]

**Recommendation** FILE

**Sponsors:** City Manager

16. [202300489](#) **REPORT**, dated 2/8/2023 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 Ethio Eritrean Flirt Bar LLC, DBA Flirt Bar, 5070 Crookshank Road. (#2555750, D3 D3A, New) [Objections: None]

**Recommendation** FILE

**Sponsors:** City Manager

17. [202300492](#) **REPORT**, dated 2/8/2023 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 BT Naturals LLC, DBA Street Corner Urban Market, 51 E

4th Street. (#8978465, C1 C2, Transfer) [Objections: None]

**Recommendation** FILE

**Sponsors:** City Manager

18. [202300493](#) **REPORT**, dated 2/8/2023 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 Viet Cincy Group DCO LLC, 150 W Fourth Street. (#6297200, D1 D2 D3 SD6, Transfer) [Objections: None]

**Recommendation** FILE

**Sponsors:** City Manager

19. [202300519](#) **REPORT**, dated 2/8/2023, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for NCECA Exhibition and Reception - Art Academy of Cincinnati.

**Recommendation** FILE

**Sponsors:** City Manager

20. [202300548](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 2/8/2023, **AUTHORIZING** the City Manager to apply for a Rebuilding American Infrastructure with Sustainability and Equity grant awarded by the United States Department of Transportation in the amount of up to \$5,000,000 for the purpose of conducting a study and creating a preliminary design for a Complete Streets project, which includes improving the safety of City streets and enhancing pedestrian connections and safety.

**Recommendation** BUDGET AND FINANCE COMMITTEE

**Sponsors:** City Manager

21. [202300549](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 2/8/2023, **AUTHORIZING** the City Manager to accept an in-kind donation of goods and professional services from Playground Equipment Services valued at up to \$220,000, for the installation of a turf infield at the LeBlond Recreation Center.

**Recommendation** BUDGET AND FINANCE COMMITTEE

**Sponsors:** City Manager

22. [202300550](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 2/8/2023, **AUTHORIZING** the City Manager to accept an in-kind donation from the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives, of a 2001 Ford F-250 pickup truck valued at \$10,800 for use by the Cincinnati Police Department, Crime Gun Intelligence Center, to perform vehicle stabilization techniques.

**Recommendation** BUDGET AND FINANCE COMMITTEE

**Sponsors:** City Manager

23. [202300551](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 2/8/2023, **AUTHORIZING** the City Manager to accept and appropriate a grant in the amount of up to \$350,000 from the Ohio Department of Health to support a

project to evaluate the utility of SARS-CoV-2 wastewater monitoring on the subwatershed level, rather than the regional level; and AUTHORIZING the Finance Director to deposit the grant funds into Public Health Research Fund revenue account no. 350x8536.

**Recommendation** BUDGET AND FINANCE COMMITTEE

**Sponsors:** City Manager

24. [202300553](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 2/8/2023, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$26,030 from the Cincinnati Police Department Community Preventive Education Grant Program for the purpose of providing resources for the Cincinnati Recreation Commission's Safety While Integrating Skills and Hoops program; and AUTHORIZING the Finance Director to deposit the grant funds into Contributions for Recreation Purposes Fund 319 revenue account no. 319x8571.

**Recommendation** BUDGET AND FINANCE COMMITTEE

**Sponsors:** City Manager

25. [202300554](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 2/8/2023, **AUTHORIZING** the establishment of new capital improvement program project account nos. 980x232x232394, "Wasson Way Ph 7 FY21-22 ODNR Grant," 980x232x232395, "Wasson Way Ph 3-7 FY21-22 ODNR Grant," and 980x232x232397, "Wasson Way FY23-24 ODNR Grant"; AUTHORIZING the City Manager to accept and appropriate State of Ohio Capital Budget resources in the amount of up to \$50,000 as authorized by Senate Bill 310 for Fiscal Years 2021-2022 to newly established capital improvement program project account no. 980x232x232394, "Wasson Way Ph 7 FY21-22 ODNR Grant," for the purpose of providing resources for Phase 7 of the Wasson Way project; AUTHORIZING the City Manager to accept and appropriate grant resources in the amount of up to \$250,000 from the State of Ohio Capital Budget as authorized by Senate Bill 310 for Fiscal Years 2021-2022 to newly established capital improvement program project account no. 980x232x232395, "Wasson Way Ph 3-7 FY21-22 ODNR Grant," for the purpose of providing resources for Phases 3 through 7 of the Wasson Way project; AUTHORIZING the City Manager to accept and appropriate grant resources in the amount of up to \$350,000 from the State of Ohio Capital Budget as authorized by House Bill 687 for Fiscal Years 2023-2024 to newly established capital improvement program project account no. 980x232x232397, "Wasson Way FY23-24 ODNR Grant," for the purpose of providing resources for the Wasson Way project; AUTHORIZING the Director of Finance to deposit State of Ohio Capital Budget Grant funds into their respective accounts as referenced in this ordinance; and AUTHORIZING the City Manager to enter into an agreement with the Ohio Department of Natural Resources ("ODNR") to do all things necessary to cooperate with the Director of ODNR to complete the Wasson Way project.

**Recommendation** BUDGET AND FINANCE COMMITTEE

**Sponsors:** City Manager

26. [202300555](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 2/8/2023, **AMENDING** Ordinance No. 259-2022 to allow the Director of Finance to accept all settlement payments for eligible expenses from the OneOhio Opioid Distributor Settlement and deposit those payments into Fund 475, "Opioid Settlement."

**Recommendation** BUDGET AND FINANCE COMMITTEE

**Sponsors:** City Manager

27. [202300556](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 2/8/2023, **AMENDING** the official zoning map of the City of Cincinnati to rezone certain real property in the area generally bound by East Martin Luther King Jr. Drive to the north, Reading Road to the east, Maxwell Avenue to the south, and Vernon Place to the west in the Avondale neighborhood from the CC-A, "Commercial Community - Auto-Oriented," CC-P, "Commercial Community - Pedestrian," and OG, "Office General," zoning districts to Planned Development District No. 97, "Queen City Hills." (Subject to the [Temporary Prohibition List](#) <https://www.cincinnati-oh.gov/law/ethics/city-business>)

**Recommendation** EQUITABLE GROWTH AND HOUSING COMMITTEE

**Sponsors:** City Manager

28. [202300559](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 2/8/2023, **APPROVING AND AUTHORIZING** the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement with Condominium Holdings, LLC, an affiliate of Cincinnati City Center Development Corporation, commonly known as 3CDC, thereby authorizing a 15-year tax exemption for 100% of the value of improvements to real property located at 1428 Vine Street in the Over-the-Rhine neighborhood of Cincinnati, in connection with the remodeling of the first floors of two existing buildings into approximately 2,486 square feet of ground floor commercial space, at a total construction cost of approximately \$466,444.

**Recommendation** BUDGET AND FINANCE COMMITTEE

**Sponsors:** City Manager

## CLERK OF COUNCIL

29. [202300490](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent George T. Glover, Managing Director, Focused Capital Solutions LLC, 425 Walnut Street, Suite 1800, Cincinnati, Ohio 45202 (SANTA MARIA COMMUNITY SERVICE)

**Recommendation** FILE

**Sponsors:** Clerk of Council

30. [202300491](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent

George T. Glover, Managing Director, Focused Capital Solutions LLC, 425 Walnut Street, Suite 1800, Cincinnati, Ohio 45202 (PEOPLE WORKING COOPERATIVELY)

**Recommendation** FILE

**Sponsors:** Clerk of Council

31. [202300502](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Charles H. Gerhardt, III, President & CEO, Government Strategies Group, 700 Walnut Street, Suite 450, Cincinnati, OH 45202. (TERMINATION)

**Recommendation** FILE

**Sponsors:** Clerk of Council

32. [202300503](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent James T. Benedict, Vice President, Government Strategies Group, 700 Walnut Street, Suite 450, Cincinnati, OH 45202. (TERMINATION)

**Recommendation** FILE

**Sponsors:** Clerk of Council

33. [202300504](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent J. Douglas Moormann, Vice President, Government Strategies Group, 700 Walnut Street, Suite 450, Cincinnati, OH 45202. (TERMINATION)

**Recommendation** FILE

**Sponsors:** Clerk of Council

34. [202300505](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Ali Trianfo, Dir. Of Operations & Community Affairs, Government Strategies Group, 700 Walnut Street, Suite 450, Cincinnati, OH 45202. (TERMINATION)

**Recommendation** FILE

**Sponsors:** Clerk of Council

35. [202300506](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Ted Heckman, Senior Director, Government Affairs, 3730 Sunburst Ridge Lane, Cincinnati, OH 45248. (UPDATE)

**Recommendation** FILE

**Sponsors:** Clerk of Council

36. [202300507](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Anne C. Sesler, Director of Public Affairs, Government Strategies Group, 700 Walnut Street, Suite 450, Cincinnati, OH 45202. (UPDATE)

**Recommendation** FILE

**Sponsors:** Clerk of Council

37. [202300508](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent

Alana M. Tucker, Senior Associate, Government Strategies Group, 700 Walnut Street, Suite 450, Cincinnati, OH 45202. (UPDATE)

**Recommendation** FILE

**Sponsors:** Clerk of Council

38. [202300516](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Kylie Jane Johnson, Policy Advocate, 1145 Chesapeake Ave, Suite I, Columbus, OH 43212.

**Recommendation** FILE

**Sponsors:** Clerk of Council

39. [202300552](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent John S. Esterly, Locomotive Engineer, Chairman, State Legislative Board, PO Box 7951, Columbus, Ohio 43207. (BROTHERHOOD OF LOCOMOTIVE ENGINEERS & TRAINMEN)

**Recommendation** FILE

**Sponsors:** Clerk of Council

40. [202300575](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Meghan Elizabeth Cummings, Vice President, Civic Engagement, Greater Cincinnati Foundation, 720 E. Pete Rose Way, Suite 120, Cincinnati, Ohio 45202. (UPDATE)

**Recommendation** FILE

**Sponsors:** Clerk of Council

41. [202300576](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Derrick R. Clay, Lobbyist, 41 South High Street, Suite 2400, Columbus, Ohio 43215. (UPDATE)

**Recommendation** FILE

**Sponsors:** Clerk of Council

42. [202300577](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Annalese Cahill. Government Affairs, Government Relations Associate, 255 E. 5th Street, Suite 1900, Cincinnati, Ohio 45202. (UPTOWN CONSORTIUM)

**Recommendation** FILE

**Sponsors:** Clerk of Council

43. [202300578](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Annalese Cahill. Government Affairs, Government Relations Associate, 255 E. 5th Street, Suite 1900, Cincinnati, Ohio 45202. (NORFOLK SOUTHERN)

**Recommendation** FILE

**Sponsors:** Clerk of Council

44. [202300579](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Annalese Cahill. Government Affairs, Government Relations Associate, 255 E.

5th Street, Suite 1900, Cincinnati, Ohio 45202. (UC HEALTH)

**Recommendation** FILE

**Sponsors:** Clerk of Council

45. [202300580](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Annalese Cahill. Government Affairs, Government Relations Associate, 255 E. 5th Street, Suite 1900, Cincinnati, Ohio 45202. (TAFT MUSEUM OF ART)

**Recommendation** FILE

**Sponsors:** Clerk of Council

46. [202300581](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Annalese Cahill. Government Affairs, Government Relations Associate, 255 E. 5th Street, Suite 1900, Cincinnati, Ohio 45202. (UPTOWN RENTAL PROPERTIES)

**Recommendation** FILE

**Sponsors:** Clerk of Council

47. [202300582](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Annalese Cahill. Government Affairs, Government Relations Associate, 255 E. 5th Street, Suite 1900, Cincinnati, Ohio 45202. (UNIVERSITY OF CINCINNATI)

**Recommendation** FILE

**Sponsors:** Clerk of Council

48. [202300583](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Matt Davis, Government Affairs, President, 255 E. 5th Street, Suite 1900, Cincinnati, Ohio 45202. (UPTOWN RENTAL PROPERTIES)

**Recommendation** FILE

**Sponsors:** Clerk of Council

49. [202300584](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Matt Davis, Government Affairs, President, 255 E. 5th Street, Suite 1900, Cincinnati, Ohio 45202. (CINCINNATI BLUE LINE FOUNDATION)

**Recommendation** FILE

**Sponsors:** Clerk of Council

50. [202300585](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Matt Davis, Government Affairs, President, 255 E. 5th Street, Suite 1900, Cincinnati, Ohio 45202. (TAFT MUSEUM OF ART)

**Recommendation** FILE

**Sponsors:** Clerk of Council

51. [202300586](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Matt Davis, Government Affairs, President, 255 E. 5th Street, Suite 1900, Cincinnati, Ohio 45202. (UNITED WAY OF GREATER CINCINNATI)

**Recommendation** FILE

**Sponsors:** Clerk of Council

52. [202300587](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Colleen Reynolds, Government Affairs, Partner, 255 E. 5th Street, Suite 1900, Cincinnati, Ohio 45202. (CINCINNATI BLUE LINE FOUNDATION)

**Recommendation** FILE

**Sponsors:** Clerk of Council

53. [202300588](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Colleen Reynolds, Government Affairs, Partner, 255 E. 5th Street, Suite 1900, Cincinnati, Ohio 45202. (UPTOWN RENTAL PROPERTIES)

**Recommendation** FILE

**Sponsors:** Clerk of Council

54. [202300589](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Colleen Reynolds, Government Affairs, Partner, 255 E. 5th Street, Suite 1900, Cincinnati, Ohio 45202. (UNITED WAY OF GREATER CINCINNATI)

**Recommendation** FILE

**Sponsors:** Clerk of Council

55. [202300590](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Colleen Reynolds, Government Affairs, Partner, 255 E. 5th Street, Suite 1900, Cincinnati, Ohio 45202. (STEINER)

**Recommendation** FILE

**Sponsors:** Clerk of Council

56. [202300591](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Colleen Reynolds, Government Affairs, Partner, 255 E. 5th Street, Suite 1900, Cincinnati, Ohio 45202. (TAFT MUSEUM OF ART)

Recommendation FILESponsors: Clerk of Council**BUDGET AND FINANCE COMMITTEE**

57. [202300452](#) **REPORT**, dated 2/1/2023, submitted Sheryl M. M. Long, City Manager, regarding the Finance and Budget Monitoring Report for the Period Ending November 30, 2022.

Recommendation APPROVE & FILESponsors: City Manager

58. [202300453](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 2/1/2023, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant in the amount of up to \$108,780.69 in FY 2022 Ohio Drug Law Enforcement funds from the Ohio Department of Public Safety, Office of Criminal Justice Services for the purpose of funding personnel costs and equipment for investigations conducted pursuant to Title III of the federal Omnibus Crime Control and Safe Streets Act of 1968; and **AUTHORIZING** the Finance Director to deposit the grant funds into the Law Enforcement Grant Fund 368, Project Account No. 23ODLE.

Recommendation PASSSponsors: City Manager

59. [202300454](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 2/1/2023, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant in the amount of up to \$80,000 from the National Association of County and City Health Officials for the purpose of strengthening the Cincinnati Health Department's capacity for healthcare-associated infections and antimicrobial resistance prevention and response related to the Local Health Department Healthcare-Associated Infections and Antimicrobial Resistance project; and **AUTHORIZING** the Finance Director to deposit the grant funds into Public Health Research Fund revenue account no. 350x8571.

Recommendation PASSSponsors: City Manager

60. [202300458](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 2/1/2023, **AUTHORIZING** the establishment of capital improvement program project account nos. 980x164x231638, "Medpace ODOD 629 Roadwork Program - Grant," and 980x164x231639, "Medpace ODOD 629 Roadwork Program - Match," for the purpose of providing resources for infrastructure improvements at the intersection of Red Bank Expressway and Medpace Way; **AUTHORIZING** the City Manager to apply for, accept, and appropriate grant resources in an amount up to \$200,000 from the State of Ohio Department of Development 629 Roadwork Program to newly established capital improvement program project account no.

980x164x231638, "Medpace ODOD 629 Roadwork Program - Grant," for the purpose of providing resources for infrastructure improvements at the intersection of Red Bank Expressway and Medpace Way; AUTHORIZING the transfer and return to source General Fund 050 of the sum of \$200,000 from existing capital improvement program project account no. 980x164x231600, "Economic Development Initiatives - GF," for the purpose of realigning resources with program needs; AUTHORIZING the transfer and appropriation of \$200,000 from the unappropriated surplus of General Fund 050 to newly established capital improvement program project account no. 980x164x231639, "Medpace ODOD 629 Roadwork Program - Match," for the purpose of providing resources for infrastructure improvements at the intersection of Red Bank Expressway and Medpace Way; AUTHORIZING the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources; and further AUTHORIZING the Finance Director to deposit the grant resources in an amount up to \$200,000 into newly established capital improvement program project account no. 980x164x231638, "Medpace ODOD 629 Roadwork Program - Grant."

**Recommendation** PASS EMERGENCY

**Sponsors:** City Manager

61. [202300455](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 2/1/2023, **AUTHORIZING** the City Manager to accept and appropriate a donation in the amount of \$1,200 from Tri-State Trails for the purpose of planting trees along the Cincinnati Riding or Walking Network (CROWN) shared-use path at the Salway Recreation Complex; and AUTHORIZING the Finance Director to deposit the donated funds into Contributions for Recreation Purposes Fund 319 revenue account no. 319x8571.

**Recommendation** PASS

**Sponsors:** City Manager

62. [202300464](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 2/1/2023, **AUTHORIZING** the City Manager to execute a Property Sale Agreement with the Port of Greater Cincinnati Development Authority, pursuant to which the City will sell certain real property generally located at the southwest corner of East Pete Rose Way and Butler Street in the Central Business District.

**Recommendation** PASS

**Sponsors:** City Manager

63. [202300467](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 2/1/2023, **AMENDING** Ordinance No. 0174-2021 to correct the designated fund in which the Director of Finance is authorized to deposit proceeds received in connection with the sale of real property authorized by said ordinance.

**Recommendation** PASS EMERGENCY

**Sponsors:** City Manager

64. [202300456](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager,

on 2/1/2023, **AUTHORIZING** the City Manager to execute a Lease Agreement with Fifth Third Bank pursuant to which the City will lease for a term of up to 10 years a portion of City- owned property known as Smale Riverfront Park in the Central Business District for the purpose of Operating an ATM thereon.

**Recommendation** PASS EMERGENCY

**Sponsors:** City Manager

65. [202300457](#) **RESOLUTION (LEGISLATIVE)** submitted by Sheryl M. M. Long, City Manager, on 2/1/2023, **DECLARING** the necessity of assessing for the control of blight and disease of shade trees, and for the planting, care, maintenance, trimming, and removal of public trees, in and along the streets and the public right-of-way within the City of Cincinnati's Urban Forestry Maintenance District for the year 2024.

**Recommendation** PASS

**Sponsors:** City Manager

66. [202300468](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 2/1/2023, **LEVYING** assessments to recover the unpaid costs for necessary sidewalk, sidewalk areas, curb, and gutter repairs conducted by the City of Cincinnati in the Northside neighborhood, in accordance with Cincinnati Municipal Code Chapter 721 and Ohio Revised Code Chapter 729.

**Recommendation** PASS

**Sponsors:** City Manager

## SUPPLEMENTAL ITEMS

### PUBLIC SAFETY & GOVERNANCE COMMITTEE

67. [202300451](#) **ORDINANCE (EMERGENCY)**, submitted by Mayor Aftab Pureval, Vice Mayor Kearney, and Councilmembers Johnson, Keating and Owens, from Emily Smart Woerner, City Solicitor, **MODIFYING** Title IX, "Misdemeanors," by enacting new Chapter 915, "Weapons Offenses," of the Cincinnati Municipal Code to implement common sense gun reform and take necessary action to stem the death and injuries resulting from the use and accessibility of guns.

**Recommendation** PASS EMERGENCY

**Sponsors:** Mayor, Kearney, Johnson, Keating and Owens

68. [202300463](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 2/1/2023, **AUTHORIZING** the City Manager to establish an aquatics series of job classifications for the purpose of recruiting and retaining qualified employees within the Cincinnati Recreation Commission's aquatics program; **ESTABLISHING** four new classifications and salary range schedules in new Sections 936, 937, 938, and 989 in Division 4, Chapter 307 of the Cincinnati Municipal Code; and **MODIFYING** the salary range schedule for existing Section 908 of Division 4, Chapter 307 of the Cincinnati Municipal Code in order to establish new classifications and a new salary range schedule for said classifications.

**Recommendation** PASS EMERGENCY

**Sponsors:** City Manager

69. [202300465](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 2/1/2023, **AUTHORIZING** the City Manager to establish a Building Inspector career ladder for the purpose of recruiting and retaining qualified employees within the City's Department of Buildings and Inspections; and **ENACTING** Sections 425, 426, 427, and 428 of Division 1, Chapter 307 of the Cincinnati Municipal Code to establish the new job titles and salary range schedules for Building Inspector 1, Building Inspector 2, Building Inspector 3, and Building Inspector 4.

**Recommendation** PASS EMERGENCY

**Sponsors:** City Manager

## HEALTHY NEIGHBORHOODS COMMITTEE

70. [202300321](#) **MOTION**, submitted by Councilmember Johnson and Vice Mayor Kearney, **WE MOVE** that the City Administration support Mayor Aftab Pureval's recommendation to give the honorary, secondary street name of "Dr. O'dell Owens Way" to Central Parkway at the corner of Ezzard Charles Drive. (STATEMENT ATTACHED).

**Recommendation** ADOPT

**Sponsors:** Johnson and Kearney

## ANNOUNCEMENTS

Adjournment



**AFTAB PUREVAL**

City of Cincinnati, Office of the Mayor

Feb 2023

### **APPOINTMENT**

I hereby appoint Norman C. Bouwie to the Internal Audit Committee for a term of two years. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



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Mayor Aftab Pureval

# Norman C. Bouwie III, CPA

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## Director of Internal Audit

### Financial Guidance | Project Management | Performance Assessments

Versatile leader with more than 19 years of experience in corporate finance, budgeting and forecasting, and expense management. Proven record of consulting with C-suite executives on operational strategy, performance metrics, investment opportunities, and sales guidance. Expertise in cross-functional collaborating, identifying process improvements and assisting teams with implementing changes to grow profitability and market share. Demonstrated history of integrating brand standards into financial plans, ensuring that all operations and policies are aligned with corporate vision and values. Proficient in MS Office, REM, Professional Data Solutions, Inc. (PDI), and Executive Viewer.

- |                               |                                    |                                  |
|-------------------------------|------------------------------------|----------------------------------|
| ▪ Financial Oversight         | ▪ Executive Guidance & Consulting  | ▪ Financial Reporting & Analysis |
| ▪ Accounting Principles       | ▪ Strategic & Operational Planning | ▪ Audit & Assessment Processes   |
| ▪ KPI Development             | ▪ Stakeholder Communications       | ▪ Technology Integration         |
| ▪ SKU Rationalization Process | ▪ Cross-Functional Collaboration   | ▪ ROI Evaluations                |

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## PROFESSIONAL EXPERIENCE

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**SORTA Metro** Cincinnati, OH

2022 – Present

### ***Director of Internal Audit (2022-Present)***

Manage the Internal Audit staff and performed audits of the organization's financial and information systems, assessing compliance with applicable standards and guidelines and sufficiency of internal controls

- Performed risk assessments to gain an understanding of how internal controls were functioning with all business processes in the company.
- Developed and executed an internal audit plan and reported to management and the Finance Committee findings and recommendations.
- Worked with external auditors to support their understanding and testing of internal controls.

**Kroger** Cincinnati, OH

2019 – 2022

### ***Labor Cost Manager (2019-2022)***

Manage the Labor Contract Analyst staff and the process to cost union collective bargaining agreements, including forecasting labor expenses and savings. Researched, compiled and analyzed data from various areas in the organization to aid in estimating future cost.

- Coordinated with the Senior Manager of Labor Costing on the development, maintenance and continuous improvement of the costing models, templates, team resources and process standards.
- Coached direct reports, mentored them in the performance of their duties and aided those assigned to complex projects.
- Provided financial insights to the Labor relations negotiators so that informed decisions can be made related to company and union contract proposals.

# Norman C. Bouwie III

Page Two of Three

**Fifth Third Bank** Cincinnati, OH

2018 – 2019

## ***Senior Financial Auditor II (2018-2019)***

Managed audit processes, including schedule development and staff performance reviews upon completion of audits. Committed to improving the control environment and business performance through independent and regular assessments of business processes, risk, management activities and information systems throughout the Bank. Analyzed various areas of operations during audits, using information to determine accuracy of financial records and data, as well as to guide improvements and changes within the organization. Conducted large and complex financial, operational and compliance audits for various lines of business within the Bancorp.

- Developed audit scope and objectives, risk and control assessments, work programs, and other deliverables of audit work.
- Ensured execution of all audit activities in the planning, testing, reporting and wrap up phases are in compliance with Fifth Third's standards and within the timeframes to support department metrics.
- Demonstrated knowledge of risk and control concepts and industry trends to identify control recommendations and process improvement ideas.

**KROGER/EG RETAIL (AMERICA), LLC**, Cincinnati, OH

2007 – 2018

## ***Corporate Rebate & Special Projects Manager – Kroger C-Stores & Small Format (2016-2018)***

Directed financial performance for division, including introducing policies, identifying process improvements, and assessing accuracy of financial data. Created budgets and forecasts. Designed databases to track vendor funds, focusing on improving accrual, invoicing, and collection procedures. Prepared ad hoc reports and financial statements, distributing information to operational leadership to guide decision-making. Conducted analysis on various functions to support cross-functional teams.

- Managed project to centralize vendor promotional accounting procedures and rebate process, resulting in recovery of more than \$1.5 million.
- Served as Consultant and Interim CFO for Turkey Hill Minit Mart, coaching Division CFO and Controller upon hire.
- Built vendor database from ground up, as well as designed related invoices and automated functions.
- Retained after organizational sale to EG Retail (America), LLC.

## ***Controller – Kwik Shop (2013-2016)***

Developed financial statements, reports, and analyses for various divisions, providing them tools to make informed strategic decisions. Conducted internal audits and introduced process improvements related to revenue recognition. Analyzed expense reports, while also identifying cost savings to reduce unnecessary costs.

- Partnered with Division CFO on counseling division management based on concerns related to financial controls and performance, as well as collaborated on asset management and budget development.
- Assisted with migration of financial applications to improve consistency between Kwik Shop and Kroger as subsidiary and parent company.
- Coached and mentored store management on evaluating financial data, guiding problem-solving and process improvements based on reports.

# Norman C. Bouwie III

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Page Three of Three

## **Senior Auditor (2007-2013)**

Managed audit processes, including schedule development, coordination of travel arrangements, and staff performance reviews upon completion of audits. Analyzed various areas of operations during audits, using information to determine accuracy of financial records and data, as well as to guide improvements and changes within the organization. Coached retail stores and warehouses through operational audits, ensuring adherence to brand standards, companywide best practices, regulations, and required protocols. Developed comprehensive audit reports and presentations. Communicated with various divisions on protocols, such as HR, Capital Management, Real Estate, and Promotional Accounting.

- Designed audit programs and operating procedures adopted by third-party engagements.
- Introduced testing protocols, internal controls, and documentation procedures to improve compliance with and awareness of Sarbanes-Oxley (SOX) guidelines.
- Acted as mentor to multiple associates as part of leadership development program, which ensured many of them went on to higher-level roles within the company.
- Promoted twice during this time, starting as Staff Auditor before serving as Advanced Auditor, eventually being promoted to senior-level position.

**Career Note:** Additional experience as Fund Accountant for State Street Bank.

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## EDUCATION & CREDENTIALS

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**Master of Science in Accounting & Information Systems**

**Bachelor of Science in Accounting**

The University of Kansas, Lawrence, KS

**Certified Public Accountant (CPA)**

State of Ohio



**AFTAB PUREVAL**

City of Cincinnati, Office of the Mayor

Feb 2023

### **APPOINTMENT**

I hereby appoint Tricia A. Williams to the Internal Audit Committee for a term of two years. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



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Mayor Aftab Pureval



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### Professional Summary

Results oriented financial crimes compliance subject matter expert recognized for performance excellence in conducting strategic and tactical BSA/AML/Economic Sanctions risk and control assessments. Accomplished at establishing effective partnerships with Business Lines, 1<sup>st</sup> and 2<sup>nd</sup> Line of Defense, Corporate Audit Services, and Compliance Quality Assurance. Serve as a mentor and trainer in risk management and managing high severity issues (Regulatory MRA/MRIAs, Audit, Anti-Money Laundering Compliance/Economic Sanctions). Equipped with leadership and planning capabilities honed in demanding Consent Order environment.

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### Accomplishments

- Certified Anti-Money Laundering Specialist - ACAMS
- US Bank 2022 Performance Review Rating: Extraordinary
- Recipient of six U.S. Bank exemplary performance awards for leadership in financial crimes risk mitigation
- Top 5 Strength Finders: Strategic, Achiever, Arranger, Focus, Input

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### Experience

**U.S. Bank 425 Walnut Street, Cincinnati Ohio 45202**

**Enterprise Financial Crimes Compliance (EFCC), Vice President**

**Third Party, Domestic and Global Risk Management, Anti-Money Laundering Aug 2019 – Present**

- Plan and execute complex risk and control assessments to ensure business lines are adhering to BSA/AML regulatory requirements/expectations; examining customers, products and services, geography and controls.
- Accomplished at validating and providing risk mitigation strategies involving issues, controls, process, procedures and training.
- Executed best-in-class risk assessments of Wealth Management & Investment Services financial crimes BSA/AML risk and control environment as commented on by regulatory examiners in May 2022.
- Identified opportunities for the enterprise to identify and mitigate risks associated with transnational criminal activities involving environmental crime. Currently serve as internal subject matter expert and created training for financial crimes risk management staff.
- Examined the U.S. Bank Cayman Islands Branch risk and control environment and provided recommendations for strengthening controls.
- Skilled at leveraging data analytics and independent testing to identify areas for business line improvements.
- Recognized by senior leaders for the ability to craft clear and concise regulatory and audit responses.

**Enterprise Financial Crimes Compliance, Risk Management, Economic Sanctions**

**U.S. Bank Oct 2016 – Aug 2019**

- Executed resolution of over 200 Economic Sanctions domestic and international impacted issues (Corporate Audit Services, AML-CQA, Business Line, Business Line Quality Assurance); responsibilities included partnering with business lines to identify risk mitigation solutions and improve business processes.
- Planned and lead assessments of the enterprise's adherence to the Treasury Department's "Framework for OFAC Compliance Commitments" and the Wolfsberg Group "Guidance on Sanctions Screening."

**Enterprise Financial Crimes Compliance, Risk Management, Economic Sanctions (contd.)**

- Planned and executed a comprehensive assessment involving data reconciliation and adherence to sanctions screening requirements. The review resulted in a Satisfactory rating.
- Executed economic sanctions business line risk assessments; examining customers, products and services, geography and controls.

**Enterprise Financial Crimes Compliance, Business Transformation Office - Project Manager****U.S. Bank Aug 2015 – Oct 2016**

- Partnered with business lines, technology and risk partners in executing the enterprise's successful implementation of a multi-million-dollar economic sanctions screening business transformation project.

**Incentive Compensation, Principal Consultant****U.S. Bank Sep 2012 – Aug 2015**

- Executed enhancements to enterprise guidance to incorporate Dodd Frank Act incentive compensation guidance in U.S. Bank's incentive compensation risk and governance framework.
- Strengthened the enterprise's incentive compensation risk environment by performing best-in-class training and assessments of incentive compensation plans. Recipient of exemplary performance award for creating first of its kind training and incentive compensation risk governance guidelines.
- Lead a cross functional transformation project which streamlined risk management assessments.

**Education**

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**University of Cincinnati**

- Bachelor of Arts – International Relations
- Master of Arts - Political Science. Concentration in Middle East Politics
- Center for Strategic and International Studies, Middle East Studies Internship

**Activities**

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- Serve as a Risk & Compliance Mentor, Trainer and Issue Management Subject Matter Expert
- Board Member & Management Advisor – US Bank Women's Business Resource Group. Created and lead career building initiatives to support women in the workplace
- Board Member – Catholic Charities of Southwest Ohio



**AFTAB PUREVAL**

City of Cincinnati, Office of the Mayor

Feb 2023

### **APPOINTMENT**

I hereby appoint Jeff McClean to the Lunken Airport Oversight & Advisory Board in the role of Corporate Airport User for a term of three years. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



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Mayor Aftab Pureval



## **Jeffrey W. McClean**

### **Vice President Global Flight Operations**

Jeff McClean is VP Global Flight Operations at Procter & Gamble. In this role he is responsible for the company's worldwide flight operations and aircraft hangar facility in Cincinnati, Ohio.

Jeff is a 36-year veteran of aviation with experience in military, commercial and business aviation spanning a career which began in the United States Navy where he served as a technician and maintenance department leader for F-14 Tomcat aircraft to his current role at P&G. He spent 16 years with a major US airline in a variety of leadership roles for both domestic and International operations. He has extensive international aviation business experience working on six continents with multiple Civil Aviation Authorities and International operators around the globe as an aviation consultant and International Standard for Business Aircraft Operations (IS-BAO) certified auditor. For the past 12 years Jeff has been dedicated to business aviation holding leadership roles in both the private and corporate sectors.

Jeff is a current member of Satcom Direct and Boeing Customer Services Customer Advisory Boards and the Aviation Director's Roundtable. He has formerly served on Customer Advisory Boards for Gulfstream Aerospace, Bombardier and Boeing Business Jets and as a working group member for Dassault Falcon Jet. He is an active member of the National Business Aviation Association and is a Certified Aviation Manager (CAM).

Jeff holds a master's degree in business administration from the Raymond J. Harbert College of Business, Auburn University, and bachelor's degree in aviation science from Eastern New Mexico University.

202300592



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

Feb 2023

**REAPPOINTMENT**

I hereby reappoint Damon Jones to the Port of Greater Cincinnati Development Authority for a term of four years beginning March 13, 2023. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.

Mayor Aftab Pureval

**Date:** February 8, 2023

**To:** Mayor Aftab Pureval, Vice Mayor Jan-Michele Lemon Kearney,  
Councilmembers Liz Keating, Scotty Johnson, and Meeka Owens

**From:** Emily Smart Woerner, City Solicitor *EESW*

**Subject:** **Resolution – Intent to Continue to Speak Out Against Gun Violence**

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Transmitted herewith is a resolution captioned as follows:

**EXPRESSING** the belief of the Mayor and City Council that they must take action to address the public health crisis caused by gun violence in Cincinnati through the common-sense regulation of deadly weapons; and further **EXPRESSING** the Mayor and City Council's commitment to protecting children and victims of domestic violence from gun violence.

EESW/SDP(lnk)  
Attachment  
367278

## RESOLUTION NO. \_\_\_\_\_ - 2023

**EXPRESSING** the belief of the Mayor and City Council that they must take action to address the public health crisis caused by gun violence in Cincinnati through the common-sense regulation of deadly weapons; and further **EXPRESSING** the Mayor and City Council's commitment to protecting children and victims of domestic violence from gun violence.

WHEREAS, on February 2, 2022, City Council passed Resolution No. 11-2022, expressing Council's "commitment to reducing the prevalence of gun violence in our City and protecting citizens from gun violence" and Council's belief that gun violence is a public health crisis in the City of Cincinnati and; and

WHEREAS, since the resolution's passage, gun violence has continued to plague our city and rob us of our most valuable assets, our people, despite the City's ongoing dedication of substantial municipal resources and its multi-disciplinary approach to addressing and reducing gun violence; and

WHEREAS, in the year 2022 alone, there were 411 victims of gun violence in Cincinnati, Ohio, and 62 of those shot were killed; and

WHEREAS, recent tragic deaths caused by firearms in Cincinnati include an eight-year-old child, who shot and killed himself in May 2020 after accessing a loaded gun in his house, and a three-year-old shot and killed by his six-year-old brother in October 2022 after finding a loaded gun in their house; and

WHEREAS, these examples demonstrate that access to loaded guns and improperly stored guns poses a significant and unacceptable risk of injury and death to occupants of and visitors to homes, and especially to children; and

WHEREAS, despite the known safety risks and appalling outcomes associated with the careless use and keeping of firearms, the Ohio General Assembly, through the adoption of and subsequent amendments to Ohio Revised Code ("R.C.") 9.68, has progressively restricted the ability of local governments and their officials to encourage, propose, and implement common-sense gun-control measures to address the ongoing public health crisis by imposing liability on political subdivisions who, among other things, adopt resolutions, use threat of legal process, or engage in any other action to regulate the possession and use of a firearm; and

WHEREAS, the threat of R.C. 9.68 litigation and the mandatory attorney fees and costs imposed by the statute preemptively chill and restrain the proposal and discussion of ordinances and resolutions that address the subject of guns by political subdivisions and their officials; and

WHEREAS, consequently, the Mayor and Council have felt constrained to consider only narrowly tailored policies that, in their view and the professional judgment of the City Solicitor and Manager, clearly do not violate R.C. 9.68; and

WHEREAS, accordingly, on January 27, 2023, the Mayor, the Vice Mayor, and three additional Councilmembers proposed two new gun regulations and presented them to Council in the form of an ordinance for Council's consideration and debate; and

WHEREAS, the proposed gun measures would establish a new chapter in the Cincinnati Municipal Code ("CMC"), Chapter 915, "Weapons Offenses," and that chapter would include two new criminal offenses concerning the use and accessibility of firearms: CMC Section 915-3, "Child Endangering," and CMC 915-5, "Having Weapons While Under Disability"; and

WHEREAS, the Mayor, Vice Mayor, and sponsoring Councilmembers hold a good-faith belief that the two proposed gun regulations are narrowly tailored and complementary to state and federal law such that they do not violate R.C. 9.68; and

WHEREAS, hours before the Mayor, Vice Mayor, and sponsoring Councilmembers held a press conference announcing the two proposed gun regulations to the public, the Executive Director of the Buckeye Firearms Association had already released a statement threatening to sue the City for its proposed ordinances; and

WHEREAS, this immediate threat of litigation is exactly the type of action that has historically chilled the City and its elected officials' speech on ordinances and resolutions related to guns; and

WHEREAS, notwithstanding R.C. 9.68, the City of Cincinnati and its elected officials have the absolute right to engage in free speech under the First Amendment to the United States Constitution and Article I, Section 11 of Ohio Constitution, which provisions guarantee the Mayor and the Council the right to propose and pursue legislation and gun-control initiatives they believe to be in the public interest; and

WHEREAS, as elected officials, the Mayor and Council are obligated to take a public stance on urgent and life-altering issues raised to them by City residents, one of which is the ongoing crisis of gun violence in City neighborhoods; and

WHEREAS, given their undeniable right to engage in free speech, and their sworn duty as public officials, the Mayor and Council wish to propose for public debate and discussion further ordinances and resolutions that address the subject of guns, including policies designed to protect children and victims of domestic abuse; and

WHEREAS, open, public discussion and debate surrounding gun regulation is essential to the formation of effective, community-supported gun policies, the promotion of public safety in neighborhoods plagued by gun violence, and the maintenance of positive relationships between the City and its residents; and

WHEREAS, the Mayor and Council resolve that gun violence, especially gun violence involving children, must be addressed with the common-sense regulation of deadly weapons, and that the City, the Mayor, and Council, pursuant to the home-rule authority granted by Article XVIII, Section 3 of the Ohio Constitution, and the free-speech rights guaranteed by the First Amendment to the United States Constitution and Article I, Section 11 of Ohio Constitution, possess the constitutional right to express this commitment and enact laws protecting the citizens of Cincinnati; now, therefore,

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

Section 1. That the Mayor and this Council declare their intent to undertake every permissible act to protect children and victims of domestic violence from gun violence.

Section 2. That the Mayor and this Council, each individually and collectively on behalf of the City, wish to exercise the right to free speech by proposing new ordinances and resolutions addressing gun violence to the full extent permitted by state and federal law, including regulations which affect the proper storage of guns and threaten legal process against those who recklessly abuse the right of gun ownership; and that the Mayor and this Council would introduce, propose, discuss, and debate such laws and initiatives but for R.C. 9.68 and its chilling, preemptive effects on the proposal and passage of gun-control laws and regulations.

Section 3. That the Mayor and this Council declare their support for the City's lawsuit re-filed as *City of Cincinnati v. State*, Hamilton County Case No. A-2300389, on January 27, 2023 (the "2023 Gun Lawsuit").

Section 4. That the Mayor and this Council consider the 2023 Gun Lawsuit necessary to enable continued public proposal, debate, and discussion of gun-related ordinances and resolutions without escalating risk of R.C. 9.68 liability.

Section 5. That this resolution be spread upon the minutes of Council and that the office of Mayor Aftab Pureval will transmit copies of this resolution to the Ohio House of representatives, the Ohio State Senate, and Ohio Governor Mike DeWine.

Passed: \_\_\_\_\_, 2023

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

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

Submitted by Mayor Aftab Pureval, Vice Mayor Jan-Michele Lemon Kearney, Councilmembers Liz Keating, Scotty Johnson, and Meeka Owens

202300528  
**Date:** February 8, 2023

**To:** Councilmember Scotty Johnson  
**From:** Emily Smart Woerner, City Solicitor *EESW*  
**Subject:** **Resolution – Black History Month Bishop Paul Alexander Bowers**

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Transmitted herewith is a resolution captioned as follows:

**RECOGNIZING** the late Bishop Paul Alexander Bowers as a 2023 Black History Month honoree, and **EXPRESSING** the appreciation of the Mayor and the Council of the City of Cincinnati for his life and legacy of tireless service and invaluable impact in the City of Cincinnati.

EESW/CFG(jdr)  
Attachment  
377727

EESW

## RESOLUTION NO. \_\_\_\_\_ - 2023

**RECOGNIZING** the late Bishop Paul Alexander Bowers as a 2023 Black History Month honoree, and **EXPRESSING** the appreciation of the Mayor and the Council of the City of Cincinnati for his life and legacy of tireless service and invaluable impact in the City of Cincinnati.

WHEREAS, Bishop Bowers began serving in Cincinnati in 1957 as pastor of Emanuel Tabernacle on Wehrman Avenue in Cincinnati; and

WHEREAS, by 1964, the congregation had grown by hundreds of members and purchased another house of worship at 3108 Savoy Place, thanks to the faithful efforts of Bishop Bowers and the late First Lady Elma Jean Bowers; and

WHEREAS, Bishop Bowers graduated from the University of Cincinnati with a Bachelor of Science degree, and educated Cincinnati Public School students until he was called to full-time ministry in 1968; and

WHEREAS, in 1978 Bishop Bowers became the leader of Greater Emanuel Apostolic Temple on West Galbraith Road; and

WHEREAS, Bishop Bowers remained true in his commitment to his congregation at Greater Emanuel Apostolic Temple, while ultimately serving as Presiding Bishop of the Pentecostal Assemblies of the World, the highest position in the worldwide church; and

WHEREAS, Bishop Bowers was a visionary in renovating and building houses of worship and community assistance throughout the world, including the Haywood Mission Institute in Liberia, West Africa, the international headquarters of the Pentecostal Assemblies of the World in Indianapolis, Indiana, and the Hallowed Hills Campground in Zanesville, Ohio, an event center for youth empowerment; and

WHEREAS, before and after his passing on January 28, 2019, Bishop Bowers remained a beloved and inspirational leader for a legion of Cincinnati residents; and

WHEREAS, in February 2023, the intersection of West Galbraith Road and Kirkland Drive in Springfield Township, Ohio will be renamed in honor of Bishop Bowers; now, therefore,

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

Section 1. That the Mayor and this Council hereby recognize the late Bishop Paul Alexander Bowers as a 2023 Black History Month honoree, for his life and legacy of tireless service and invaluable impact in the City of Cincinnati.

Section 2. That this resolution be spread upon the minutes of Council, and that a copy be provided to the leadership of Greater Emanuel Apostolic Temple through the office of Councilmember Scotty Johnson.

Passed: \_\_\_\_\_, 2023

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

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

Submitted by Councilmember Scotty Johnson

**Date:** February 1, 2023

**To:** Councilmember Scotty Johnson  
**From:** Emily Smart Woerner, City Solicitor *EESW*  
**Subject:** **Resolution – Black History Month Dudley Layfield III**

---

Transmitted herewith is a resolution captioned as follows:

**RECOGNIZING** Dudley Layfield III as a 2023 Black History Month honoree, and **EXPRESSING** the appreciation of the Mayor and the Council of the City of Cincinnati for his decades of service and selfless contributions to the citizens of Cincinnati.

EESW/IMD(jdr)  
Attachment  
377638

EESW

**RESOLUTION NO. \_\_\_\_\_ -2023**

**RECOGNIZING** Dudley Layfield III as a 2023 Black History Month honoree, and **EXPRESSING** the appreciation of the Mayor and the Council of the City of Cincinnati for his decades of service and selfless contributions to the citizens of Cincinnati.

WHEREAS, Dudley Layfield III dedicated 21 years of service to the United States military, followed by 15 years of service in social work within corporate settings; and

WHEREAS, Dudley Layfield III currently serves the Cincinnati community as a social worker, therapist, counselor, and Victim Advocate within the Cincinnati Police Department; and

WHEREAS, as a Victim Advocate, Dudley Layfield III provides crisis management and trauma care at crime scenes for families and persons involved in homicide or suicide; and

WHEREAS, Dudley Layfield III works with police officers and homicide detectives to serve as a liaison among the officers, victims, survivors, courts, and other agencies; and

WHEREAS, Dudley Layfield III, a proud member of Omega Psi Phi, established a Men's Empowerment Group, which provides a safe place for men to come and share their trauma experiences after losing their sons or loved ones to murder or gun violence; now, therefore,

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

Section 1. That the Mayor and this Council hereby recognize Dudley Layfield III as a 2023 Black History Month honoree for his decades of service and selfless contributions to the citizens of the City of Cincinnati.

Section 2. That this resolution be spread upon the minutes of Council and that a copy be provided to Dudley Layfield III and his family through the office of Councilmember Scotty Johnson.

Passed: \_\_\_\_\_, 2023

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

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

Submitted by Councilmember Scotty Johnson

2023 00534  
**Date:** February 8, 2023

**To:** Councilmember Mark Jeffreys  
**From:** Emily Smart Woerner, City Solicitor EESW  
**Subject:** Resolution – Black History Month Reverend Daniel A. Buford

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Transmitted herewith is a resolution captioned as follows:

**RECOGNIZING** Reverend Daniel A. Buford as a 2023 City of Cincinnati Black History Month honoree and **EXPRESSING** the appreciation of the Mayor and Council of the City of Cincinnati for his commitment to human rights, religious freedom, social justice, as well as history and arts in Cincinnati and communities around the world.

EESW/LES(jdr)  
Attachment  
378104

EESW

## RESOLUTION NO. \_\_\_\_\_ - 2023

**RECOGNIZING** Reverend Daniel A. Buford as a 2023 City of Cincinnati Black History Month honoree and **EXPRESSING** the appreciation of the Mayor and Council of the City of Cincinnati for his commitment to human rights, religious freedom, social justice, as well as history and arts in Cincinnati and communities around the world.

WHEREAS, Reverend Daniel A. Buford is a native of Cincinnati, Ohio, and an alumnus of Withrow High School, where he helped create the school's first Black History Month Assembly in 1970, Xavier University, and the University of Cincinnati, where he later was the Director of both Black Campus Ministries and United Christian Ministries for eight years; and

WHEREAS, Reverend Buford's maternal great grandparents, Sanford Green and Roberta Green, started a homestead in Madisonville over 100 years ago after moving from Owenton, Kentucky as part of the Great Migration of African Americans, and were the first generation born free of slavery; and

WHEREAS, Reverend Buford's ministry, which is influenced by the lives and writings of Dr. Martin Luther King Jr., Malcolm X, Alan Boesak, Desmond Tutu, Nelson Mandela, James Cone, Howard Thurman, J. Alfred Smith Sr., William D. Mosley, and others, began at Trinity Missionary Baptist Church in Cincinnati, where he gave his first sermon in 1974 and was ordained in 1977; and

WHEREAS, during his time as a community organizer in Oakland, where he and the Emerging Leaders Program of Allen Temple would prevent the elimination of bus stops outside the church, renovate local infrastructure such as sidewalks and potholes, and prevent the construction of a mega-crematorium in a predominantly Black and Brown community, Reverend Buford helped create a citizen-police review board and helped pass a human rights reporting requirement for the State of California; and

WHEREAS, Reverend Buford's talents and faith called him to be a co-creator of a peace and justice organization known as the Third World Caucus, an extension of the Clergy and Laity Concerned (CALC) which was originally founded by Dr. King in response to the Vietnam War; a founding organizer, curriculum developer, and trainer at the People's Institute for Survival and Beyond based in New Orleans, Louisiana; and an organizer of Cincinnati's first Kwanza celebrations and the Coalition Against the Cincinnati Military Academy at the University of Cincinnati; and

WHEREAS, after leaving Ohio, Reverend Buford became the Executive Director of the Ecumenical Peace Institute in Berkeley, California, and later created "Seizing the Power of Experience," an educational training model for teaching African American adults; and

WHEREAS, Reverend Buford published the research article "Close Encounters of the Dangerous Kind," which deals with the deaths of unarmed African Americans at the hands of

police officers, and which was submitted in a report to the United Nations Human Rights Commission and was published by Rabbi Michael Lerner of Tikkun Magazine; and

WHEREAS, Reverend Buford is proud of his long association with the Jewish community and his personal relationships with rabbis and congregants; and

WHEREAS, Reverend Buford is an African American with indigenous bloodlines to the Wyandotte and Cherokee peoples and has advocated for the religious freedoms and sovereignty of Native Americans such as the Ohlone, Navajo, and Hopi peoples; and

WHEREAS, Reverend Buford's work for social justice and human rights has taken him to Japan, Mexico, Puerto Rico, South Africa, Switzerland, and Honduras; and

WHEREAS, Reverend Buford represented the Meiklejohn Civil Liberties Institute before the Human Rights Committee in Switzerland, speaking on human rights abuses following Hurricane Katrina and joined a fifty-person delegation in Honduras to witness, report, and protest human rights abuse; and

WHEREAS, as a self-described, "Harlem Renaissance Man," Reverend Buford is an accomplished artist who understands that creativity can speak to the human condition and the hearts and souls of people who experience it long after the artist is off the scene; now, therefore,

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

Section 1. That the Mayor and this Council hereby recognize Reverend Daniel A. Buford as a 2023 City of Cincinnati Black History Month honoree for his decades of continuous leadership and commitment to human rights, religious freedom, social justice, and the arts, as well as his dedication to grassroots social changes for those who have been marginalized in the City of Cincinnati and communities around the world.

Section 2. That this resolution be spread upon the minutes of Council and that a copy be provided to Reverend Buford through the office of Councilmember Mark Jeffreys.

Passed: \_\_\_\_\_, 2023

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

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

Submitted by Councilmember Mark Jeffreys

202300846

**Date:** February 8, 2023

**To:** Councilmember Reggie Harris  
**From:** Emily Smart Woerner, City Solicitor *EESW*  
**Subject:** **Resolution – National Black HIV/AIDS Awareness Day**

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Transmitted herewith is a resolution captioned as follows:

**RECOGNIZING** February 7, 2023 as National Black HIV/AIDS Awareness Day.

EESW/CMZ(jdr)  
Attachment  
378148

EESW

**RESOLUTION NO. \_\_\_\_\_ - 2023**

**RECOGNIZING** February 7, 2023 as National Black HIV/AIDS Awareness Day.

WHEREAS, National Black HIV/AIDS Awareness Day (NBHAAD) was first observed in 1999 and is a grassroots education effort to raise awareness about HIV and AIDS prevention and medical treatment in Black/African American communities; and

WHEREAS, an estimated forty million people worldwide have died of AIDS since 1981, and an estimated 37 million are living with HIV (the virus that causes AIDS), making it one of the most important global public health issues in recorded history; and

WHEREAS, Black communities have made great progress in reducing HIV infections, yet racism, discrimination, and mistrust in the health care system may affect whether Black people seek or receive HIV prevention services, and these issues also reduce the likelihood of engaging in HIV treatment and care; and

WHEREAS, HIV disproportionately affects Black/African American communities; and

WHEREAS, the CDC reports that in 2019, 41 percent of the estimated 34,800 people with new HIV infections in the United States were Blacks/African Americans, while in the 2020 census, Blacks/African Americans comprised 12.4 percent of all people living in the United States; additionally, these disparities are also reflected in the rates of HIV in the general population, where in 2019, forty percent of all people living with HIV were Black/African American; and

WHEREAS, due to the impact HIV has on the Greater Cincinnati area, Hamilton County is currently funded by the federal government to bring HIV infections down to fewer than twenty new cases a year by 2030, and many great local organizations are working together to see the end of HIV as a public health crisis in Hamilton County; and

WHEREAS, Equitas Health's mission is to be the gateway to good health for those at risk of or affected by HIV; for the lesbian, gay, bisexual, transgender, and queer/questioning (LGBTQ+) community; and for those seeking a welcoming healthcare home; and

WHEREAS, Ending HIV in Black Communities is a call to action being hosted by Equitas Health in Cincinnati, and this event will provide health services as well as an opportunity to join the conversation with local health experts, community members, and the founder of the Black Aids Institute, Phil Wilson; now, therefore,

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

Section 1. That the Mayor and this Council hereby recognize February 7, 2023 as National Black HIV/AIDS Awareness Day.

Section 2. That this resolution be spread upon the minutes of Council.

Passed: \_\_\_\_\_, 2023

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

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

Submitted by Councilmember Reggie Harris

202300540  
**Date:** February 8, 2022

**To:** Councilmember Meeka Owens  
**From:** Emily Smart Woerner, City Solicitor *EESW*  
**Subject:** **Resolution – Black History Month Cynthia Booth**

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Transmitted herewith is a resolution captioned as follows:

**RECOGNIZING** Cynthia Booth as a 2023 City of Cincinnati Black History Month honoree and **EXPRESSING** the appreciation of the Mayor and the Council of the City of Cincinnati for her entrepreneurial success and leadership of COBCO Enterprises and Emerge Manufacturing and her dedication to supporting her customers, employees, and community.

EESW/IMD(lnk)  
Attachment  
378056

## RESOLUTION NO. \_\_\_\_\_ – 2023

**RECOGNIZING** Cynthia Booth as a 2023 City of Cincinnati Black History Month honoree and **EXPRESSING** the appreciation of the Mayor and the Council of the City of Cincinnati for her entrepreneurial success and leadership of COBCO Enterprises and Emerge Manufacturing and her dedication to supporting her customers, employees, and community.

WHEREAS, Cynthia Booth is a Cincinnati native who has received numerous local and national awards for her exceptional civic contributions and business achievements; and

WHEREAS, Mrs. Booth was one of the highest-ranking female executives and the only African American serving at an executive level at U.S. Bank when she left to found COBCO Enterprises; and

WHEREAS, Mrs. Booth continues to serve as the President, CEO, and owner of COBCO Enterprises, focusing on family values, building loyalty through genuine interactions with customers and employees, and providing an inviting and invigorating work experience for her employees; and

WHEREAS, Mrs. Booth founded Emerge Manufacturing to bring good-paying jobs to the Cincinnati area and manufacture PPE in close proximity to the health care industry in Cincinnati; and

WHEREAS, Mrs. Booth has demonstrated inspirational commitment to revitalizing Black communities in Cincinnati, including the Reading Corridor through Bond Hill; and

WHEREAS, Mrs. Booth has been featured in Fortune Magazine and on CNN Money Talks and has been recognized as a regional Entrepreneur of the Year by Movers & Makers magazine; and

WHEREAS, Mrs. Booth has tirelessly served her nation, state, and community as a member of numerous organizational Boards of Trustees, government advisory committees, and nonprofit boards; now, therefore,

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

Section 1. That the Mayor and this Council hereby recognize Cynthia Booth as a 2023 City of Cincinnati Black History Month honoree for her entrepreneurial success and leadership of

COBCO Enterprises and Emerge Manufacturing and her dedication to supporting her customers, employees, and community.

Section 2. That this resolution be spread upon the minutes of Council and that a copy be provided to Mrs. Booth through the office of Councilmember Meeka D. Owens.

Passed \_\_\_\_\_, 2023

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

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

Submitted by: Councilmember Meeka D. Owens

**Date:** February 8, 2023

**To:** Vice Mayor Jan-Michele Lemon Kearney

**From:** Emily Smart Woerner, City Solicitor *EESW*

**Subject:** Resolution – Dr. Jenny Laster

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Transmitted herewith is a resolution captioned as follows:

**RECOGNIZING** and honoring Dr. Jenny Laster for her many years of service to our community and her legacy of nurturing and supporting emerging African American leaders and other community leaders in the City of Cincinnati and our region.

EESW/CMZ(lnk)  
Attachment  
378366

EESW

## RESOLUTION NO. \_\_\_\_\_ - 2023

**RECOGNIZING** and honoring Dr. Jenny Laster for her many years of service to our community and her legacy of nurturing and supporting emerging African American leaders and other community leaders in the City of Cincinnati and our region.

WHEREAS, Dr. Jenny Laster is an outstanding example of an entrepreneur and visionary leader, from managing her own consulting firm to her service as president and CEO of The GrassRoots Leadership Academy, an organization that addressed the leadership skill development needs of more than 500 community leaders, activists, and organizers; and

WHEREAS, after retiring in 2005, Dr. Laster returned to the Urban League in 2007, serving as Director of Leadership Development and managing the African American Leadership Development Program, a program that she created and designed to encourage the civic engagement of African American leaders and emerging leaders, and Dr. Laster served as the first Project Director and curriculum design coordinator for the Urban League's African American Leadership Development Program; and

WHEREAS, during her first tenure with the Urban League, Dr. Laster also served as the co-producer of a video entitled "Glorifying the Lions," which is an oral history celebrating the accomplishments of senior African Americans in Cincinnati, and this documentary was later adapted by the Cincinnati PBS affiliate and is one of its featured programs during Black History Month, and this recognition of senior African Americans in Cincinnati eventually led to what is now the Urban League's annual "Glorifying the Lions" awards program which is presented each year as part of its annual meeting luncheon, and in 2006, Dr. Laster received the very award she helped to create; and

WHEREAS, Dr. Laster's career has been diverse, and she has served in many roles to support our community, including serving as the first Executive Director of Cincinnati Works, an organization designed to move low-income individuals into self-sufficiency through full-time employment; Vice President of Human Resources for ATE Management & Service Company in Cincinnati, Ohio; Director of Human Resources for the American Public Transportation Association in Washington, DC; Director of Training for the Bi-State Development Agency in St. Louis; a teacher and Reading Specialist for St. Louis City Public Schools; adjunct faculty for Wilberforce University, Cincinnati State Technical College, University of Cincinnati, and Northern Kentucky University, where she holds graduate teaching status; and Dr. Laster has been a trainer and facilitator for a variety of programs offered by the Center for Closing the Health Gap in Greater Cincinnati, is also a second-year facilitator for the Citizens Engagement Academy, and is the co-founder of Execucircle, a professional development conference for African Americans held annually for more than fourteen years in locations throughout the Caribbean, Africa, and Brazil; and

WHEREAS, Dr. Laster is recognized nationally for her expertise in presenting workshops on topics such as leadership skill development, personal branding, board training for nonprofit

organizations, and strategic planning, and Dr. Laster is also a career coach, working with individuals who are interested in re-engineering their careers; and

WHEREAS, Dr. Laster's vision for our community's future compelled her to address the topic of workforce diversity in the late 1980s, a time when there were few consulting firms willing or capable of addressing diversity issues, and along with her secular workshops, Dr. Laster also conducts workshops and seminars for church leadership with special emphasis on visioning, strategic planning, and servant leadership; and

WHEREAS, Dr. Laster held a two-year appointment as the United States Lay Representative to the British Methodist Church, requiring her to travel to the United Kingdom in 2006 and 2007, and during her trip in 2006 to Scotland, she was commissioned by the President of the British Methodist Church to preach in Scalloway, the Shetland Islands, and Dr. Laster also served on the West Ohio Conference Re-districting Team, along with a variety of offices in the United Methodist Church; and

WHEREAS, Dr. Laster has served on many boards including Black Career Women, Inc., Citizens for Civic Renewal, the Cincinnati Museum Center's Children's Advisory Board, Leading Women, and the University Hospital Community Advisory Council, and she is the recipient of many awards and accolades, including Fifth Third Bank's "Person of Courage" award, and Dr. Laster was also honored by the Boy Scouts of America for her leadership in recruiting volunteers to serve in a variety of roles for the Cincinnati Hopkins District, as well as receiving the Dada Rafiki award and *The Cincinnati Herald's* Nefertiti award; now, therefore,

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

Section 1. That the Mayor and this Council hereby recognize Dr. Jenny Laster for her visionary leadership, her legacy of nurturing emerging African American leaders and community leaders, and for her many contributions to the City of Cincinnati.

Section 2. That this resolution be spread upon the minutes of Council and a copy be provided to the Dr. Laster by the Council Office of Vice Mayor Jan-Michele Lemon Kearney.

Passed: \_\_\_\_\_, 2023

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

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

Submitted by Vice Mayor Jan-Michele Lemon Kearney



**Jan-Michele Lemon Kearney**  
*Vice Mayor*

February 5, 2023

**MOTION**

WE MOVE that the Administration prepare a REPORT on the following suggestions made concerning the proposed new three-tiered tax abatement program during public comment at the January 31, 2023

Equitable Housing Committee:

1. Create and fund a new position in the City's Department of Community and Economic Development (DCED) to assist with educating the public on the tax abatement program, assisting property owners with the application process, monitoring the efficacy of the tax abatement program by assessing goals including by not limited to utilization of the program across Cincinnati's neighborhoods, and desegregation of Cincinnati's neighborhoods, and reporting data to City Council on a quarterly basis;
2. Create income criteria for waiving the tax abatement application fee, currently set at \$250; and
3. Assess the impact of residential tax abatements on Cincinnati Public Schools.

Vice Mayor Jan-Michele Lemon Kearney

_____.	_____.
_____.	_____.
_____.	_____.
_____.	_____.

CAL → Equitable Housing.  
JMLK

# City of Cincinnati

## Council



Melissa Autry, CMC  
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308  
Cincinnati, Ohio 45202  
Phone (513) 352-3246  
Fax (513) 352-2578

January 6, 2023

### MOTION

#### *Equitable Development: Cincinnati Bonding Program*

**WE MOVE** that the City Administration create a bonding program for MBE and WBE contractors who have proven themselves with the City through previous project completions in order to overcome one of the major barriers to equitable opportunities. The City Administration should consider self-bonding, working with bonding agencies and/or co-signing for first-time bonds when the MBE or WBE company meets the City's pre-determined qualifications such as *successfully* completing projects for the City totaling at least \$1 million and limiting the upper end of our bonding threshold. Successful completion of projects should be clearly defined as approval by the City Manager's Office.

**WE FURTHER MOVE** that City Council receive a report at quarterly on MBEs and WBEs that have participated in the City's bonding program, and the status of the projects, in order to assess the efficacy of the City's bonding program.

Councilmember Seth Walsh

President Pro Tem Victoria Parks

Vice Mayor Jan-Michele Lemon Kearney

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## STATEMENT

Many smaller minority-owned and women-owned companies face the barrier of being unable to secure bonds, and as a result, they are prevented from participating in larger projects. The inability to secure bonding is the major barrier to growth for many contractors. Examples of reasons for denial include inadequate cash savings and/or credit scores. And yet, neither cash savings nor credit scores can improve without the opportunity to work on larger, more lucrative projects.

Councilmember Seth Walsh is intimately familiar with the “glass ceiling” that creates a barrier to growth for MBE and WBE contractors through his years of experience leading the College Hill Community Urban Redevelopment Corporation. In his experience a critical hurdle that smaller contractors must overcome is securing bonding for the first time. Subsequent bonding follows more easily.

Simultaneously, the City provides funding for smaller neighborhood projects each year that struggle to find quality contractors to work with in order to complete the projects in a timely and high quality manner.

Therefore, a program by the City to help contractors overcome the hurdle of first-time bonding, while incentivizing participation in smaller projects with the City, would create equitable opportunities for growth for MBE and WBE contractors.

The City’s bonding program should include clear, pre-determined qualifications such as the successful completion of projects for the City, such as completing projects totaling at least \$1 million. City Administration should be able to determine companies that are ready for larger projects and eligible for the City’s bonding program, being mindful to keep the City’s liability to a minimum. Criteria must be clear so that contractors understand the steps they must take to become eligible.

City Council should receive a report at least semi-annually on MBEs and WBEs that have participated in the City’s bonding program, and the status of the projects, in order to assess the efficacy of the City’s bonding program.

CAL → Budget & Finance  
J-mck



January 6, 2023

## MOTION

### *Convention Center District Project's Equitable Development Program for Contractors*

**WE MOVE** that City administration work with 3CDC, the Master Developer for the City of Cincinnati's Convention Center District Development Project, to increase opportunities for minority and women contractors, including establishing a minority/women contractor mentorship program to augment agreed upon diversity and inclusion goals for the Convention Center District Development Project and create pathways to growth for minority and women contractors. The following steps shall be taken:

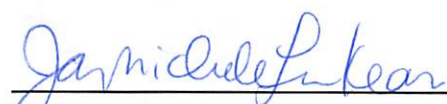
1. **Create M/WBE Database:** City of Cincinnati administration in collaboration with 3CDC and other appropriate organizations shall identify local MBEs and WBEs headquartered in the Cincinnati area ("Identified M/WBEs") and create and maintain a database of all such firms ("M/WBE Database"). The M/WBE Database shall be a fluid document that will be regularly updated to include general information about each company. M/WBE firms that are not headquartered in the Cincinnati area, but could partner with local M/WBE firms, should be included in the database, as well as minority-owned and women-owned firms that meet the MBE or WBE criteria but are not certified.
2. **Inform M/WBEs about opportunities early in the process:** 3CDC shall proactively meet with Identified M/WBEs, in person or virtually, to discuss the opportunities with the Convention Center District Development Project

and relevant scopes of work required in order to better determine the Identified M/WBEs' current performance capabilities and opportunities for growth. Such meetings shall be documented as part of the M/WBE Database.

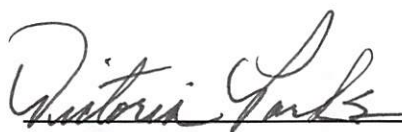
3. **Assess gaps/needs/barriers to inclusion:** Based on the information gathered, 3CDC shall match selected M/WBE firms' capabilities to the scopes of work required and identify any gaps or needs that may create barriers to successful performance. Barriers should be addressed as follows:
  - a. **Access to capital:** City administration and 3CDC will explore a revolving fund as a source for low-cost capital to give M/WBEs the ability to carry payroll, up-front cost of materials, and other expenses.
    - i. The fund could be managed internally by the City of Cincinnati, or by a third-party financial institution (*e.g.*, the Cincinnati Development Fund or a local bank).
    - ii. City administration shall make recommendations for a funding source or sources for City support of the revolving fund.
    - iii. Additionally, the City and 3CDC will determine if there are other financial support structures that are necessary to provide equitable coverage for the M/WBEs.
  - b. **Capacity needs:** The City and 3CDC shall develop strategies for key majority firms ("Majority Firm Partners") and/or other partners to mentor M/WBE firms by creating opportunities for M/WBEs to be involved in and learn from all phases of the Convention Center District Development Project.
  - c. **Bonding:** If necessary, 3CDC will negotiate for the prime contractor to carry 100% of the bond to enable the smaller M/WBE subcontractors to participate in the Convention Center District Development Project or will identify other strategies to ensure that bonding is not a barrier to participation by M/WBE firms.

**WE FURTHER MOVE** that the program/strategies for increasing opportunities for minority and women contractors, including the database and minority/women contractor mentorship program created for equity inclusion in the Convention Center District Development Project be used as a pilot with the goal of expanding the program into other large-scale (\$5 million or more) development projects.

**WE FURTHER MOVE** that a second part of the Equitable Development Program targets minority and women developers, and includes a minority/women developer mentorship program to support equity and inclusion among the minority/women real estate developer community. Such a program should create opportunities for minority/women developers to increase their capacity by providing training and exposure to the development process, development finance, and any technical assistance components necessary to prepare each minority/women developer to successfully engage and compete in real estate development within the City of Cincinnati.



Jan-Michele Lemon Kearney, Vice Mayor



Victoria Parks, President *Pro Tem*

### **Statement**

The Convention Center District Development Project provides a tremendous opportunity for growth for minority and women contractors, including establishing a minority/women contractor mentorship program to augment agreed upon diversity and inclusion goals for the Convention Center District Development. The Master Developer, 3CDC, has agreed to meet with the minority/women contractors early in the process, discuss scope of work of the project, and ascertain the capacity of the minority and women contractors in order to match them with appropriate opportunities. In addition, 3CDC will assist the City with the creation of a minority and women contractor mentorship program as part of the diversity and inclusion plan. The goal is to create transformative growth opportunities for M/WBEs, beginning with the Convention Center District Development Project.

CAL → Budget & Finance

J-m4

**Date:** February 8, 2023

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

202300488

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

**Subject:** Liquor License – Transfer of Ownership

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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:** 8199014  
**PERMIT TYPE:** TRFO  
**CLASS:** D1 D2 D3 D3A D6  
**NAME:** 6550 PARKLAND SPORTS PUB LLC  
**DBA:** PARKLAND SPORTS PUB  
6550 PARKLAND AVE  
1<sup>ST</sup> FL & BSMT  
CINCINNATI, OH 45233

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

On January 2, 2023, Sayler Park Village Council was notified of this application and do not object.



Police Department Approval

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

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: February 10, 2023

Date: 1/23/2023  
 To: Colonel Teresa A. Theetge, Police Chief  
 From: Police Specialist Kevin Kroger, District Three Neighborhood Liaison Unit  
 Copies to:  
 Subject: **RENEWAL, TRANSFER OR ISSUANCE OF LIQUOR LICENSES**

**PATROL BUREAU MEMO #:** 23-035

**DISTRICT INVESTIGATING LIQUOR PERMIT PREMISE:** District Three

**PERMIT #:** 8199014

**TYPE OF PERMIT APPLIED FOR:** Transfer of Ownership

**PERMIT NAME & ADDRESS:**

Name:	6550 Parkland Sports Pub LLC
Address:	6550 Parkland Ave, Cincinnati Ohio 45233

**APPLICANTS NAME(S):** Edward T. Miller

**INSPECTION / INVESTIGATION INFORMATION:**

Officer:	Kevin Kroger
Date:	1/23/23
Findings:	The bar area of this establishment is currently under renovation. There were no permits or signage on display. The applicant was advise of the permits that will be needed and the required signage to post. Due to the location being in a state of renovation, there was no alcohol on site a full proper inspection of the property was not possible. District Three has no objections to this transfer at this time.

**COMMUNITY COUNCIL NOTIFIED:**

Name 1: TRICIA JELINEK	Date: 1/23/2023	Notified by: phone
Phone: 513-200-1595	E-mail:	
Name 2:	Date:	Notified by: (select from menu)
Phone:	E-mail:	

**DISPOSITION OF THE COMMUNITY COUNCIL:**

☒ NO OBJECTIONS    
 ☐ OBJECTION: Attached Letter with Community Council Letterhead

**DISPOSITION OF THE DISTRICT:**

☒ NO OBJECTIONS

☐ OBJECTION: If objection checked, a narrative is required below

**REASON FOR OBJECTION:**

KTK

gmk, C-8

1/25/25

No Objection (Pending Inspection)  
-mg/LTC4

1/28/23

# City of Cincinnati

## Council



Melissa Autry, CMC  
*Clerk of Council*

Office of the Clerk

801 Plum Street, Suite 308  
Cincinnati, Ohio 45202  
Phone (513) 352-3246  
Fax (513) 352-2578

December 20, 2022

OHIO DIVISION OF LIQUOR CONTROL  
LICENSING SECTION  
NEW PERMIT SECTION  
6606 TUSSING ROAD  
P O BOX 4005  
REYNOLDSBURG, OH 43068-9005

Dear Ohio Division of Liquor Control:

The Council of the City of Cincinnati, State of Ohio, is requesting a 30 day extension on the below cited liquor permit application:

Application No.: 8199014  
Permit Type: TRFO D1 D2 D3 D3A D6  
Name: 6550 PARKLAND SPORTS PUB LLC  
DBA PARKLAND SPORTS PUB 1<sup>ST</sup> FL & BSMT  
6550 PARKLAND AVE  
CINCINNATI OH 45202

Pursuant to R.C. 4303.26(A), City of Cincinnati City Council, through its Clerk of Council (collectively, hereinafter "the City"), respectfully requests an additional 30 days in which to respond to the Ohio Division of Liquor Control regarding whether the City will request a hearing on the subject liquor permit application. The City makes such time extension request for good cause and not for unnecessary delay. Specifically, the City requires additional time for each of its various departments and the applicable community council to review and investigate the liquor application by performing all necessary inspections and research including, but not limited to, permit applicant interviews, site premises inspections, background investigations, and historical investigations regarding the history of the permit premises and the subject location. Moreover, such extension of time would provide the applicable community council an opportunity to meet, vote, and respond back to the City by the deadline. Therefore, the City requires such time extension in order to perform its due diligence in this matter. The City respectfully requests this time extension in good faith, for good cause, and not for unnecessary delay.

Please fax the confirmation back to us as soon as possible at (513)352-2578.

Thank you for your prompt attention.

Sincerely,

Melissa Autry, CMC  
Clerk of Council

NOTICE TO LEGISLATIVE AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL  
6606 TUSSING ROAD  
P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005

TO

8199014	TRFO	6550 PARKLAND SPORTS PUB LLC
ISSUE DATE		DBA PARKLAND SPORTS PUB 1ST FL & BSMT
12-06-2022		6550 PARKLAND AVE
D1,D2,D3,D3A,D6		CINCINNATI OHIO 45233
31	066	B
TAX DISTRICT	PERMIT CLASS	RECEIPT NO. F028837

FROM

December 14, 2022

4933240		RICHARD G KUNTZ JR
ISSUE DATE		DBA PARKLAND GRILL 1ST FL & BSMT
06-01-2020		6550 PARKLAND AVE
D1,D2,D3,D3A,D6		CINCINNATI OHIO 45233
31	066	B
TAX DISTRICT	PERMIT CLASS	RECEIPT NO.



MAILED 12/14/2022

RESPONSES MUST BE POSTMARKED NO LATER THAN. 01/14/2023

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES B TRFO 8199014

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)

- ☐ Clerk of County Commissioner  
☐ Clerk of City Council  
☐ Township Trustee

(Date)

20230122-0854

CINCINNATI CLERK OF COUNCIL  
CITY HALL 801 PLUM ST ROOM 308  
CINCINNATI OHIO 45202

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

# City of Cincinnati

## Council



Melissa Autry, CMC  
*Clerk of Council*

Office of the Clerk

801 Plum Street, Suite 308  
Cincinnati, Ohio 45202  
Phone (513) 352-3246  
Fax (513) 352-2578

For City Bulletin

### Liquor Permit Application

From the Department of Liquor Control advising of permit application for the following:

Application No.: 8199014  
Permit Type: TRFO D1 D2 D3 D3A D6  
Name: 6550 PARKLAND SPORTS PUB LLC  
DBA PARKLAND SPORTS PUB 1<sup>ST</sup> FL & BSMT  
6550 PARKLAND AVE  
CINCINNATI OH 45202

Pursuant to Section 4303.261 of the Ohio Revised Code, Council must notify the Department of Liquor Control within thirty days if there is an objection to the above permit.

Notice of Application was received by the Clerk of Council's Office

12/20/2022

MELISSA AUTRY, CMC Clerk of Council

The last day for the State to receive an objection is

01/14/2023

**Date:** February 8, 2023

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

202300489

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

**Subject:** Liquor License – New

---

***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:** 2555750  
**PERMIT TYPE:** NEW  
**CLASS:** D3 D3A  
**NAME:** ETHIO ERITREAN FLIRT BAR LLC  
**DBA:** FLIRT BAR  
5070 CROOKSHANK RD  
CINCINNATI, OH 45238

On January 2, 2023, Westwood Civic Association was notified of this application and do not object.



\_\_\_\_\_  
Police Department Approval

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

☐ Objection

☐ No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: February 17, 2023

Date: January 25, 2023

To: Colonel Teresa A. Theetge, Police Chief

From: P.O. Kevin Butler P128

Copies to:

Subject: **RENEWAL, TRANSFER OR ISSUANCE OF LIQUOR LICENSES**

**PATROL BUREAU MEMO #:** 23-035

**DISTRICT INVESTIGATING LIQUOR PERMIT PREMISE:** District Three

**PERMIT #:** 2555750

**TYPE OF PERMIT APPLIED FOR:** New

**PERMIT NAME & ADDRESS:**

Name:	Ethio Eritean Flirt Bar LLC
Address:	5070 Crookshank Rd Cincinnati Ohio 45238

**APPLICANTS NAME(S):** Gigi Tesfamariam

**INSPECTION / INVESTIGATION INFORMATION:**

Officer:	P.O. Kevin Butler P128
Date:	1/25/2023
Findings:	I spoke with the owner, Gigi Tesfamariam on 1/25/2023. Mr. Tesfamariam stated that the location was still under construction, and that I wouldn't be able to perform an inspection. The target completion date is Mid February, and Mr. Tesfamariam was advised to contact me at that time for a follow up.

**COMMUNITY COUNCIL NOTIFIED:**

Name 1: Katie Frazier	Date: 1/25/2023	Notified by: phone
Phone: 513-659-5772	E-mail:	
Name 2:	Date:	Notified by: (select from menu)
Phone:	E-mail:	

**DISPOSITION OF THE COMMUNITY COUNCIL:**

☒ NO OBJECTIONS
 ☐ OBJECTION: Attached Letter with Community Council Letterhead

**DISPOSITION OF THE DISTRICT:**

☒ NO OBJECTIONS      ☐ OBJECTION: If objection checked, a narrative is required below

REASON FOR OBJECTION:

KB

Druf, C8  
1/25/23

No Objection (Pending Inspection)  
-m8/LTC4  
1/28/23

# City of Cincinnati

## Council



Melissa Autry, CMC  
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308  
Cincinnati, Ohio 45202  
Phone (513) 352-3246  
Fax (513) 352-2578

December 27, 2022

OHIO DIVISION OF LIQUOR CONTROL  
LICENSING SECTION  
NEW PERMIT SECTION  
6606 TUSSING ROAD  
P O BOX 4005  
REYNOLDSBURG, OH 43068-9005

Dear Ohio Division of Liquor Control:

The Council of the City of Cincinnati, State of Ohio, is requesting a 30 day extension on the below cited liquor permit application:

Application No.: 2555750  
Permit Type: NEW D3 D3A  
Name: ETHIO ERITREAN FLIRT BAR LLC  
DBA FLIRT BAR  
5070 CROOKSHANK RD  
CINCINNATI OH 45238

Pursuant to R.C. 4303.26(A), City of Cincinnati City Council, through its Clerk of Council (collectively, hereinafter "the City"), respectfully requests an additional 30 days in which to respond to the Ohio Division of Liquor Control regarding whether the City will request a hearing on the subject liquor permit application. The City makes such time extension request for good cause and not for unnecessary delay. Specifically, the City requires additional time for each of its various departments and the applicable community council to review and investigate the liquor application by performing all necessary inspections and research including, but not limited to, permit applicant interviews, site premises inspections, background investigations, and historical investigations regarding the history of the permit premises and the subject location. Moreover, such extension of time would provide the applicable community council an opportunity to meet, vote, and respond back to the City by the deadline. Therefore, the City requires such time extension in order to perform its due diligence in this matter. The City respectfully requests this time extension in good faith, for good cause, and not for unnecessary delay.

Please fax the confirmation back to us as soon as possible at (513)352-2578.

Thank you for your prompt attention.

Sincerely,

Melissa Autry, CMC  
Clerk of Council

**NOTICE TO LEGISLATIVE  
AUTHORITY**

**OHIO DIVISION OF LIQUOR CONTROL**  
6808 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005  
(614)844-2380 FAX(614)844-3166

TO

2555750		NEW		Ethio Eritrean Flirt Bar LLC DBA Flirt Bar 5070 Crookshank Rd Cincinnati OH 45238
PERMIT NUMBER TYPE				
ISSUE DATE				
12 14 2022				
FILING DATE				
D3 D3A				
PERMIT CLASSES				
31	066	A	D61619	
TAX DISTRICT RECEIPT NO.				

FROM

12/19/2022

PERMIT NUMBER TYPE				
ISSUE DATE				
FILING DATE				
PERMIT CLASSES				
TAX DISTRICT RECEIPT NO.				

MAILED 12/19/2000

RESPONSES MUST BE POSTMARKED NO LATER THAN.

1/19/2023

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

TRANSACTION & NUMBER

**(MUST MARK ONE OF THE FOLLOWING)**

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☒ Clerk of City Council

☐ Township Fiscal Officer

Cincinnati Clerk of Council  
City Hall  
801 Plum St Room 308  
Cincinnati Ohio 45202

# City of Cincinnati

## Council



Melissa Autry, CMC  
*Clerk of Council*

Office of the Clerk

801 Plum Street, Suite 308  
Cincinnati, Ohio 45202  
Phone (513) 352-3246  
Fax (513) 352-2578

For City Bulletin

### Liquor Permit Application

From the Department of Liquor Control advising of permit application for the following:

Application No.: 2555750  
Permit Type: NEW D3 D3A  
Name: ETHIO ERITREAN FLIRT BAR LLC  
DBA FLIRT BAR  
5070 CROOKSHANK RD  
CINCINNATI OH 45238

Pursuant to Section 4303.261 of the Ohio Revised Code, Council must notify the Department of Liquor Control within thirty days if there is an objection to the above permit.

Notice of Application was received by the Clerk of Council's Office

12/27/2022

MELISSA AUTRY, CMC Clerk of Council

The last day for the State to receive an objection is

01/19/2023

**Date:** February 8, 2023

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

202300492

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

**Subject:** Liquor License – Transfer of Ownership

---

***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:** 8978465  
**PERMIT TYPE:** TRFO  
**CLASS:** C1 C2  
**NAME:** BT NATURALS LLC  
**DBA:** STREET CORNER URBAN MARKET  
51 E 4<sup>TH</sup> ST  
CINCINNATI, OH 45202

On January 2, 2023, Downtown Residents Council was notified of this application and do not object.



---

Police Department Approval

---

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

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: February 28, 2023

Date: 1/24/2023  
 To: Colonel Teresa A. Theetge, Police Chief  
 From: Captain Adam Hennie, Central Business Section Commander  
 Copies to:  
 Subject: **RENEWAL, TRANSFER OR ISSUANCE OF LIQUOR LICENSES**

**PATROL BUREAU MEMO #: 23-037**

**DISTRICT INVESTIGATING LIQUOR PERMIT PREMISE:** Central Business Section

**PERMIT #:** 8978465

**TYPE OF PERMIT APPLIED FOR:** Transfer of Ownership

**PERMIT NAME & ADDRESS:**

Name:	BT NATURALS LLC
Address:	51 E 4 <sup>TH</sup> ST C/O 45202

**APPLICANTS NAME(S):** MINERVA FREAGENTI

**INSPECTION / INVESTIGATION INFORMATION:**

Officer:	PO MOORE
Date:	1/24/2023
Findings:	NO OBJECTION

**COMMUNITY COUNCIL NOTIFIED:**

Name 1: ALAN BUNKER	Date: 1/24/2023	Notified by: email
Phone:	E-mail:	
Name 2:	Date:	Notified by: (select from menu)
Phone:	E-mail:	

**DISPOSITION OF THE COMMUNITY COUNCIL:**

☒ NO OBJECTIONS     
 ☐ OBJECTION: Attached Letter with Community Council Letterhead

**DISPOSITION OF THE DISTRICT:**

☒ NO OBJECTIONS      ☐ OBJECTION: If objection checked, a narrative is required below

**REASON FOR OBJECTION:**

NO OBJECTION

  
AH

No objection  


# City of Cincinnati

## Council



Melissa Autry, CMC  
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308  
Cincinnati, Ohio 45202  
Phone (513) 352-3246  
Fax (513) 352-2578

December 30, 2022

OHIO DIVISION OF LIQUOR CONTROL  
LICENSING SECTION  
NEW PERMIT SECTION  
6606 TUSSING ROAD  
P O BOX 4005  
REYNOLDSBURG, OH 43068-9005

Dear Ohio Division of Liquor Control:

The Council of the City of Cincinnati, State of Ohio, is requesting a 30 day extension on the below cited liquor permit application:

Application No.: 8978465  
Permit Type: TRFO C1 C2  
Name: BT NATURALS LLC  
DBA STREET CORNER URBAN MARKET  
51 E 4<sup>TH</sup> ST  
CINCINNATI OH 45202

Pursuant to R.C. 4303.26(A), City of Cincinnati City Council, through its Clerk of Council (collectively, hereinafter "the City"), respectfully requests an additional 30 days in which to respond to the Ohio Division of Liquor Control regarding whether the City will request a hearing on the subject liquor permit application. The City makes such time extension request for good cause and not for unnecessary delay. Specifically, the City requires additional time for each of its various departments and the applicable community council to review and investigate the liquor application by performing all necessary inspections and research including, but not limited to, permit applicant interviews, site premises inspections, background investigations, and historical investigations regarding the history of the permit premises and the subject location. Moreover, such extension of time would provide the applicable community council an opportunity to meet, vote, and respond back to the City by the deadline. Therefore, the City requires such time extension in order to perform its due diligence in this matter. The City respectfully requests this time extension in good faith, for good cause, and not for unnecessary delay.

Please fax the confirmation back to us as soon as possible at (513) 352-2578.

Thank you for your prompt attention.

Sincerely,

Melissa Autry, CMC  
Clerk of Council

**NOTICE TO LEGISLATIVE  
AUTHORITY**

**OHIO DIVISION OF LIQUOR CONTROL**  
6606 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43088-9005  
(614)844-2380 FAX(614)644-3168

TO

8978465		TRFO		BT NATURALS LLC	
PERMIT NUMBER		TYPE		DBA STREET CORNER URBAN MARKET	
06	01	2022		51 E 4TH ST	
ISSUE DATE				CINCINNATI OH 45202	
12	20	2022			
FILING DATE					
C1	C2	PERMIT CLASSES			
31	066	A	F28884		
TAX DISTRICT		RECEIPT NO.			

FROM 12/22/2022

1430030				CHARLIE SIERRA LLC	
PERMIT NUMBER		TYPE		DBA STREET CORNER URBAN MARKET	
06	01	2022		51 E 4TH ST	
ISSUE DATE				CINCINNATI OH 45202	
12	20	2022			
FILING DATE					
C1	C2	PERMIT CLASSES			
31	066				
TAX DISTRICT		RECEIPT NO.			



MAILED 12/22/2022

RESPONSES MUST BE POSTMARKED NO LATER THAN. 01/23/2023

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.  
REFER TO THIS NUMBER IN ALL INQUIRIES **A TRFO 8978465**

(TRANSACTION & NUMBER)

**(MUST MARK ONE OF THE FOLLOWING)**

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title) ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

8978465-220122

**CINCINNATI CLERK OF COUNCIL**  
CITY HALL  
801 PLUM ST ROOM 308  
CINCINNATI OHIO 45202

CLERK OF COUNCIL

# City of Cincinnati

## Council



Melissa Autry, CMC  
*Clerk of Council*

Office of the Clerk

801 Plum Street, Suite 308  
Cincinnati, Ohio 45202  
Phone (513) 352-3246  
Fax (513) 352-2578

For City Bulletin

### Liquor Permit Application

From the Department of Liquor Control advising of permit application for the following:

Application No.: 8978465  
Permit Type: TRFO C1 C2  
Name: BT NATURALS LLC  
DBA STREET CORNER URBAN MARKET  
51 E 4<sup>TH</sup> ST  
CINCINNATI OH 45202

Pursuant to Section 4303.261 of the Ohio Revised Code, Council must notify the Department of Liquor Control within thirty days if there is an objection to the above permit.

Notice of Application was received by the Clerk of Council's Office

12/30/2022

MELISSA AUTRY, CMC Clerk of Council

The last day for the State to receive an objection is

01/23/2023

**Date:** February 8, 2023

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

202300493

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

**Subject:** Liquor License – Transfer of Location

---

***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:** 6297200  
**PERMIT TYPE:** TFOL  
**CLASS:** D1 D2 D3 D6  
**NAME:** VIET CINCY GROUP DCO LLC  
**DBA:** NONE LISTED  
150 W FOURTH ST  
CINCINNATI, OH 45202

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

On December 20, 2022, Downtown Residents Council was notified of this application and do not object.



\_\_\_\_\_  
Police Department Approval

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

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: February 10, 2023

Date: 1/23/2023  
 To: Colonel Teresa A. Theetge, Police Chief  
 From: Captain Adam Hennie, Central Business Section Commander  
 Copies to:  
 Subject: **RENEWAL, TRANSFER OR ISSUANCE OF LIQUOR LICENSES**

**PATROL BUREAU MEMO #:** 23-029

**DISTRICT INVESTIGATING LIQUOR PERMIT PREMISE:** Central Business Section

**PERMIT #:** 6297200

**TYPE OF PERMIT APPLIED FOR:** Transfer of Location

**PERMIT NAME & ADDRESS:**

Name:	VIET CINCY GROUP DCO LLC
Address:	150 W FOURTH ST

**APPLICANTS NAME(S):** CALVIN CUONG PHAM

**INSPECTION / INVESTIGATION INFORMATION:**

Officer:	PO MOORE
Date:	1/23/2023
Findings:	NO OBJECTION

**COMMUNITY COUNCIL NOTIFIED:**

Name 1: ALAN BUNKER	Date: 1/23/2023	Notified by: email
Phone:	E-mail:	
Name 2:	Date:	Notified by: (select from menu)
Phone:	E-mail:	

**DISPOSITION OF THE COMMUNITY COUNCIL:**

☒ NO OBJECTIONS     
 ☐ OBJECTION: Attached Letter with Community Council Letterhead

**DISPOSITION OF THE DISTRICT:**

☒ NO OBJECTIONS      ☐ OBJECTION: If objection checked, a narrative is required below

**REASON FOR OBJECTION:**

NO OBJECTION

AH

No Objection  
- mys/lrck  
1/23/23

# City of Cincinnati

## Council



Melissa Autry, CMC  
*Clerk of Council*

Office of the Clerk:

801 Plum Street, Suite 308  
Cincinnati, Ohio 45202  
Phone (513) 352-3246  
Fax (513) 352-2578

December 15, 2022

OHIO DIVISION OF LIQUOR CONTROL  
LICENSING SECTION  
NEW PERMIT SECTION  
6606 TUSSING ROAD  
P O BOX 4005  
REYNOLDSBURG, OH 43068-9005

Dear Ohio Division of Liquor Control:

The Council of the City of Cincinnati, State of Ohio, is requesting a 30 day extension on the below cited liquor permit application:

Application No.: 6297200  
Permit Type: TFOI D1 D2 D3 D6  
Name: VIET CINCY GROUP DCO LLC  
150 W FOURTH ST  
CINCINNATI OH 45202

Pursuant to R.C. 4303.26(A), City of Cincinnati City Council, through its Clerk of Council (collectively, hereinafter "the City"), respectfully requests an additional 30 days in which to respond to the Ohio Division of Liquor Control regarding whether the City will request a hearing on the subject liquor permit application. The City makes such time extension request for good cause and not for unnecessary delay. Specifically, the City requires additional time for each of its various departments and the applicable community council to review and investigate the liquor application by performing all necessary inspections and research including, but not limited to, permit applicant interviews, site premises inspections, background investigations, and historical investigations regarding the history of the permit premises and the subject location. Moreover, such extension of time would provide the applicable community council an opportunity to meet, vote, and respond back to the City by the deadline. Therefore, the City requires such time extension in order to perform its due diligence in this matter. The City respectfully requests this time extension in good faith, for good cause, and not for unnecessary delay.

Please fax the confirmation back to us as soon as possible at (513) 352-2578.

Thank you for your prompt attention.

Sincerely,



Melissa Autry, CMC  
Clerk of Council

**NOTICE TO LEGISLATIVE  
AUTHORITY**

**OHIO DIVISION OF LIQUOR CONTROL**  
6808 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005  
(614)844-2360 FAX(614)844-3168

TO

6297200			TFOL	VIET CINCY GROUP DCO LLC 150 W FOURTH ST CINCINNATI OH 45202
06	01	2021		
ISSUE DATE				
12	09	2022		
FILING DATE				
D1	D2	D3	D6	
PERMIT CLASSES				
31	066	A	F28833	
TAX DISTRICT			RECEIPT NO.	

FROM 12/13/2022

00839560005				AJI ICHIBAN LLC 5714 GLENWAY CINCINNATI OHIO 45238
06	01	2021		
ISSUE DATE				
12	09	2022		
FILING DATE				
D1	D2	D3	D6	
PERMIT CLASSES				
31	066			
TAX DISTRICT			RECEIPT NO.	



MAILED 12/13/2022

RESPONSES MUST BE POSTMARKED NO LATER THAN. 01/13/2023

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

A TFOL 6297200

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CINCINNATI CLERK OF COUNCIL  
CITY HALL  
801 PLUM ST ROOM 308  
CINCINNATI OHIO 45202

# City of Cincinnati

## Council



Melissa Autry, CMC  
*Clerk of Council*

Office of the Clerk

301 Plum Street, Suite 308  
Cincinnati, Ohio 45202  
Phone (513) 352-3246  
Fax (513) 352-2578

For City Bulletin

### Liquor Permit Application

From the Department of Liquor Control advising of permit application for the following:

Application No.: 6297200  
Permit Type: TFOL D1 D2 D3 D6  
Name: VIET CINCY GROUP DCO LLC  
150 W FOURTH ST  
CINCINNATI OH 45202

Pursuant to Section 4303.261 of the Ohio Revised Code, Council must notify the Department of Liquor Control within thirty days if there is an objection to the above permit.

Notice of Application was received by the Clerk of Council's Office

12/15/2022

MELISSA AUTRY, CMC Clerk of Council

The last day for the State to receive an objection is

01/13/2023

Date: 2/8/2023

To: Mayor and Members of City Council 202300519  
From: Sheryl M. M. Long, City Manager  
Subject: **SPECIAL EVENT PERMIT APPLICATION: (NCECA Exhibition and Reception - Art Academy of Cincinnati)**

---

In accordance with Cincinnati Municipal Code, Chapter 765; (Wendy Taylot-Reidy) 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: NCECA Exhibition and Reception  
EVENT SPONSOR/PRODUCER: Art Academy of Cincinnati  
CONTACT PERSON: Wendy Taylor-Reidy  
LOCATION: 1212 Jackson St  
DATE(S) AND TIME(S): 3/17/2023 11:00 AM to 11:00 PM  
EVENT DESCRIPTION: National Council on Education for the Ceramic Arts - AAC/CAA  
Exhibition Opening and College Social  
ANTICIPATED ATTENDANCE: 300  
ALCOHOL SALES: ☒ YES. ☐ NO.  
TEMPORARY LIQUOR PERMIT HOLDER IS: Art Academy of Cincinnati



cc: Colonel Teresa A. Theetge, Police Chief

February 8, 2023

**To:** Mayor and Members of City Council 202300548

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

**Subject:** **Ordinance – DOTE: Complete Streets RAISE Grant Application**

---

Attached is an Ordinance captioned:

**AUTHORIZING** the City Manager to apply for a Rebuilding American Infrastructure with Sustainability and Equity grant awarded by the United States Department of Transportation in the amount of up to \$5,000,000 for the purpose of conducting a study and creating a preliminary design for a Complete Streets project, which includes improving the safety of City streets and enhancing pedestrian connections and safety.

This Ordinance authorizes the City Manager to apply for a Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant awarded by the United States Department of Transportation (USDOT) in the amount of up to \$5,000,000 for the purpose of conducting a study and creating a preliminary design for a Complete Streets project, which includes improving the safety of City streets and enhancing pedestrian connections and safety.

The RAISE grant award amount ranges from \$5,000,000 to \$25,000,000 per grant. The Department of Transportation and Engineering (DOTE) intends to apply for a grant in the amount of \$5,000,000 to conduct a study and create a preliminary design for a Complete Streets project, which will include Complete Streets concepts to determine the feasibility of right-sizing the corridor along Westwood Northern Boulevard between Beekman Avenue and the western corporation line near Boudinot Avenue, eliminating gaps in the sidewalk network, addressing crash locations, and determining which Complete Streets concepts can be implemented in the corridor. DOTE will apply for the grant by the deadline on February 28, 2023; however, no grant resources will be accepted without City Council authorization.

This grant requires a 20 percent local match of \$1,250,000 based on the estimated cost of \$6,250,000. The source of matching funds will need to be identified prior to accepting the grant. There are no new FTE requirements associated with this grant.

This grant project is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability” and strategies to “[e]xpand options for non-automotive travel” and “[p]lan, design, and implement a safe and sustainable transportation system,” as described on pages 129-138 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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

Attachment



**AUTHORIZING** the City Manager to apply for a Rebuilding American Infrastructure with Sustainability and Equity grant awarded by the United States Department of Transportation in the amount of up to \$5,000,000 for the purpose of conducting a study and creating a preliminary design for a Complete Streets project, which includes improving the safety of City streets and enhancing pedestrian connections and safety.

WHEREAS, the Department of Transportation and Engineering (“DOTE”) has an opportunity to apply for grant funding from the United States Department of Transportation Rebuilding American Infrastructure with Sustainability and Equity (“RAISE”) program for the purpose of investing in road, rail, transit, and port projects that promise to achieve national objectives; and

WHEREAS, the RAISE grant award amount ranges from a minimum of \$5,000,000 to a maximum of \$25,000,000 per grant; and

WHEREAS, the City has multiple priorities to improve street safety for vehicles, bicycles, and pedestrians; and

WHEREAS, DOTE intends to apply for a grant of \$5,000,000 to conduct a study and create a preliminary design for a Complete Streets project that will include Complete Streets concepts to determine the feasibility of right-sizing the corridor along Westwood Northern Boulevard between Beekman Avenue and the western corporation line near Boudinot Avenue, eliminating gaps in the sidewalk network, addressing crash locations, and determining which Complete Streets concepts can be implemented in the corridor; and

WHEREAS, DOTE intends to apply for the grant by the February 28, 2023 deadline, which may be prior to Council approval of this ordinance; however, no grant resources will be accepted without Council authorization; and

WHEREAS, if the City is awarded the grant, a twenty percent local match of \$1,250,000 will be required from the estimated cost of \$6,250,000 for the study and preliminary design, and therefore the source of matching funds will need to be identified prior to accepting the grant; and

WHEREAS, there are no new FTE requirements associated with this grant; and

WHEREAS, this grant project is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability” and strategies to “[e]xpand options for non-automotive travel” and “[p]lan, design, and implement a safe and

sustainable transportation system,” as described on pages 129-138 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is authorized to apply for a Rebuilding American Infrastructure with Sustainability and Equity grant awarded by the United States Department of Transportation in the amount of up to \$5,000,000 for the purpose of conducting a study and creating a preliminary design for a Complete Streets project, which includes improving the safety of City streets and enhancing pedestrian connections and safety.

Section 2. That the proper City officials are authorized to take all necessary actions to carry out the terms of Section 1 herein.

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

Passed: \_\_\_\_\_, 2023

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

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

February 8, 2023

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

202300549

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

**Subject: Ordinance – Cincinnati Recreation Commission (CRC): LeBlond Recreation Center Turf Installation In-Kind Donation**

---

Attached is an Ordinance captioned:

**AUTHORIZING** the City Manager to accept an in-kind donation of goods and professional services from Playground Equipment Services valued at up to \$220,000, for the installation of a turf infield at the LeBlond Recreation Center.

Approval of this Ordinance will authorize the City Manager to accept an in-kind donation of goods and professional services from Playground Equipment Services valued at up to \$220,000, for the installation of a turf infield at the LeBlond Recreation Center.

Playground Equipment Services has generously offered to donate goods and professional services, valued at up to \$220,000, to install a turf infield for the baseball field at LeBlond Recreation Center. The donated goods and services will be provided pursuant to a separate donation agreement and will include construction materials and labor associated with the installation. Playground Equipment Services will be responsible for ensuring the project is constructed in compliance with all applicable State and local rules, regulations, and building codes, and will provide any necessary design drawings and obtain any necessary permits.

This donation requires no matching funds. There are no new FTEs associated with the donation.

Acceptance of this donation is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” and strategy to “[u]nite our communities,” as described on pages 207-212 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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



Attachment

**AUTHORIZING** the City Manager to accept an in-kind donation of goods and professional services from Playground Equipment Services valued at up to \$220,000 for the installation of a turf infield at the LeBlond Recreation Center.

WHEREAS, Playground Equipment Services, a local Cincinnati company, has generously offered to donate goods and professional services valued at up to \$220,000 to install a turf infield for the baseball field at LeBlond Recreation Center, including construction materials and labor associated with the installation; and

WHEREAS, Playground Equipment Services will be responsible for ensuring the project is constructed in compliance with all applicable state and local rules, regulations, and building codes, and will provide necessary design drawings and obtain necessary permits; and

WHEREAS, the donated goods and services will be provided pursuant to a separate donation agreement being negotiated between the Cincinnati Recreation Commission and Playground Equipment Services; and

WHEREAS, acceptance of this donation requires no matching funds, and there are no additional FTEs associated with the donation; and

WHEREAS, acceptance of this donation is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” and strategy to “[u]nite our communities,” as described on pages 207 – 212 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 hereby authorized to accept an in-kind donation of goods and professional services from Playground Equipment Services valued at up to \$220,000 for the installation of a turf infield at the LeBlond Recreation Center.

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

Section 3. That the City Manager is authorized to enter into any and all agreements necessary to accept and utilize the donated goods and services.

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

Passed: \_\_\_\_\_, 2023

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

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

February 8, 2023

**To:** Mayor and Members of City Council 202300550

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

**Subject:** **Emergency Ordinance – Police: Acceptance of In-Kind Donation from the United States Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF)**

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Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the City Manager to accept an in-kind donation from the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives, of a 2001 Ford F-250 pickup truck valued at \$10,800 for use by the Cincinnati Police Department, Crime Gun Intelligence Center, to perform vehicle stabilization techniques.

Approval of this Emergency Ordinance would authorize the City Manager to accept an in-kind donation from the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives, of a 2001 Ford F-250 pickup truck valued at \$10,800 for use by the Cincinnati Police Department's Crime Gun Intelligence Center (CGIC) to perform vehicle stabilization techniques.

The ATF partners with communities and law enforcement agencies to protect the public through information sharing, training, and research from crimes involving firearms, explosives, arson, terrorism, and diversion of alcohol and tobacco products. The ATF is generously donating a Ford F-250 pickup truck to the Cincinnati Police Department's Crime Gun Intelligence Center (CGIC).

If accepted, the Ford F-250 would be used by CGIC to perform vehicle stabilization techniques to assist in the apprehension of wanted individuals.

This donation does not require additional FTEs or matching funds.

Acceptance of the donated truck is in accordance with the "Live" goal to "[c]reate a more livable community" as described on pages 156-163 of Plan Cincinnati (2012).

The reason for the emergency is the need to ensure the Cincinnati Police Department's timely acceptance of the donation.

The Administration recommends passage of this Emergency Ordinance.

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



Attachment

## **EMERGENCY**

**CFG**

**-2023**

**AUTHORIZING** the City Manager to accept an in-kind donation from the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives, of a 2001 Ford F-250 pickup truck valued at \$10,800 for use by the Cincinnati Police Department, Crime Gun Intelligence Center, to perform vehicle stabilization techniques.

WHEREAS, the Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATF”), a law enforcement agency in the United States Department of Justice, partners with communities and law enforcement agencies to protect the public through information sharing, training, and research related to crimes involving firearms, explosives, arson, terrorism, and diversion of alcohol and tobacco products; and

WHEREAS, the ATF has generously offered to donate a 2001 Ford F-250 pickup truck to the Cincinnati Police Department, Crime Gun Intelligence Center (“CGIC”); and

WHEREAS, if accepted, CGIC would use the truck to perform vehicle stabilization techniques to assist in the apprehension of wanted individuals; and

WHEREAS, there are no new FTEs associated with this donation, and acceptance of the donation does not require any local matching resources; and

WHEREAS, acceptance of the donated truck is in accordance with the “Live” goal to “[c]reate a more livable community” as described on pages 156-163 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is hereby authorized to accept an in-kind donation from the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives, of a 2001 Ford F-250 pickup truck valued at \$10,800 for use by the Cincinnati Police Department, Crime Gun Intelligence Center, to perform vehicle stabilization techniques.

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

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the need to ensure the Cincinnati Police Department's timely acceptance of the donation.

Passed: \_\_\_\_\_, 2023

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

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

February 8, 2023

**To:** Mayor and Members of City Council 202300551

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

**Subject:** **Ordinance – Health: Ohio Department of Health (ODH) Wastewater Project Grant**

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Attached is an Ordinance captioned:

**AUTHORIZING** the City Manager to accept and appropriate a grant in the amount of up to \$350,000 from the Ohio Department of Health to support a project to evaluate the utility of SARS-CoV-2 wastewater monitoring on the subsewershed level, rather than the regional level; and **AUTHORIZING** the Finance Director to deposit the grant funds into Public Health Research Fund revenue account no. 350x8536.

This Ordinance authorizes the City Manager to apply for, accept, and appropriate a grant of up to \$350,000 from the Ohio Department of Health to support a project to evaluate the utility of SARS-CoV-2 wastewater monitoring on the subsewershed level, rather than the regional level. This Ordinance also authorizes the Finance Director to deposit the grant funds into Public Health Research Fund revenue account no. 350x8536.

This grant will provide resources for the Cincinnati Health Department (“CHD”) to assist ODH in monitoring subsewershed levels of SARS-CoV-2 in wastewater from four (4) local neighborhoods of different demographics, socioeconomic levels, SARS-CoV-2 vaccination rates, and Social Vulnerability Indexes (“SVI”).

The Cincinnati Health Department was not required to apply for this grant, and ODH informed CHD of the grant award on December 6, 2022. However, the grant will not be accepted without City Council approval.

There are no new FTEs associated with this grant and no local match is required.

Acceptance of the grant to support a project to evaluate the utility of SARS-CoV-2 wastewater monitoring on the subsewershed level, as opposed to the regional level, is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” as described on pages 181-192 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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



Attachment

-2023

**AUTHORIZING** the City Manager to accept and appropriate a grant in the amount of up to \$350,000 from the Ohio Department of Health to support a project to evaluate the utility of SARS-CoV-2 wastewater monitoring on the subsewershed level, rather than the regional level; and **AUTHORIZING** the Finance Director to deposit the grant funds into Public Health Research Fund revenue account no. 350x8536.

WHEREAS, a Wastewater Project Grant in the amount of up to \$350,000 is available from the Ohio Department of Health (“ODH”) to provide resources for the Cincinnati Health Department (“CHD”) to assist ODH in monitoring subsewershed levels of SARS-CoV-2 in wastewater from four local neighborhoods of different demographics, socioeconomic levels, SARS-CoV-2 vaccination rates, and Social Vulnerability Indexes; and

WHEREAS, CHD will work closely with the Metropolitan Sewer District (“MSD”), the ODH laboratory, and the ODH wastewater monitoring program team, with MSD providing technical support during placement of sensors and sample collection units, analysis of samples by ODH, and collaborative evaluation of the data by all involved agencies; and

WHEREAS, there was no application process for the grant, and ODH informed CHD of the grant award on December 6, 2022, but no funds will be accepted without approval of Council; and

WHEREAS, no local match is required, and acceptance of the grant resources will not require any additional FTEs; and

WHEREAS, acceptance of the grant to support a project to evaluate the utility of SARS-CoV-2 wastewater monitoring on the subsewershed level, as opposed to the regional level, is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” as described on pages 181-192 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is authorized to accept and appropriate a grant in the amount of up to \$350,000 from the Ohio Department of Health to support a project to evaluate the utility of SARS-CoV-2 wastewater monitoring on the subsewershed level, rather than the regional level.

Section 2. That the Finance Director is hereby authorized to deposit the grant funds into Public Health Research Fund revenue account no. 350x8536.

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

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

Passed: \_\_\_\_\_, 2023

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

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

February 8, 2023

**To:** Mayor and Members of City Council 202300553

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

**Subject:** **Ordinance – CRC: Community Preventive Education Grant for SWISH Program**

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Attached is an Ordinance captioned:

**AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$26,030 from the Cincinnati Police Department Community Preventive Education Grant Program for the purpose of providing resources for the Cincinnati Recreation Commission's Safety While Integrating Skills and Hoops program; and **AUTHORIZING** the Finance Director to deposit the grant funds into Contributions for Recreation Purposes Fund 319 revenue account no. 319x8571.

Approval of this Ordinance would authorize the City Manager to apply for, accept, and appropriate a grant of up to \$26,030 from the Cincinnati Police Department (CPD) Community Preventive Education Grant Program for the purpose of providing resources for the Cincinnati Recreation Commission's (CRC) Safety While Integrating Skills and Hoops (SWISH) program. This Ordinance further authorizes the Finance Director to deposit the grant funds into Contributions for Recreation Purposes Fund 319 revenue account no. 319x8571.

The SWISH program provides high-level education, recreation, and mentoring opportunities for Cincinnati teens between the ages of twelve and seventeen. Program attendees will learn valuable life skills to prepare them for the game of life through activities centered around life skills, competition, and drug prevention.

CPD provides grants for community-based drug and alcohol prevention programs from their State Asset Forfeiture Funds as stipulated in Ohio Revised Code Section 2981.13.

CRC staff already applied for this grant prior to the deadline in October 2022. Should this Ordinance not be approved, the grant funding will not be accepted. There are no new FTEs or matching funds associated with the grant.

Acceptance of this grant award is in accordance with the "Collaborate" goal to "[w]ork in synergy with the Cincinnati community" as well as the strategy to "[u]nite our communities," as described on pages 207-212 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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

Attachment



**AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$26,030 from the Cincinnati Police Department Community Preventive Education Grant Program for the purpose of providing resources for the Cincinnati Recreation Commission's Safety While Integrating Skills and Hoops program; and **AUTHORIZING** the Finance Director to deposit the grant funds into Contributions for Recreation Purposes Fund 319 revenue account no. 319x8571.

WHEREAS, the Cincinnati Recreation Commission's ("CRC") Safety While Integrating Skills and Hoops program provides high-level education, recreation, and mentoring opportunities for Cincinnati teens between the ages of twelve and seventeen and is intended to promote healthy lifestyles and drug-free alternatives through physical fitness and education; and

WHEREAS, the Cincinnati Police Department provides grants for community-based drug and alcohol prevention programs from its State Asset Forfeiture Funds as stipulated in Ohio Revised Code Section 2981.13; and

WHEREAS, CRC has already applied for this grant, but no funds will be accepted without the approval of Council; and

WHEREAS, there are no additional FTEs associated with this grant, and there are no matching fund requirements; and

WHEREAS, acceptance of this grant is in accordance with the "Collaborate" goal to "[w]ork in synergy with the Cincinnati community" as well as the strategy to "[u]nite our communities," as described on pages 207-212 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 hereby authorized to apply for, accept, and appropriate a grant of up to \$26,030 from the Cincinnati Police Department Community Preventive Education Grant Program for the purpose of providing resources for the Cincinnati Recreation Commission's Safety While Integrating Skills and Hoops program.

Section 2. That the Finance Director is hereby authorized to deposit the funds into Contributions for Recreation Purposes Fund 319 revenue account no. 319x8571.

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

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

Passed: \_\_\_\_\_, 2023

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

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

February 8, 2023

**To:** Mayor and Members of City Council 202300554

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

**Subject:** Ordinance – DOTE: State of Ohio Grants for Wasson Way

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Attached is an Ordinance captioned:

**AUTHORIZING** the establishment of new capital improvement program project account nos. 980x232x232394, “Wasson Way Ph 7 FY21-22 ODNR Grant,” 980x232x232395, “Wasson Way Ph 3-7 FY21-22 ODNR Grant,” and 980x232x232397, “Wasson Way FY23-24 ODNR Grant”; **AUTHORIZING** the City Manager to accept and appropriate State of Ohio Capital Budget resources in the amount of up to \$50,000 as authorized by Senate Bill 310 for Fiscal Years 2021-2022 to newly established capital improvement program project account no. 980x232x232394, “Wasson Way Ph 7 FY21-22 ODNR Grant,” for the purpose of providing resources for Phase 7 of the Wasson Way project; **AUTHORIZING** the City Manager to accept and appropriate grant resources in the amount of up to \$250,000 from the State of Ohio Capital Budget as authorized by Senate Bill 310 for Fiscal Years 2021-2022 to newly established capital improvement program project account no. 980x232x232395, “Wasson Way Ph 3-7 FY21-22 ODNR Grant,” for the purpose of providing resources for Phases 3 through 7 of the Wasson Way project; **AUTHORIZING** the City Manager to accept and appropriate grant resources in the amount of up to \$350,000 from the State of Ohio Capital Budget as authorized by House Bill 687 for Fiscal Years 2023-2024 to newly established capital improvement program project account no. 980x232x232397, “Wasson Way FY23-24 ODNR Grant,” for the purpose of providing resources for the Wasson Way project; **AUTHORIZING** the Director of Finance to deposit State of Ohio Capital Budget Grant funds into their respective accounts as referenced in this ordinance; and **AUTHORIZING** the City Manager to enter into an agreement with the Ohio Department of Natural Resources (“ODNR”) to do all things necessary to cooperate with the Director of ODNR to complete the Wasson Way project.

Approval of this Ordinance accomplishes the following:

1. Authorizes the establishment of new capital improvement program project account nos. 980x232x232394, “Wasson Way Ph 7 FY21-22 ODNR Grant,” 980x232x232395, “Wasson Way Phase 3-7 FY21-22 ODNR Grant,” and 980x232x232397, “Wasson Way FY23-24 ODNR Grant”;
2. Authorizes the City Manager to accept and appropriate State of Ohio Capital Budget resources in the amount of up to \$50,000 as authorized by Senate Bill 310 for Fiscal Years 2021-2022 to newly established capital improvement program project account no. 980x232x232394, “Wasson Way Ph 7 FY21-22 ODNR Grant” for the purpose of providing resources for Phase 7 of the Wasson Way project;
3. Authorizes the City Manager to accept and appropriate grant resources in the amount of up to \$250,000 from the State of Ohio Capital Budget as authorized by Senate Bill 310 for Fiscal Years 2021-2022 to newly established capital improvement program project account no. 980x232x232395, “Wasson Way Ph 3-7 FY21-22 ODNR Grant,” for the purpose of providing resources for Phases 3 through 7 of the Wasson Way project;

4. Authorizes the City Manager to accept and appropriate grant resources in the amount of up to \$350,000 from the State of Ohio Capital Budget as authorized by House Bill 687 for Fiscal Years 2023-2024 to newly established capital improvement program project account no. 980x232x232397, "Wasson Way FY23-24 ODNR Grant," for the purpose of providing resources for the Wasson Way project;
5. Authorizes the Director of Finance to deposit State of Ohio Capital Budget Grant funds into their respective accounts as referenced herein; and
6. Authorizes the City Manager to enter into an agreement with the Ohio Department of Natural Resources (ODNR) to do all things necessary to cooperate with the Director of ODNR to complete the Wasson Way project.

The Uptown Consortium Incorporated (UCI) submitted a grant application to the State of Ohio to assist with the implementation of the Ecological Corridor, which includes portions of the Wasson Way Trail, and requested that the City, with approval of ODNR, become the recipient of a \$50,000 grant, as included in the State of Ohio Capital Budget and authorized by Senate Bill 310 for Fiscal Years 2021-2022.

Green Umbrella and the Cincinnati Riding Or Walking Network (CROWN) submitted a grant application to the State of Ohio to assist with construction and implementation of various portions of the Wasson Way Trail that supports the connection of the trail to uptown Cincinnati. Green Umbrella and CROWN requested that the City, with ODNR's approval, become the recipient of a \$250,000 grant, as included in the State of Ohio Capital Budget authorized by Senate Bill 310 for Fiscal Years 2021-2022.

Green Umbrella and CROWN submitted a grant application to the State of Ohio to assist with street crossing improvements along the Wasson Way Trail. Green Umbrella and CROWN requested that the City, with ODNR's approval, become the recipient of a \$350,000 grant, as included in the State of Ohio Capital Budget authorized by House Bill 687 for Fiscal Years 2023-2024.

These grant resources do not require any local matching funds. There are no new FTEs associated with acceptance of these funds.

The Wasson Way project is in accordance with the "Connect" goal to "[d]evelop an efficient multi-modal transportation system that supports neighborhood livability," as well as the strategies to "[p]lan, design and implement a safe and sustainable transportation system" and "[e]xpand options for non-automotive travel," as described on pages 129-138 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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

Attachment



**AUTHORIZING** the establishment of new capital improvement program project account nos. 980x232x232394, “Wasson Way Ph 7 FY21-22 ODNR Grant,” 980x232x232395, “Wasson Way Ph 3-7 FY21-22 ODNR Grant,” and 980x232x232397, “Wasson Way FY23-24 ODNR Grant”; **AUTHORIZING** the City Manager to accept and appropriate State of Ohio Capital Budget resources in the amount of up to \$50,000 as authorized by Senate Bill 310 for Fiscal Years 2021-2022 to newly established capital improvement program project account no. 980x232x232394, “Wasson Way Ph 7 FY21-22 ODNR Grant,” for the purpose of providing resources for Phase 7 of the Wasson Way project; **AUTHORIZING** the City Manager to accept and appropriate grant resources in the amount of up to \$250,000 from the State of Ohio Capital Budget as authorized by Senate Bill 310 for Fiscal Years 2021-2022 to newly established capital improvement program project account no. 980x232x232395, “Wasson Way Ph 3-7 FY21-22 ODNR Grant,” for the purpose of providing resources for Phases 3 through 7 of the Wasson Way project; **AUTHORIZING** the City Manager to accept and appropriate grant resources in the amount of up to \$350,000 from the State of Ohio Capital Budget as authorized by House Bill 687 for Fiscal Years 2023-2024 to newly established capital improvement program project account no. 980x232x232397, “Wasson Way FY23-24 ODNR Grant,” for the purpose of providing resources for the Wasson Way project; **AUTHORIZING** the Director of Finance to deposit State of Ohio Capital Budget Grant funds into their respective accounts as referenced in this ordinance; and **AUTHORIZING** the City Manager to enter into an agreement with the Ohio Department of Natural Resources (“ODNR”) to do all things necessary to cooperate with the Director of ODNR to complete the Wasson Way project.

WHEREAS, the Uptown Consortium Incorporated submitted a grant application to the State of Ohio to assist with the implementation of the Ecological Corridor, which includes portions of the Wasson Way Trail, and requested that the City, with approval of the Ohio Department of Natural Resources (“ODNR”), become the recipient of a \$50,000 grant, which is included in the State of Ohio Capital Budget and authorized by Senate Bill 310 for Fiscal Years 2021-2022; and

WHEREAS, Green Umbrella and the Cincinnati Riding Or Walking Network (“CROWN”) submitted a grant application to the State of Ohio to assist with construction and implementation of various portions of the Wasson Way Trail that support the connection of the trail to uptown Cincinnati, and Green Umbrella and CROWN requested that the City, with ODNR’s approval, become the recipient of a \$250,000 grant, which is included in the State of Ohio Capital Budget authorized by Senate Bill 310 for Fiscal Years 2021-2022; and

WHEREAS, Green Umbrella and CROWN submitted a grant application to the State of Ohio to assist with street crossing improvements along the Wasson Way Trail, and Green Umbrella and CROWN requested that the City, with ODNR’s approval, become the recipient of a \$350,000

grant, which is included in the State of Ohio Capital Budget authorized by House Bill 687 for Fiscal Years 2023-2024; and

WHEREAS, resources awarded for the Wasson Way Trail through the State Capital Budget process will be used to support costs associated with the construction and implementation of certain phases of the Wasson Way Trail; and

WHEREAS, these grant resources do not require any local matching funds, and there are no new FTEs associated with acceptance of these funds; and

WHEREAS, the Wasson Way project is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability,” as well as the strategies to “[p]lan, design and implement a safe and sustainable transportation system” and “[e]xpand options for non-automotive travel,” as described on pages 129-138 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the establishment of new capital improvement program project account nos. 980x232x232394, “Wasson Way Ph 7 FY21-22 ODNR Grant,” 980x232x232395, “Wasson Way Ph 3-7 FY21-22 ODNR Grant,” and 980x232x232397, “Wasson Way FY23-24 ODNR Grant,” is hereby authorized.

Section 2. That the City Manager is hereby authorized to accept and appropriate State of Ohio Capital Budget resources in the amount of up to \$50,000 as authorized by Senate Bill 310, which established the State of Ohio’s Capital Budget for Fiscal Years 2021-2022, to newly established capital improvement program project account no. 980x232x232394, “Wasson Way Ph 7 FY21-22 ODNR Grant,” for the purpose of providing resources for Phase 7 of the Wasson Way project.

Section 3. That the Director of Finance is hereby authorized to deposit State of Ohio Capital Budget Grant funds in the amount of up to \$50,000 into newly created capital improvement program project account no. 980x232x232394, “Wasson Way Ph 7 FY21-22 ODNR Grant.”

Section 4. That the City Manager is hereby authorized to accept and appropriate State of Ohio Capital Budget resources in the amount of up to \$250,000 as authorized by Senate Bill 310, which established the State of Ohio's Capital Budget for Fiscal Years 2021-2022, to newly established capital improvement program project account no. 980x232x232395, "Wasson Way Ph 3-7 FY21-22 ODNR Grant," for the purpose of providing resources for Phases 3 through 7 of the Wasson Way project.

Section 5. That the Director of Finance is hereby authorized to deposit State of Ohio Capital Budget Grant funds in the amount of up to \$250,000 into newly created capital improvement program project account no. 980x232x232395, "Wasson Way Ph 3-7 FY21-22 ODNR Grant."

Section 6. That the City Manager is hereby authorized to accept and appropriate State of Ohio Capital Budget resources in the amount of up to \$350,000 as authorized by House Bill 687, which established the State of Ohio's Capital Budget for Fiscal Years 2023-2024, to newly established capital improvement program project account no. 980x232x232397, "Wasson Way FY23-24 ODNR Grant," for the purpose of providing resources for the Wasson Way project.

Section 7. That the Director of Finance is hereby authorized to deposit State of Ohio Capital Budget Grant funds in the amount of up to \$350,000 into newly created capital improvement program project account no. 980x232x232397, "Wasson Way FY23-24 ODNR Grant."

Section 8. That the City Manager is authorized to execute any agreements necessary for the receipt and administration of these funds.

Section 9. That the proper City officials are hereby authorized to take all necessary action to carry out the provisions of Sections 1 through 8 herein.

Section 10. That this ordinance shall go into effect from and after the earliest period allowed by law.

Passed: \_\_\_\_\_, 2023

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

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

Date: February 8, 2023

To: Mayor and Members of City Council 202300555

From: Sheryl M. M. Long, City Manager

Subject: EMERGENCY ORDINANCE – Amend Ord. 259-2022 Opioid Settlement

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Transmitted herewith is an Emergency Ordinance captioned as follows:

AMENDING Ordinance No. 259-2022 to allow the Director of Finance to accept all settlement payments for eligible expenses from the OneOhio Opioid Distributor Settlement and deposit those payments into Fund 475, “Opioid Settlement.”

This emergency ordinance amends Ordinance 259-2022 that allowed acceptance of an annual settlement payment to allow acceptance of all settlement payments from the OneOhio Opioid Distributor Settlement pursuant to a myriad of settlement agreements entered into by settling parties.

This emergency ordinance is recommended for approval. An emergency ordinance is necessary to deposit non-annual settlement payments into Fund 475.

c: William “Billy” Weber, Assistant City Manager  
Karen Alder, Finance Director  
Monica Morton, Assistant Finance Director

## **EMERGENCY**

**IMD**

**- 2023**

**AMENDING** Ordinance No. 259-2022 to allow the Director of Finance to accept all settlement payments for eligible expenses from the OneOhio Opioid Distributor Settlement and deposit those payments into Fund 475, “Opioid Settlement.”

WHEREAS, Council passed Ordinance No. 259-2022 on August 3, 2022, establishing new Fund 475, “Opioid Settlement,” for the receipt of funds from the OneOhio Opioid Distributor Settlement pursuant to the OneOhio memorandum of understanding related to OneOhio Abatement Strategies including Community Recovery, Statewide Innovation & Recovery, and Sustainability, and Auditor of State Bulletin No. 2022-003; and

WHEREAS, the City is eligible to receive annual settlement payments, lump sum settlement payments, and other settlement payments of varying frequency, pursuant to a myriad of settlement agreements entered into by settling parties; and

WHEREAS, Section 2 of Ordinance No. 259-2022 authorized the Director of Finance only to accept annual settlement payments and deposit them into Opioid Settlement Fund 475; and

WHEREAS, Council hereby amends Ordinance No. 259-2022 to authorize the Director of Finance to accept all types of settlement payments and deposit them into Opioid Settlement Fund 475; now, therefore,

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

Section 1. That Section 2 of Ordinance No. 259-2022, passed by Council on August 3, 2022, is hereby amended as follows:

Section 2. That the Director of Finance is hereby authorized to accept ~~annual~~ all settlement payments and deposit them into Opioid Settlement Fund 475.

Section 2. That existing Section 2 of Ordinance No. 259-2022 is hereby repealed.

Section 3. That all terms of Ordinance No. 259-2022 not amended by this ordinance shall remain in full force and effect.

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 deposit non-annual settlement payments into Fund 475, “Opioid Settlement.”

Passed: \_\_\_\_\_, 2023

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

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

\_\_\_\_\_  
Deletions are struck through. Additions are underlined.

February 8, 2023

**To:** Mayor and Members of City Council 202300556

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

**Subject:** Emergency Ordinance – Planned Development #97, Queen City Hills

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Transmitted is an Emergency Ordinance captioned:

**AMENDING** the official zoning map of the City of Cincinnati to rezone certain real property in the area generally bound by East Martin Luther King Jr. Drive to the north, Reading Road to the east, Maxwell Avenue to the south, and Vernon Place to the west in the Avondale neighborhood from the CC-A, “Commercial Community – Auto-Oriented,” CC-P, “Commercial Community – Pedestrian,” and OG, “Office General,” zoning districts to Planned Development District No. 97, “Queen City Hills.”

The City Planning Commission recommended approval of the zone change at its February 3, 2023 meeting.

**Summary:**

Queen City Hills, the developer, proposes the redevelopment of one of the four corridor quadrant areas at Reading Road and E. Martin Luther King Jr. Drive in Avondale. It is approximately 5.85 acres in size and contains 15 parcels. The proposed Concept Plan and Development Program Statement is for the redevelopment into a large-scale, mixed-use development, referred to as the “Biotech Cincinnati Life Science Research Park for Innovation Corridor.” Major site components include a commercial development lab, a research lab and office space, street level retail space along E. Martin Luther King Jr. Drive, a structured parking garage and podium, a large public plaza, and multi-family housing.

The development team has been actively engaged with the Avondale Community Council regarding this project since 2019. Throughout 2019 and 2020, the development team met with Uptown Consortium and WEB Ventures monthly to discuss development goals. The development team has worked hard to ensure that the proposed project meets the Uptown District Design Guidelines, a set of development principles created through an intense community engagement process led by Uptown Consortium.

The City Planning Commission recommended the following on February 3, 2023, to City Council:

1. **ACCEPT** the Concept Plan and Development Program Statement as submitted; and
2. **ADOPT** the Department of City Planning and Engagement Findings as detailed in the report; and
3. **APPROVE** the proposed zone change from Commercial Community – Auto-oriented (CC-A), Commercial Community-Pedestrian (CC-P), and Office General (OG) to Planned Development (PD), including a Concept Plan and Development Program Statement, at the southwest quadrant of the intersection of Reading Road and E. Martin Luther King Jr. Drive in Avondale.

cc: Katherine Keough-Jurs, FAICP, Director, Department of City Planning and Engagement



## EMERGENCY

City of Cincinnati

CHM

EESW

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

- 2023

**AMENDING** the official zoning map of the City of Cincinnati to rezone certain real property in the area generally bound by East Martin Luther King Jr. Drive to the north, Reading Road to the east, Maxwell Avenue to the south, and Vernon Place to the west in the Avondale neighborhood from the CC-A, "Commercial Community – Auto-Oriented," CC-P, "Commercial Community – Pedestrian," and OG, "Office General," zoning districts to Planned Development District No. 97, "Queen City Hills."

WHEREAS, the Uptown Transportation Authority, LLC, Queen City Hills, LLC, The Central Community Health Board of Hamilton County, Inc., the YWCA Development Corporation, the Central Clinic, PI Land LLC, and the City of Cincinnati own certain real property in the Avondale neighborhood generally bound by East Martin Luther King Jr. Drive to the north, Reading Road to the east, Maxwell Avenue to the south, and Vernon Place to the west, which property contains approximately 5.85 acres ("Property"); and

WHEREAS, Queen City Hills, LLC, an Ohio limited liability company ("Developer"), seeks to redevelop the Property over multiple phases into a mixed-use development containing a parking garage containing approximately 850 to 1,250 parking spaces, a commercial development lab comprising up to approximately 350,000 square feet, a research lab and office space comprising up to approximately 225,000 square feet, retail space comprising up to approximately 25,000 square feet, and residential multi-family housing comprising up to approximately 120-400 dwelling units ("Project"); and

WHEREAS, Developer has sufficient control over the Property to affect the Project and has petitioned the City to rezone the Property from the CC-A, "Commercial Community – Auto-Oriented," CC-P, "Commercial Community – Pedestrian," and OG, "Office General," zoning districts to Planned Development District No. 97, "Queen City Hills" ("PD-97"), to undertake the Project; and

WHEREAS, Developer has submitted a concept plan and development program statement for PD-97, which concept plan and development program statement describe the land use and development regulations that will govern the development, which documents meet the requirements of Cincinnati Municipal Code Section 1429-09; and

WHEREAS, on February 3, 2023, the City Planning Commission approved the rezoning of the Property from the CC-A, "Commercial Community – Auto-Oriented," CC-P, "Commercial Community – Pedestrian," and OG, "Office General," zoning districts to PD-97, upon a finding that: (i) Developer's concept plan and development program statement are consistent with applicable plans and policies and are compatible with surrounding development; (ii) the concept plan and development program statement enhance the potential for superior

urban design in comparison with the development under the base district regulations that would apply if the plan were not approved; (iii) deviations from the base district regulations applicable to the Property at the time of Developer's application are justified by compensating benefits of the concept plan and development program statement; and (iv) the concept plan and development program statement include adequate provisions for utility services, refuse collection, open space, landscaping and buffering, pedestrian circulation, traffic circulation, building design, and building location; and

WHEREAS, a committee of Council held a public hearing on the proposed rezoning of the Property following due and proper notice pursuant to Cincinnati Municipal Code Section 111-1, and the committee approved the rezoning, finding it in the interest of the public's health, safety, morals, and general welfare; and

WHEREAS, the Project is consistent with the *Avondale QOL: Avondale's Quality of Life Movement* (2020), which plan identifies the Project location for mixed-use and institutional uses (pages 64-65); and

WHEREAS, the Project is consistent with the *MLK Reading Road Corridor Study* (2014), which plan identifies the Project location as a gateway and provides a goal to "[e]stablish mixed-use gateways along MLK at the intersections of Eden, Burnet, and Reading," (page 68); and

WHEREAS, the Project is consistent with *Plan Cincinnati* (2012), particularly a goal of the Compete Initiative Area to "[c]ultivate our position as the most vibrant and economically healthy part of our region," (page 114); and

WHEREAS, the Council considers the establishment of PD-97 to be in the best interests of the City and the public's health, safety, morals, and general welfare; now, therefore,

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

Section 1. That the Council hereby adopts as its own independent findings the Department of City Planning and Engagement's and the Cincinnati Planning Commission's findings that the planned development proposed by Queen City Hills, LLC, an Ohio limited liability company ("Developer"), for the approximately 5.85 acres of real property located in the Avondale neighborhood in the area generally bound by East Martin Luther King Jr. Drive to the north, Reading Road to the east, Maxwell Avenue to the south, and Vernon Place to the west ("Property") conforms to the requirements of Cincinnati Municipal Code Sections 1429-05, 1429-09, and 1429-11.

Section 2. That the shape and area of the City’s official zoning map in the location of the Property is hereby amended from the CC-A, “Commercial Community – Auto-Oriented,” CC-P, “Commercial Community – Pedestrian,” and OG, “Office General,” zoning districts to Planned Development District No. 97, “Queen City Hills” (“PD-97”). The Property is identified on the map attached hereto as Exhibit “A” and made a part hereof, and it is more particularly described on Exhibit “B,” attached hereto and made a part hereof.

Section 3. That the development program statement, attached hereto as Exhibit “C” and made a part hereof, and that the concept plan, attached hereto as Exhibit “D” and made a part hereof, are hereby approved. The approved concept plan and development program statement shall govern the use and development of the Property during the effective period of PD-97.

Section 4. That, should PD-97 lapse pursuant to provisions of Cincinnati Municipal Code Chapter 1429, “Planned Development Districts,” the Property shall revert to the CC-A, “Commercial Community – Auto-Oriented,” CC-P, “Commercial Community – Pedestrian,” and OG, “Office General,” zoning districts in effect immediately prior to the effective date of PD-97.

Section 5. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is immediate need to allow Developer to proceed with its development plans so that the City may receive and enjoy the corresponding benefits at the earliest possible date.

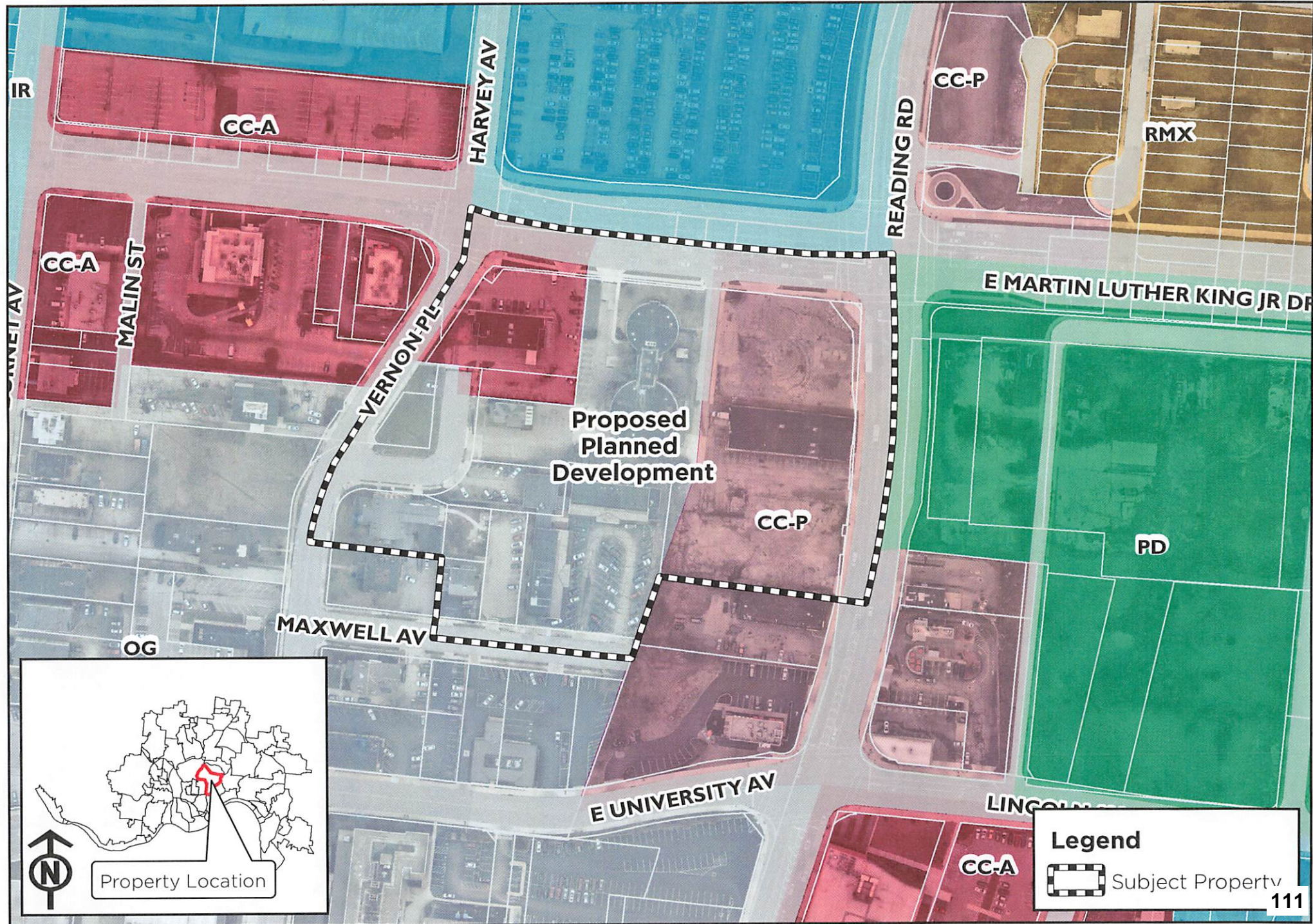
Passed: \_\_\_\_\_, 2023

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

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

EXHIBIT A

# Proposed Zone Change from Commercial Community-Auto (CC-A), Commercial Community-Pedestrian (CC-P), and Office General (OG) to Planned Development (PD) in Avondale



**EXHIBIT B**

Date: December 19, 2022  
Description: Re-Zoning  
Location: City of Cincinnati  
Hamilton County, Ohio



Situated in Section 8, Town 3, Fractional Range 2, Between the Miamis, Mill Creek Township, The City of Cincinnati, Hamilton County, Ohio and being 7.8030 acres to be re-zoned to Planned Development (PD) and being further described as follows:

Beginning at the intersection of the centerline of Martin Luther King Drive East and the centerline of Reading Road (U.S. #42) and being the **True Point of Beginning**;

thence, with the centerline of said Reading Road (U.S. #42) for the following two courses:

- 1) South 00° 06' 56" West, 173.57 feet;
- 2) with a curve to the right, having a central angle of 11° 35' 33", a radius of 1432.39 feet, an arc length of 289.81 feet, and a chord bearing and distance of South 05° 54' 43" West, 289.32 feet;

thence, leaving the centerline of said Reading Road (U.S. #42), North 82° 20' 14" West, 287.76 feet to the northwest corner of Lot A of Harry Wahking Heirs Subdivision as recorded in Plat Book 14, Page 54;

thence, with the west line of said Lot A extended, South 20° 01' 16" West, 117.45 feet to the centerline of Maxwell Avenue;

thence, with the centerline of said Maxwell Avenue, North 83° 25' 54" West, 269.44 feet;

thence, leaving the centerline of said Maxwell Avenue, North 06° 34' 06" East, 110.00 feet;

thence, North 83° 25' 54" West, 179.46 feet to the centerline of Vernon Place;

thence, with the centerline of said Vernon Place for the following three courses:

- 1) with a curve to the right, having a central angle of 24° 50' 44", a radius of 400.00 feet, an arc length of 173.45 feet, and a chord bearing and distance of North 21° 57' 19" East, 172.10 feet;
- 2) North 34° 22' 41" East, 275.91 feet;
- 3) North 06° 14' 10" East, 53.69 feet to the centerline of said Martin Luther King Drive East;

thence, leaving the centerline of said Vernon Avenue and with the centerline of said Martin Luther King Drive East for the following five courses:

- 1) South 78° 39' 46" East, 95.02 feet;
- 2) with a curve to the left, having a central angle of 05° 21' 40", a radius of 1046.74 feet, an arc length of 97.94 feet, and a chord bearing and distance of South 81° 20' 36" East, 97.91 feet;
- 3) South 84° 01' 26" East, 181.00 feet;
- 4) with a curve to the left, having a central angle of 02° 00' 00", a radius of 3824.72 feet, an arc length of 133.51 feet, and a chord bearing and distance of South 85° 01' 26" East, 133.50 feet;

5) South 86° 01' 26" East, 60.14 feet to the **True Point of Beginning** containing 7.8030 acres.

Basis of Bearings: NAD83(2011) Ohio State Plane Coordinates, South Zone (3402).

The above description is a complete, proper and legal description of the property by deeds and plats of record.



Jeffrey O. Lambert Registered Surveyor #7568 in the State of Ohio

**EXHIBIT C**

**CONCEPT PLAN & DEVELOPMENT PROGRAM STATEMENT  
ZONING AMENDMENT REQUEST AND ZONING CHANGE REQUEST**

**REZONE OG, CC-A and CC-P ZONING TO PD  
for  
UPTOWN INNOVATION CORRIDOR  
Located at  
SOUTHWEST CORNER OF READING RD & MLK BLVD**

**1. APPLICANT/PETITIONER:**

Queen City Hills, LLC (via the developer, Foxx-Danis, LLC "Developer")  
324 W. 9th Street  
Cincinnati, OH 45202

As may be subsequently assigned.

**2. SUMMARY OF REQUEST**

Applicant is requesting the rezoning of the 15 street addresses ("Subject Property") shown in the schedule below from various current zoning to Planned Development ("PD").

The Subject Property has various current zoning classifications, which are noted in the schedule below. These current classifications include General Office and Community Commercial and publicly owned land. The total area to be re-zoned is approximately 7.80 acres. See Appendix H.

Applicant is requesting the rezoning of the Subject Property to allow a large-scale, mixed-use redevelopment ("Proposed Development") to be developed on the Subject Property, which is generally located in the southwest quadrant of the Martin Luther King Drive. and Reading Rd. intersection. Based on proximity of buildings, the various uses, complexities of the site and in-depth discussions with City staff, Applicant believes that Planned Development will best suit the ability to develop the best project on the Subject Property in keeping with the wishes of the community and the City.

**3. PROJECT NARRATIVE**

QCH has assembled the land parcels necessary to develop 5.85 acres of land. The consolidated properties, located at the southwest corner of Martin Luther King Dr. and Reading Rd. will be re-zoned as a planned development with design focusing on the Uptown District Design Guidelines. The project is an innovative mix of complementary uses to create a vibrant place to work, live and play. Major site components include:

- A state of the art, Commercial Development Lab. This clinical phase research, manufacturing, and product development entity, focused on bridging academic, proof of concept cell and gene therapeutic research through later stage evaluation, in support of emerging biotech and pharmaceutical companies in preparation for late-stage registration/pivotal trials, commercial approval and global distribution.
- A Research Lab and Office Center will provide incubator lab space, general office space as well as support the functions of the Commercial Development Lab. Together, these labs will help attract the best and brightest to this Bio-Tech Life Sciences Research Park
- A Multi-Family Housing Development will provide a mix of studio, two- and three-bedroom units coupled with interior and exterior amenities. These residential units will provide the scientific and medial professionals with ideal places to live and play.

- A street level Retail Space facing Martin Luther King Drive providing opportunities for food, shopping and /or entertainment, helping to further fulfill the play component of this multi-use development.
- A structured parking garage and podium with entrances off of MLK Dr., Vernon Ave., and Maxwell St. The garage will serve as the base for the Research Lab and Housing Units and will also contain the sites stormwater retention system.
- A large Public Plaza is set atop the parking garage, weaving between the Commercial Development Lab, the Research Lab and Office Center and Multi-Family Housing and connecting down to the MLK level via a grand sweeping staircase

Each component contributes to the overall ambiance and sense of place to enhance the others both in design and function.

Design and construction is planned to be accomplished in three phases.

- Phase 1: Full site development, including utility infrastructure, deep foundations, rough grading and retaining walls.
- Phase 2A: Construction of Commercial Development Lab, Parking Garage, Retail
- Phase 2B: Construction of the Research Lab and Office Center.
- Phase 3: Construction of Multi-Family Housing and amenity deck with associated upper parking garage podium.,

This proposed development will improve the vacant and underutilized existing properties and create a dynamic mixed-use environment providing places for life science professionals to work, live and play.

## PLAN ELEMENTS

### Location of Development

This proposed PD Zoning District, referred to as the Biotech Cincinnati Life Science Research Park for Innovation Corridor, is located on Southwest Corner of Martin Luther King Blvd and Reading Road generally bound by Vernon Place on the West and Maxwell Avenue on the south and Reading Road on the east.

### Ownership & Property Addresses Ord. 1429-09 (b)

The properties comprising the development site are listed individually below.

Owner	Address	Parcel ID	Zoning
Central Clinic	(Part of) 512 Maxwell Ave	091-0001-0112	OG
Central Community Health Board of Hamilton County	530 Maxwell Avenue	091-0001-0103	OG
Central Community Health Board of Hamilton County	3020 Vernon Place	091-0001-0107	OG
SGA Enterprises Inc	-	106-0001-0243	OG
SGA Enterprises Inc	3026 Harvey Avenue	106-0001-0150	CC-A
SGA Enterprises Inc	3028 Harvey Avenue	106-0001-0254	CC-A

YWCA Development Corp	516 Maxwell Avenue	091-0001-0102	OG
YWCA Development Corp	(Part of) 512 Maxwell Ave	091-0001-0101	OG
YWCA Development Corp	3006 Vernon Place	091-0001-0100	OG
Uptown Transportation Authority	515 Martin Luther King Drive	091-0001-0201	CC-P
City of Cincinnati	-	106-0001-0328	CC-A
City of Cincinnati	3049 Reading Road	106-0001-0218	CC-P
City of Cincinnati	(Part of city parcel)	091-0002-0215	CC-P
City of Cincinnati	(Part of) 439 E. Martin Luther King Drive	106-0001-0143	CC-A
City of Cincinnati	(Part of) 2915 Vernon Place	091-0001-0031	OG

In addition, a portion of the existing Vernon Place public right-of-way (between Maxwell Avenue and Martin Luther King Drive) will be vacated and included in the new Planned Development District. See appendix N.

A request for a Coordinated Report was submitted to the city's office of Real Estate Services (RES) on 11/03/22 and the Coordinated Report was received on 12/12/22. See Appendix M. The development team will work the city to get a clear Coordinated Report and purchase the city-owned properties/right-of-way needed for the project.

#### **Existing Conditions (QCH-Bioscience Research Park)**

The majority of proposed QCH consolidated site is a vacant and cleared lot. Demolition is currently being completed for the old Schaffer single story light industry building company on Reading Road as well as 3 story nursing home on Martin Luther King Drive (MLK). Also, on the proposed PD Development there is an existing 2 Story PNC Office Building (12,612 sq. ft.) on the east corner of MLK and Vernon Place and on the south adjacent parcel we have a Central Community Health Office (25,870 sq. ft.) fronting on Maxwell Ave. The last two properties Describe where have an existing 2 story 11,316 YWCA building and a small two and half story 1,155 sq ft Central Health Clinic building along Maxwell Ave. All existing facilities are preparing for demolition for the new QCH development.

#### **Community Engagement**

QCH has actively engaged with Avondale Community Council and Cincinnati City Council since fall 2019. We participated in the Avondale Neighborhood Conversation with Uptown Consortium in November 2019 and attended several ACC meetings. City council approved the TIF boundaries for the SW quadrant (December 2019). QCH presented a \$20K gift to ACC for their inclusive development efforts in late 2019. Through 2019 and 2020 we engaged with Uptown Consortium and WEB Ventures monthly to discuss the development goals and continue to do so. QCH also recently participated in the ACC's Thanksgiving food drive, and will be leading a community winter hiking program through Avon Woods this January in partnership with Cincy Parks.

#### **Description of Proposed Land Uses, Buildings and Structures** Ord. 1429-13(i)

QCH has assembled the land parcels necessary to develop 5.85 acres of land. The consolidated properties will be re-zoned as a planned development with design focusing on the Uptown District Design Guidelines. The project is an innovative mix of complementary uses to create a vibrant place to work, live and play. Major site components to include:

**Commercial Development Lab**

The Commercial Lab Building will research and manufacture medical-use products in the four-level structure. The items produced will ship from a loading dock positioned at grade, accessing Reading Road. The dock will be screened from view via its location on the campus, and will feature additional landscape screening, to meet the Uptown District requirements.

Building specifications:

Area: Up to 350,000 sq. ft.

Height: 175' above grade.

**Research Lab and Office Center**

The Research Lab and Office Center will house tenants that primarily provides professional, executive, management, or administrative services, such as accounting, architectural, computer software consulting, data management, engineering, medical or other health care professionals, insurance, investment, law, and/or real estate offices, etc. Co-workspaces may also occur. These would combine office, athletic, or reception uses or other social workspaces and requires membership for use of the space. Incubator spaces may be included to provide public and private collaboration and providing management, mentoring, workspace, or other services for business, academic, no-profit, institutional or start-up organizations. Commercial laboratories may be included. These facilities include medical, optical, orthotic, prosthetic, or dental laboratory services, photographic, analytical, or testing services and scientific wet/dry lab research facilities.

Building specifications:

Area: Up to 225,000 sq. ft.

Height: 175' above grade

**Multi-Family Housing Development**

Multi-Family Housing Development will provide a mix of studio, two- and three-bedroom units coupled with interior and exterior amenities. The units will sit one level higher than the ground plain for enhanced security and provide the required fire truck access to the site. The intended housing provided will focus on congregate housing- Apartments and dwellings with communal dining facilities and services, such as housekeeping, organized social and recreational activities, transportation services, and other support services appropriate to the residents. The dwellings are defined as one or more rooms with a single kitchen, designed for occupancy by one family for living and sleeping purposes. Dwelling includes: rowhouse, multi-family dwellings and loft dwellings.

Building specifications:

Number of Units: 120-400 units

Height: 125' above grade

**Retail Space**

The Retail space facing Martin Luther King Drive. The Retail services provided could include: the following: food service (eating and drinking establishments, full-service restaurants, limited-service restaurants, breweries, Distilleries, food market, food preparation, or drinking establishment. Other options include convenience market (limited goods), patio/garden store (limited service), personal services (barber/beauty shop, nail salon, tanning salon, massage therapy, electrolysis, seamstress, tailor, shoe repair, dry cleaner, self-service laundry and photo studio. Retail sales, including alcohol, furniture and home furnishing, electronics and appliances, clothing and shoes, jewelry, luggage and leather

goods, hobbies shop, books, periodicals and music, department stores, office supplies, gifts and novelties, pets, hardware, video stores and auto parts. Banking and financial institutions.

Area: Up to 25,000 sq. ft.

Height: Up to 35' above grade

#### **Structured Parking Garage, Podium and Public Plaza**

On grade, and lower-level parking spaces (garage) will be provided to support the activities that will occur on the campus. It will be sized per local zoning code to support the new square footage created at the campus, and the buildings' mixed-uses. The principal use will be a surface parking lot, and parking garage offering parking to the public and is the principal use of the premises.

The rooftop amenity spaces (plazas) that are generated above the parking garage, will prove supplemental activity space to support the infrastructure created at the development.

Parking Spaces: 850-1250 parking spaces

Height: 50' above grade

#### **City CSR Review**

The city held a Coordinated Site Review (CSR) meeting on Tuesday 12/13/22 to discuss the project. It was determined at that meeting that the project could move forward with the Planned Development re-zoning. The CSPRO Committee review letter is included in Appendix G.

#### **Set Back Lines:**

The Setback lines will be determined by the Final PD Development planning process, however the Appendix J – Uptown Innovation District Design Guidelines that indicate the conceptual right of way and recommended setbacks for the Innovation Corridor as envisioned by UCI- Uptown Consortium Inc (also depicted in Appendix O). Buildings will generally be set back 0-20' from the public right-of-way.

#### **Building Heights and Areas:**

Final height measurements will be determined at the time of any filing for final development plan. See Section "Description of Proposed Land Uses, Buildings and Structures" above and Appendix "B" for approximate building heights and areas.

#### **Streetscapes:**

Final streetscaping planning has not been finalized but will incorporate the guidelines shown in Appendix J – Uptown Innovation District Design Guidelines. This work will include sidewalk widths and open space requirements and Calculations. See appendix O. Final streetscape design to be submitted with final development plan.

Pedestrian circulation and walkability to and through the site by public sidewalks along all streets will be a minimum of 8'-10'-0" on all perimeters as indicated on page 55 of Appendix J – Uptown Innovation District Design Guidelines. Our Sidewalk "Amenity Zone and Zero setback will be considered as shown on page 58 and 59 of the attached Appendix J – Uptown Innovation District Design Guidelines.

Streetscape along Reading Road and MLK will include viable trees to provide overhead shade, and site furnishing amenity space for potential outdoor engaging pedestrian zones and an extension of active retail/entertainment venues.

Landscape Open Spaces are proposed in our upper plazas and courtyards. Refer to site plans included in this PD submission.

**Density and Open Space:** Ord.\_1429-09 (e)

The project includes up to 80,000 SF of plaza/amenity space on two levels above the parking garage. This open space would account for over 25% of the project's total 5.85-acre development area.

**Refuse Collection:** Ord.\_142909 (a)

Trash and waste facilities shall be provided on-site and located in areas to limit visibility. The design team will coordinate the details of trash operations with Rumpke prior to Final Development Plan submittal.

**Geotechnical**

See Appendix E.

**Hazardous Materials**

See Appendix F

**Drainage**

Onsite detention facilities will be installed to control site runoff per MSD standards. It is likely that a concrete vault will be included under a ramp in the parking garage to meet the storage requirements. The stormwater outlet for the project will likely be the existing 12" combination sewer on MLK.

**Landscaping and Buffering:**

Final landscaping and buffering will follow the Appendix J – Uptown Innovation District Design Guidelines and be determined at the time of any filing for a final permit application.

Please see page 76 of Appendix J – Uptown Innovation District Design Guidelines to see general criteria and parameters of Landscape species and objective zones to which designer should consider before submission.

Buffer planting shall be used to help define spaces, screen utilities and service functions and semi-private space when they exist.

**Traffic Control**

Bayer Becker has coordinated the nature of the project with DOTE and have agreed upon the scope of the Traffic Impact Study (TIS) that DOTE will require. The traffic counts from November 2022 are included in Appendix K. Bayer Becker is currently working through the model for the TIS and will coordinate all findings with DOTE. The results of the TIS will help guide vehicular access to, from, through, and around the site for the Final Development Plans.

**Sewage**

See Appendix L for MSD's "Conditional Availability of Sewers" for Building #1 and the rest of the Queen City Hills development site. The existing public combination sewers in Reading Road, MLK, and Vernon Place will be utilized for sanitary service to the proposed buildings.

The existing public sanitary sewer in Harvey Avenue/Vernon Place will be removed to make way for the new development; and a new 8" public sanitary sewer will be installed in (the re-aligned) Vernon Place to maintain upstream flows.

**Water**

A Water Availability Application (WAA) and Preliminary Application (PA) have been submitted to GCWW for review and approval. The existing public water mains in Reading Road, MLK, and Vernon Place will be utilized for fire and domestic service to the proposed buildings.

The existing public water main in Harvey Avenue/Vernon Place will be removed to make way for the new development; and a new 8" public water main will be installed in (the re-aligned) Vernon Place to maintain the water loop.

**Electric & Natural Gas Service**

Duke Energy has existing electric and gas facilities in the area to serve the proposed development. The design team is currently working with Duke Energy on a plan for proposed service, as well as providing adequate clearances from existing overhead electric lines along public roadways to the proposed buildings.

**Communication Service**

The design team will work with local utility providers to provide communication service to the proposed buildings.

**DEVELOPMENT CONTROLS**

**Parking**

A two-level structured parking garage with a podium deck is planned to serve the proposed buildings on site. Between 850 and 1250 parking stalls are anticipated to support the project. The layout and circulation of the garage, as well as total parking count, will be confirmed with the Final Development Plans.

**Retail and Commercial**

The retail, entertainment and other commercial uses will contribute to the development Live, Work and Play Components of the program. These components are critical to the viability and sustainability of the development. It is our goal to provide a sense of Place and Destination for visiting community as well as day to day employee living at the development. The intended uses for the project shall include retail, micro restaurant shops, selfcare services, fitness, recreation, and entertainment zones along with other general commercial uses not listed in the primary program use statement.

**Exterior Lighting**

Final exterior lighting will be determined at the time of final permit submission. All site lighting shall enhance the development and encourage community engagement during and after hours. All exterior lighting will adhere to City requirements for life safety and follow the Appendix J – Uptown Innovation District Design Guidelines while providing sensitive softening solutions for the housing components of the development.

**Signage**

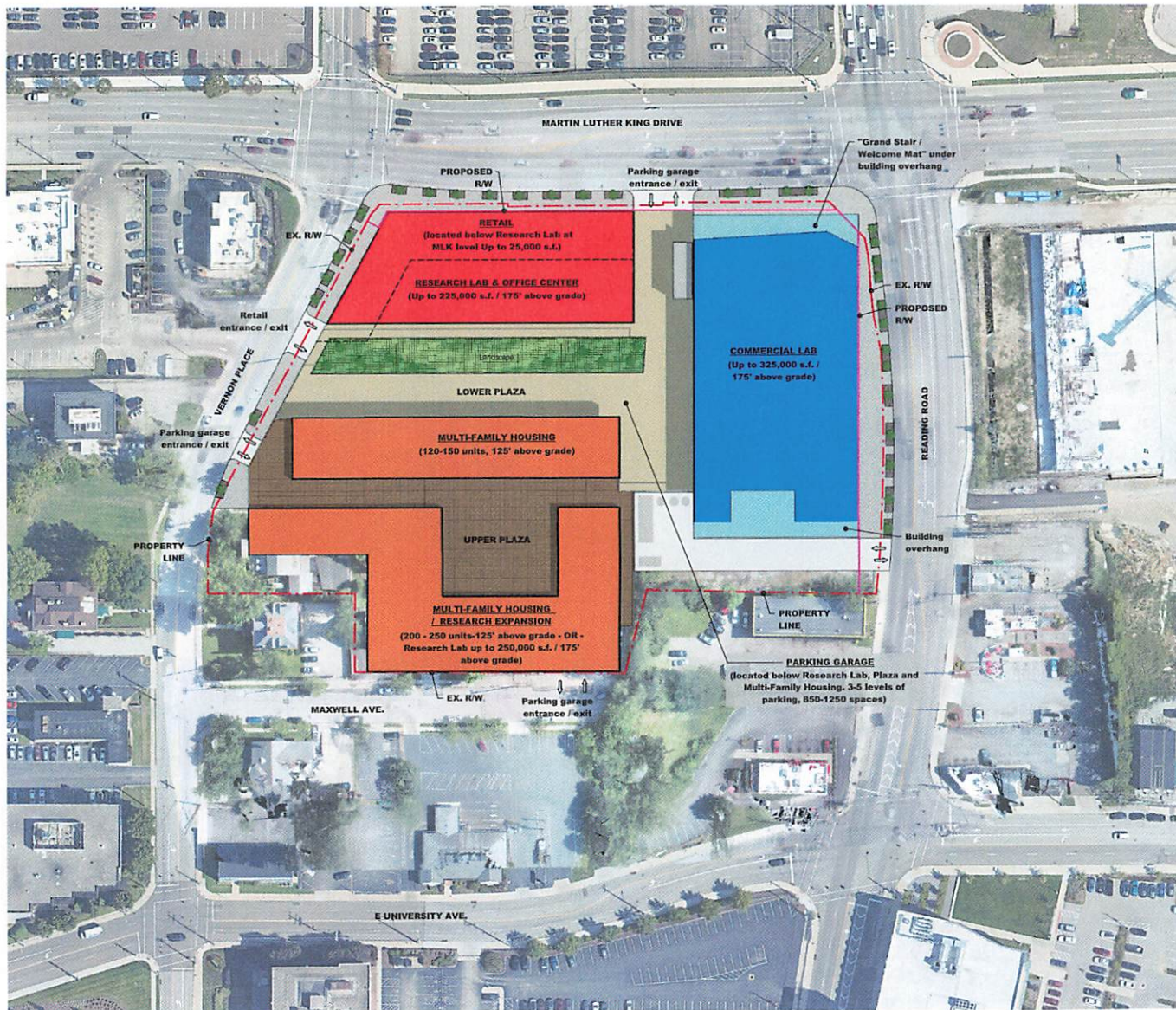
Final Environmental Graphics and key signage will be evaluated and submitted at the time of final permit by a signage consultant team. Wayfinding to public amenities as well as retail will be another critical component to sustain a successful development. The project will generally adhere to CC-A zoning design standards for signage.

<b>Project Schedule</b>	<b>Re-Zone Plat</b>	<b>Site Plan</b>	<b>Artistic Renderings</b>
See Appendix D	See Appendix H	See Appendix A	See Appendix B

**List of Appendices:**

- A - Site Plan
- B - Renderings
- C - Property Control Letters
- D - Project Schedule
- E - Geotech Report
- F - Hazmat Reports
- G – CSPRO Committee Letter
- H - Rezoning Map
- I - Rezoning Legal Description
- J – Uptown Innovation District Design Guidelines
- K - Traffic Counts
- L - Conditional Availability of Sewers
- M - Coordinated Report
- N - Major Subdivision Plan
- O - Streetscape Design Standards

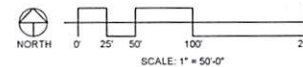
**EXHIBIT D**



## OVERALL SITE PLAN

DATE: 12/21/2022

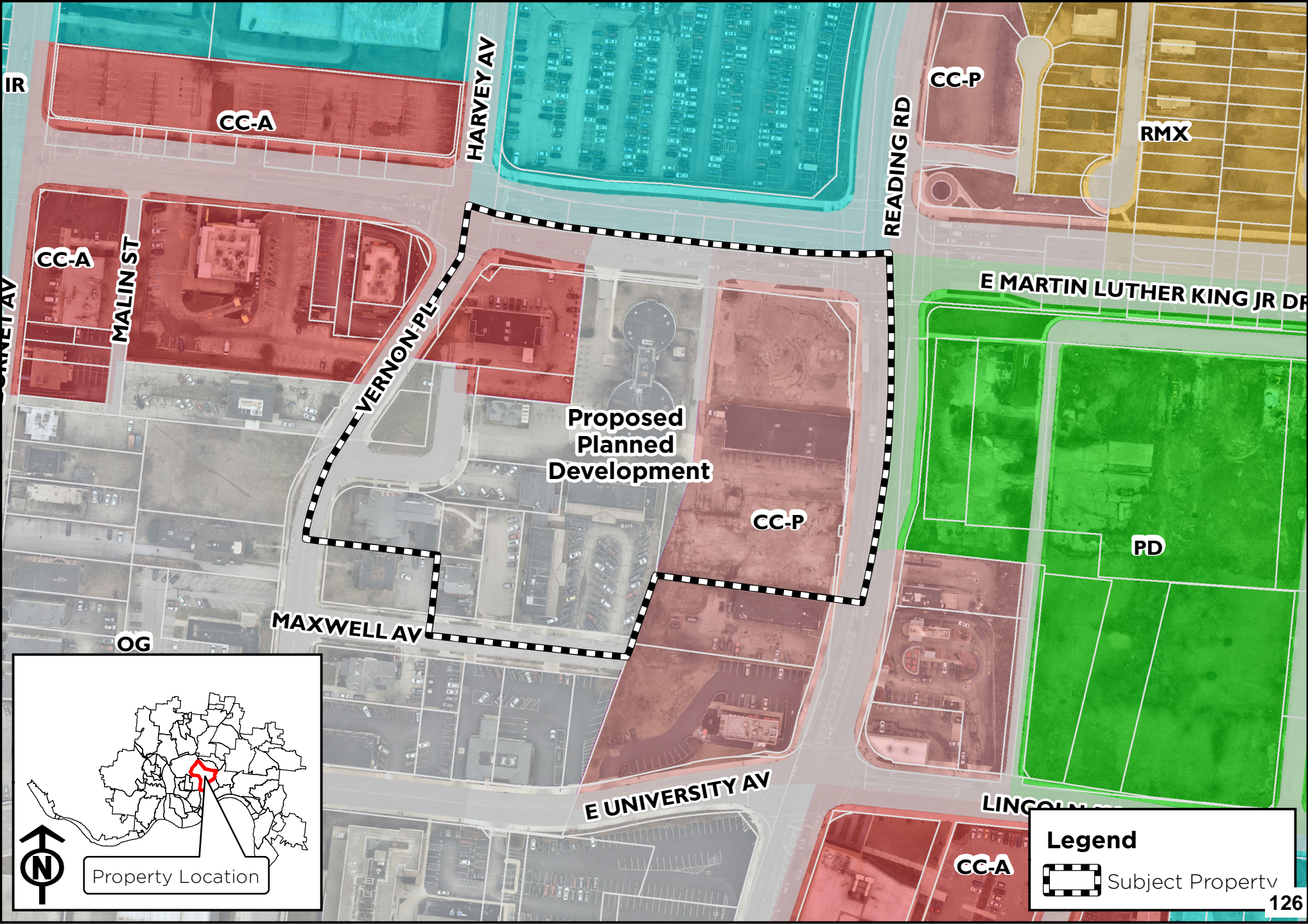
BUILDING SETBACKS:  
PROPOSED BUILDINGS WILL BE SET BACK  
FROM THE PUBLIC RIGHT-OF-WAY 0-20'



**DANIS·FOXX**

CINCINNATI  
50 E-Business Way  
Cincinnati, Ohio 45241  
513.984.9696

Proposed Zone Change from Commercial Community-Auto (CC-A), Commercial Community-Pedestrian (CC-P), and Office General (OG) to Planned Development (PD) in Avondale



Date: December 19, 2022  
Description: Re-Zoning  
Location: City of Cincinnati  
Hamilton County, Ohio



Situated in Section 8, Town 3, Fractional Range 2, Between the Miamis, Mill Creek Township, The City of Cincinnati, Hamilton County, Ohio and being 7.8030 acres to be re-zoned to Planned Development (PD) and being further described as follows:

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thence, with the centerline of said Reading Road (U.S. #42) for the following two courses:

- 1) South 00° 06' 56" West, 173.57 feet;
- 2) with a curve to the right, having a central angle of 11° 35' 33", a radius of 1432.39 feet, an arc length of 289.81 feet, and a chord bearing and distance of South 05° 54' 43" West, 289.32 feet;

thence, leaving the centerline of said Reading Road (U.S. #42), North 82° 20' 14" West, 287.76 feet to the northwest corner of Lot A of Harry Wahking Heirs Subdivision as recorded in Plat Book 14, Page 54;

thence, with the west line of said Lot A extended, South 20° 01' 16" West, 117.45 feet to the centerline of Maxwell Avenue;

thence, with the centerline of said Maxwell Avenue, North 83° 25' 54" West, 269.44 feet;

thence, leaving the centerline of said Maxwell Avenue, North 06° 34' 06" East, 110.00 feet;

thence, North 83° 25' 54" West, 179.46 feet to the centerline of Vernon Place;

thence, with the centerline of said Vernon Place for the following three courses:

- 1) with a curve to the right, having a central angle of 24° 50' 44", a radius of 400.00 feet, an arc length of 173.45 feet, and a chord bearing and distance of North 21° 57' 19" East, 172.10 feet;
- 2) North 34° 22' 41" East, 275.91 feet;
- 3) North 06° 14' 10" East, 53.69 feet to the centerline of said Martin Luther King Drive East;

thence, leaving the centerline of said Vernon Avenue and with the centerline of said Martin Luther King Drive East for the following five courses:

- 1) South 78° 39' 46" East, 95.02 feet;
- 2) with a curve to the left, having a central angle of 05° 21' 40", a radius of 1046.74 feet, an arc length of 97.94 feet, and a chord bearing and distance of South 81° 20' 36" East, 97.91 feet;
- 3) South 84° 01' 26" East, 181.00 feet;
- 4) with a curve to the left, having a central angle of 02° 00' 00", a radius of 3824.72 feet, an arc length of 133.51 feet, and a chord bearing and distance of South 85° 01' 26" East, 133.50 feet;

5) South 86° 01' 26" East, 60.14 feet to the **True Point of Beginning** containing 7.8030 acres.

Basis of Bearings: NAD83(2011) Ohio State Plane Coordinates, South Zone (3402).

The above description is a complete, proper and legal description of the property by deeds and plats of record.



A handwritten signature in blue ink, appearing to read "Jeffrey O. Lambert", written over a horizontal line.

Jeffrey O. Lambert Registered Surveyor #7568 in the State of Ohio

**CONCEPT PLAN & DEVELOPMENT PROGRAM STATEMENT  
ZONING AMENDMENT REQUEST AND ZONING CHANGE REQUEST**

**REZONE OG, CC-A and CC-P ZONING TO PD  
for  
UPTOWN INNOVATION CORRIDOR  
Located at  
SOUTHWEST CORNER OF READING RD & MLK BLVD**

**1. APPLICANT/PETITIONER:**

Queen City Hills, LLC (via the developer, Foxx-Danis, LLC “Developer”)  
324 W. 9th Street  
Cincinnati, OH 45202

As may be subsequently assigned.

**2. SUMMARY OF REQUEST**

Applicant is requesting the rezoning of the 15 street addresses (“Subject Property”) shown in the schedule below from various current zoning to Planned Development (“PD”).

The Subject Property has various current zoning classifications, which are noted in the schedule below. These current classifications include General Office and Community Commercial and publicly owned land. The total area to be re-zoned is approximately 7.80 acres. See Appendix H.

Applicant is requesting the rezoning of the Subject Property to allow a large-scale, mixed-use redevelopment (“Proposed Development”) to be developed on the Subject Property, which is generally located in the southwest quadrant of the Martin Luther King Drive. and Reading Rd. intersection. Based on proximity of buildings, the various uses, complexities of the site and in-depth discussions with City staff, Applicant believes that Planned Development will best suit the ability to develop the best project on the Subject Property in keeping with the wishes of the community and the City.

**3. PROJECT NARRATIVE**

QCH has assembled the land parcels necessary to develop 5.85 acres of land. The consolidated properties, located at the southwest corner of Martin Luther King Dr. and Reading Rd. will be re-zoned as a planned development with design focusing on the Uptown District Design Guidelines. The project is an innovative mix of complementary uses to create a vibrant place to work, live and play. Major site components include:

- A state of the art, Commercial Development Lab. This clinical phase research, manufacturing, and product development entity, focused on bridging academic, proof of concept cell and gene therapeutic research through later stage evaluation, in support of emerging biotech and pharmaceutical companies in preparation for late-stage registration/pivotal trials, commercial approval and global distribution.
- A Research Lab and Office Center will provide incubator lab space, general office space as well as support the functions of the Commercial Development Lab. Together, these labs will help attract the best and brightest to this Bio-Tech Life Sciences Research Park
- A Multi-Family Housing Development will provide a mix of studio, two- and three-bedroom units coupled with interior and exterior amenities. These residential units will provide the scientific and medial professionals with ideal places to live and play.

- A street level Retail Space facing Martin Luther King Drive providing opportunities for food, shopping and /or entertainment, helping to further fulfill the play component of this multi-use development.
- A structured parking garage and podium with entrances off of MLK Dr., Vernon Ave., and Maxwell St. The garage will serve as the base for the Research Lab and Housing Units and will also contain the sites stormwater retention system.
- A large Public Plaza is set atop the parking garage, weaving between the Commercial Development Lab, the Research Lab and Office Center and Multi-Family Housing and connecting down to the MLK level via a grand sweeping staircase

Each component contributes to the overall ambiance and sense of place to enhance the others both in design and function.

Design and construction is planned to be accomplished in three phases.

- Phase 1: Full site development, including utility infrastructure, deep foundations, rough grading and retaining walls.
- Phase 2A: Construction of Commercial Development Lab, Parking Garage, Retail
- Phase 2B: Construction of the Research Lab and Office Center.
- Phase 3: Construction of Multi-Family Housing and amenity deck with associated upper parking garage podium.,

This proposed development will improve the vacant and underutilized existing properties and create a dynamic mixed-use environment providing places for life science professionals to work, live and play.

## PLAN ELEMENTS

### Location of Development

This proposed PD Zoning District, referred to as the Biotech Cincinnati Life Science Research Park for Innovation Corridor, is located on Southwest Corner of Martin Luther King Blvd and Reading Road generally bound by Vernon Place on the West and Maxwell Avenue on the south and Reading Road on the east.

### Ownership & Property Addresses Ord.\_1429-09 (b)

The properties comprising the development site are listed individually below.

Owner	Address	Parcel ID	Zoning
Central Clinic	(Part of) 512 Maxwell Ave	091-0001-0112	OG
Central Community Health Board of Hamilton County	530 Maxwell Avenue	091-0001-0103	OG
Central Community Health Board of Hamilton County	3020 Vernon Place	091-0001-0107	OG
SGA Enterprises Inc	-	106-0001-0243	OG
SGA Enterprises Inc	3026 Harvey Avenue	106-0001-0150	CC-A
SGA Enterprises Inc	3028 Harvey Avenue	106-0001-0254	CC-A

YWCA Development Corp	516 Maxwell Avenue	091-0001-0102	OG
YWCA Development Corp	(Part of) 512 Maxwell Ave	091-0001-0101	OG
YWCA Development Corp	3006 Vernon Place	091-0001-0100	OG
Uptown Transportation Authority	515 Martin Luther King Drive	091-0001-0201	CC-P
City of Cincinnati	-	106-0001-0328	CC-A
City of Cincinnati	3049 Reading Road	106-0001-0218	CC-P
City of Cincinnati	(Part of city parcel)	091-0002-0215	CC-P
City of Cincinnati	(Part of) 439 E. Martin Luther King Drive	106-0001-0143	CC-A
City of Cincinnati	(Part of) 2915 Vernon Place	091-0001-0031	OG

In addition, a portion of the existing Vernon Place public right-of-way (between Maxwell Avenue and Martin Luther King Drive) will be vacated and included in the new Planned Development District. See appendix N.

A request for a Coordinated Report was submitted to the city's office of Real Estate Services (RES) on 11/03/22 and the Coordinated Report was received on 12/12/22. See Appendix M. The development team will work the city to get a clear Coordinated Report and purchase the city-owned properties/right-of-way needed for the project.

#### **Existing Conditions (QCH-Bioscience Research Park)**

The majority of proposed QCH consolidated site is a vacant and cleared lot. Demolition is currently being completed for the old Schaffer single story light industry building company on Reading Road as well as 3 story nursing home on Martin Luther King Drive (MLK). Also, on the proposed PD Development there is an existing 2 Story PNC Office Building (12,612 sq. ft.) on the east corner of MLK and Vernon Place and on the south adjacent parcel we have a Central Community Health Office (25,870 sq. ft.) fronting on Maxwell Ave. The last two properties Describe where have an existing 2 story 11,316 YWCA building and a small two and half story 1,155 sq ft Central Health Clinic building along Maxwell Ave. All existing facilities are preparing for demolition for the new QCH development.

#### **Community Engagement**

QCH has actively engaged with Avondale Community Council and Cincinnati City Council since fall 2019. We participated in the Avondale Neighborhood Conversation with Uptown Consortium in November 2019 and attended several ACC meetings. City council approved the TIF boundaries for the SW quadrant (December 2019). QCH presented a \$20K gift to ACC for their inclusive development efforts in late 2019. Through 2019 and 2020 we engaged with Uptown Consortium and WEB Ventures monthly to discuss the development goals and continue to do so. QCH also recently participated in the ACC's Thanksgiving food drive, and will be leading a community winter hiking program through Avon Woods this January in partnership with Cincy Parks.

#### **Description of Proposed Land Uses, Buildings and Structures** Ord.\_1429-13(i)

QCH has assembled the land parcels necessary to develop 5.85 acres of land. The consolidated properties will be re-zoned as a planned development with design focusing on the Uptown District Design Guidelines. The project is an innovative mix of complementary uses to create a vibrant place to work, live and play. Major site components to include:

### **Commercial Development Lab**

The Commercial Lab Building will research and manufacture medical-use products in the four-level structure. The items produced will ship from a loading dock positioned at grade, accessing Reading Road. The dock will be screened from view via its location on the campus, and will feature additional landscape screening, to meet the Uptown District requirements.

Building specifications:

Area: Up to 350,000 sq. ft.

Height: 175' above grade.

### **Research Lab and Office Center**

The Research Lab and Office Center will house tenants that primarily provides professional, executive, management, or administrative services, such as accounting, architectural, computer software consulting, data management, engineering, medical or other health care professionals, insurance, investment, law, and/or real estate offices, etc. Co-workspaces may also occur. These would combine office, athletic, or reception uses or other social workspaces and requires membership for use of the space. Incubator spaces may be included to provide public and private collaboration and providing management, mentoring, workspace, or other services for business, academic, no-profit, institutional or start-up organizations. Commercial laboratories may be included. These facilities include medical, optical, orthotic, prosthetic, or dental laboratory services, photographic, analytical, or testing services and scientific wet/dry lab research facilities.

Building specifications:

Area: Up to 225,000 sq. ft.

Height: 175' above grade

### **Multi-Family Housing Development**

Multi-Family Housing Development will provide a mix of studio, two- and three-bedroom units coupled with interior and exterior amenities. The units will sit one level higher than the ground plain for enhanced security and provide the required fire truck access to the site. The intended housing provided will focus on congregate housing- Apartments and dwellings with communal dining facilities and services, such as housekeeping, organized social and recreational activities, transportation services, and other support services appropriate to the residents. The dwellings are defined as one or more rooms with a single kitchen, designed for occupancy by one family for living and sleeping purposes. Dwelling includes: rowhouse, multi-family dwellings and loft dwellings.

Building specifications:

Number of Units: 120-400 units

Height: 125' above grade

### **Retail Space**

The Retail space facing Martin Luther King Drive. The Retail services provided could include: the following: food service (eating and drinking establishments, full-service restaurants, limited-service restaurants, breweries, Distilleries, food market, food preparation, or drinking establishment. Other options include convenience market (limited goods), patio/garden store (limited service), personal services (barber/beauty shop, nail salon, tanning salon, massage therapy, electrolysis, seamstress, tailor, shoe repair, dry cleaner, self-service laundry and photo studio. Retail sales, including alcohol, furniture and home furnishing, electronics and appliances, clothing and shoes, jewelry, luggage and leather

goods, hobbies shop, books, periodicals and music, department stores, office supplies, gifts and novelties, pets, hardware, video stores and auto parts. Banking and financial institutions.

Area: Up to 25,000 sq. ft.

Height: Up to 35' above grade

#### **Structured Parking Garage, Podium and Public Plaza**

On grade, and lower-level parking spaces (garage) will be provided to support the activities that will occur on the campus. It will be sized per local zoning code to support the new square footage created at the campus, and the buildings' mixed-uses. The principal use will be a surface parking lot, and parking garage offering parking to the public and is the principal use of the premises.

The rooftop amenity spaces (plazas) that are generated above the parking garage, will prove supplemental activity space to support the infrastructure created at the development.

Parking Spaces: 850-1250 parking spaces

Height: 50' above grade

#### **City CSR Review**

The city held a Coordinated Site Review (CSR) meeting on Tuesday 12/13/22 to discuss the project. It was determined at that meeting that the project could move forward with the Planned Development re-zoning. The CSPRO Committee review letter is included in Appendix G.

#### **Set Back Lines:**

The Setback lines will be determined by the Final PD Development planning process, however the Appendix J – Uptown Innovation District Design Guidelines that indicate the conceptual right of way and recommended setbacks for the Innovation Corridor as envisioned by UCI- Uptown Consortium Inc (also depicted in Appendix O). Buildings will generally be set back 0-20' from the public right-of-way.

#### **Building Heights and Areas:**

Final height measurements will be determined at the time of any filing for final development plan. See Section "Description of Proposed Land Uses, Buildings and Structures" above and Appendix "B" for approximate building heights and areas.

#### **Streetscapes:**

Final streetscaping planning has not been finalized but will incorporate the guidelines shown in Appendix J – Uptown Innovation District Design Guidelines. This work will include sidewalk widths and open space requirements and Calculations. See appendix O. Final streetscape design to be submitted with final development plan.

Pedestrian circulation and walkability to and through the site by public sidewalks along all streets will be a minimum of 8'-10'-0" on all perimeters as indicated on page 55 of Appendix J – Uptown Innovation District Design Guidelines. Our Sidewalk "Amenity Zone and Zero setback will be considered as shown on page 58 and 59 of the attached Appendix J – Uptown Innovation District Design Guidelines.

Streetscape along Reading Road and MLK will include viable trees to provide overhead shade, and site furnishing amenity space for potential outdoor engaging pedestrian zones and an extension of active retail/entertainment venues.

Landscape Open Spaces are proposed in our upper plazas and courtyards. Refer to site plans included in this PD submission.

**Density and Open Space:** Ord.\_1429-09 (e)

The project includes up to 80,000 SF of plaza/amenity space on two levels above the parking garage. This open space would account for over 25% of the project's total 5.85-acre development area.

**Refuse Collection:** Ord.\_142909 (a)

Trash and waste facilities shall be provided on-site and located in areas to limit visibility. The design team will coordinate the details of trash operations with Rumpke prior to Final Development Plan submittal.

**Geotechnical**

See Appendix E.

**Hazardous Materials**

See Appendix F

**Drainage**

Onsite detention facilities will be installed to control site runoff per MSD standards. It is likely that a concrete vault will be included under a ramp in the parking garage to meet the storage requirements. The stormwater outlet for the project will likely be the existing 12" combination sewer on MLK.

**Landscaping and Buffering:**

Final landscaping and buffering will follow the Appendix J – Uptown Innovation District Design Guidelines and be determined at the time of any filing for a final permit application.

Please see page 76 of Appendix J – Uptown Innovation District Design Guidelines to see general criteria and parameters of Landscape species and objective zones to which designer should consider before submission.

Buffer planting shall be used to help define spaces, screen utilities and service functions and semi-private space when they exist.

**Traffic Control**

Bayer Becker has coordinated the nature of the project with DOTE and have agreed upon the scope of the Traffic Impact Study (TIS) that DOTE will require. The traffic counts from November 2022 are included in Appendix K. Bayer Becker is currently working through the model for the TIS and will coordinate all findings with DOTE. The results of the TIS will help guide vehicular access to, from, through, and around the site for the Final Development Plans.

**Sewage**

See Appendix L for MSD's "Conditional Availability of Sewers" for Building #1 and the rest of the Queen City Hills development site. The existing public combination sewers in Reading Road, MLK, and Vernon Place will be utilized for sanitary service to the proposed buildings.

The existing public sanitary sewer in Harvey Avenue/Vernon Place will be removed to make way for the new development; and a new 8" public sanitary sewer will be installed in (the re-aligned) Vernon Place to maintain upstream flows.

**Water**

A Water Availability Application (WAA) and Preliminary Application (PA) have been submitted to GCWW for review and approval. The existing public water mains in Reading Road, MLK, and Vernon Place will be utilized for fire and domestic service to the proposed buildings.

The existing public water main in Harvey Avenue/Vernon Place will be removed to make way for the new development; and a new 8” public water main will be installed in (the re-aligned) Vernon Place to maintain the water loop.

**Electric & Natural Gas Service**

Duke Energy has existing electric and gas facilities in the area to serve the proposed development. The design team is currently working with Duke Energy on a plan for proposed service, as well as providing adequate clearances from existing overhead electric lines along public roadways to the proposed buildings.

**Communication Service**

The design team will work with local utility providers to provide communication service to the proposed buildings.

**DEVELOPMENT CONTROLS**

**Parking**

A two-level structured parking garage with a podium deck is planned to serve the proposed buildings on site. Between 850 and 1250 parking stalls are anticipated to support the project. The layout and circulation of the garage, as well as total parking count, will be confirmed with the Final Development Plans.

**Retail and Commercial**

The retail, entertainment and other commercial uses will contribute to the development Live, Work and Play Components of the program. These components are critical to the viability and sustainability of the development. It is our goal to provide a sense of Place and Destination for visiting community as well as day to day employee living at the development. The intended uses for the project shall include retail, micro restaurant shops, selfcare services, fitness, recreation, and entertainment zones along with other general commercial uses not listed in the primary program use statement.

**Exterior Lighting**

Final exterior lighting will be determined at the time of final permit submission. All site lighting shall enhance the development and encourage community engagement during and after hours. All exterior lighting will adhere to City requirements for life safety and follow the Appendix J – Uptown Innovation District Design Guidelines while providing sensitive softening solutions for the housing components of the development.

**Signage**

Final Environmental Graphics and key signage will be evaluated and submitted at the time of final permit by a signage consultant team. Wayfinding to public amenities as well as retail will be another critical component to sustain a successful development. The project will generally adhere to CC-A zoning design standards for signage.

**Project Schedule**

See Appendix D

**Re-Zone Plat**

See Appendix H

**Site Plan**

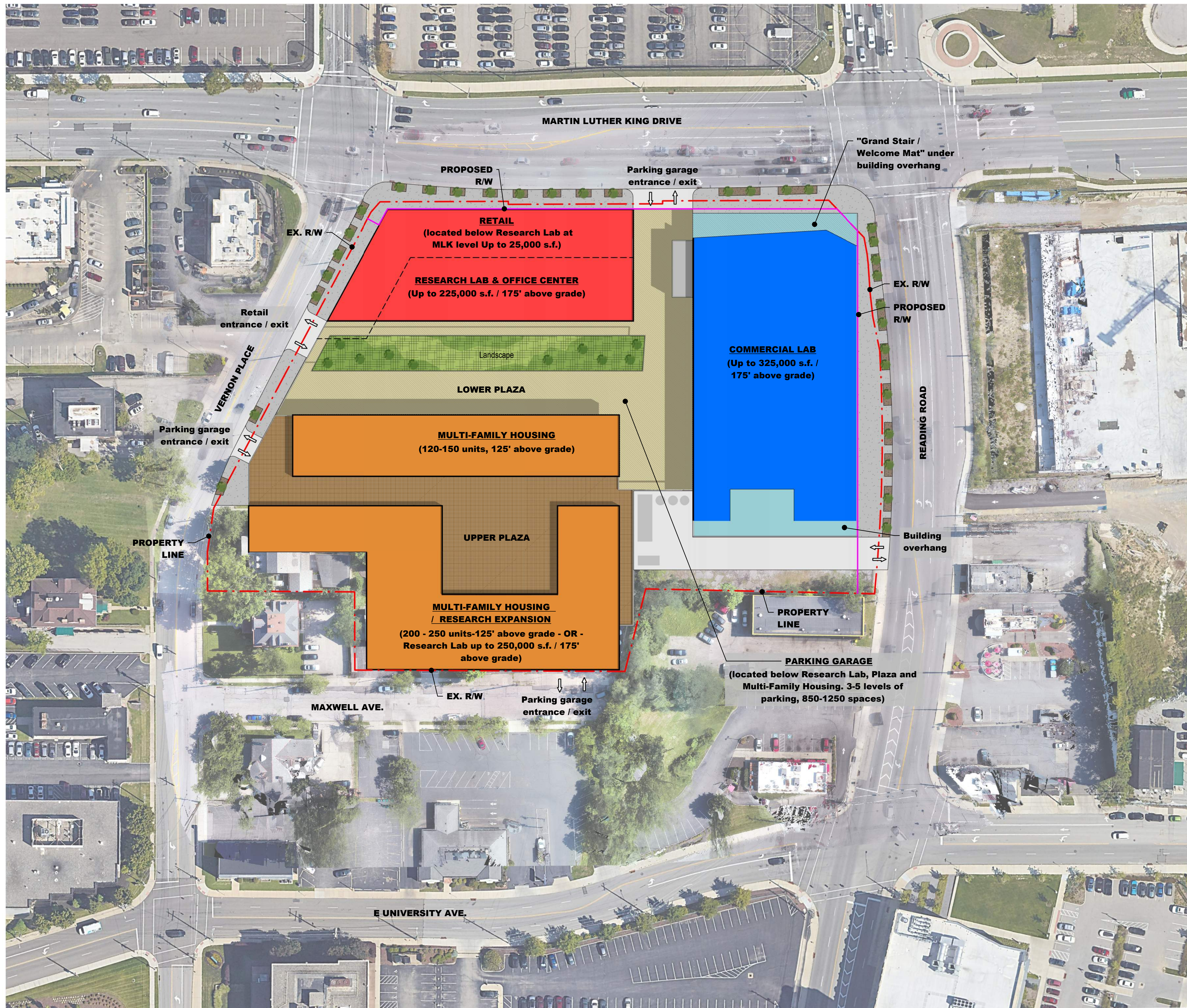
See Appendix A

**Artistic Renderings**

See Appendix B

**List of Appendices:**

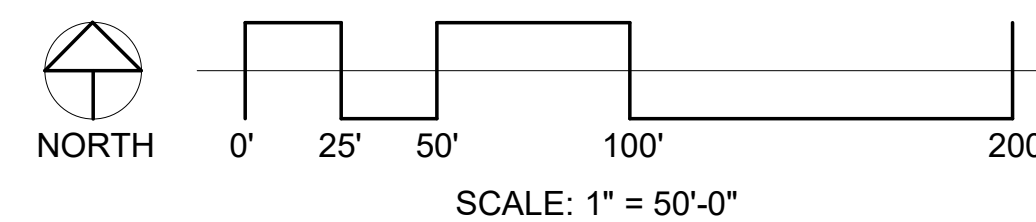
- A - Site Plan
- B - Renderings
- C - Property Control Letters
- D - Project Schedule
- E - Geotech Report
- F - Hazmat Reports
- G – CSPRO Committee Letter
- H - Rezoning Map
- I - Rezoning Legal Description
- J – Uptown Innovation District Design Guidelines
- K - Traffic Counts
- L - Conditional Availability of Sewers
- M - Coordinated Report
- N - Major Subdivision Plan
- O - Streetscape Design Standards



# OVERALL SITE PLAN

DATE: 12/21/2022

**BUILDING SETBACKS:**  
PROPOSED BUILDINGS WILL BE SET BACK  
FROM THE PUBLIC RIGHT-OF-WAY 0-20'



**DANIS·FOXX**

CINCINNATI  
50 E-Business Way  
Cincinnati, Ohio 45241  
513.984.9696

**SUBJECT:** A report and recommendation on a proposed zone change from Commercial Community – Auto-oriented (CC-A), Commercial Community-Pedestrian (CC-P), and Office General (OG) to Planned Development (PD), including a Concept Plan and Development Program Statement, at the southwest quadrant of the intersection of Reading Road and E. Martin Luther King Jr. Drive in Avondale.

**GENERAL INFORMATION:**

**Location:** 15 parcels at the southwest corner of E. Martin Luther King Jr. Drive and Reading Road, generally bound by E. Martin Luther King Jr. Drive to the north, Reading Road to the east, Maxwell Avenue to the south, and Vernon Place to the west (Exhibit 1)

**Petitioner:** **Bayer Becker**  
1404 Race Street, Suite 204  
Cincinnati, OH 45202

**Developer:** **Queen City Hills, LLC**  
324 W. 9<sup>th</sup> Street  
Cincinnati, OH 45202

**Property Owners:** **Central Clinic**  
311 Albert Sabin Way  
Cincinnati, OH 45229

**Central Community Health Board**  
532 Maxwell Avenue  
Cincinnati, OH 45219

**City of Cincinnati**  
801 Plum Street  
Cincinnati, OH 45202

**SGA Enterprises, Inc.**  
233 Anderson Road  
Fort Mitchell, KY 41017

**YWCA Development Corp.**  
898 Walnut Street  
Cincinnati, OH 45202

**Uptown Transportation Authority**  
3440 Burnet Avenue, Suite 130  
Cincinnati, OH 45229

**EXHIBITS:**

Provided in addition to this report are the following attachments:

- Exhibit 1: Location Map
- Exhibit 2: Zone Change Application
- Exhibit 3: Development Program Statement
  - Appendix A Site Plan
  - Appendix B Renderings
  - Appendix C Property Control Letters
  - Appendix D Project Schedule
  - Appendix E Geotech Report Summary (Full file available upon request)
  - Appendix F Hazmat Report Summary (Full file available upon request)
  - Appendix G Coordinated Site Review Letter (CPRE220071)
  - Appendix H Rezoning Map
  - Appendix I Rezoning Legal Description
  - Appendix J Uptown Innovation District Design Guidelines
  - Appendix K Traffic Counts
  - Appendix L Conditional Availability of Sewers
  - Appendix M Coordinated Report Summary (Full file available upon request)
  - Appendix N Major Subdivision Plan
  - Appendix O Streetscape Design Standards

## **BACKGROUND:**

The subject property represents one of the four corridor quadrant areas at Reading Road and E. Martin Luther King Jr. Drive. It is approximately 5.85 acres in size and contains 15 parcels generally bound by E. Martin Luther King Jr. Drive to the north, Reading Road to the east, Maxwell Avenue to the south, and Vernon Place to the west in the Avondale neighborhood. The consolidated site is a vacant and cleared lot; any remaining buildings will be demolished to accommodate the proposed project. Much of the site is currently zoned Office General (OG), with the eastern portion of the site zoned Commercial Community-Pedestrian (CC-P), and the northwest corner zoned Commercial Community-Auto-oriented (CC-A). Additionally, a portion of the existing Vernon Place right-of-way (between Maxwell Avenue and E. Martin Luther King Jr. Drive) is proposed to be vacated and included in the new Planned Development.

## **ADJACENT LAND USE AND ZONING:**

The existing zoning and land use surrounding the subject site is as follows:

### **North:**

Zoning: Institutional-Residential (IR)  
Existing Use: Parking lot for University of Cincinnati (UC) Medical Center

### **East:**

Zoning: Planned Development (PD); Commercial Community-Pedestrian (CC-P)  
Existing Use: UC Digital Futures Building; fast food restaurant and retail

### **South:**

Zoning: Office General (OG); Commercial Community-Pedestrian (CC-P)  
Existing Use: Bank and small office buildings; fast food restaurant and retail

### **West:**

Zoning: Office General (OG); Commercial Community – Auto-oriented (CC-A)  
Existing Use: Small office buildings; fast food restaurants

## **PROPOSED DEVELOPMENT:**

The proposed Concept Plan and Development Program Statement is for the redevelopment of the 5.85-acre site into a large-scale, mixed-use development, referred to as the “Biotech Cincinnati Life Science Research Park for Innovation Corridor.” Major site components include a commercial development lab, a research lab and office space, street level retail space along E. Martin Luther King Jr. Drive, a structured parking garage and podium, a large public plaza, and multi-family housing.

## **Phasing**

The petitioner anticipates the development occurring under the following phasing program:

**Phase 1:** Full site preparation, including utility infrastructure, deep foundations, rough grading, and retaining walls.

**Phase 2A:** Construction of the commercial development lab, parking garage, and retail component. It is anticipated that the application for a Final Development Plan for the deep foundations of the garage would occur within approximately 60 days. An application for a Final Development Plan for Building 1 and the garage would follow within approximately 180 days.

**Phase 2B:** Construction of the research lab and office center.

**Phase 3:** Construction of multi-family housing and amenity deck with associated upper parking garage podium.

### Future Uses

The petitioner has outlined the following to be permitted in the proposed Planned Development:

Component	Uses	Square Footage	Height
<b>Commercial Development Lab</b>	Research, manufacturing of medical-use products, shipping	Up to 350,000 sq. ft.	Max. 175-feet above grade
<b>Research Lab and Office Center</b>	Office space, co-working space, and/or commercial lab	Up to 225,000 sq. ft.	Max. 175-feet above grade
<b>Retail Space</b>	Food service, convenience market, personal services, retail sales, banking and financial institutions	Up to 25,000 sq. ft.	Max. 35-feet above grade
<b>Structured Parking Garage, Podium, and Public Plaza</b>	Private and public parking; rooftop plazas over parking	850-1250 parking spaces	Max. 50-feet above grade
<b>Multi-family Housing Development</b>	Apartments and dwellings with communal facilities and services. Could include rowhomes, multi-family dwellings, and loft dwellings.	120-400 units	Max. 125-feet above grade

### **BASIC REQUIREMENTS OF A PLANNED DEVELOPMENT DISTRICT:**

Per §1429-05 of the Cincinnati Zoning Code, *Basic Requirements*, PD Districts and development within PD Districts must comply with the following:

- a. ***Minimum Area*** – *The minimum area of a PD must be two contiguous acres.*

The proposed zone change area is approximately 7.80 contiguous acres, of which 5.85 acres will be developed.

- b. ***Ownership*** – *Evidence that the petitioner has sufficient control over the tract of land to affect the proposed plan, including a list of all ownership and beneficial interests in the tract of land and the proposed development are required.*

The petitioner has provided a list of all properties included in the requested zone change area with the current property owners. The proposed zone change area includes a total of 15 properties, all of which are under the control of or will be under the control of Queen City Hills, LLC prior to permitting. Each property owner has authorized the inclusion of their property in the rezoning application (Appendix C).

- c. ***Multiple buildings on a lot*** – *More than one building is permitted on a lot.*

The submitted Concept Plan and Development Program Statement indicates multiple buildings on the consolidated parcel.

- d. **Historic Landmarks and Districts** – *Whenever a Planned Development application is filed for a property wholly or partially located within a historic landmark, historic district, or involving a historic structure, the Historic Conversation Board shall advise the City Planning Commission relating to approval of the Final Development Plan.*

No portion of the site is located within a historic district, nor does it contain any historic landmark.

- e. **Hillside Overlay Districts** – *Whenever a Planned Development application is filed for a property wholly or partially located within a Hillside Overlay District, the City Planning Commission shall approve the Final Development Plan.*

No portion of the site is located within a Hillside Overlay District.

- f. **Urban Design Overlay District** – *Whenever a Planned Development application is filed for a property wholly or partially located within an Urban Design Overlay District, the City Planning Commission shall approve the Final Development Plan.*

No portion of the site is located within an Urban Design Overlay District.

#### **CONCEPT PLAN AND DEVELOPMENT PROGRAM STATEMENT:**

According to §1429-09 of the Cincinnati Zoning Code, *Concept Plan and Development Program*, a petition to rezone a property to PD must include a Concept Plan and Development Program Statement (Exhibit 3). The purpose is to describe the proposed use or uses to be conducted in the PD District. The Concept Plan and Development Program Statement must include text or diagrams that specify:

- a. **Plan Elements** – *A survey of the tract to be developed, providing a metes and bounds description of the property and the survey of property lines and total acreage. Additionally, the plan should include the location in general terms, of land areas to be developed, including: type and description of proposed land uses, buildings and structures; street rights-of-way and driveways; parcel boundaries and proposed lots, including set back lines; building heights; pedestrian circulation systems and open space or other facilities; and proposed topography, drainage, landscaping and buffer plantings.*

The petitioner has submitted a Development Program Statement (Exhibit 3) that includes sufficient information regarding proposed uses, building locations, street rights-of-way, building set back lines, building heights, and pedestrian circulation systems. Preliminary geotechnical and environmental site assessments have also been provided as part of the application.

- b. **Ownership** – *Evidence that the petitioner has sufficient control over the tract of land to affect the proposed plan, including a list of all ownership and beneficial interests in the tract of land and the proposed development.*

The petitioner has provided a list of all properties included in the requested zone change area with the current property owners. The proposed zone change area includes a total of 15 properties, all of which are under the control of or will be under the control of Queen City Hills, LLC prior to permitting. Each property owner has authorized the inclusion of their property in the rezoning application (Appendix C).

- c. **Schedule** – *Time schedule of projected development, if the total site is to be developed in phases or if construction is to extend beyond a two-year time period.*

The petitioner has provided a phasing schedule for the Concept Plan. There are four (4) anticipated phases for the overall development and the petitioner intends to file separate Final Development Plans for each. The estimated time schedule provided as part of the Concept Plan and Development Program Statement is outlined in the *Proposed Development* section of this report.

- d. ***Preliminary Reviews*** – *A preliminary review of geo-technical, sewage, water, drainage and refuse collection.*

The proposed development was reviewed by departments during the Coordinated Site Review process, including the City’s Metropolitan Sewer District (MSD), Stormwater Management Utility (SMU), and Greater Cincinnati Water Works (GCWW). Additional plans will be submitted as part of the Final Development Plan.

- e. ***Density and Open Space*** – *Any other information requested by the Director of City Planning or the City Planning Commission*

The project includes up to 80,000 square feet of plaza/amenity space on two levels above the parking garage. This open space would account for over 25% of the project’s total 5.85-acre development area. The petitioner intends for the existing sidewalk widths to be maintained or widened for a minimum of 8-10 feet on all perimeters. Streetscape elements along Reading Road and E. Martin Luther King Jr. Drive will include viable trees to provide overhead shade, and site furnishing amenity space for potential outdoor engaging pedestrian zones and an extension of active retail/entertainment venues. Final details related to open space calculations, dimensions, and elements in the public right-of-way will be required at time of Final Development Plan submittal.

#### **FINAL DEVELOPMENT PLAN:**

Pursuant to §1429-13 of the Cincinnati Zoning Code, a Final Development Plan must be filed for any portion of an approved Concept Plan that the petitioner wishes to develop; this plan must conform substantially to the approved Concept Plan and Development Program Statement. The Final Development Plan requirements anticipate changes from the Concept Plan by requiring significantly more detail. Approval of the Final Development Plan would allow the petitioner to obtain the necessary permits to proceed with development. The process allows the City Planning Commission to authorize staff to approve Minor Amendments that might be necessary and establishes the process for Major Amendments that must be reviewed and approved.

#### **COORDINATED SITE REVIEW:**

The proposed zone change and Concept Plan went through a Development Design Review as part of the City’s Coordinated Site Review process in December 2022. A Coordinated Site Review meeting with the petitioner was held on December 13, 2022 to allow the petitioner the opportunity to understand the comments outlined by each of the Departments. No objections were voiced in regard to the zone change or Concept Plan at this meeting. The petitioner has received a copy of the comments from each department from this review process (Appendix G).

Of note, the Department of Transportation and Engineering (DOTE) will require a Traffic Impact Study. The petitioner has coordinated with DOTE and agreed upon the scope of the study that is required. The traffic counts from November 2022 are included in Appendix K. Bayer Becker is currently working through the model for the study and will coordinate all findings with DOTE. The results of the study will help guide vehicular access to, from, through, and around the site for the Final Development Plans.

### **DIVERSITY AND ECONOMIC INCLUSION:**

The developer, Queen City Hills, LLC, is proud to be the only minority developer in the Uptown Innovation Corridor. They are proactively working with Minority Business Enterprises (MBEs), Women Business Enterprises, and Small Business Enterprises (SBEs) for the proposed development. Additionally, the development team has continued working with WEB Ventures, a Cincinnati-based firm dedicated to ensuring diversity and inclusion in the Uptown Innovation Corridor.

### **PUBLIC COMMENT:**

The development team has been actively engaged with the Avondale Community Council regarding this project since 2019. Throughout 2019 and 2020, the development team met with Uptown Consortium and WEB Ventures monthly to discuss development goals. The development team has worked hard to ensure that the proposed project meets the Uptown District Design Guidelines, a set of development principles created through an intense community engagement process led by Uptown Consortium (Appendix J). The guidelines were developed in partnership with the University of Cincinnati, Cincinnati Children's Hospital Medical Center, UC Health, TriHealth, and the Cincinnati Zoo and Botanical Garden to establish a vision and framework for the corridor.

The Department of City Planning and Engagement held a virtual Public Staff Conference on the proposed zone change on January 12, 2023. Notices were sent to property owners within a 400-foot radius of the subject property, the Avondale Community Council (ACC), and the Avondale Development Corporation (ADC). Three community members, in addition to City staff and the development team, were in attendance. One public member asked about the traffic in the area and asked about pedestrian safety. The development team shared that the Traffic Impact Study was underway and that Uptown Consortium was working to ensure a safer environment for pedestrians and invited the community member to take part in those conversations.

### **CONSISTENCY WITH PLANS:**

#### *Plan Cincinnati (2012)*

The proposed zone change, Concept Plan, and Development Program Statement is consistent with the Compete Initiative Area, particularly within the Goal to "Cultivate our position as the most vibrant and economically healthy part of our region (page 114), specifically "Focus development on the existing centers of activity" (page 116). The proposed development will transform the southwest quadrant of the Uptown Innovation Corridor.

#### *Avondale QOL: Avondale's Quality of Life Movement (2020)*

The proposed zone change is consistent with the *Avondale QOL: Avondale's Quality of Life Movement*, the neighborhood plan for the area. It is specifically consistent with the Future Land Use Map which identifies the area for mixed use/institutional. The proposed zone change would permit a mixed-use development at the E. Martin Luther King Jr. Drive and Reading Road intersection.

#### *MLK Reading Road Corridor Study (2014)*

The project location is identified as a gateway in the *MLK Reading Road Corridor Study*: "Establish mixed-use gateways along MLK at the intersections of Eden, Burnet and Reading" (p. 68). The proposed development implements this idea of a gateway at Reading Road and E. Martin Luther King Jr. Drive. Additionally, the plan recommends "Focusing new residential development within walking distance of existing neighborhood centers to bolster commercial demand" (p. 63). Later phases of the project include a multi-family housing component.

### **CITY PLANNING COMMISSION ACTION:**

According to §1429-11(a) of the Cincinnati Zoning Code, the City Planning Commission may recommend approval or conditional approval, with restrictions on the establishment of a PD District on finding that all of the following circumstances apply:

1. *The PD Concept Plan and Development Program Statement are consistent with applicable plans and policies and is compatible with surrounding development;*

The proposed uses (laboratory, office, retail, multi-family housing, and parking) are compatible with applicable plans (see “Consistency with Plans” section above) and the surrounding land use patterns. Adjacent uses include auto-oriented businesses, institutional office buildings, and parking.

2. *The PD Concept Plan and Development Program Statement enhance the potential for superior urban design in comparison with the development under the base district regulations that would apply if the plan were not approved;*

The concept plan proposes a design that allows for a mix of uses. The site can be maximized by taking advantage of the entire area due to the proposed height and proximity of the buildings, planned multiple uses and complexities of the site.

3. *Deviations from the base district regulations applicable to the property at the time of the PD application are justified by compensating benefits of the PD Concept Plan and Development Program Statement;*

The proposed land use for this property provides productive use on what is now a mostly vacant site. The PD zoning district allows the developer to be innovative in site development, combining quality building design with practical common open space.

4. *The PD Concept Plan and Development Program Statement includes adequate provisions for utility services, refuse collection, open space, landscaping, pedestrian circulation and traffic circulation, building design and building location.*

All aspects are outlined in the Concept Plan and Development Program Statement as submitted or will be detailed in the Final Development Plan.

### **ANALYSIS:**

The 5.85-acre proposed mixed-use development will reactivate currently vacant or underutilized properties into a mixed-use development and anchor the southwest corner of the E. Martin Luther King Jr. Drive and Reading Road intersection within the Innovation Corridor. The Planned Development allows for the coordinated development of fifteen (15) existing parcels.

While this is a development of significant scale, the petitioner has worked to engage with the community and various City Departments to address concerns and improve the quality of the development. The Department of City Planning and Engagement is of the opinion that Planned Development is an appropriate zoning designation for this site as it allows for continued public engagement through all phases of the development. A Planned Development also provides assurance to the City and the community of the intended uses and scale for the site, and any significant modification to this would

constitute as a Major Amendment to the Concept Plan and require public engagement and a public hearing process.

### **FINDINGS:**

It is the opinion of staff of the Department of City Planning that the Concept Plan and Development Program Statement is in compliance with §1429-05 and §1429-11 (a) *City Planning Commission Action*. The proposal is consistent with the purpose of the Planned Development District Regulations.

### **CONCLUSIONS:**

The staff of the Department of City Planning and Engagement supports the proposed zone change from Commercial Community – Auto-oriented (CC-A), Commercial Community-Pedestrian (CC-P), and Office General (OG) to Planned Development (PD) including the Concept Plan and Development Program Statement to allow for a mixed-use development for the following reasons:

1. The proposed development is consistent with comprehensive and neighborhood plans, including *Plan Cincinnati* (2012), *Avondale QOL: Avondale's Quality of Life Movement* (2020), and the *MLK Reading Road Corridor Study* (2014).
2. The area to be rezoned will allow for the construction of the proposed mixed-use development at the setback, scale, and density outlined in the Concept Plan and Program Development Statement.
3. The PD zoning district is appropriate in this area and requires a more extensive public process than a regular zone change, which will allow community members to have additional opportunities to be heard during the Final Development Plans for the proposal.

### **RECOMMENDATION:**

The staff of the Department of City Planning and Engagement recommends that the City Planning Commission take the following actions:

1. **ACCEPT** the Concept Plan and Development Program Statement as submitted; and
2. **ADOPT** the Department of City Planning and Engagement Findings as detailed on page 8 of this report; and
3. **APPROVE** the proposed zone change from Commercial Community – Auto-oriented (CC-A), Commercial Community-Pedestrian (CC-P), and Office General (OG) to Planned Development (PD), including a Concept Plan and Development Program Statement, at the southwest quadrant of the intersection of Reading Road and E. Martin Luther King Jr. Drive in Avondale.

Respectfully submitted:



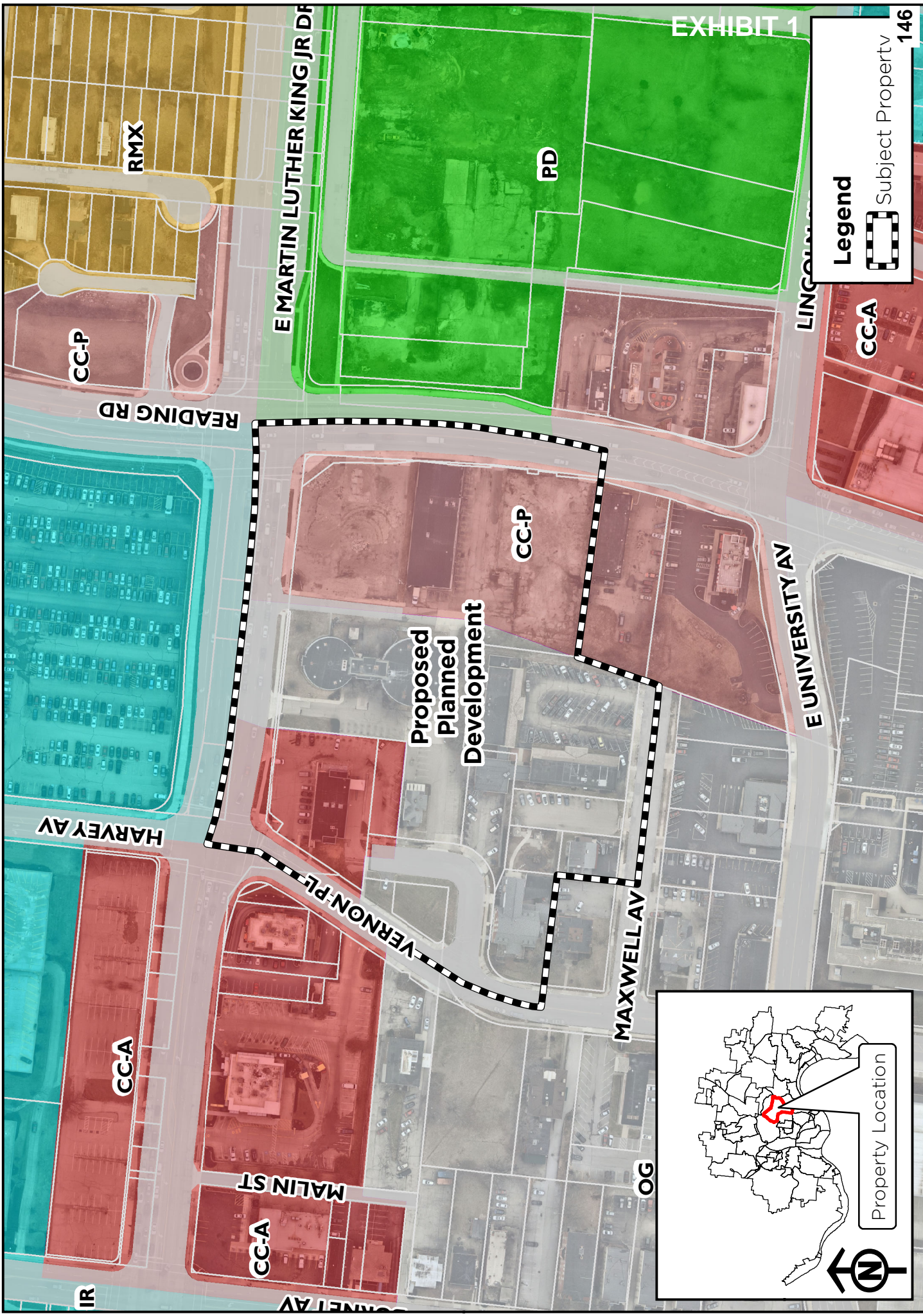
Stacey Hoffman, Senior City Planner  
Department of City Planning and Engagement

Approved:



Katherine Keough-Jurs, FAICP, Director  
Department of City Planning and Engagement

Proposed Zone Change from Commercial Community-Auto (CC-A), Commercial Community-Pedestrian (CC-P), and Office General (OG) to Planned Development (PD) in Avondale



**PETITION FOR CHANGE OF ZONING OF PROPERTY  
LOCATED IN THE CITY OF CINCINNATI, OHIO**

To: The Honorable Council of the City of Cincinnati

Date: 12/22/23

I hereby request your Honorable Body to amend the Zoning Map of the City of Cincinnati by changing the area described in the attached legal documentation and depicted on the attached plat from the CC-A, OG, CC-P Zone District to the PD Zone District.

Location of Property (Street Address): See "Development Program Statement"  
attached for addresses and parcel ID numbers.

Area Contained in Property (Excluding Streets): Approximately 7.80 acres

Present Use of Property: Existing uses on site include office/manufacturing, health services, and a bank (with associated surface parking).

Proposed Use of Property & Reason for Change: The proposed uses include office/lab/research, residential, and retail.  
Two levels of structured parking are planned beneath the west portion of the site with a podium plaza above.

Property Owner's Signature: 

Name Typed: Edwin J. Rigaud III (Owner's Agent)

Address: 324 W. 9th Street, Cincinnati OH 45202 Phone: 561-870-2441

Agent Signature: 

Name Typed: Michael P. Dooley

Address: 1404 Race Street, Suite 204 Cincinnati, OH 45202 Phone: 513-492-9851

Please Check if the Following Items are Attached

Application Fee X

Copies of Plat X

Copies of Metes and Bounds X

**CONCEPT PLAN & DEVELOPMENT PROGRAM STATEMENT  
ZONING AMENDMENT REQUEST AND ZONING CHANGE REQUEST**

**REZONE OG, CC-A and CC-P ZONING TO PD  
for  
UPTOWN INNOVATION CORRIDOR  
Located at  
SOUTHWEST CORNER OF READING RD & MLK BLVD**

**1. APPLICANT/PETITIONER:**

Queen City Hills, LLC (via the developer, Foxx-Danis, LLC “Developer”)  
324 W. 9th Street  
Cincinnati, OH 45202

As may be subsequently assigned.

**2. SUMMARY OF REQUEST**

Applicant is requesting the rezoning of the 15 street addresses (“Subject Property”) shown in the schedule below from various current zoning to Planned Development (“PD”).

The Subject Property has various current zoning classifications, which are noted in the schedule below. These current classifications include General Office and Community Commercial and publicly owned land. The total area to be re-zoned is approximately 7.80 acres. See Appendix H.

Applicant is requesting the rezoning of the Subject Property to allow a large-scale, mixed-use redevelopment (“Proposed Development”) to be developed on the Subject Property, which is generally located in the southwest quadrant of the Martin Luther King Drive. and Reading Rd. intersection. Based on proximity of buildings, the various uses, complexities of the site and in-depth discussions with City staff, Applicant believes that Planned Development will best suit the ability to develop the best project on the Subject Property in keeping with the wishes of the community and the City.

**3. PROJECT NARRATIVE**

QCH has assembled the land parcels necessary to develop 5.85 acres of land. The consolidated properties, located at the southwest corner of Martin Luther King Dr. and Reading Rd. will be re-zoned as a planned development with design focusing on the Uptown District Design Guidelines. The project is an innovative mix of complementary uses to create a vibrant place to work, live and play. Major site components include:

- A state of the art, Commercial Development Lab. This clinical phase research, manufacturing, and product development entity, focused on bridging academic, proof of concept cell and gene therapeutic research through later stage evaluation, in support of emerging biotech and pharmaceutical companies in preparation for late-stage registration/pivotal trials, commercial approval and global distribution.
- A Research Lab and Office Center will provide incubator lab space, general office space as well as support the functions of the Commercial Development Lab. Together, these labs will help attract the best and brightest to this Bio-Tech Life Sciences Research Park
- A Multi-Family Housing Development will provide a mix of studio, two- and three-bedroom units coupled with interior and exterior amenities. These residential units will provide the scientific and medial professionals with ideal places to live and play.

- A street level Retail Space facing Martin Luther King Drive providing opportunities for food, shopping and /or entertainment, helping to further fulfill the play component of this multi-use development.
- A structured parking garage and podium with entrances off of MLK Dr., Vernon Ave., and Maxwell St. The garage will serve as the base for the Research Lab and Housing Units and will also contain the sites stormwater retention system.
- A large Public Plaza is set atop the parking garage, weaving between the Commercial Development Lab, the Research Lab and Office Center and Multi-Family Housing and connecting down to the MLK level via a grand sweeping staircase

Each component contributes to the overall ambiance and sense of place to enhance the others both in design and function.

Design and construction is planned to be accomplished in three phases.

- Phase 1: Full site development, including utility infrastructure, deep foundations, rough grading and retaining walls.
- Phase 2A: Construction of Commercial Development Lab, Parking Garage, Retail
- Phase 2B: Construction of the Research Lab and Office Center.
- Phase 3: Construction of Multi-Family Housing and amenity deck with associated upper parking garage podium.,

This proposed development will improve the vacant and underutilized existing properties and create a dynamic mixed-use environment providing places for life science professionals to work, live and play.

## PLAN ELEMENTS

### Location of Development

This proposed PD Zoning District, referred to as the Biotech Cincinnati Life Science Research Park for Innovation Corridor, is located on Southwest Corner of Martin Luther King Blvd and Reading Road generally bound by Vernon Place on the West and Maxwell Avenue on the south and Reading Road on the east.

### Ownership & Property Addresses Ord.\_1429-09 (b)

The properties comprising the development site are listed individually below.

Owner	Address	Parcel ID	Zoning
Central Clinic	(Part of) 512 Maxwell Ave	091-0001-0112	OG
Central Community Health Board of Hamilton County	530 Maxwell Avenue	091-0001-0103	OG
Central Community Health Board of Hamilton County	3020 Vernon Place	091-0001-0107	OG
SGA Enterprises Inc	-	106-0001-0243	OG
SGA Enterprises Inc	3026 Harvey Avenue	106-0001-0150	CC-A
SGA Enterprises Inc	3028 Harvey Avenue	106-0001-0254	CC-A

YWCA Development Corp	516 Maxwell Avenue	091-0001-0102	OG
YWCA Development Corp	(Part of) 512 Maxwell Ave	091-0001-0101	OG
YWCA Development Corp	3006 Vernon Place	091-0001-0100	OG
Uptown Transportation Authority	515 Martin Luther King Drive	091-0001-0201	CC-P
City of Cincinnati	-	106-0001-0328	CC-A
City of Cincinnati	3049 Reading Road	106-0001-0218	CC-P
City of Cincinnati	(Part of city parcel)	091-0002-0215	CC-P
City of Cincinnati	(Part of) 439 E. Martin Luther King Drive	106-0001-0143	CC-A
City of Cincinnati	(Part of) 2915 Vernon Place	091-0001-0031	OG

In addition, a portion of the existing Vernon Place public right-of-way (between Maxwell Avenue and Martin Luther King Drive) will be vacated and included in the new Planned Development District. See appendix N.

A request for a Coordinated Report was submitted to the city's office of Real Estate Services (RES) on 11/03/22 and the Coordinated Report was received on 12/12/22. See Appendix M. The development team will work the city to get a clear Coordinated Report and purchase the city-owned properties/right-of-way needed for the project.

#### **Existing Conditions (QCH-Bioscience Research Park)**

The majority of proposed QCH consolidated site is a vacant and cleared lot. Demolition is currently being completed for the old Schaffer single story light industry building company on Reading Road as well as 3 story nursing home on Martin Luther King Drive (MLK). Also, on the proposed PD Development there is an existing 2 Story PNC Office Building (12,612 sq. ft.) on the east corner of MLK and Vernon Place and on the south adjacent parcel we have a Central Community Health Office (25,870 sq. ft.) fronting on Maxwell Ave. The last two properties Describe where have an existing 2 story 11,316 YWCA building and a small two and half story 1,155 sq ft Central Health Clinic building along Maxwell Ave. All existing facilities are preparing for demolition for the new QCH development.

#### **Community Engagement**

QCH has actively engaged with Avondale Community Council and Cincinnati City Council since fall 2019. We participated in the Avondale Neighborhood Conversation with Uptown Consortium in November 2019 and attended several ACC meetings. City council approved the TIF boundaries for the SW quadrant (December 2019). QCH presented a \$20K gift to ACC for their inclusive development efforts in late 2019. Through 2019 and 2020 we engaged with Uptown Consortium and WEB Ventures monthly to discuss the development goals and continue to do so. QCH also recently participated in the ACC's Thanksgiving food drive, and will be leading a community winter hiking program through Avon Woods this January in partnership with Cincy Parks.

#### **Description of Proposed Land Uses, Buildings and Structures** Ord.\_1429-13(i)

QCH has assembled the land parcels necessary to develop 5.85 acres of land. The consolidated properties will be re-zoned as a planned development with design focusing on the Uptown District Design Guidelines. The project is an innovative mix of complementary uses to create a vibrant place to work, live and play. Major site components to include:

### **Commercial Development Lab**

The Commercial Lab Building will research and manufacture medical-use products in the four-level structure. The items produced will ship from a loading dock positioned at grade, accessing Reading Road. The dock will be screened from view via its location on the campus, and will feature additional landscape screening, to meet the Uptown District requirements.

Building specifications:

Area: Up to 350,000 sq. ft.

Height: 175' above grade.

### **Research Lab and Office Center**

The Research Lab and Office Center will house tenants that primarily provides professional, executive, management, or administrative services, such as accounting, architectural, computer software consulting, data management, engineering, medical or other health care professionals, insurance, investment, law, and/or real estate offices, etc. Co-workspaces may also occur. These would combine office, athletic, or reception uses or other social workspaces and requires membership for use of the space. Incubator spaces may be included to provide public and private collaboration and providing management, mentoring, workspace, or other services for business, academic, no-profit, institutional or start-up organizations. Commercial laboratories may be included. These facilities include medical, optical, orthotic, prosthetic, or dental laboratory services, photographic, analytical, or testing services and scientific wet/dry lab research facilities.

Building specifications:

Area: Up to 225,000 sq. ft.

Height: 175' above grade

### **Multi-Family Housing Development**

Multi-Family Housing Development will provide a mix of studio, two- and three-bedroom units coupled with interior and exterior amenities. The units will sit one level higher than the ground plain for enhanced security and provide the required fire truck access to the site. The intended housing provided will focus on congregate housing- Apartments and dwellings with communal dining facilities and services, such as housekeeping, organized social and recreational activities, transportation services, and other support services appropriate to the residents. The dwellings are defined as one or more rooms with a single kitchen, designed for occupancy by one family for living and sleeping purposes. Dwelling includes: rowhouse, multi-family dwellings and loft dwellings.

Building specifications:

Number of Units: 120-400 units

Height: 125' above grade

### **Retail Space**

The Retail space facing Martin Luther King Drive. The Retail services provided could include: the following: food service (eating and drinking establishments, full-service restaurants, limited-service restaurants, breweries, Distilleries, food market, food preparation, or drinking establishment. Other options include convenience market (limited goods), patio/garden store (limited service), personal services (barber/beauty shop, nail salon, tanning salon, massage therapy, electrolysis, seamstress, tailor, shoe repair, dry cleaner, self-service laundry and photo studio. Retail sales, including alcohol, furniture and home furnishing, electronics and appliances, clothing and shoes, jewelry, luggage and leather

goods, hobbies shop, books, periodicals and music, department stores, office supplies, gifts and novelties, pets, hardware, video stores and auto parts. Banking and financial institutions.

Area: Up to 25,000 sq. ft.

Height: Up to 35' above grade

#### **Structured Parking Garage, Podium and Public Plaza**

On grade, and lower-level parking spaces (garage) will be provided to support the activities that will occur on the campus. It will be sized per local zoning code to support the new square footage created at the campus, and the buildings' mixed-uses. The principal use will be a surface parking lot, and parking garage offering parking to the public and is the principal use of the premises.

The rooftop amenity spaces (plazas) that are generated above the parking garage, will prove supplemental activity space to support the infrastructure created at the development.

Parking Spaces: 850-1250 parking spaces

Height: 50' above grade

#### **City CSR Review**

The city held a Coordinated Site Review (CSR) meeting on Tuesday 12/13/22 to discuss the project. It was determined at that meeting that the project could move forward with the Planned Development re-zoning. The CSPRO Committee review letter is included in Appendix G.

#### **Set Back Lines:**

The Setback lines will be determined by the Final PD Development planning process, however the Appendix J – Uptown Innovation District Design Guidelines that indicate the conceptual right of way and recommended setbacks for the Innovation Corridor as envisioned by UCI- Uptown Consortium Inc (also depicted in Appendix O). Buildings will generally be set back 0-20' from the public right-of-way.

#### **Building Heights and Areas:**

Final height measurements will be determined at the time of any filing for final development plan. See Section "Description of Proposed Land Uses, Buildings and Structures" above and Appendix "B" for approximate building heights and areas.

#### **Streetscapes:**

Final streetscaping planning has not been finalized but will incorporate the guidelines shown in Appendix J – Uptown Innovation District Design Guidelines. This work will include sidewalk widths and open space requirements and Calculations. See appendix O. Final streetscape design to be submitted with final development plan.

Pedestrian circulation and walkability to and through the site by public sidewalks along all streets will be a minimum of 8'-10'-0" on all perimeters as indicated on page 55 of Appendix J – Uptown Innovation District Design Guidelines. Our Sidewalk "Amenity Zone and Zero setback will be considered as shown on page 58 and 59 of the attached Appendix J – Uptown Innovation District Design Guidelines.

Streetscape along Reading Road and MLK will include viable trees to provide overhead shade, and site furnishing amenity space for potential outdoor engaging pedestrian zones and an extension of active retail/entertainment venues.

Landscape Open Spaces are proposed in our upper plazas and courtyards. Refer to site plans included in this PD submission.

**Density and Open Space:** Ord.\_1429-09 (e)

The project includes up to 80,000 SF of plaza/amenity space on two levels above the parking garage. This open space would account for over 25% of the project's total 5.85-acre development area.

**Refuse Collection:** Ord.\_142909 (a)

Trash and waste facilities shall be provided on-site and located in areas to limit visibility. The design team will coordinate the details of trash operations with Rumpke prior to Final Development Plan submittal.

**Geotechnical**

See Appendix E.

**Hazardous Materials**

See Appendix F

**Drainage**

Onsite detention facilities will be installed to control site runoff per MSD standards. It is likely that a concrete vault will be included under a ramp in the parking garage to meet the storage requirements. The stormwater outlet for the project will likely be the existing 12" combination sewer on MLK.

**Landscaping and Buffering:**

Final landscaping and buffering will follow the Appendix J – Uptown Innovation District Design Guidelines and be determined at the time of any filing for a final permit application.

Please see page 76 of Appendix J – Uptown Innovation District Design Guidelines to see general criteria and parameters of Landscape species and objective zones to which designer should consider before submission.

Buffer planting shall be used to help define spaces, screen utilities and service functions and semi-private space when they exist.

**Traffic Control**

Bayer Becker has coordinated the nature of the project with DOTE and have agreed upon the scope of the Traffic Impact Study (TIS) that DOTE will require. The traffic counts from November 2022 are included in Appendix K. Bayer Becker is currently working through the model for the TIS and will coordinate all findings with DOTE. The results of the TIS will help guide vehicular access to, from, through, and around the site for the Final Development Plans.

**Sewage**

See Appendix L for MSD's "Conditional Availability of Sewers" for Building #1 and the rest of the Queen City Hills development site. The existing public combination sewers in Reading Road, MLK, and Vernon Place will be utilized for sanitary service to the proposed buildings.

The existing public sanitary sewer in Harvey Avenue/Vernon Place will be removed to make way for the new development; and a new 8" public sanitary sewer will be installed in (the re-aligned) Vernon Place to maintain upstream flows.

### **Water**

A Water Availability Application (WAA) and Preliminary Application (PA) have been submitted to GCWW for review and approval. The existing public water mains in Reading Road, MLK, and Vernon Place will be utilized for fire and domestic service to the proposed buildings.

The existing public water main in Harvey Avenue/Vernon Place will be removed to make way for the new development; and a new 8" public water main will be installed in (the re-aligned) Vernon Place to maintain the water loop.

### **Electric & Natural Gas Service**

Duke Energy has existing electric and gas facilities in the area to serve the proposed development. The design team is currently working with Duke Energy on a plan for proposed service, as well as providing adequate clearances from existing overhead electric lines along public roadways to the proposed buildings.

### **Communication Service**

The design team will work with local utility providers to provide communication service to the proposed buildings.

## **DEVELOPMENT CONTROLS**

### **Parking**

A two-level structured parking garage with a podium deck is planned to serve the proposed buildings on site. Between 850 and 1250 parking stalls are anticipated to support the project. The layout and circulation of the garage, as well as total parking count, will be confirmed with the Final Development Plans.

### **Retail and Commercial**

The retail, entertainment and other commercial uses will contribute to the development Live, Work and Play Components of the program. These components are critical to the viability and sustainability of the development. It is our goal to provide a sense of Place and Destination for visiting community as well as day to day employee living at the development. The intended uses for the project shall include retail, micro restaurant shops, selfcare services, fitness, recreation, and entertainment zones along with other general commercial uses not listed in the primary program use statement.

### **Exterior Lighting**

Final exterior lighting will be determined at the time of final permit submission. All site lighting shall enhance the development and encourage community engagement during and after hours. All exterior lighting will adhere to City requirements for life safety and follow the Appendix J – Uptown Innovation District Design Guidelines while providing sensitive softening solutions for the housing components of the development.

### **Signage**

Final Environmental Graphics and key signage will be evaluated and submitted at the time of final permit by a signage consultant team. Wayfinding to public amenities as well as retail will be another critical component to sustain a successful development. The project will generally adhere to CC-A zoning design standards for signage.

### **Project Schedule**

See Appendix D

### **Re-Zone Plat**

See Appendix H

### **Site Plan**

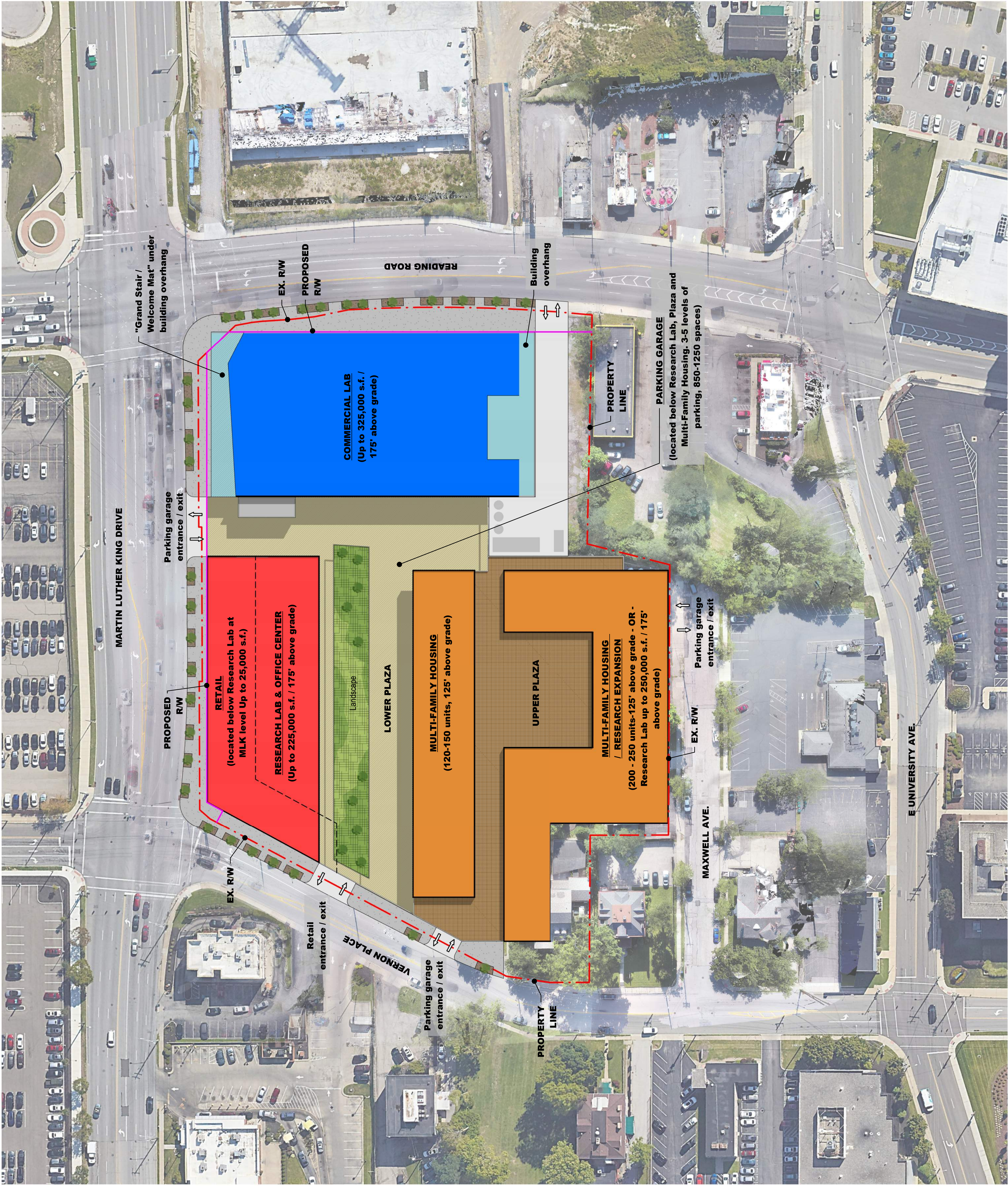
See Appendix A

### **Artistic Renderings**

See Appendix B

**List of Appendices:**

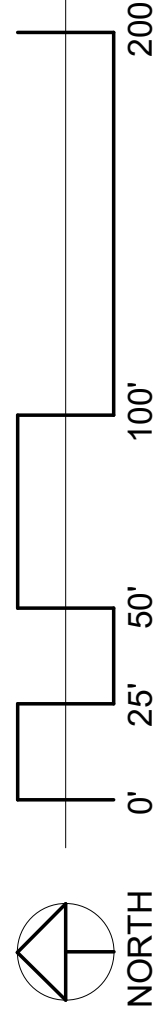
- A - Site Plan
- B - Renderings
- C - Property Control Letters
- D - Project Schedule
- E - Geotech Report
- F - Hazmat Reports
- G – CSPRO Committee Letter
- H - Rezoning Map
- I - Rezoning Legal Description
- J – Uptown Innovation District Design Guidelines
- K - Traffic Counts
- L - Conditional Availability of Sewers
- M - Coordinated Report
- N - Major Subdivision Plan
- O - Streetscape Design Standards



# OVERALL SITE PLAN

DATE: 12/21/2022

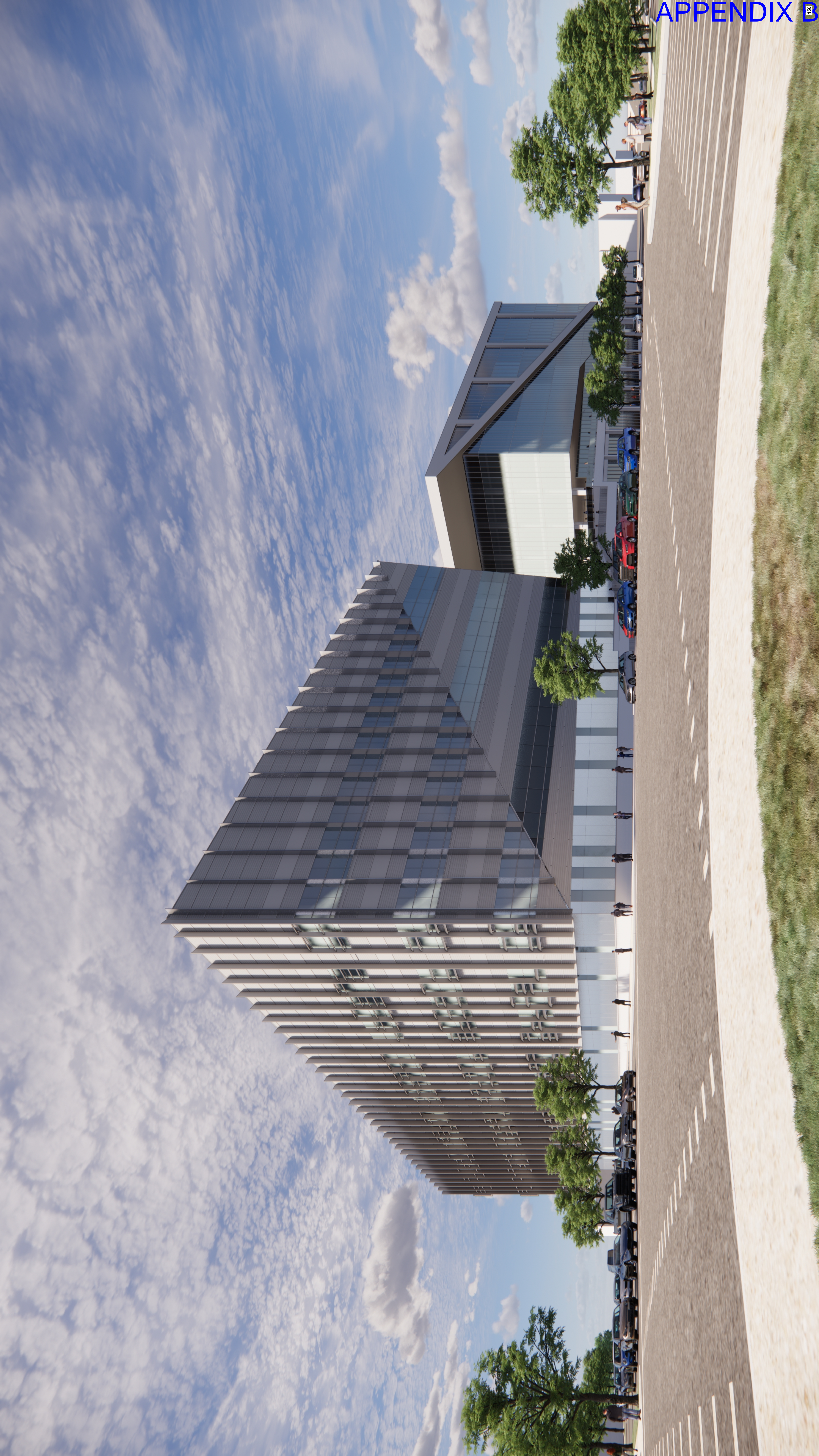
BUILDING SETBACKS:  
PROPOSED BUILDINGS WILL BE SET BACK  
FROM THE PUBLIC RIGHT-OF-WAY 0-20'

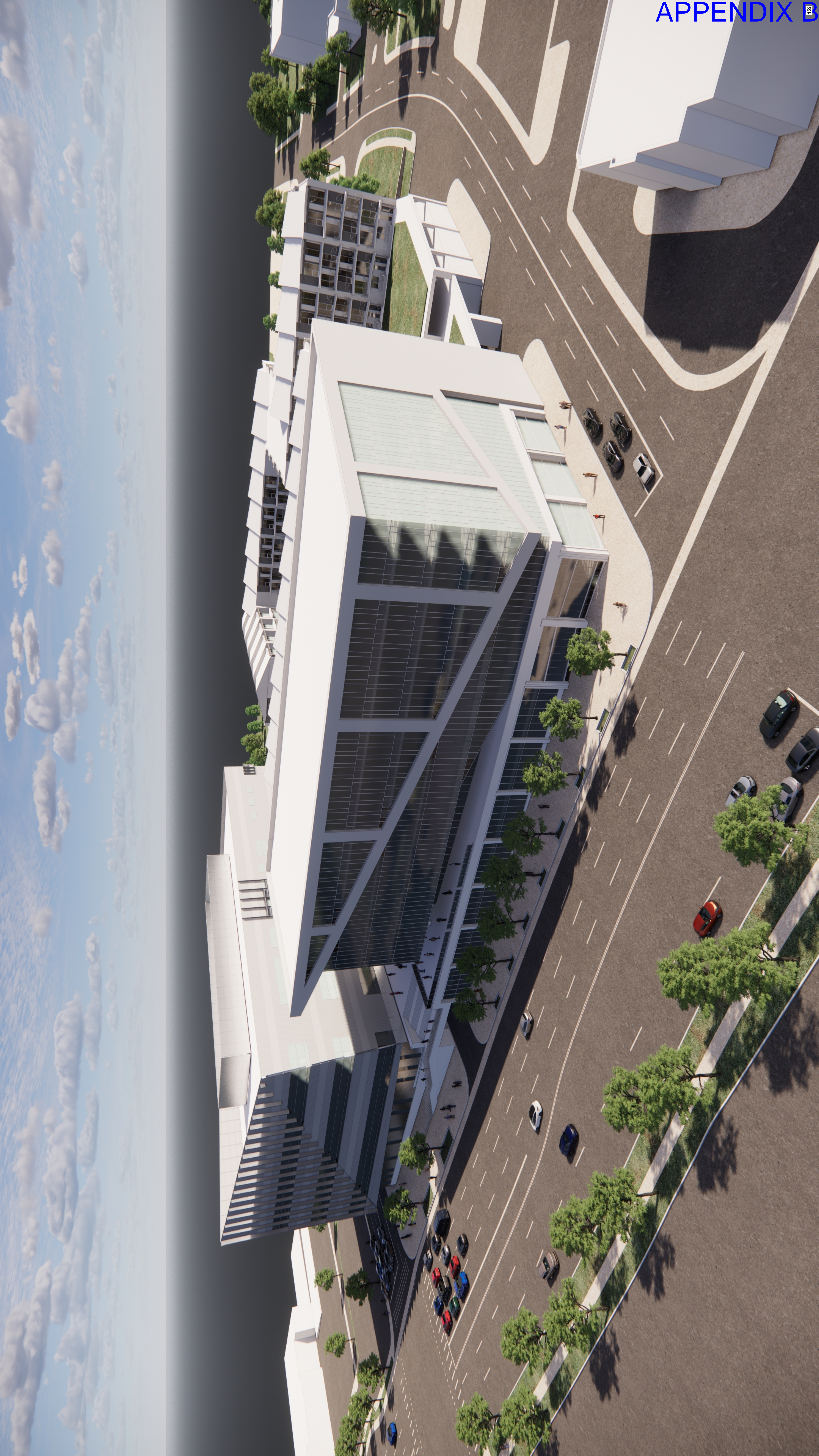


DANIS•FOXX

CINCINNATI  
50 E-Business Way  
Cincinnati, Ohio 45241  
513.984.9696







To: The Honorable Council of the City of Cincinnati and  
The Planning Commission of the City of Cincinnati

RE: Queen City Hills/Proposed Re-zoning to Planned Development District

On behalf of Central Clinic, we authorize the inclusion of the following property in the rezoning application to a Planned Development District, commonly referred to as the Queen City Hills development:

- Part of 512 Maxwell Avenue (Parcel No. 091-0001-0112)
  - Existing Zoning Designation: OG

Thank you for your consideration,

Central Clinic

By: 

Name: Walter S. Smitson, Ph.D.

Its Authorized Representative

Date: 12/16/2022

To: The Honorable Council of the City of Cincinnati and  
The Planning Commission of the City of Cincinnati

RE: Queen City Hills/Proposed Re-zoning to Planned Development District

On behalf of Central Community Health Board of Hamilton County, we authorize the inclusion of the following properties in the rezoning application to a Planned Development District, commonly referred to as the Queen City Hills development:

- 530 Maxwell Avenue (Consolidated Tax Parcel No. 091-0001-0103)
  - Existing Zoning Designation: OG
- 3020 Vernon Place (Parcel No. 091-0001-0107)
  - Existing Zoning Designation: OG

Thank you for your consideration,

Central Community Health Board of Hamilton County

By: \_\_\_\_\_

Name: \_\_\_\_\_

Its Authorized Representative

Date: \_\_\_\_\_

**To:** The Honorable Council of the City of Cincinnati and The Planning Commission of the City of Cincinnati

**Re:** Queen City Hills/Proposed Re-Zoning to Planned Development District

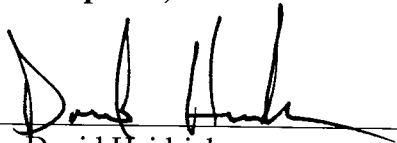
On behalf of SGA Enterprises, Inc., we authorize the inclusion of the following properties in the re-zoning application to a Planned Development District, commonly referred to as the Queen City Hills Development:

- 3026 Harvey Avenue (Parcel No. 106-0001-0150)
  - Existing Zoning Designation: CC-A
- 3028 Harvey Avenue (Consolidated Tax Parcel No. 106-0001-0254)
  - Existing Zoning Designation: CC-A
- Parcel No. 106-0001-0243
  - Existing Zoning Designation: OG

Thank you for your consideration,

**SGA Enterprises, Inc.**

**By:**



**Name:** David Heidrich

**Its:** Authorized Representative

**Date:** December 20, 2023

To: The Honorable Council of the City of Cincinnati and  
The Planning Commission of the City of Cincinnati

RE: Queen City Hills/Proposed Re-zoning to Planned Development District

On behalf of YWCA Development Corp, we authorize the inclusion of the following properties in the rezoning application to a Planned Development District, commonly referred to as the Queen City Hills development:

- 516 Maxwell Avenue (Parcel No. 091-0001-0102)
  - Existing Zoning Designation: OG
- Part of 512 Maxwell Avenue (Parcel No. 091-0001-0101)
  - Existing Zoning Designation: OG
- 3006 Vernon Place (Parcel No. 091-0001-0100)
  - Existing Zoning Designation: OG

Thank you for your consideration,

YWCA Development Corp



By:

Name: Jean M. Treuthart, Interim CEO

Its Authorized Representative

Date: 12/20/2022

To: The Planning Commission of the City of Cincinnati

**RE: Queen City Hills/Proposed Re-zoning to Planned Development District**

On behalf of the Uptown Transportation Authority, I consent to the rezoning of the following property as provided in the Concept Plan and Development Program Statement submitted by Queen City Hills for a Planned Development District at the southwest corner of Martin Luther King Drive and Reading Road.

- 515 Martin Luther King Drive (Consolidated Tax Parcel No. 091-0001-0201)  
(Existing Zoning Designation: CC-P)

Beth Robinson  
President & CEO

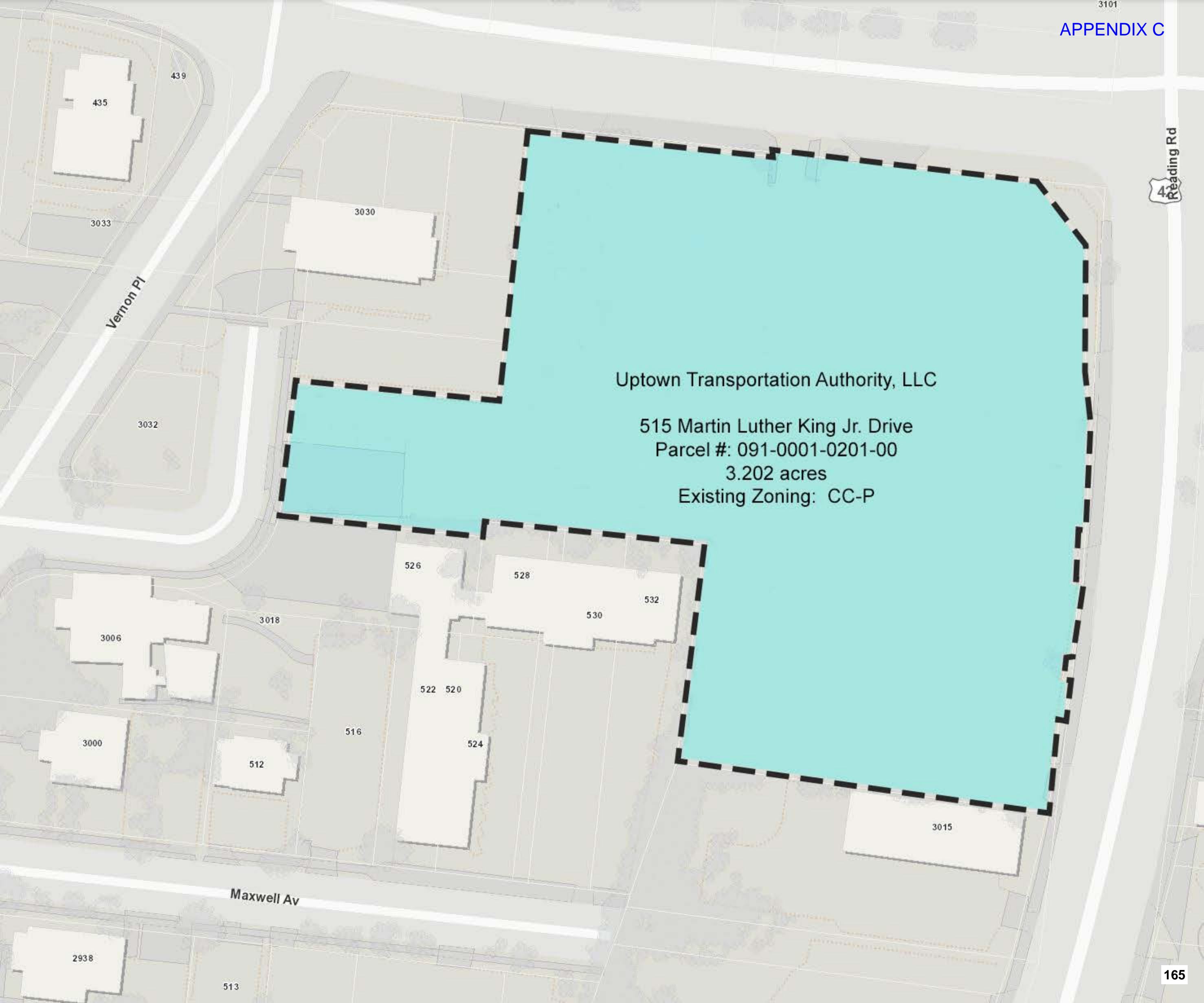
Uptown Transportation Authority

By: 

Name: Beth Robinson

Its: Authorized Representative

Date: December 20, 2022



Uptown Transportation Authority, LLC

515 Martin Luther King Jr. Drive

Parcel #: 091-0001-0201-00

3.202 acres

Existing Zoning: CC-P

Reading Rd  
4

To: The Honorable Council of the City of Cincinnati and  
The Planning Commission of the City of Cincinnati

RE: Queen City Hills/Proposed Re-zoning to Planned Development District

On behalf of the City of Cincinnati, we authorize the inclusion of the following properties in the rezoning application to a Planned Development District, commonly referred to as the Queen City Hills development:

- Consolidated Tax Parcel No. 106-0001-0328
  - Existing Zoning Designation: CC-A
- 3049 Reading Road (Parcel No. 106-0001-0218)
  - Existing Zoning Designation: CC-P
- A portion of Consolidated Tax Parcel No. 091-0002-0215
  - Existing Zoning Designation: CC-P
- A portion of 439 E. Martin Luther King Drive (Consolidated Tax Parcel No. 106-0001-0143)
  - Existing Zoning Designation: CC-A
- A portion of 2915 Vernon Place (Consolidated Tax Parcel No. 091-0001-0031)
  - Existing Zoning Designation: OG

In addition, a portion of the existing Vernon Place public right-of-way (between Maxwell Avenue and Martin Luther King Drive) will be vacated and included in the new Planned Development District.

Thank you for your consideration,

City of Cincinnati

By: \_\_\_\_\_

Name: \_\_\_\_\_

Its Authorized Representative

Date: \_\_\_\_\_

To: The Honorable Council of the City of Cincinnati and  
The Planning Commission of the City of Cincinnati

RE: Queen City Hills/Proposed Re-zoning to Planned Development District

On behalf of The Central Community Health Board of Hamilton County, Inc., we authorize the inclusion of the following properties in the rezoning application to a Planned Development District, commonly referred to as the Queen City Hills development:

- 530 Maxwell Avenue (Consolidated Tax Parcel No. 091-0001-0103)
  - Existing Zoning Designation: OG
- 3020 Vernon Place (Parcel No. 091-0001-0107)
  - Existing Zoning Designation: OG

Thank you for your consideration,

The Central Community Health Board of Hamilton County, Inc.

By: 

Name: Donna Jablonski

Its: President/CEO

Date: 



QCH- Bldg 1 - 12/21/22

ID	Task Description	Dur.	Start	Finish	Q2	Q3	Q4	2023	2024	2025	2026	2027	2028	2029	Q1	Q2	Q3	Q4	2030	Q1
53	Foundations, Drilled Piers, Site utilities - SD/DD's	20 d	12/23/22	1/19/23																
54	Foundations, Drilled Piers, Site Utilities - CD's	20 d	1/20/23	2/16/23																
55	Concrete superstructure	40 d	1/20/23	3/16/23																
56	Core and Shell Package, MEP	60 d	3/9/23	5/31/23																
57	Fit-Out (Interiors) Package	50 d	5/12/23	7/20/23																
58	Planned Development	223 d	8/30/22	7/6/23																
59	Concept PD - Overall project	73 d	11/14/22	2/22/23																
60	Coordinated Site Review Submission	0 d	11/14/22	11/14/22																
61	City Review CSR Submission	21 d	11/15/22	12/13/22																
62	Coordinated Site Review Meeting - QCH, MN, THP, BB, Danis	0 d	12/13/22	12/13/22																
63	Prepare Concept PD Submission	6 d	12/14/22	12/21/22																
64	Submit Concept Overall Project PD	0 d	12/21/22	12/21/22																
65	Public Staff Conference for Overall Project - PC conference on 1/12/23	16 d	12/22/22	1/12/23																
66	Planning Commission for Overall Project - Planning Commission mtg on 2/03/23, PC meets 1st & 3rd Friday of every mo.	16 d	1/13/23	2/3/23																
67	Council Review - Concept Planned Development	13 d	2/6/23	2/22/23																
68	Council Approval - Concept PD for Overall Project - City Council mtng every Wednesday	0 d	2/22/23	2/22/23																
69	Final Development Plan (FDP) for Foundations	83 d	12/28/22	4/21/23																
70	Schematic Level Building Drawings (CRB/MN) - Bldg 1 & Garage Foundations only	20 d	12/28/22	1/24/23																
71	Schematic Level Garage Drawings (MN/THP) - Bldg 1 & Garage foundations only	20 d	12/28/22	1/24/23																
72	Submit for Coordinated Site Review (Site/Fnd)	9 d	1/25/23	2/6/23																
73	City Review - 2nd CSR (Foundations)	25 d	2/7/23	3/13/23																
74	2nd CSR Meeting on 3/14/23	1 d	3/14/23	3/14/23																
75	Submit Final Development Plan (FDP) for foundations - submit on 3/17/22	3 d	3/15/23	3/17/23																
76	2nd Public Staff Conference (FDP for Foundations) Public Staff Conference on Tues. 4/04/23	12 d	3/20/23	4/4/23																
77	Planning Commission Review	24 d	3/20/23	4/20/23																
78	Planning Commission Approval - Planning Commission Mtg on Fri. 4/21/23. (PC meets 1st & 3rd Friday) every mo.	1 d	4/21/23	4/21/23																
79	Final Development Plan (FDP) For Garage and Building 1 - Schedule TBD	223 d	8/30/22	7/6/23																
80	Building Drawings (CRB/MN)	20 d	8/30/22	9/26/22																
81	Garage Drawings (MN/THP)	20 d	8/30/22	9/26/22																
82	Submit for Coordinated Site Review (Final)	4 d	4/24/23	4/27/23																
83	3rd CSR (Final PD)	20 d	4/28/23	5/25/23																
84	Submit Final PD (Final DP)	10 d	5/26/23	6/8/23																
85	3rd Public Staff Conference (Final PD)	10 d	6/9/23	6/22/23																
86	Planning Commission Review	10 d	6/23/23	7/6/23																
87	Planning Commission Approval	0 d	7/6/23	7/6/23																
88	Approval to build on UCI Property	81 d	12/1/22	3/23/23																
89	Submit UCI Coordinated agreement	5 d	12/1/22	12/7/22																
90	Coordinated Agreement review and comments	44 d	12/8/22	2/7/23																
91	Community Engagement	66 d	12/13/22	3/14/23																
92	Submit Community Benefit Agreement	1 d	2/8/23	2/8/23																
93	Community Benefit Agreement Executed	5 d	3/15/23	3/21/23																
94	QCH land transfer from UCI or approval to start	1 d	3/22/23	3/22/23																
95	Building 1 land transfer from UCI or approval to start	1 d	3/22/23	3/22/23																
96	QCH Project released for Construction	1 d	3/23/23	3/23/23																
Status Date: 11/30/22					Progress		Milestone		Project Summary		Summary									
Type:		Job #:		Task		Critical		By:												
View: 07 - DGC External Published Status																				
Print Date: 12/21/22																				
Page 2 of 6																				





QCH- Bldg 1 - 12/21/22

ID	Task Description	Dur.	Start	Finish	2023	2024	2025	2026	2027	2028	2029	2030											
					Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1										
197	L3 - Form Deck -(30' fir to fir) - 55k sf @ 6k/wk	46 d	11/6/23	1/8/24																			
198	L3 - Pour SOD	46 d	12/11/23	2/12/24																			
199	L4 - Form Deck -(30' fir to fir) - 55k sf @ 6k/wk	46 d	1/9/24	3/12/24																			
200	L4 - Pour- SOD	35 d	2/13/24	4/1/24																			
201	L5 - Form Deck (roof) - 55k sf @ 6k/wk	46 d	3/13/24	5/15/24																			
202	L5 - Pour Roof - assume concrete SOD	30 d	4/10/24	5/21/24																			
203	L6 - Build penthouse	66 d	5/22/24	8/21/24																			
204	L1 - Strip Reshores	35 d	3/12/24	4/29/24																			
205	L2 - Strip Reshores	30 d	4/19/24	5/30/24																			
206	L3 - Strip Reshores	35 d	5/8/24	6/25/24																			
207	L4 - Strip shores	35 d	5/22/24	7/9/24																			
208	L1 - for construction material staging	180 d	4/30/24	1/6/25																			
209	Core & Shell - Bldng 1	230 d	2/13/24	12/30/24																			
210	L2/L3 intermediate supports for ext. wall	20 d	2/13/24	3/11/24																			
211	L3/L4 Intermediate supports for ext. wall	20 d	4/2/24	4/29/24																			
212	L4/L5 intermediate supports for ext. wall	20 d	5/22/24	6/18/24																			
213	L1/L2 intermediate supports for ext. wall	20 d	6/11/24	7/8/24																			
214	Roof Parapet	20 d	5/22/24	6/18/24																			
215	Roof dry-in (allow 28 day concrete roof cure)	30 d	6/19/24	7/30/24																			
216	Exterior sheathing system (L2- I5)	60 d	4/2/24	6/24/24																			
217	Exterior Sheathing L1	20 d	7/9/24	8/5/24																			
218	Building temporary dry-in	20 d	8/6/24	9/2/24																			
219	Envelope complete details	60 d	8/12/24	11/1/24																			
220	Complete detail of roof, incl. coping	41 d	11/4/24	12/30/24																			
221	Freight Elevator ready for temp use	40 d	5/20/24	7/12/24																			
222	Fitout - Bldng 1	335 d	4/19/24	7/31/25																			
223	L2/L3 - Install Mezzanie btwn flrs - assume misc. metal	44 d	4/19/24	6/19/24																			
224	L2 - Install above ceiling MEPS	120 d	4/19/24	10/3/24																			
225	L2 - Rig & set Clean Room pods (or modular) (2mo.)	40 d	7/17/24	9/10/24																			
226	L2 - Install Process Production Modular (6 mo.)	132 d	9/11/24	3/13/25																			
227	L2 - Danis interior fitout	175 d	9/11/24	5/13/25																			
228	L3/L4 - Install Mezzanie btwn flrs (type tbd)	66 d	6/12/24	9/11/24																			
229	L3 - Install above ceiling MEP	88 d	7/24/24	11/22/24																			
230	L3 - Install Modular (4 mo.)	88 d	1/13/25	5/14/25																			
231	L3 -Danis interior fitout	176 d	11/25/24	7/28/25																			
232	L4/L5 - Install mezzanie btwn flrs (type tbd)	66 d	9/12/24	12/12/24																			
233	L4 - Above Ceiling MEP	88 d	10/29/24	2/27/25																			
234	L4 -Install modular (4 mo.)	88 d	3/28/25	7/29/25																			
235	L4 - Danis interior fitout	88 d	2/25/25	6/26/25																			
236	L1 - Warehouse & interior fitout	88 d	1/7/25	5/8/25																			
237	Life Safety	12 d	7/9/25	7/24/25																			
238	Building Final & Certificate of Occupancy	5 d	7/25/25	7/31/25																			
239	Commission and Validation	252 d	1/29/25	1/15/26																			
240	Commissioning	88 d	1/29/25	5/30/25																			
241	Bldng 1 Move-in/owner activities	40 d	7/23/25	9/16/25																			
242	Validation	120 d	8/1/25	1/15/26																			
243	Queen City Hills	1302 d	3/21/23	3/15/28																			
244	Shared Site - QCH - Phase 1	271 d	3/21/23	4/2/24																			
245	Site Fencing for Construction	10 d	3/21/23	4/3/23																			
246	Construction start - Erosion Control - assumes start before TIF	10 d	3/24/23	4/6/23																			
247	Strip topsoil & stockpile offsite	10 d	4/7/23	4/20/23																			
248	Install shoring I-Beams and wood lagging - if req'd	20 d	4/14/23	5/11/23																			
249	Site Grading - Building Pad garage -podium	50 d	5/5/23	7/13/23																			
Status Date: 11/30/22					Progress		Milestone		Project Summary		Summary												
Type:			Job #:		Task		Critical		By:														
View: 07 - DGC External Published Status																							
Print Date: 12/21/22																							
Page 5 of 6																							

QCH- Bldg 1 - 12/21/22

ID	Task Description	Dur.	Start	Finish	2023	2024	2025	2026	2027	2028	2029	2030	
					Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1
250	Drilled Piers- garage - podium	50 d	6/2/23	8/10/23		<div>Drilled Piers- garage - podium</div>							
251	Storm Detention - assume under the garage	20 d	7/14/23	8/10/23		<div>Storm Detention - assume under the garage</div>							
252	Electric taps into the site - Garage - podium	66 d	7/14/23	10/13/23		<div>Electric taps into the site - Garage - podium</div>							
253	Water Service into the site - Garage - podium - # feeds?	66 d	7/14/23	10/13/23		<div>Water Service into the site - Garage - podium - # feeds?</div>							
254	Sanitary service tap to site - Garage - podium #	66 d	7/14/23	10/13/23		<div>Sanitary service tap to site - Garage - podium #</div>							
255	Storm Tap for garage - podium	66 d	7/14/23	10/13/23		<div>Storm Tap for garage - podium</div>							
256	Move overhead electric to underground along MLK - If Duke allows	66 d	1/2/24	4/2/24		<div>Move overhead electric to underground along MLK - If Duke allows</div>							
257	Relocate Water feed from Vernon Place	50 d	9/1/23	11/9/23		<div>Relocate Water feed from Vernon Place</div>							
258	Relocate Storm from Vernon Place	50 d	9/1/23	11/9/23		<div>Relocate Storm from Vernon Place</div>							
259	Relocate Gas from Vernon Place	50 d	9/1/23	11/9/23		<div>Relocate Gas from Vernon Place</div>							
260	Relocate electric from Vernon Place	50 d	9/1/23	11/9/23		<div>Relocate electric from Vernon Place</div>							
261	North Garage, Plaza & Podium - Phase 2	556 d	6/9/23	7/25/25		<div>North Garage, Plaza &amp; Podium - Phase 2</div>							
262	Construction	300 d	8/11/23	10/3/24		<div>Construction</div>							
263	Retaining walls btwn Retail/garage	50 d	6/16/23	8/24/23		<div>Retaining walls btwn Retail/garage</div>							
264	Column Foundations spread footings	50 d	6/9/23	8/17/23		<div>Column Foundations spread footings</div>							
265	Construction SOG 117,000 sf + Rtl (795') 13 pours	40 d	8/18/23	10/12/23		<div>Construction SOG 117,000 sf + Rtl (795') 13 pours</div>							
266	SOD 115,000 sf (812')	80 d	9/29/23	1/18/24		<div>SOD 115,000 sf (812')</div>							
267	SOD Plaza 115,000 (825')	80 d	1/19/24	5/9/24		<div>SOD Plaza 115,000 (825')</div>							
268	Complete Garage	260 d	5/10/24	5/8/25		<div>Complete Garage</div>							
269	Substantial Complete Garage	1 d	7/25/25	7/25/25		<div>Substantial Complete Garage</div>							
270	Research Tower - Phase 2	383 d	3/15/24	9/2/25		<div>Research Tower - Phase 2</div>							
271	Superstructure (170,000 sf) - assumes no impact for Vernon RC	110 d	3/15/24	8/15/24		<div>Superstructure (170,000 sf) - assumes no impact for Vernon ROW</div>							
272	Core & Shell (170,000 sf)	154 d	7/17/24	2/17/25		<div>Core &amp; Shell (170,000 sf)</div>							
273	Research Tower fitout (170,000 Sf) NIC	209 d	10/17/24	8/5/25		<div>Research Tower fitout (170,000 Sf) NIC</div>							
274	Substantial completion	1 d	8/6/25	8/6/25		<div>Substantial completion</div>							
275	Tenant move in	20 d	8/6/25	9/2/25		<div>Tenant move in</div>							
276	Retail - Phase 2	225 d	10/9/24	8/19/25		<div>Retail - Phase 2</div>							
277	White Box - Landlord	100 d	10/9/24	2/25/25		<div>White Box - Landlord</div>							
278	Tenant Fit-Out NIC	144 d	1/1/25	7/21/25		<div>Tenant Fit-Out NIC</div>							
279	Substantial Completion	1 d	7/22/25	7/22/25		<div>Substantial Completion</div>							
280	Tenant Move in	20 d	7/23/25	8/19/25		<div>Tenant Move in</div>							
281	Final Site Package - Phase 2	140 d	1/3/25	7/17/25		<div>Final Site Package - Phase 2</div>							
282	Amenities, Plaza, Landscape, Features	140 d	1/3/25	7/17/25		<div>Amenities, Plaza, Landscape, Features</div>							
283	Multi Family Phase 3 - 330 unit, 300,000 sf	669 d	8/22/25	3/15/28		<div>Multi Family Phase 3 - 330 unit, 300,000 sf</div>							
284	Phase 3 - site and retaining walls	88 d	8/22/25	12/23/25		<div>Phase 3 - site and retaining walls</div>							
285	Phase 3 - Garage-Podium SOG 56,000 sf	30 d	12/24/25	2/3/26		<div>Phase 3 - Garage-Podium SOG 56,000 sf</div>							
286	Phase 3 SOD - Garage-Podium 58,000 sf	50 d	2/4/26	4/14/26		<div>Phase 3 SOD - Garage-Podium 58,000 sf</div>							
287	Phase 3 - Podium 104,000 sf	70 d	4/15/26	7/21/26		<div>Phase 3 - Podium 104,000 sf</div>							
288	Phase - Multifamily 330 units	400 d	7/22/26	2/1/28		<div>Phase - Multifamily 330 units</div>							
289	Phase 3 - Substantial Completion	1 d	2/2/28	2/2/28		<div>Phase 3 - Substantial Completion</div>							
290	Phase 3 - Owner Equipment/furniture move in	20 d	2/3/28	3/1/28		<div>Phase 3 - Owner Equipment/furniture move in</div>							
291	Phase 3 - Tennant Move in	10 d	3/2/28	3/15/28		<div>Phase 3 - Tennant Move in</div>							
292	Phase 3 - sitework	240 d	3/3/27	2/1/28		<div>Phase 3 - sitework</div>							
293	Phase 3 - Amenities, Plaza, Landscape, Features	240 d	3/3/27	2/1/28		<div>Phase 3 - Amenities, Plaza, Landscape, Features</div>							

## MEMORANDUM



**Date:** September 23, 2022  
**From:** S. Taylor Taluskie, P.E. and Jeffrey D. Dunlap, P.E. - Terracon  
**To:**  
 Preliminary Foundation Recommendations  
 Proposed Queen City Hills Development  
**Re:** Martin Luther King Boulevard and Reading Road  
 Cincinnati, Ohio  
 Terracon Project Number: N1215314

The purpose of this memorandum is to provide preliminary foundation recommendations for the proposed Queen City Hills development located at the southwest corner of Martin Luther King Boulevard and Reading Road in Cincinnati, Ohio. Terracon recently completed seventeen test borings at the site. Additional subsurface exploration using test borings and geophysical methods are currently being considered. The recommendations in this memorandum are for initial design purposes only. Final recommendations will be provided in our final geotechnical report, which will be issued after the additional subsurface explorations are complete.

Based on information provided by the design team, we understand that the eastern part of the development will contain a 4-story Building 1 with a slab-on-grade elevation of Elevation 812 feet. The western portion of the development will consist of a 2-story parking garage with a lowest slab-on-grade elevation of Elevation 789 feet, with portions possibly having a lowest floor elevation of about Elevation 801 feet. Five- to six-story office/lab and multi-family housing will be constructed on the podium level (Elevation 812 feet) above the parking garages.

Based on the recent test borings, Building 1 will predominantly have a combination of existing fill, new structural fill and native soils exposed at the slab-on-grade subgrade elevation. In the parking garage area, it is anticipated that a combination of existing fill soil, native cohesive soil, structural fill soil, weathered shale and limestone bedrock, and relatively unweathered gray shale and limestone bedrock will be exposed at the lowest slab-on-grade subgrade elevation. Please refer to the attached boring logs, Top of Estimated Gray Bedrock Elevation Map exhibit, and the Subsurface Profile exhibit attached to this memorandum. Please note that the elevation contours have been interpolated between widely-spaced test boring locations that have been completed at this time and some variation during construction should be anticipated. Once additional test borings are completed and geophysical testing is completed, changes to the top of gray shale and limestone bedrock contours should be anticipated.

Based on the soil and bedrock conditions encountered in the initial test borings, the anticipated



Terracon Consultants, Inc., 611 Lunken Park Drive, Cincinnati, Ohio 45226  
 P [513] 321-5816 F [513] 321-4540



**Memorandum – Preliminary Foundation Recommendations**

Proposed Queen City Hills Development ■ Cincinnati, Ohio

September 23, 2022 ■ Terracon Project Number N1215314



soil and bedrock at the various floor elevations and the anticipated structural loads, it is our opinion that the proposed structures can be supported on a combination of spread footings bearing in relatively unweathered shale and limestone bedrock and straight-sided drilled shafts socketed into competent relatively unweathered gray shale and limestone. It has been our experience that it is acceptable to support building foundations on both drilled shafts and shallow footings, provided they bear on similar bedrock materials (i.e. drilled shafts and footings all bear on gray shale and limestone bedrock).

Please note that at Boring B-8, where stacked bricks were encountered to the top of gray shale and limestone bedrock elevation, other types of foundation support may be required depending on the lateral extent of the conditions encountered at Boring B-8. Further geophysical and test pit study have been recommended in the vicinity of Boring B-8 to further study the lateral extent of the conditions encountered at Boring B-8.

**SHALLOW FOUNDATIONS**

It appears that supporting portions of parking garage structure on shallow spread footings bearing a minimum of 24 inches into the competent gray shale and limestone bedrock is feasible. Please refer to the Top of Estimated Gray Bedrock Elevation Map exhibit for the estimated top of gray shale and limestone bedrock elevations. The attached Subsurface Profile exhibit can also be used to estimate where shallow spread footings bearing in competent gray shale and limestone is feasible. The following design parameters are applicable for shallow foundations bearing a minimum of 24 inches into the gray shale and limestone bedrock.

**Design Parameters – Compressive Loads**

ITEM	DESCRIPTION
<b>Maximum Net Allowable Bearing pressure</b> <sup>1, 2</sup>	25,000 psf (foundations bearing in gray shale and limestone bedrock)
<b>Required Bearing Stratum</b> <sup>3</sup>	Minimum penetration of 24 inches into the specified bedrock material.
<b>Minimum Foundation Dimensions</b>	Columns: 30 inches Continuous: 18 inches
<b>Ultimate Passive Resistance</b> <sup>4</sup> (equivalent fluid pressures)	1250 pcf (gray shale and limestone bedrock)
<b>Ultimate Coefficient of Sliding Friction</b> <sup>5</sup>	0.45 (gray shale and limestone bedrock)
<b>Minimum Embedment below Finished Grade</b> <sup>6</sup>	Exterior footings in unheated areas: 30 inches Interior footings in heated areas: 12 inches
<b>Estimated Total Settlement from Structural Loads</b> <sup>2</sup>	Less than about 1 inch

**Memorandum – Preliminary Foundation Recommendations**

Proposed Queen City Hills Development ■ Cincinnati, Ohio

September 23, 2022 ■ Terracon Project Number N1215314



ITEM	DESCRIPTION
<b>Estimated Differential Settlement</b> <sup>2,7</sup>	About 1/2 of total settlement
<ol style="list-style-type: none"> <li>1. The maximum net allowable bearing pressure is the pressure in excess of the minimum surrounding overburden pressure at the footing base elevation. An appropriate factor of safety has been applied. Values assume that exterior grades are no steeper than 20% within 10 feet of structure.</li> <li>2. Values provided are for maximum column loads of 1,000 to 1,500 kips and maximum wall loads of 8 to 10 klf.</li> <li>3. Unsuitable materials such as soils or brown or brown and gray weathered shale and limestone bedrock should be over-excavated and replaced with lean concrete having minimum 28-day f'c=2,000 psi.</li> <li>4. Use of passive earth pressures require the sides of the excavation for the spread footing foundation to be nearly vertical and the concrete placed neat against these vertical faces or that the footing forms be removed and compacted structural fill be placed against the vertical footing face. If Ultimate Coefficient of Sliding Friction is used to resist lateral forces, then passive earth pressure should be ignored.</li> <li>5. Can be used to compute sliding resistance where foundations are placed on suitable soil/materials. Should be neglected for foundations subject to net uplift conditions. If passive earth pressure is used to resist lateral forces, then ultimate coefficient of sliding friction should be ignored.</li> <li>6. Embedment necessary to minimize the effects of frost and/or seasonal water content variations. For sloping ground, maintain depth below the lowest adjacent exterior grade within 5 horizontal feet of the structure.</li> <li>7. Differential settlements are as measured over a span of 50 feet or between adjacent columns.</li> </ol>	

**DEEP FOUNDATIONS**

A deep foundation system consisting of straight-sided drilled shafts socketed adequately in the interbedded gray shale and limestone bedrock and grade beams are recommended for support of Building 1 and portions of the parking garage structure where competent gray shale and limestone bedrock are not present at or within a reasonable depth below the floor slab subgrade elevation. Recommendations for the preliminary design of the drilled shafts are provided in the following sections.

**Drilled Shaft Design Parameters**

ITEM	DESCRIPTION
<b>Bearing Material</b>	Competent, interbedded gray shale and limestone bedrock
<b>Minimum Shaft Diameter</b>	30 inches
<b>Minimum Socket Length</b>	One-shaft diameter or 5 feet into the bearing stratum, whichever is greater.
<b>Minimum Shaft Length</b>	3-shaft diameters or 10 feet (whichever is greater).
<b>Allowable End Bearing Capacity</b> <sup>1</sup>	50,000 psf over the cross-sectional area of the base

**Memorandum – Preliminary Foundation Recommendations**

Proposed Queen City Hills Development ■ Cincinnati, Ohio

September 23, 2022 ■ Terracon Project Number N1215314



ITEM	DESCRIPTION
<b>Allowable Unit Side Resistance<sup>2,3</sup></b>	<b>Compression:</b> 2,500 psf only for the bedrock socket portion in excess of the minimum socket. <b>Uplift:</b> 500 psf for shaft portion within at least stiff natural cohesive soils; 2,000 psf for the bedrock socket portion within the recommended bearing material. Uplift capacity within undocumented fill should be ignored
<b>Estimated Total Settlement<sup>4</sup></b>	Up to about ½ inch
<b>Estimated Differential Settlement<sup>4</sup></b>	On the order of about 2/3 <sup>rd</sup> total settlement
<ol style="list-style-type: none"> <li>1. The recommended net allowable bearing capacity is over the cross-sectional area of the shaft base and is applicable for shafts meeting the minimum socket length.</li> <li>2. The recommended values assume direct contact between shaft concrete and bedrock/natural soils. We recommend that the side resistance in existing undocumented fill be ignored. The side resistance should also be ignored within frost depth.</li> <li>3. Effective weight of shaft can be added to uplift capacity.</li> <li>4. In addition to elastic compression of the shaft. The estimated settlements are for a single shaft and specific evaluation will be required for shaft groups. Settlements will depend on structural loading, embedment/socket in bedrock, and variations in bedrock composition (percent shale and limestone in the bedrock matrix) and strength.</li> </ol>	

The approximate top-of-interbedded gray shale and limestone bedrock contours (based on test completed borings performed thus far for this study) is attached to this memorandum to aid the structural engineer in determining an estimated drilled shaft tip elevation for preliminary design purposes. Field variations should be expected, and the actual bearing depth/elevation will be determined, during construction, based on conditions encountered in each shaft excavation. As previously indicated some variation in the presented top of gray shale and limestone bedrock contours should be anticipated once additional test borings and geophysical testing is complete.

Tensile reinforcement should extend to the bottom of shafts subjected to uplift loading. Drilled shafts should have a minimum center-to-center spacing of three (3)-shaft diameters to avoid group effect under axial loading, since side friction in the bedrock is recommended for part of the drilled shaft capacity. Closer spacing may require a reduction in axial load capacity and specific evaluation will be required.

We trust that the information in this memorandum will meet your current needs. If you have any questions regarding the preliminary recommendations or require additional information, please contact the writers.

**Attachments:**

Exploration Plan

Test Boring Logs

Top of Estimated Gray Bedrock Elevation Map

Subsurface Profile



## Phase I Environmental Site Assessment

**Bank Property**  
3030 Vernon Place  
Cincinnati, Hamilton County, Ohio 45219

**Prepared for:**  
Queen City Hills  
50 E-Business Way, Suite 400  
Cincinnati, Ohio 45241

**WESTECH File No.: 22.1075.100**  
**Report Date: October 3, 2022**

8090 Furlong Drive, Cleves, Ohio 45002  
Phone 513.353.0700 FAX 513.353.1701  
Internet [www.gowestech.com](http://www.gowestech.com)

## 1.0 Executive Summary

WESTECH Environmental Solutions (WESTECH) has performed a Phase I Environmental Site Assessment (ESA) in conformance with the scope and limitations of ASTM Standard Practice E 1527-21 of the bank property located at 3030 Vernon Place, Cincinnati, Hamilton County, Ohio 45219 (subject property). Any exceptions to or deletions from the ASTM Standard Practice are described in Sections 2.4 and 2.5 of this report.

This executive summary is provided for convenience and should not substitute for review of the complete report, including all attachments. Based on the data collected during the Phase I ESA, the findings and conclusions of WESTECH are summarized below.

This assessment has revealed no evidence of recognized environmental conditions in connection with the subject property.

3030 Vernon Place, Cincinnati, Hamilton County, Ohio 45219	Yes	No
<b>Recognized Environmental Condition (REC)<sup>1</sup></b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Historical Recognized Environmental Condition (HREC)<sup>2</sup></b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Controlled Recognized Environmental Condition (CREC)<sup>3</sup></b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b><i>De minimis</i> Condition (DC)<sup>4</sup></b>  DC #1: A small area of hydraulic oil staining was observed at the base of the elevator hydraulic oil aboveground storage tank located in the basement of the building at the subject property. The observed staining was not indicative of a significant release of oil to the environment at the subject property.  DC #2: A gas station was historically located to the northwest of the subject property. However, based on the likely hydrogeologically downgradient location of this site and the duration of time since the site was last reported as a gas station, it is not likely that a release from this site would pose a significant environmental concern to the subject property.  DC #3: A gas station was historically located to the east of the subject property. However, the underground storage tanks (USTs) at this site were closed by removal, and the release at this site received no further action (NFA) status from the Ohio State Fire Marshal's Bureau of Underground Storage Tank Regulations (BUSTR).	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Business Environmental Risk (BER)<sup>5</sup></b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<sup>1</sup> "(1) the presence of hazardous substances or petroleum products in, on, or at the subject property due to a release to the environment; (2) the likely presence of hazardous substances or petroleum products in, on, or at the subject property due to a release or likely release to the environment; or (3) the presence of hazardous substances or petroleum products in, on, or at the subject property under conditions that pose a material threat of a future release to the environment. (A de minimis condition is not a recognized environmental condition.)"  <sup>2</sup> "A previous release of hazardous substances or petroleum products affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities and		

3030 Vernon Place, Cincinnati, Hamilton County, Ohio 45219	Yes	No
<p>meeting unrestricted use criteria established by the applicable regulatory authority or authorities without subjecting the subject property to any controls (for example, activity and use limitations or other property use limitations). A historical recognized environmental condition is not a recognized environmental condition.”</p> <p><sup>3</sup> “Recognized environmental condition affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities with hazardous substances or petroleum products allowed to remain in place subject to implementation of required controls (for example, activity and use limitations or other property use limitations).”</p> <p><sup>4</sup> “A condition related to a release that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. A condition determined to be a de minimis condition is not a recognized environmental condition nor a controlled recognized environmental condition.”</p> <p><sup>5</sup> “A risk which can have a material environmental or environmentally-driven impact on the business associated with the current or planned use of commercial real estate, not necessarily related to those environmental issues required to be investigated in this practice. Consideration of BER issues may involve addressing one or more non-scope considerations.”</p>		



December 12, 2022

Mr. Mike Dooley  
Bayer Becker  
1404 Race Street, Suite 204  
Cincinnati, Ohio 45202

Re: 515 East Martin Luther King Drive | Queen City Hills (D) – **(CPRE220071)** Final  
Recommendations

Dear Mr. Dooley,

This letter is to inform you that our CSR Advisory-TEAM and CSPRO Committee has reviewed your proposed project **515 East Martin Luther King Drive** in the Community of Avondale. It is my understanding that you are proposing to construct a mixed-use development project consisting of offices/labs/research, residential, retail and two levels of structured parking beneath the west portion of the site with a podium plaza above. The information provided is the recommendations of the City of Cincinnati and must be followed as you move forward with your project. As a reminder, we will have a **WebEx conference call meeting** with you on **December 13, 2022 @ 10 am** to discuss this information. Please see the feedback listed below. Thank you for developing within the City of Cincinnati.

### **City Planning and Engagement – Planning Division**

#### **Immediate Requirements to move the project forward:**

1. The project requires a zone change to Planned Development (PD). The zone change application requires a Concept Plan and Development Program Statement. All items outlined in Chapter 1429-09 of the Cincinnati Zoning Code must be submitted in conjunction with the application.
2. Additional information is needed to determine if a major subdivision and/or subdivision improvement plan are necessary.

#### **Requirements to obtain permits:**

1. A Consolidation Plat should be recorded with Hamilton County.
2. Following approval of the zone change, Concept Plan and Development Program Statement, a Final Development Plan is required for each portion of the site that the applicant wishes to develop.

#### **Recommendations:**

1. The applicant is encouraged to engage with the Avondale Community Council and Avondale Development Corporation regarding the proposed plans for the site.

#### **Contact:**

- **Stacey Hoffman** | City Planning | 513-352-4890 | [stacey.hoffman@cincinnati-oh.gov](mailto:stacey.hoffman@cincinnati-oh.gov)



### **City Planning and Engagement – Zoning Division**

#### **Immediate Requirements to move the project forward:**

1. None- the proposal is to re-zone to a PD and thus the City Planning Department handles the zoning review.

#### **Requirements to obtain permits:**

- None

#### **Recommendations:**

- None

#### **Contact:**

- **Wes Munzel** | ZPE | 513-352-2442 | [weston.munzel@cincinnati-oh.gov](mailto:weston.munzel@cincinnati-oh.gov)

### **Metropolitan Sewer District (MSD)**

#### **Immediate Requirements to move the project forward:**

- None

#### **Requirements to obtain permits:**

1. Detention will be reviewed by Jeff Chen at [jeff.chen@cincinnati-oh.gov](mailto:jeff.chen@cincinnati-oh.gov) or 513-244-1357 per Section 303 of the MSD Rules and Regulations. For additional site storm water requirements within the City of Cincinnati, contact the Stormwater Management Utility (SMU) at 513.591.5050.

#### **Recommendations**

- None

#### **Contact:**

- **Jim Wood** | MSD | 513-352-4311 | [jim.wood@cincinnati-oh.gov](mailto:jim.wood@cincinnati-oh.gov)

### **Stormwater Management Utility (SMU)**

#### **Immediate Requirements to move the project forward:**

- None

#### **Requirements to obtain permits:**

1. Detention
  - Detention will be under MSD calculations for design.
  - Submit following documents - detention calculations, drainage map, detailed drawing of Detention Control structure with elevations, detentions shop drawings (manufacturer drawing), major storm calculations / flood routing
2. Storm Requirements
  - Calculations for storm water conveyance system.
3. Utility Plan
  - Label all pipes materials
  - In the public R/W, pipes to be DIP or RCP
  - Show Top & Invert elevations for all Appurtenances
  - Show slopes for all pipes
  - Show downspouts ties to the sewer system. Add note "All downspouts to tie to the sewer system".
  - Curb cuts: driveway aprons at min. 5' away from SMU inlets
  - Ties into Curb inlets are not permitted.

- Easement requirements: if a pipe crosses a private property line, developer must submit separately a "recorded private drainage easement" if applicable.
- May need catch basin between new D/W and Vernon Place due to the illumination of catch basin on MLK, need to look at replacing catch basin on Bartle to catch runoff from site.
- Need to look at adding catch basins on Vernon Place around new D/Ws.
- 4. Grading Plan
  - Grading must show existing and proposed contours
  - Impervious surfaces are NOT permitted to drain towards adjacent properties.
  - Contours changes are NOT allowed to push more runoff towards adjacent properties (as compared to pre-development conditions).
  - Runoff from all pavements must be captured and conveyed to the stormwater system. Only 800 sf of pavement may sheet flow to the public R/W.
- 5. Erosion & Sediment Control Plan is required.
  - Refer to link: <https://cincinnati-oh.gov/stormwater/construction-and-design/standards/sediment-and-erosion-control/>
- 6. SMU Standards Plans Notes is required.
  - Refer to link: <https://www.cincinnati-oh.gov/stormwater/construction-and-design/standards/smu-standard-plan-notes-april-2022/>
- 7. SMU will require an As-Built survey at the end of construction. The survey should include the following information:
  - State Plane Coordinates (N,E) for all MH's and Catch Basins
  - Inverts and Top elevations for all MHs and Catch Basins
  - Slopes, sizes, and materials for all storm lines.

**Recommendation:**

- None

**Contact:**

- **Kevin Gold** | SMU | 513-222-3643 | [kevin.gold@gcww.cincinnati-oh.gov](mailto:kevin.gold@gcww.cincinnati-oh.gov)

**Water Works**

**Immediate Requirements to move the project forward:**

1. Currently Greater Cincinnati Water Works is reviewing the Preliminary Application (CIN 338) for water main relocation in Vernon Place. For information regarding this process please contact Phil Young at 513-591-6567 or [Phillip.Young@gcww.cincinnati-oh.gov](mailto:Phillip.Young@gcww.cincinnati-oh.gov).
2. **The proposed water main alignment, including fire hydrant location and tap locations, is not approved at this conceptual review, and will be approved during the GCWW Preliminary Application and Design Plan approval process.** It is advised that GCWW has a water main construction project in East Martin Luther King Drive.

**Requirements to obtain permits:**

1. No building permits will be approved for the proposed development, and no new water service can be sold for the development, until the necessary water main abandonment and replacement work has been constructed to GCWW standards.
2. Before any building permits are approved, the owner/developer will be required to meet all conditions of the approved preliminary application. This generally includes the completion of approved plans, all submittals including environmental report, easement plat, contractor bond and letter of intent.

3. Greater Cincinnati Water Works (GCWW) will need a stamped and recorded consolidated plat for each parcel based on the Major Subdivision Plat C2.0 before any building permits are approved.
4. If Air Lots are created, each parcel/air lot must receive separate domestic water service. Fire service may be shared between air lots. An air lot covenant will be required. Water services must be metered upon leaving the right of way.
5. Each parcel will need to have its own water service branch. Water service lines are not to cross parcel lines. If water service branch(es) does need to cross parcel lines a water service easement will be required. Please contact Rick Roell for more information regarding easements.
6. The subject development property is receiving water service from the 6" public water main in Maxwell Avenue, the 8" public water main in Vernon Place, the 12" public water main in E Martin Luther King Drive and the 12" public water main in Reading Road.

Address	Branch #	Size	Meter #	Size	Notes
512 Maxwell Av.	H-86153	1"	073243	1"	Lead on private side*
524 Maxwell Av.	H-50865	1"	079286	1"	
526 Maxwell Av.	H-201812	3/4"	201812	5/8"	
530 Maxwell Av.	H-176823	1"	176823	1"	
3023 Reading Rd.	H-182803	2"	182803	2"	
3027 Reading Rd.	H-176387	2"	176387	3/4"	
3035 Reading Rd.	H-175810	1.5"	175810	1.5"	
3041 Reading Rd.	H-107243	1.5"	102511	1"	
3041 Reading Rd.	H-231578	2"	231578	2"	
3024 Vernon Pl.	H-34722	3/4"	104521	5/8"	Lead on private side*
3030 Vernon Pl.	H-229918	1.5"	229918	1.5"	

\*Please note that there are known health risks with lead service lines. Greater Cincinnati Water Works records indicate the existing water service lines (H-86153 and H-34722) at this site are Lead Service lines. In accordance with CMC Chapter 401 Division M, should be replaced with copper service line if it is to remain.

7. If the existing water service branch for this project is not to be used for this development, it must be properly disconnected at the owner's / developer's expense. Owner would be required to fill out the online Discontinuance Form (FOD) at <https://www.cincinnati-oh.gov/water/engineering-construction/forms-specifications/fod/> authorizing removal of any existing water service branch before any new water service can be sold.
8. Abandoned branches will require a drawing showing which branches are to be physically removed from the main. Each branch will need to show the branch number. Submit to Phil Young at [Phillip.Young@gcww.cincinnati-oh.gov](mailto:Phillip.Young@gcww.cincinnati-oh.gov)

#### Recommendations:

1. The Owner(s)/Developer(s) will need to hire a Greater Cincinnati Water Works certified licensed and bonded plumber and fire protection company to perform the private water service branch design work and installation.
2. The Owner(s)/Developer(s) must have a licensed plumber that is bonded and certified with GCWW and fire protection company to fill out the Online Branch application



<https://www.cincinnati-oh.gov/water/engineering-construction/forms-specifications/> for water service.

3. Contact Phil Young, Water Works, 513-591-6567, [Phillip.Young@gcww.cincinnati-oh.gov](mailto:Phillip.Young@gcww.cincinnati-oh.gov) for any Water main extension questions.

**Contact:**

- **Rick Roell** | WaterWorks | 513-591-7858 | [richard.roell@gcww.cincinnati-oh.gov](mailto:richard.roell@gcww.cincinnati-oh.gov)

## **Fire Department**

### **Immediate Requirements to move the project forward:**

1. The minimum fire flow requirement for this project is 2,000 gallons/per/minutes (GPM) @ 20 pressure/per/square inch (psi) (138Kpa).
2. The two closest Fire Hydrants currently to this project are 515 East MLK Drive and 3037 Reading Road.

### **Requirements to obtain Permits:**

1. Emergency Responder Radio Coverage is required for any buildings over 20,000 sq feet.
2. A site plan will be needed to show that there are at least two readily accessible fire hydrants within 400' from all parts of the structures.
3. Fire Department Connections are to be within 50' of a fire hydrant.
4. Hydrants and FDC placement is not to block fire apparatus access to the structures.
5. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet.
6. The angles of approach and departure for fire apparatus access roads shall be within the limits established by the fire code official based on the fire department's apparatus.

### **Recommendations:**

- None

**Contact:**

- **Robert A. Hart** | Fire Dept. | 513-357-7597 | [robert.hart@cincinnati-oh.gov](mailto:robert.hart@cincinnati-oh.gov)

## **Office of Environment and Sustainability (OES)**

### **Immediate Requirements to move forward with project:**

- None

### **Requirements to obtain permits:**

1. Commercial waste, including construction and demolition debris, generated during this development project must utilize a City franchised commercial waste collection service per Cincinnati Municipal Code Chapter 730. Additional information can be found at <https://www.cincinnati-oh.gov/oes/commercial-waste-hauler-program/>.
2. If offsite sourced fill is to be placed onsite, then it must receive OES environmental approval when it exceeds 500 cubic yards as per City Municipal Code Chapters 1101 and 1031.
3. This project may need to include a new City permanent public utility easement. The City's acquisition of the easement must receive environmental approval from OES.
4. This project appears to be requesting funding incentives from the City. Depending on the incentive, this project may require environmental approval from OES.

### **Recommendations:**



1. A section of the property addressed at 3041 Reading Road appears to have historical use as a gas station. Due to this historical use, proper due diligence should be completed prior to development.
2. The following recommendation is based on State of Ohio requirements:
  - a) Due to the age of the existing site building, asbestos, lead based paint, and other hazardous building materials should be surveyed and, if needed, abatement should be conducted following all applicable state regulations prior to its demolition.
3. The following recommendations are based on adopted City of Cincinnati environmental and sustainability policies:
  - a) The development goal should be to earn at a minimum the LEED Certified rating level.
  - b) Rooftop solar should be considered in the design as a renewable energy source.
  - c) Site parking should include electric vehicle charging stations.
  - d) Site areas designated for trash dumpsters should also have at least equal space designated for recycling dumpsters.
  - e) The use of trees in the landscape design should be included to enhance urban forestry.
  - f) The use of pervious surfaces should be maximized to the extent practical in the design.

**Contact:**

- **Amanda Testerman** | OES | 513-352-5310 | [amanda.testerman@cincinnati-oh.gov](mailto:amanda.testerman@cincinnati-oh.gov)

**Parks Department (Urban Forestry)**

**Immediate Requirements to move the project forward:**

- None

**Requirements to obtain permits:**

- None

**Recommendations:**

1. If they would like to add any street trees or replacements, contact Urban Forestry (Jacob Edwards) to discuss layout of cut-outs and plantings.

**Contact:**

- **Jacob Edwards** | Urban Forestry | 513-861-9070 | [jacob.edwards@cincinnati-oh.gov](mailto:jacob.edwards@cincinnati-oh.gov)

**Department of Transportation & Engineering (DOTE)**

**Immediate Requirements to move the project forward:**

- None

**Requirements to obtain permits:**

1. A Traffic Impact Study is required. DOTE will provide additional conditions required based on the TIS.
2. The property and right of way needs addressed. Work with DOTE on the necessary vacation/dedication needed. Vernon needs to be 10' minimum from curb to back of walk.
3. Work with DOTE on the streetscape plans for the entire site.
4. The driveway on MLK needs to be the City standard design for right in/out.
5. All driveway aprons are to meet City standards.

6. How will the gates operate? The gates on Vernon and Maxwell will need to be 20' minimum into the garage. The gate placement for the MLK entrance will be determined by the TIS.
7. Any encroachments over the property line into the right of way requires permission, either a RSP or easement depending on the encroachment.
8. Meet all utility clearance requirements. Typical clearance is 10'.
9. Remove unused driveway apron/street openings and restore to City standards.
10. All work in the right of way will require a DOTE permit and needs to meet City standards.
11. Multiple addresses will need to be assigned for this development; each building/space will be addressed on the street it is accessed from. Contact [DTEaddress@cincinnati-oh.gov](mailto:DTEaddress@cincinnati-oh.gov) to have addresses assigned prior to submitting building permit applications.

**Recommendations:**

- None

**Contact:**

- **Morgan Kolks** | DOTE | 513-335-7322 | [morgan.kolks@cincinnati-oh.gov](mailto:morgan.kolks@cincinnati-oh.gov)

**Buildings & Inspections – Buildings****Immediate Requirements to move the project forward:**

- None

**Requirements to obtain permits:**

1. There is no building code analysis or information.
2. It is recommended that a meeting is scheduled to discuss any building code and permitting issues that may arise.

**Recommendations:**

- None

**Contact:**

- **Robert Martin** | B&I Plans Exam | 513-352-2456 | [robert.martin@cincinnati-oh.gov](mailto:robert.martin@cincinnati-oh.gov)

**Law Department****Immediate Requirements to move the project forward:**

- None

**Requirements to obtain permits:**

1. The vacation and sale of public right of way requires the following:
  - Coordinated Report
  - Appraisal
  - City Planning Commission Approval
  - City Council Approval

**Recommendations:**

- None

**Contact:**

- **Charles Martinez** | Law | 513-352-3359 | [charles.martinez@cincinnati-oh.gov](mailto:charles.martinez@cincinnati-oh.gov)



### **Department of Community & Economic Development (DCED)**

#### **Immediate Requirements to move the project forward:**

- None

#### **Requirements to obtain permits:**

- None

#### **Recommendations:**

- None

#### **Contact:**

- **Bob Bertsch** | DCED | 513-352-3773 | [robert.bertsch@cincinnati-oh.gov](mailto:robert.bertsch@cincinnati-oh.gov)

### **Health Department**

#### **Immediate Requirements to move the project forward:**

- None

#### **Requirements to obtain permits:**

1. No need for Health to review project as proposed.

#### **Recommendations:**

- None

#### **Contact:**

- **Trisha Blake** | Health Dept. | 513-352-2447 | [trisha.blake@cincinnati-oh.gov](mailto:trisha.blake@cincinnati-oh.gov)

### **Police Department**

#### **Immediate Requirements to move the project forward:**

- None currently.

#### **Requirements to obtain permits:**

- No comments.

#### **Recommendations:**

- None

#### **Contact:**

- **Katalin Howard** | Police Dept. | 513-352-3298 | [katalin.howard@cincinnati-oh.gov](mailto:katalin.howard@cincinnati-oh.gov)
- **Brandon Kyle** | Police Dept. | 513-564-1870 | [brandon.kyle@cincinnati-oh.gov](mailto:brandon.kyle@cincinnati-oh.gov)

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FINAL ACTION: The CSR Advisory-TEAM and CSPRO Committee believes that the proposed project plans are moving in the appropriate direction and recommends that the project move forward to City Planning Commission subject to the following condition.

- **The subject development must follow the requirements listed above to ensure that the development meets the requirements of all agencies as they apply for all permits.**



Sincerely,

  
Art Dahlberg,  
Director of Buildings and Inspections Department  
& CSPRO Committee Chair

AD:RDR:hs

  
Rodney D. Ringer,  
Development Manager



Date: December 19, 2022

Description: The District at Clifton Heights  
Re-Zoning

Location: City of Cincinnati  
Hamilton County, Ohio



Situated in Section 8, Town 3, Fractional Range 2, Between the Miamis, Mill Creek Township, The City of Cincinnati, Hamilton County, Ohio and being 7.8030 acres to be re-zoned to Planned Development (PD) and being further described as follows:

Beginning at the intersection of the centerline of Martin Luther King Drive East and the centerline of Reading Road (U.S. #42) and being the **True Point of Beginning**;

thence, with the centerline of said Reading Road (U.S. #42) for the following two courses:

- 1) South 00° 06' 56" West, 173.57 feet;
- 2) with a curve to the right, having a central angle of 11° 35' 33", a radius of 1432.39 feet, an arc length of 289.81 feet, and a chord bearing and distance of South 05° 54' 43" West, 289.32 feet;

thence, leaving the centerline of said Reading Road (U.S. #42), North 82° 20' 14" West, 287.76 feet to the northwest corner of Lot A of Harry Wahking Heirs Subdivision as recorded in Plat Book 14, Page 54;

thence, with the west line of said Lot A extended, South 20° 01' 16" West, 117.45 feet to the centerline of Maxwell Avenue;

thence, with the centerline of said Maxwell Avenue, North 83° 25' 54" West, 269.44 feet;

thence, leaving the centerline of said Maxwell Avenue, North 06° 34' 06" East, 110.00 feet;

thence, North 83° 25' 54" West, 179.46 feet to the centerline of Vernon Place;

thence, with the centerline of said Vernon Place for the following three courses:

- 1) with a curve to the right, having a central angle of 24° 50' 44", a radius of 400.00 feet, an arc length of 173.45 feet, and a chord bearing and distance of North 21° 57' 19" East, 172.10 feet;
- 2) North 34° 22' 41" East, 275.91 feet;
- 3) North 06° 14' 10" East, 53.69 feet to the centerline of said Martin Luther King Drive East;

thence, leaving the centerline of said Vernon Avenue and with the centerline of said Martin Luther King Drive East for the following five courses:

- 1) South 78° 39' 46" East, 95.02 feet;
- 2) with a curve to the left, having a central angle of 05° 21' 40", a radius of 1046.74 feet, an arc length of 97.94 feet, and a chord bearing and distance of South 81° 20' 36" East, 97.91 feet;
- 3) South 84° 01' 26" East, 181.00 feet;
- 4) with a curve to the left, having a central angle of 02° 00' 00", a radius of 3824.72 feet, an arc length of 133.51 feet, and a chord bearing and distance of South 85° 01' 26" East, 133.50 feet;

5) South 86° 01' 26" East, 60.14 feet to the **True Point of Beginning** containing 7.8030 acres.

Basis of Bearings: NAD83(2011) Ohio State Plane Coordinates, South Zone (3402).

The above description is a complete, proper and legal description of the property by deeds and plats of record.



A handwritten signature in blue ink, appearing to read "Jeffrey O. Lambert", written over a horizontal line.

Jeffrey O. Lambert Registered Surveyor #7568 in the State of Ohio

# UPTOWN INNOVATION DISTRICT

## DESIGN GUIDELINES



04.03.2019

# ACKNOWLEDGEMENTS

## UPTOWN INNOVATION CORRIDOR

Many community leaders, stakeholders and experts have devoted their time and talents to the creation and implementation of the Uptown Innovation Corridor. They will continue to play pivotal roles as the Corridor story unfolds.

### UPTOWN CONSORTIUM BOARD OF DIRECTORS

**Neville Pinto**, Board Chair & President, University of Cincinnati

**Michael Fisher**, Vice Chair & President & CEO, Cincinnati Children's Hospital Medical Center

**Mark Clement**, President & CEO, TriHealth

**Richard Lofgren**, President & CEO, UC Health

**Thane Maynard**, Executive Director, Cincinnati Zoo and Botanical Garden

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**Peter Gilbert**, Executive Vice President & COO, UC Health

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**Brian Krause**, Vice President of Finance, TriHealth

**Beth Robinson**, President & CEO, Uptown Consortium, Inc.

**Beth Stautberg**, Senior Vice President & General Counsel, Cincinnati Children's Hospital Medical Center

### UPTOWN CONSORTIUM

**Franz A. Stansbury**, Director, Real Estate

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**SASAKI**, Planning and Design Firm

**Landwise Advisors**, Market Analyst

**Grayscale Collaborative**, Design Advisor



# CONTENTS

## ORGANIZATION OF GUIDELINES

<b>1</b>	Overview	04
<b>2</b>	Development Principles	10
<b>3</b>	Great Streets	12
<b>4</b>	Great Spaces	18
<b>5</b>	Great Places	24
<b>6</b>	Design Guidelines	30
<b>7</b>	Public Realm	50
<b>8</b>	Material Palette	76

# OVERVIEW

## UPTOWN INNOVATION DISTRICT

### UPTOWN INNOVATION CORRIDOR

The Uptown Innovation District is that rare development opportunity merging location, amenities and market trends. As with dozens of cities across the United States and internationally, the Corridor is leveraging renewed interest in the urban core to create a magnet for high-growth firms, tech and creative start-ups and the people they employ.

Years of preparation have positioned the Corridor to join the international ranks of successful innovation districts, and the unparalleled opportunities it offers to improve the community and foundation of Uptown and Cincinnati.

The Uptown Consortium has led an intensive planning and community engagement effort to establish a vision and framework for the Corridor. In partnership with the Mayor and Cincinnati City Council, the Consortium has secured crucial infrastructure and established site control that will allow the Corridor to progress in a manner consistent with innovation district best practices: well-designed spaces, pedestrian-friendly grids, varied housing choices and an amenities-rich environment.

The opening of the I-71 interchange at Martin Luther King Boulevard – itself a decade in the making – is perhaps the most visible sign of the Corridor’s emergence. Another important component is the University of Cincinnati’s 1819 Innovation Hub. It represents a \$38 million investment and is managed by the University of Cincinnati Research Institute.

The most important components of a successful innovation district have long been in place. Uptown is the region’s center of research and innovation, led by the University of Cincinnati, Cincinnati Children’s Hospital Medical Center, UC Health, TriHealth,

and the Cincinnati Zoo and Botanical Garden and their many spin-off and supporting entities. These anchor institutions drive the innovation economy and, combined with proximity and location, are the foundation of the Corridor.

These Uptown Innovation District Design Guidelines represent one of the next critical steps in advancing Cincinnati’s world class innovation district. With improved access from I-71, location at the intersection of two of the City’s key corridors, vacant and underutilized land, and strategic site control, it is essential to put in place design standards to guide the next round of public and private investment that will fully realize the Innovation Corridor over the next decade. These guidelines will also protect and leverage the substantial public and institutional investment that has already been made along this corridor.

These guidelines outline development principles, design foundation and guidelines that provide a framework for landowners, developers, organizations and companies that look to partner with Uptown. Following national models, this document provides guidance and an overall vision for how the Corridor should develop — from the buildings, amenities, infrastructure and public spaces to how it all integrates with the Uptown community and the regional innovation economy.

There are six sections in this document. Section One is an overview describing the mission, application, and founding principles of these guidelines. Section Two establishes the development principles advancing Uptown stakeholders’ shared vision for creating a healthy, sustainable, and complete community. Section Three, Four and Five discuss in more detail what makes great streets, spaces and places respectively. Section Six is the design guidelines providing general recommendations of standards for design to provide a high quality

## DESIGN GUIDELINES DISTRICT FOCUS AREA



public realm. Section Seven provides a hierarchy of streets, complete streets standards and streetscapes, and guidelines to create a cohesive and high-quality public realm experience. It also provides character guidelines for plazas, gateways, and other unique public and quasi-public spaces within the District. And lastly, Section Eight outlines the material palette: a catalogue of materials to ensure a cohesive and high-quality public realm that identifies and ties the District together.

The design guidelines focus area is defined generally by the four quadrants at the MLK and Reading Road intersection. It also establishes guidelines for the streets bounding these blocks - Lincoln Ave., Vernon Pl., Harvey Ave., Hickman Ave., and Whittier St. — providing an appropriate transition from the neighborhood edge into the District.

# OVERVIEW

## DISTRICT PLAN

**THE UPTOWN INNOVATION CORRIDOR EMBODIES THE BEST POSSIBILITIES OF CINCINNATI'S URBAN FUTURE, ONE OF CUTTING-EDGE INNOVATION, A VIBRANT CITYSCAPE, AND BROADLY SHARED PROSPERITY.**

As the ongoing work of the Uptown Consortium demonstrates, the Uptown Innovation Corridor is well positioned in the region as an engine of innovation and economic growth. Its cluster of higher education institutions, hospitals, R&D and innovation centers, cultural institutions, and private businesses has attracted significant research funding and job growth in the past decade; a fact that underlines the full potential of the agglomeration effect of innovation activities.

Within this context, the Consortium initiated a planning and design process to advance a distinctive, coordinated vision. The planning effort features the following elements:

1. Market analysis to establish an up-to-date understanding of regional employment drivers, market conditions, and real estate economics;
2. District concept plan to illustrate a unified district/ corridor plan and a compelling story and experience, with a focus on the four quadrants area;
3. Development principles to convey the fundamental physical development characteristics that are critical to realizing the Consortium's vision;
4. Design guidelines to provide specific recommendations for the design of the public realm and private exterior realm within the district.



**DISTRICT CONCEPT PLAN**

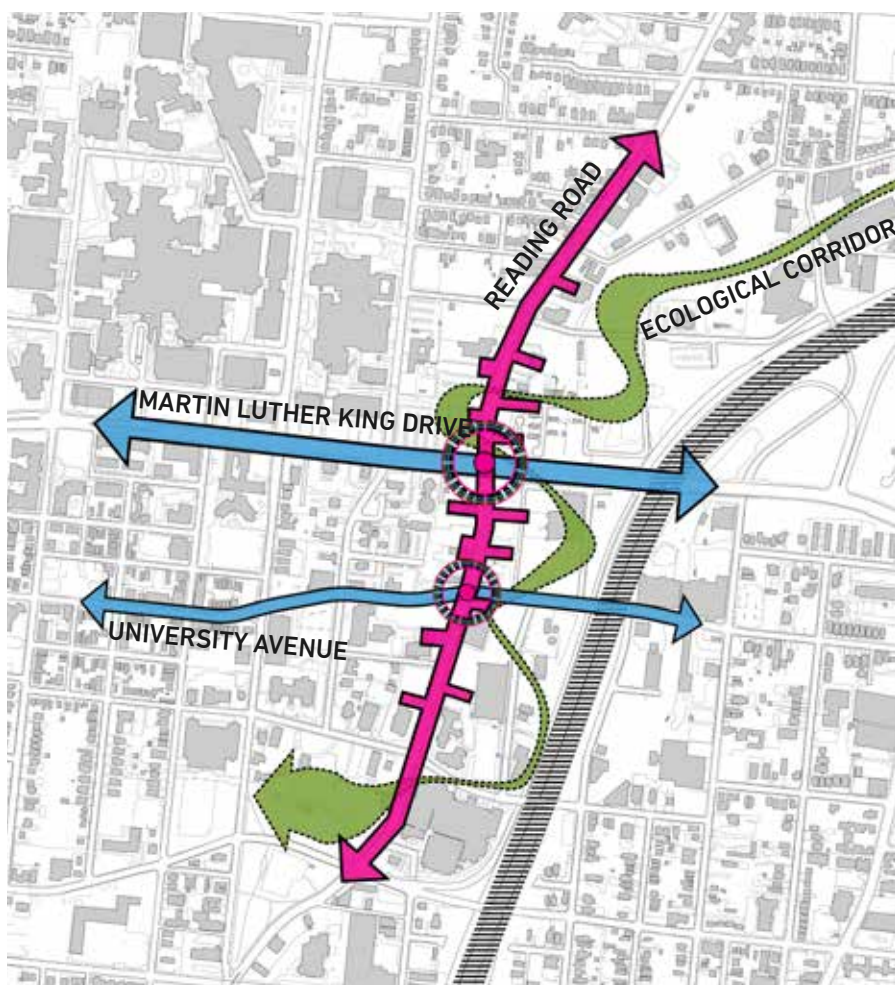


# CONNECTED DISTRICT

## INNOVATION DISTRICT CONCEPT

The plan emphasizes a highly connected, integrated district anchored by and organized around four critical corridors:

- Reading Road
- Martin Luther King Jr. Drive
- University Avenue
- Ecological Park



## DISTRICT CORRIDORS

### Reading Road

- Central spine and “main street” of the district.
- Accommodates multi-modal pedestrian, bicycle, transit, and vehicular circulation.
- Public spaces and front doors create an active corridor, connecting the street to interior block innovation and green spaces.

### Martin Luther King Jr. Drive

- Critical, highly visible gateway.
- High-volume transportation corridor and urban boulevard.
- Defines the image and initial visual experience of the district.

### Ecological Corridor

- Green network that weaves active and passive parks, open spaces, and ecological functions through the district.
- Contributes to a unique district character that links development areas, creates a collaborative common ground, and enhances ecology.

### University Avenue

- Primary link between the university and the district.
- Forms the “innovation heart” of the district at its intersection with Reading Road at the 1819 Innovation Hub.

**CONCEPTUAL DEVELOPMENT LOOKING NORTH****CONCEPTUAL DEVELOPMENT LOOKING WEST**

# DEVELOPMENT PRINCIPLES

## GREAT STREETS, SPACES, PLACES

THE DEVELOPMENT PRINCIPLES, COUPLED WITH THE DESIGN GUIDELINES, WILL GUIDE THE CONSORTIUM'S CURRENT AND FUTURE DECISION-MAKING REGARDING THE LOCATION, PLANNING AND DESIGN, AND QUALITY OF NEW DEVELOPMENT PROJECTS.

The principles are intended to achieve the following objectives:

1. Ensure that the district is planned, designed, and developed in an orderly, consistent, and high quality urbanistic manner.
2. Ensure that each individual project contributes in a complementary manner to the larger district vision and plan.
3. Provide predictability and instill confidence that development quality will be consistent for the duration of buildout—from the first project to the last.
4. Provide planning and design guidance and direction to all entities considering the development of property in the district.
5. Provide the Consortium with planning and design criteria by which to review and evaluate proposed development plans.

### GREAT STREETS

1. **URBANITY:** Organize continuous building frontage along primary streets to reinforce Uptown's identity as an urban place.
2. **ACTIVITY:** Focus urban retail uses and other ground-floor active programming at key locations along primary streets to encourage an active pedestrian street and 18/7 urban environment.
3. **MOBILITY:** Integrate safe connections for all modes of travel by separating the pedestrian and bicycle zone from the vehicular and transit zone.
4. **STREETSCAPE:** Create a distinct, pedestrian street character throughout the district with the creation of a street tree canopy and water management landscapes along primary streets.
5. **QUALITY:** Prioritize architectural and landscape design, material, and construction quality along key streets to reinforce Uptown's identity as a leading innovation district.



The Avenue, Washington DC

## GREAT SPACES

6. **ECOLOGY:** Reserve the ecological corridor along I-71 and respect existing topography to create a signature green space that supports the emerging innovation community.
7. **COLLABORATION:** Promote collaboration by establishing gathering spaces along the Reading Road corridor to share technologies and ideas, and create a close-knit ecosystem to foster creative growth.
8. **PERMEABILITY:** Create mid-block pedestrian visibility, access and connections between primary streets and open/green space amenities to welcome the community.
9. **PARKING:** Minimize the impact of parking on the public realm throughout the district by minimizing surface lots, screening garages, and utilizing below grade parking when possible. Ensure surface lots are designed to be programmable, usable spaces when not required for parking.



Hafencity, Hamburg, Germany

## GREAT PLACES

10. **DENSITY:** Concentrate density on priority sites to create a vibrant, complete place at each phase of development.
11. **MIXED-USE:** Mix diverse programs within individual buildings and a block to activate the site, maximize investment, and balance land use.
12. **IDENTITY:** Ensure a unified Uptown identity along primary streets through streetscape and public realm design while encouraging complementary design within individual developments and buildings.
13. **TRANSPARENCY:** Buildings should be of high quality, modern design that reflects the image of the Innovation Corridor. Designs should include transparency, articulation, shading, form, materials, and other elements that link indoor and outdoor spaces and create a vibrant urban character.
14. **TRANSITION:** Address residential neighborhood edges with complementary scale, program, and character.



University Park, Cambridge, MA

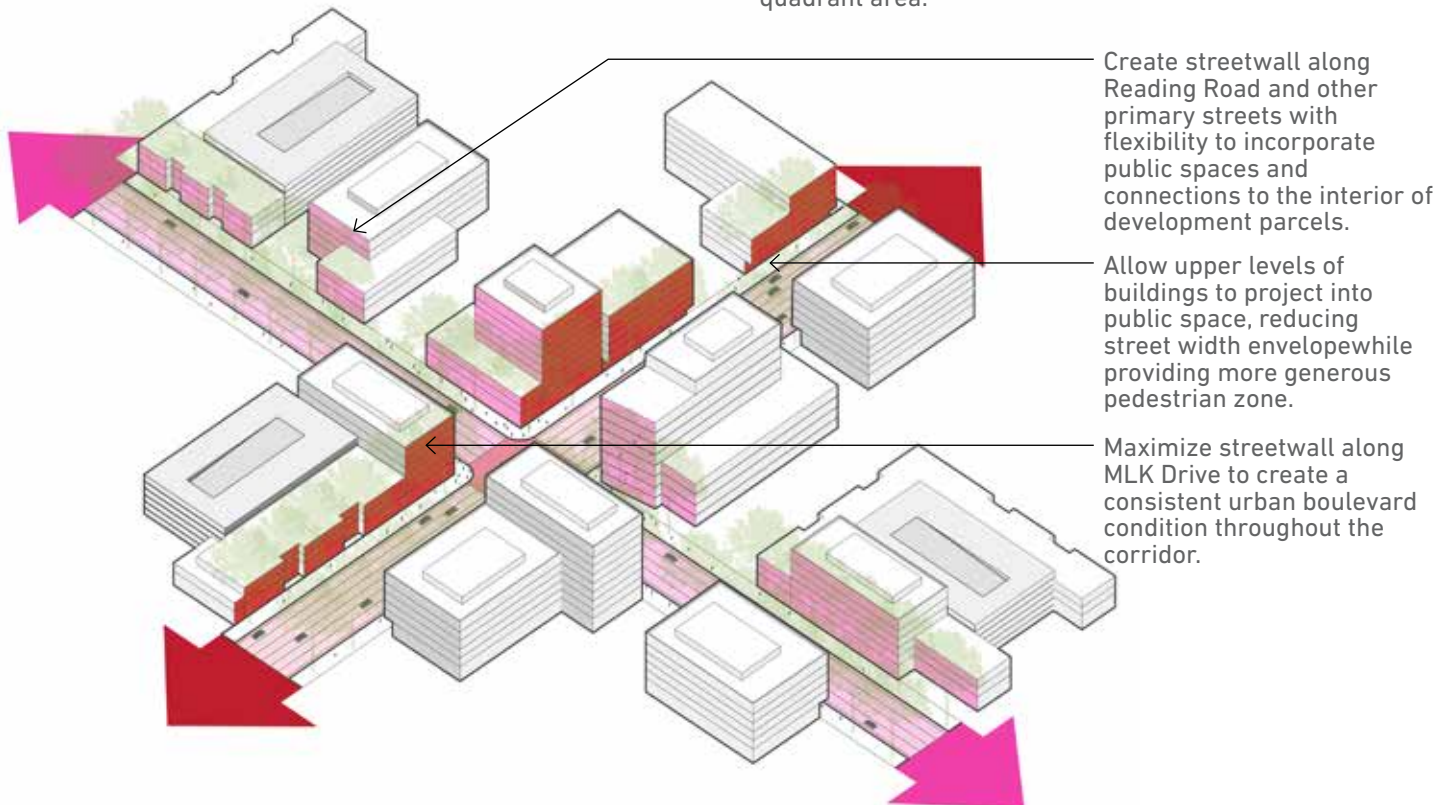
# GREAT STREETS

## 1.URBANITY

ORGANIZE CONTINUOUS BUILDING FRONTAGE  
ALONG PRIMARY STREETS TO REINFORCE  
UPTOWN'S IDENTITY AS AN URBAN PLACE.

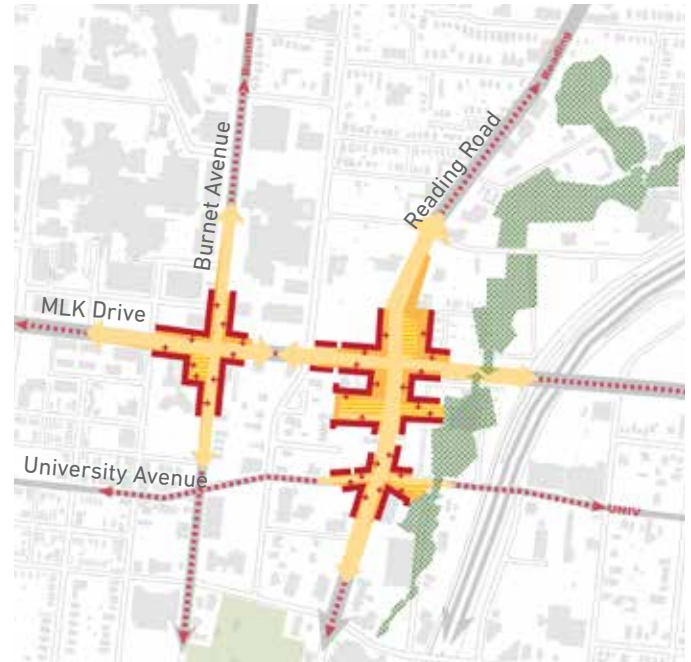


Plan showing application of Urbanity principle in four quadrant area.

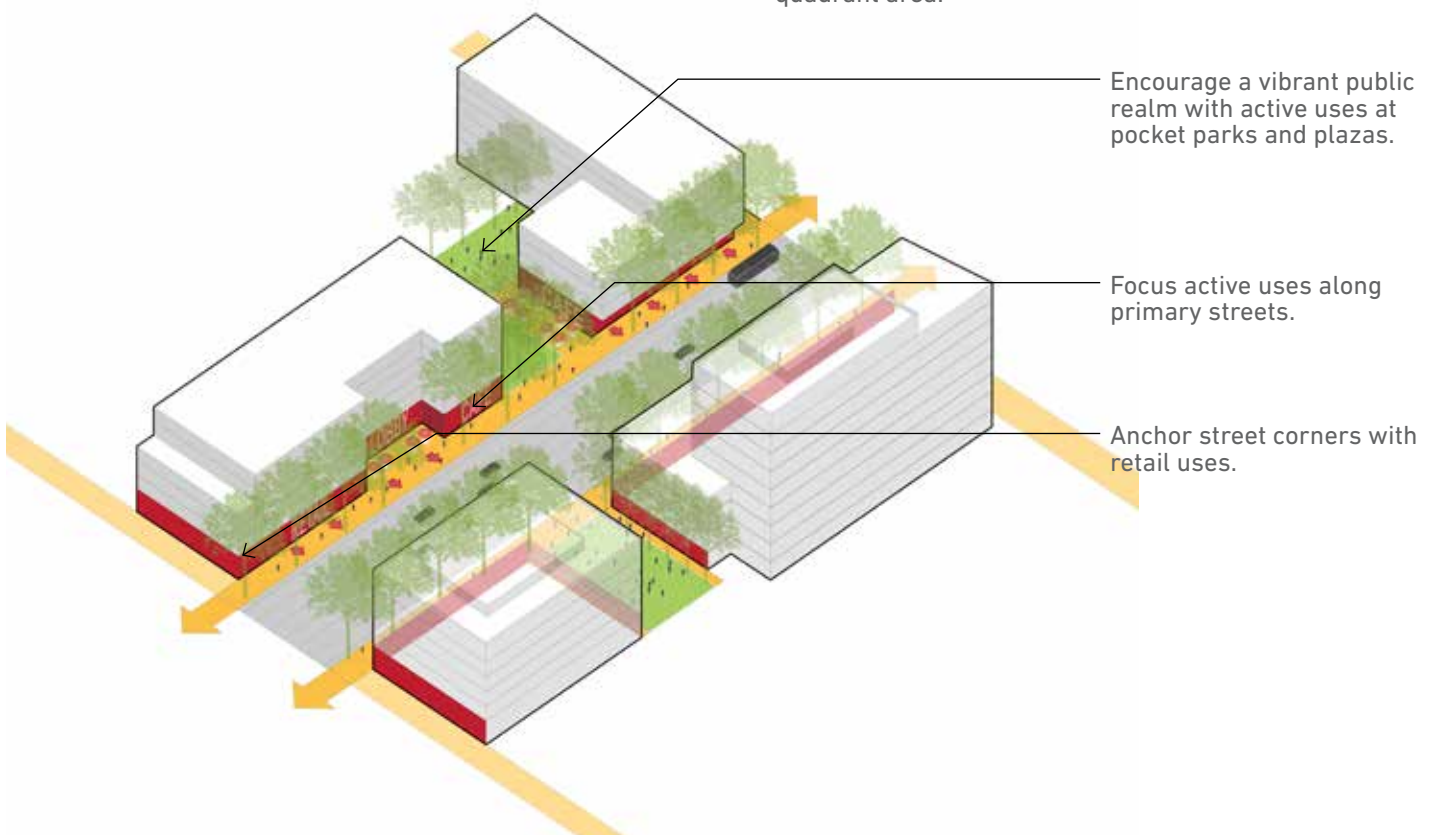


## 2. ACTIVITY

**FOCUS URBAN RETAIL USES AND OTHER GROUND-FLOOR ACTIVE PROGRAMMING AT KEY LOCATIONS ALONG PRIMARY STREETS TO ENCOURAGE AN ACTIVE PEDESTRIAN STREET AND 18/7 URBAN ENVIRONMENT.**

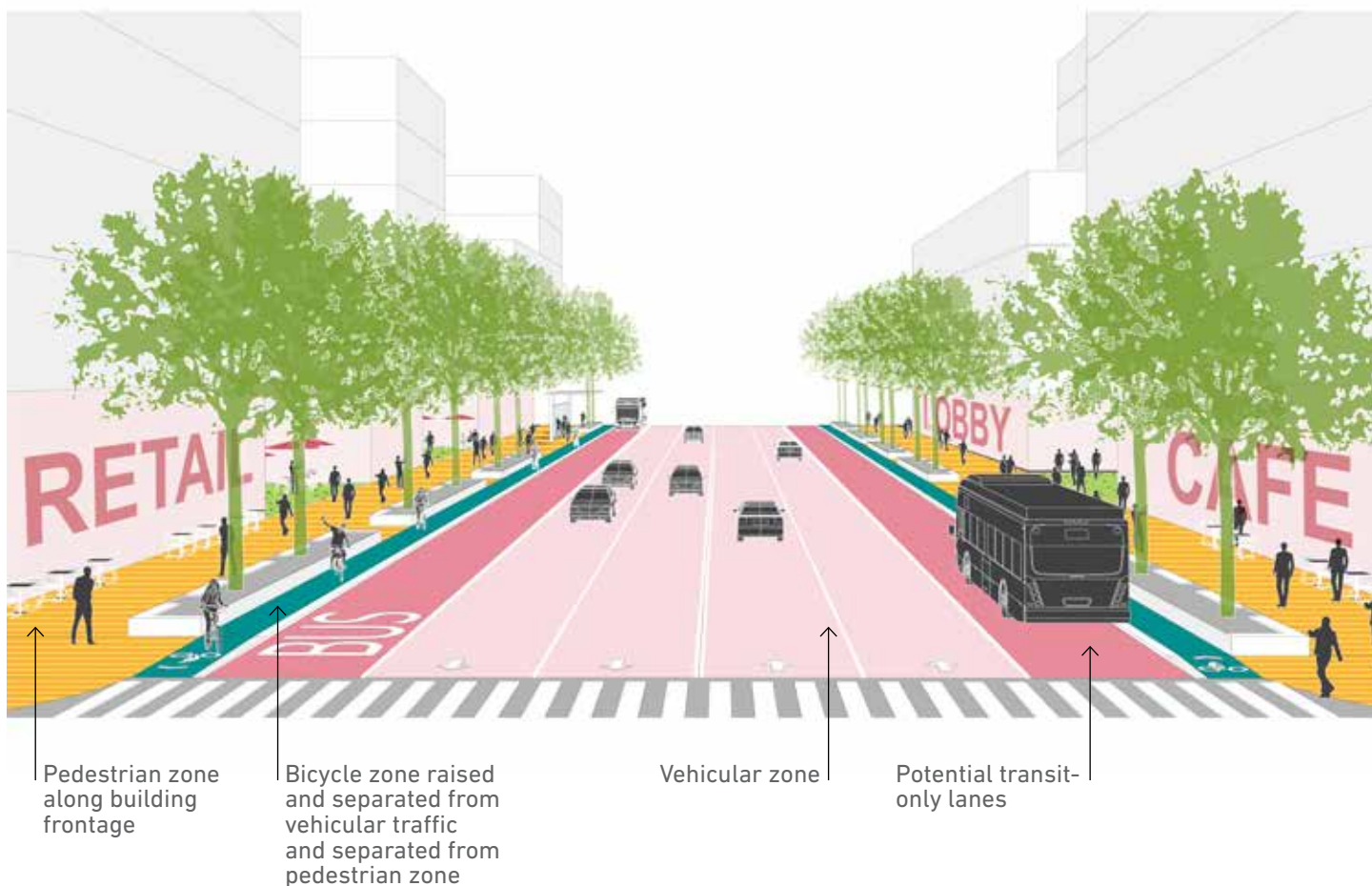


Plan showing application of Activity principle in four quadrant area.

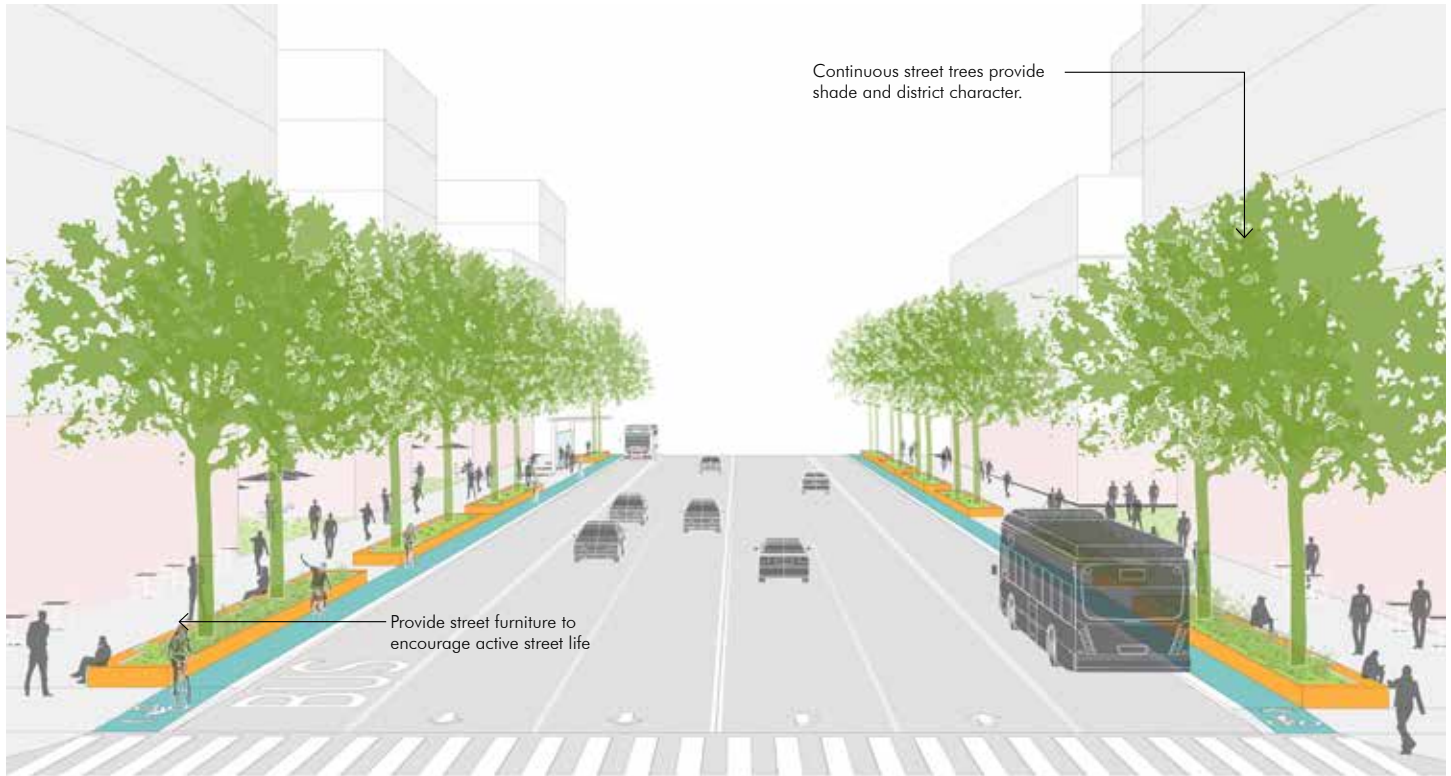


# 3. MOBILITY

**INTEGRATE SAFE CONNECTIONS FOR ALL MODES OF TRAVEL BY SEPARATING THE PEDESTRIAN AND BICYCLE ZONE FROM THE VEHICULAR AND TRANSIT ZONE.**



# 4. STREETSCAPE



Plan showing application of Streetscape principle in four quadrant area.

**CREATE A DISTINCT, PEDESTRIAN STREET CHARACTER THROUGHOUT THE DISTRICT WITH THE CREATION OF A STREET TREE CANOPY AND WATER MANAGEMENT LANDSCAPES ALONG PRIMARY STREETS.**

# 5. QUALITY

**PRIORITIZE ARCHITECTURAL AND LANDSCAPE DESIGN, MATERIAL, AND CONSTRUCTION QUALITY ALONG KEY STREETS TO REINFORCE UPTOWN'S IDENTITY AS A LEADING INNOVATION DISTRICT.**



Example material and construction elements:

1. Planting areas designed to manage stormwater
2. Integrated bench and planter wall
3. Stone pavers
4. Stone/brick edge detail along concrete walk
5. Contrasting color pavers
6. High quality, modern street furniture
7. Native landscape
8. Unified signage and lighting design



## GREAT STREETS: KENDALL SQUARE EXAMPLE

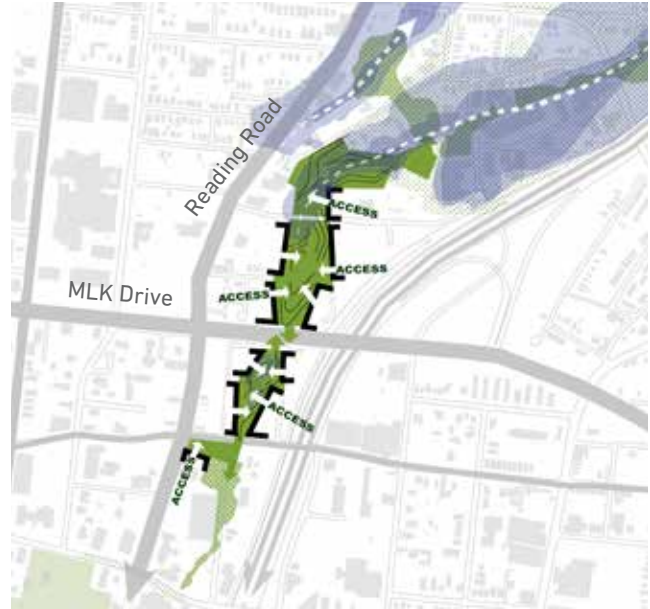
Binney Street at Kendall Square in Cambridge, Massachusetts exemplifies many of the principles of great streets planned for the Uptown Innovation Corridor.

1. **Urbanity:** Buildings are organized along the street including upper level overhangs to reduce perceived street width while providing generous sidewalk areas.
2. **Activity:** Retail uses and other ground floor programming are located along the street.
3. **Streetscape:** Continuous street trees and planting unify the street, provide shade and water management, and improve the pedestrian experience.
4. **Mobility:** A generous pedestrian zone and dedicated bicycle lane are separated from each other and vehicular traffic, providing safe connections for all modes of travel.

# GREAT SPACES

## 6. ECOLOGY

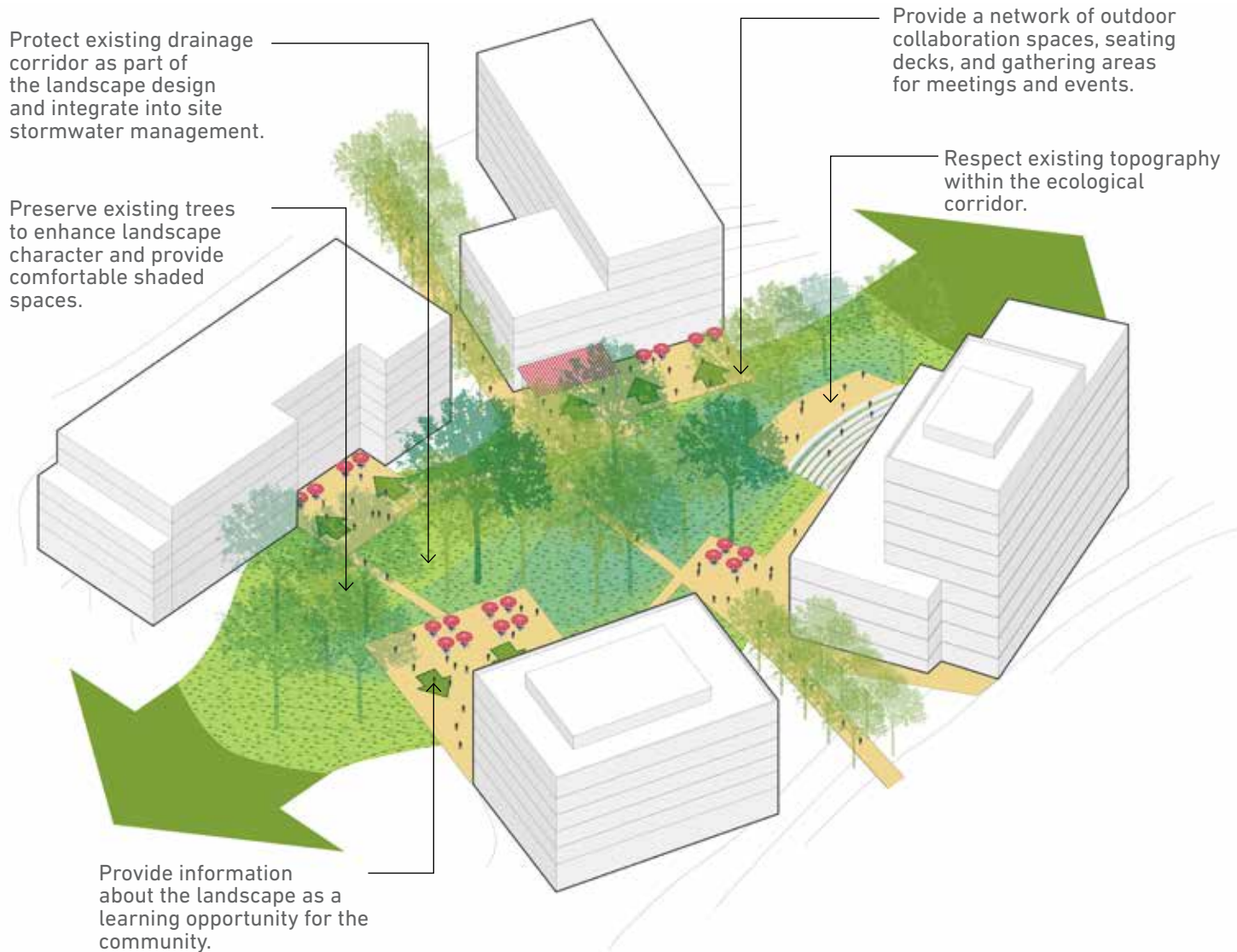
**RESERVE THE ECOLOGICAL CORRIDOR ALONG I-71 AND RESPECT EXISTING TOPOGRAPHY TO CREATE A SIGNATURE GREEN SPACE AND RECREATION CORRIDOR TO SUPPORT THE EMERGING INNOVATION COMMUNITY.**



Plan showing ecological corridor along I-71 in four quadrant area

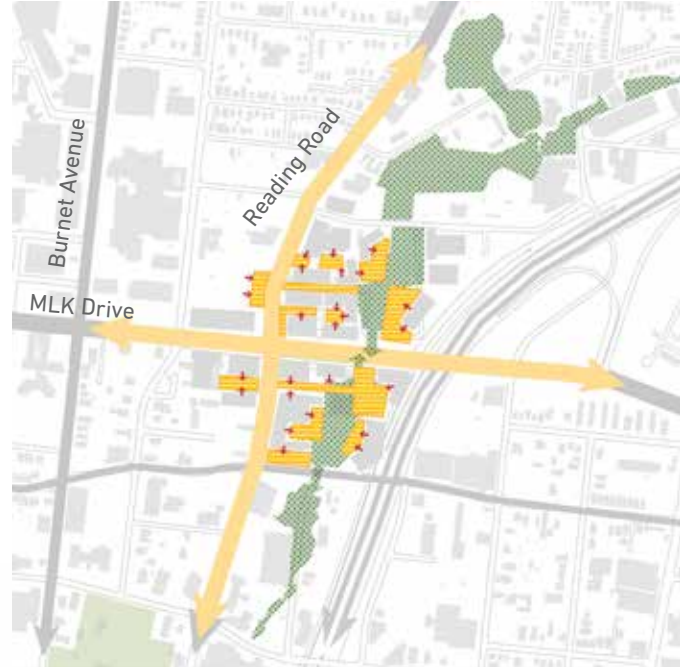
Below: Conceptual view of ecological corridor featuring shared outdoor collaboration spaces, native landscape, and stormwater management





# 7. COLLABORATION

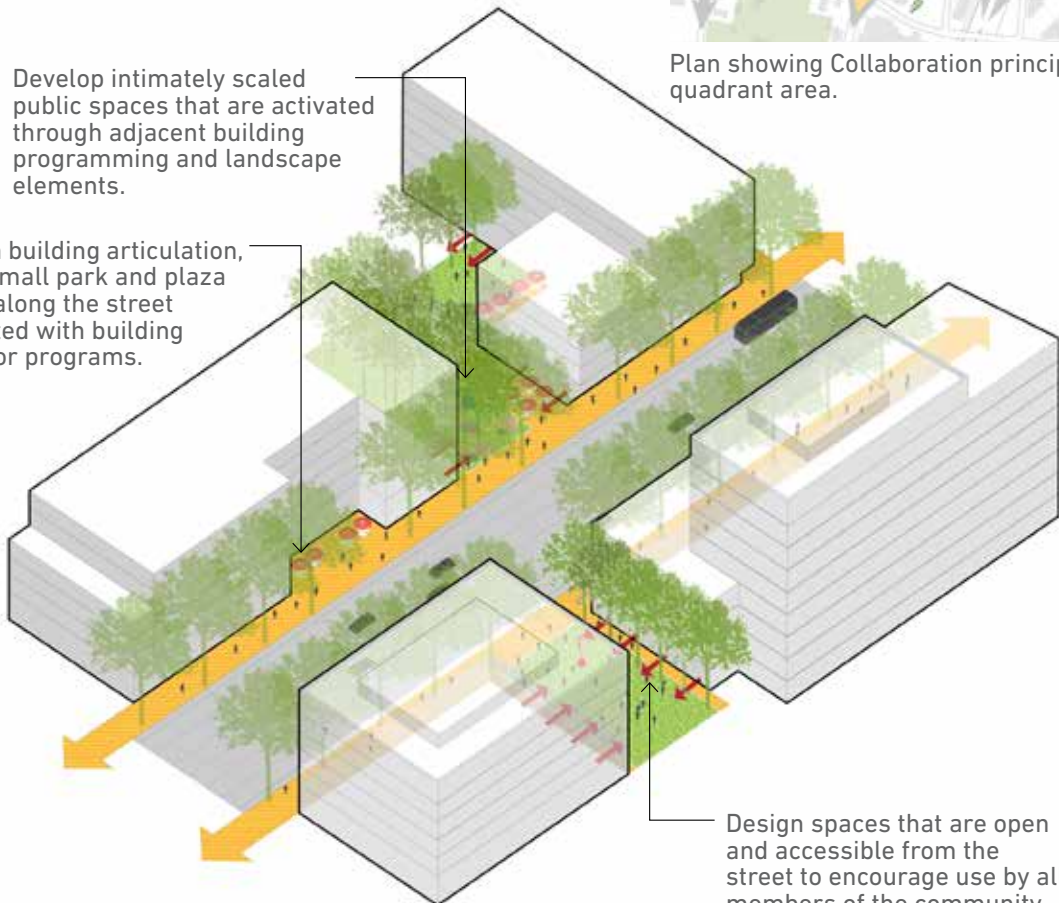
**PROMOTE INSTITUTIONAL AND NEIGHBORHOOD COLLABORATION BY ESTABLISHING GATHERING SPACES ALONG THE READING ROAD CORRIDOR TO SHARE TECHNOLOGIES AND IDEAS, AND CREATE A CLOSE-KNIT ECOSYSTEM TO FOSTER CREATIVE GROWTH.**



Plan showing Collaboration principle applied in four quadrant area.

Develop intimately scaled public spaces that are activated through adjacent building programming and landscape elements.

Through building articulation, create small park and plaza spaces along the street associated with building entries or programs.



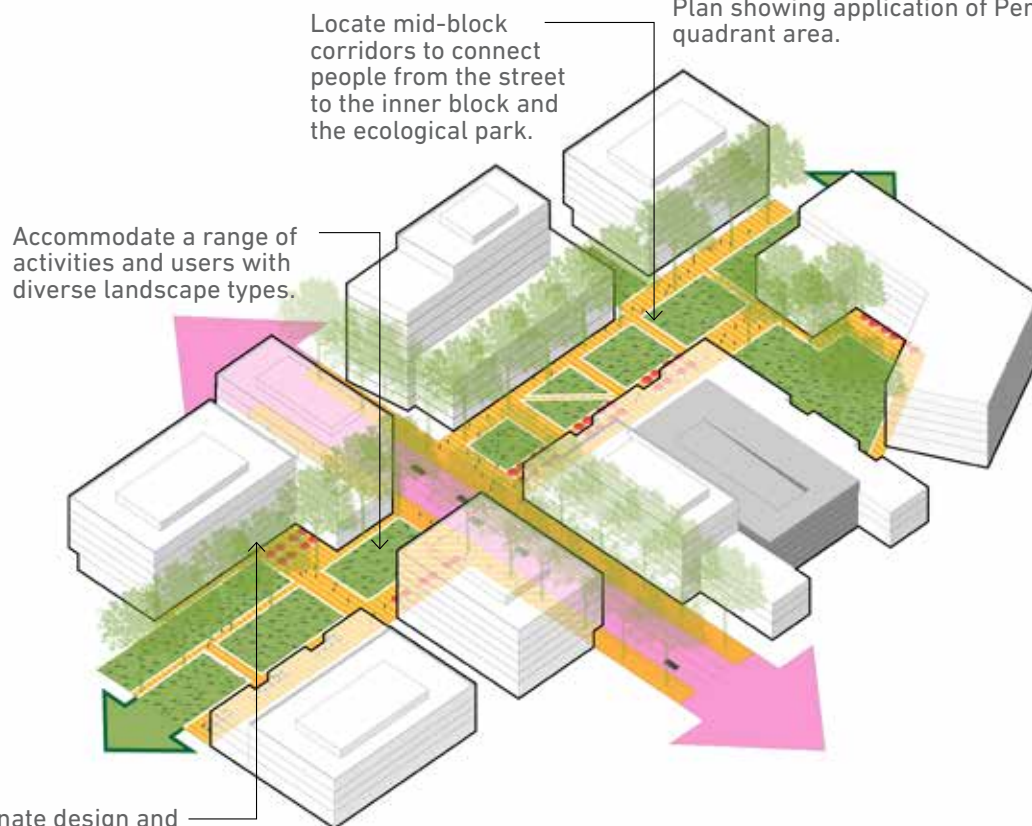
Design spaces that are open and accessible from the street to encourage use by all members of the community.

# 8. PERMEABILITY

**CREATE MID-BLOCK PEDESTRIAN VISIBILITY, ACCESS AND CONNECTIONS BETWEEN PRIMARY STREETS AND CIVIC/GREEN SPACE AMENITIES TO WELCOME THE COMMUNITY.**



Plan showing application of Permeability principle in four quadrant area.



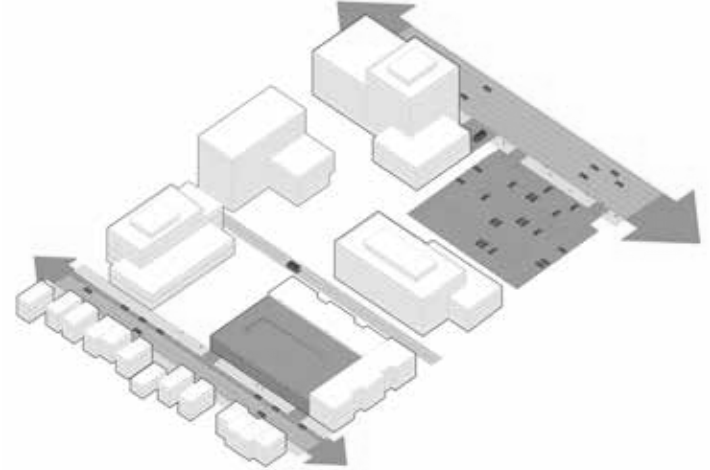
Locate mid-block corridors to connect people from the street to the inner block and the ecological park.

Accommodate a range of activities and users with diverse landscape types.

Coordinate design and programming with surrounding buildings to encourage active use of outdoor spaces.

# 9. COLLABORATION

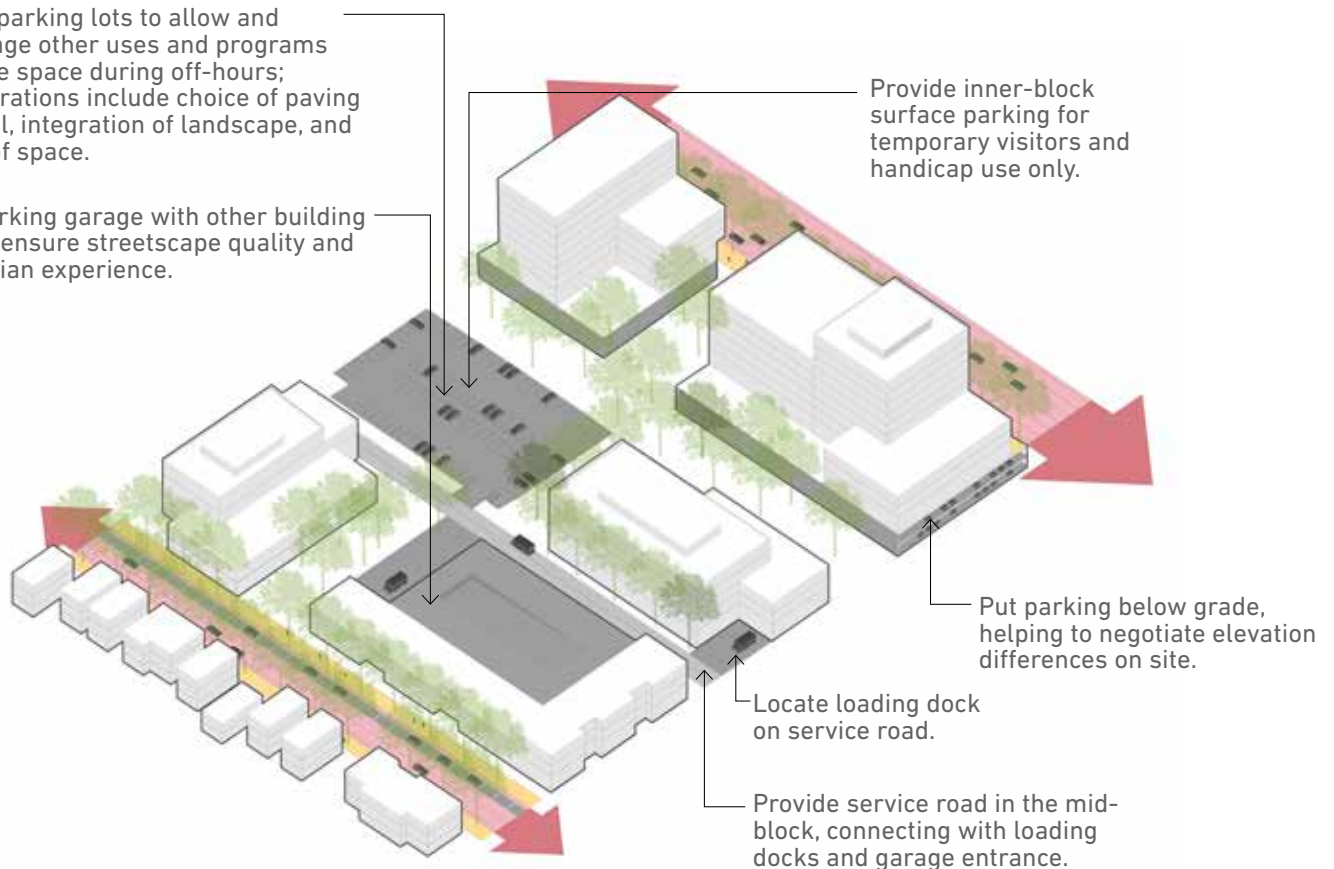
**MINIMIZE THE IMPACT OF PARKING ON THE PUBLIC REALM THROUGHOUT THE DISTRICT BY MINIMIZING SURFACE LOTS, SCREENING GARAGES, AND UTILIZING BELOW GRADE PARKING WHEN POSSIBLE. ENSURE SURFACE LOTS ARE DESIGNED TO BE PROGRAMMABLE, USABLE SPACES WHEN NOT REQUIRED FOR PARKING.**



**DON'T** - Streetfront Parking

Design parking lots to allow and encourage other uses and programs to utilize space during off-hours; considerations include choice of paving material, integration of landscape, and layout of space.

Hide parking garage with other building uses to ensure streetscape quality and pedestrian experience.





## GREAT SPACES: HAFENCITY, HAMBURG EXAMPLE

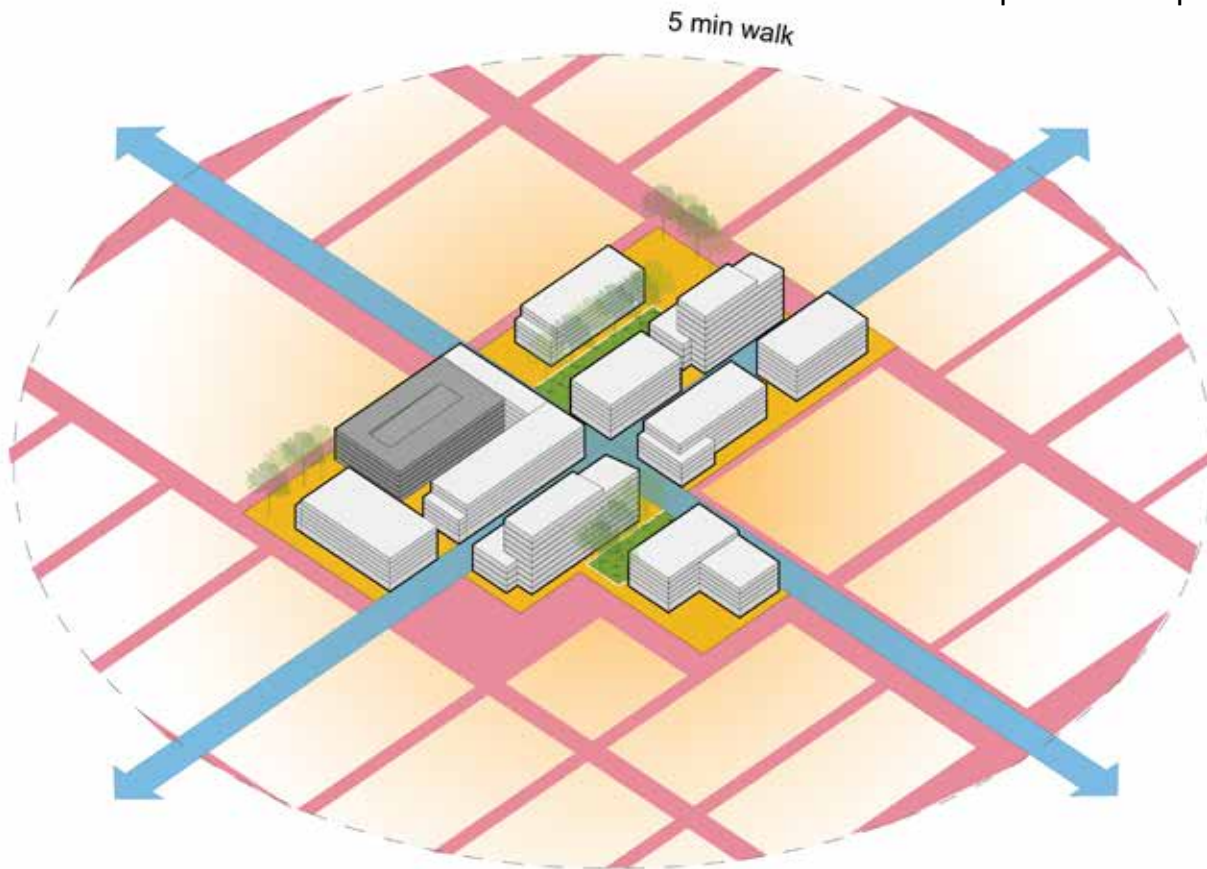
The main plaza at HafenCity in Hamburg, Germany exhibits many of the principles of great spaces planned for the Uptown Innovation Corridor.

1. **Urbanity:** Buildings help define the space with enclosure and ground level uses.
2. **Collaboration:** Gathering space with multiple program elements creates a space for collaboration and interaction.
3. **Quality:** High quality pavers, benches, lighting, and materials as well as special elements create a unique yet unified quality to the space.
4. **Activity:** Retail uses are located along the plaza bringing activity to the space.

# GREAT PLACES

## 10.DENSITY

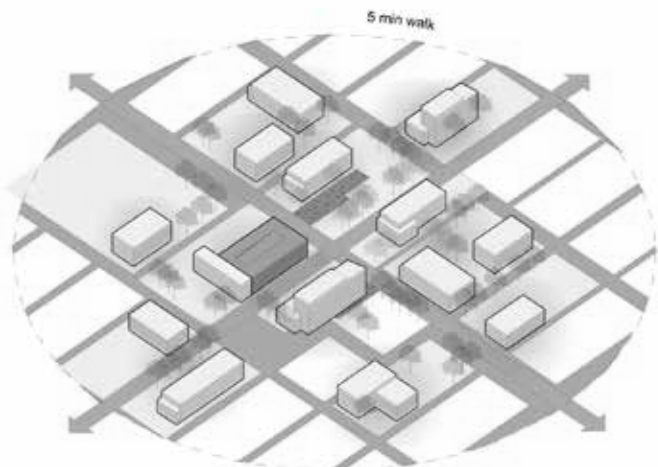
### DO - Compact Development



ENCOURAGE AND CONCENTRATE DENSITY ON PRIORITY DEVELOPMENT SITES TO CREATE A VIBRANT, COMPLETE PLACE AT EACH PHASE OF DEVELOPMENT.

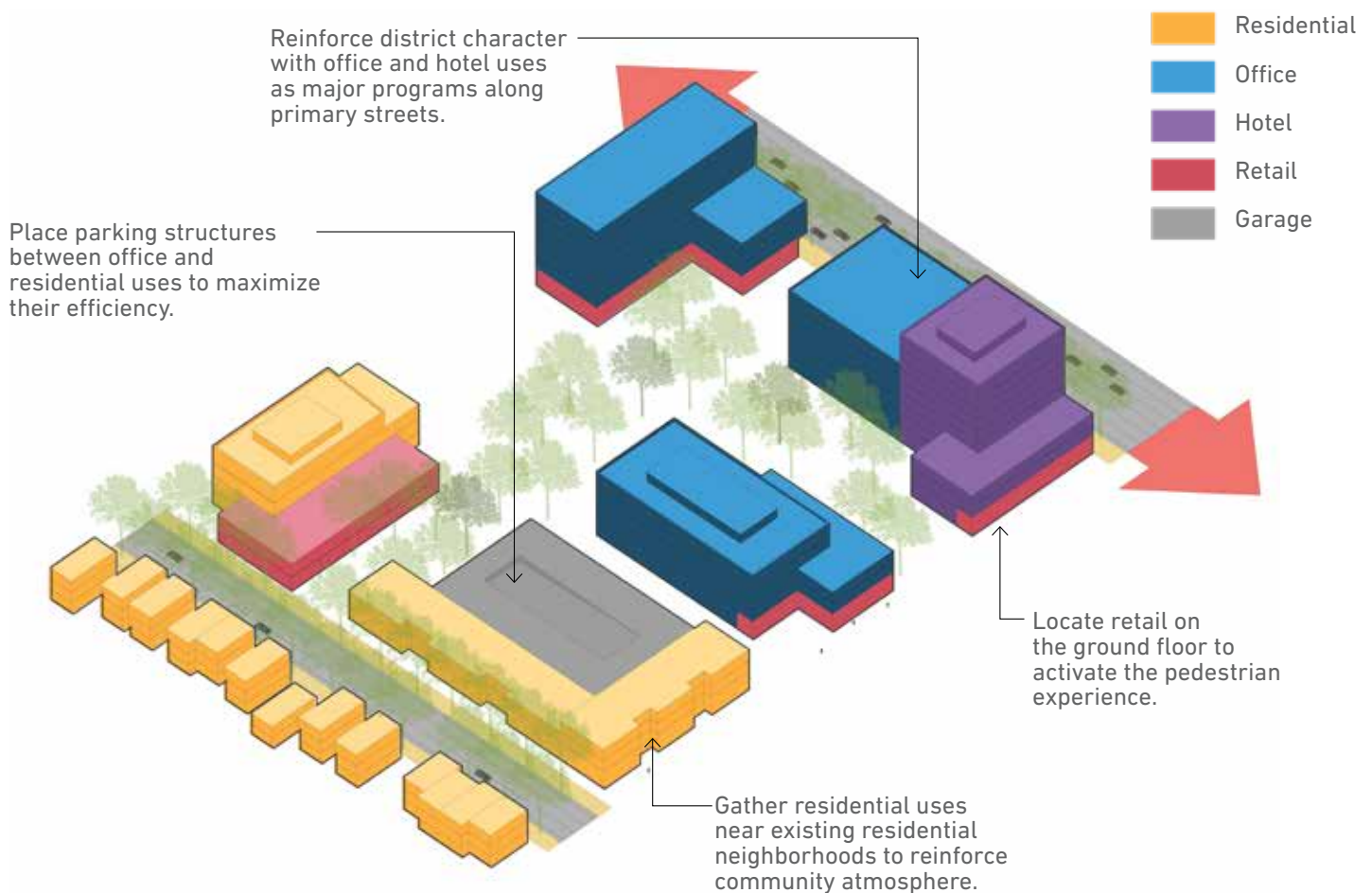
CAREFULLY PLAN PHASES SO THAT THEY FIT TOGETHER AND COMPLEMENT EACH OTHER ACROSS TIME AND ARE NOT FRAGMENTED.

### DON'T - Fragmented Development



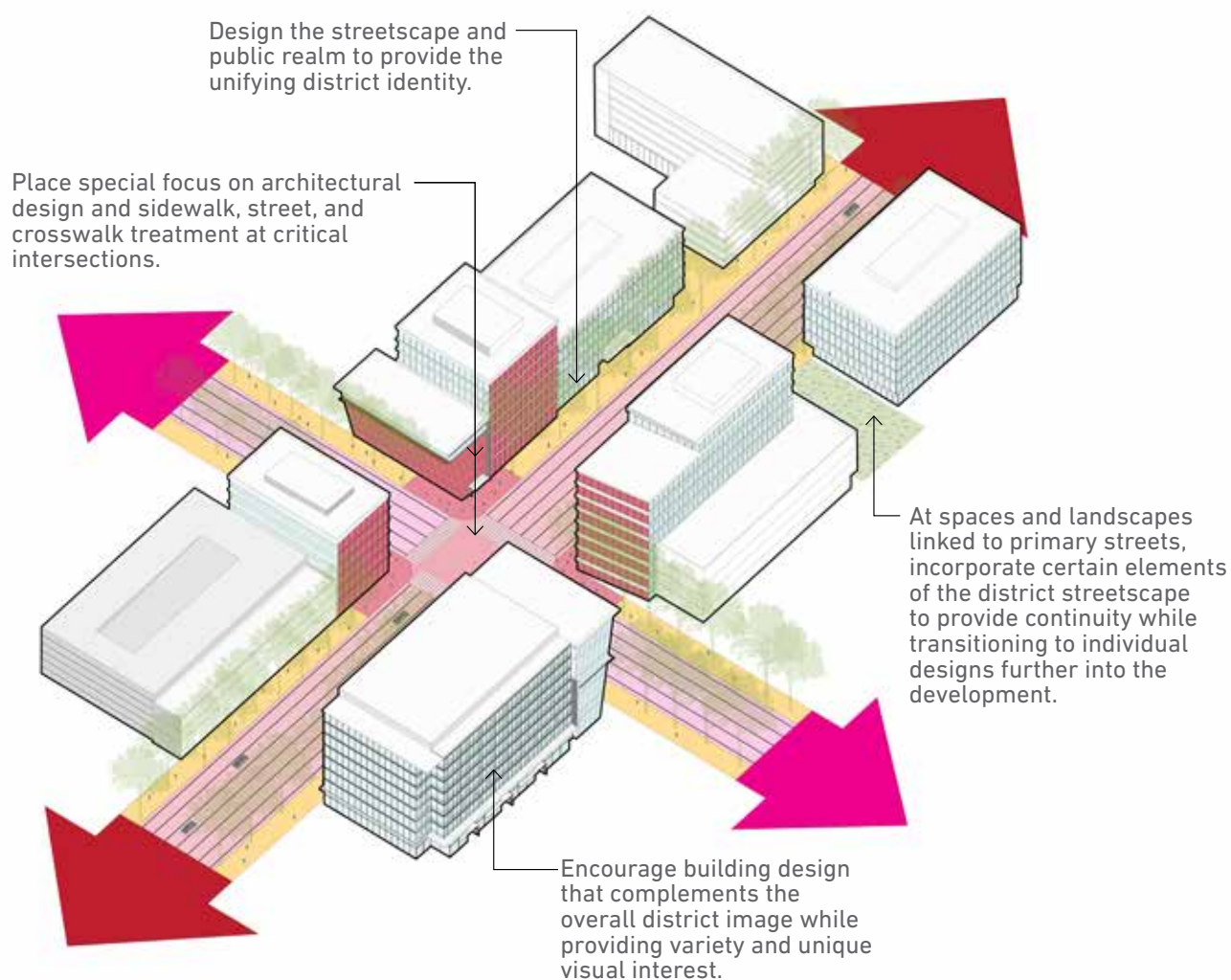
# 11.MIXED-USE

**MIX DIVERSE PROGRAMS WITHIN INDIVIDUAL BUILDINGS AND BLOCKS TO ACTIVATE SITES, MAXIMIZE INVESTMENT, AND BALANCE LAND USES.**



# 12.IDENTITY

**CREATE A UNIFIED UPTOWN IDENTITY ALONG PRIMARY STREETS THROUGH STREETSCAPE AND PUBLIC REALM DESIGN WHILE ENCOURAGING COMPLEMENTARY, YET UNIQUE DESIGN WITHIN INDIVIDUAL DEVELOPMENTS AND BUILDINGS.**



# 13. TRANSPARENCY

**BUILDINGS SHOULD BE OF HIGH QUALITY, MODERN DESIGN THAT REFLECTS THE IMAGE OF THE INNOVATION CORRIDOR. DESIGNS SHOULD INCLUDE TRANSPARENCY, ARTICULATION, SHADING, FORM, MATERIALS, AND OTHER ELEMENTS THAT LINK INDOOR AND OUTDOOR SPACES AND CREATE A VIBRANT URBAN CHARACTER.**



# 14. TRANSITION

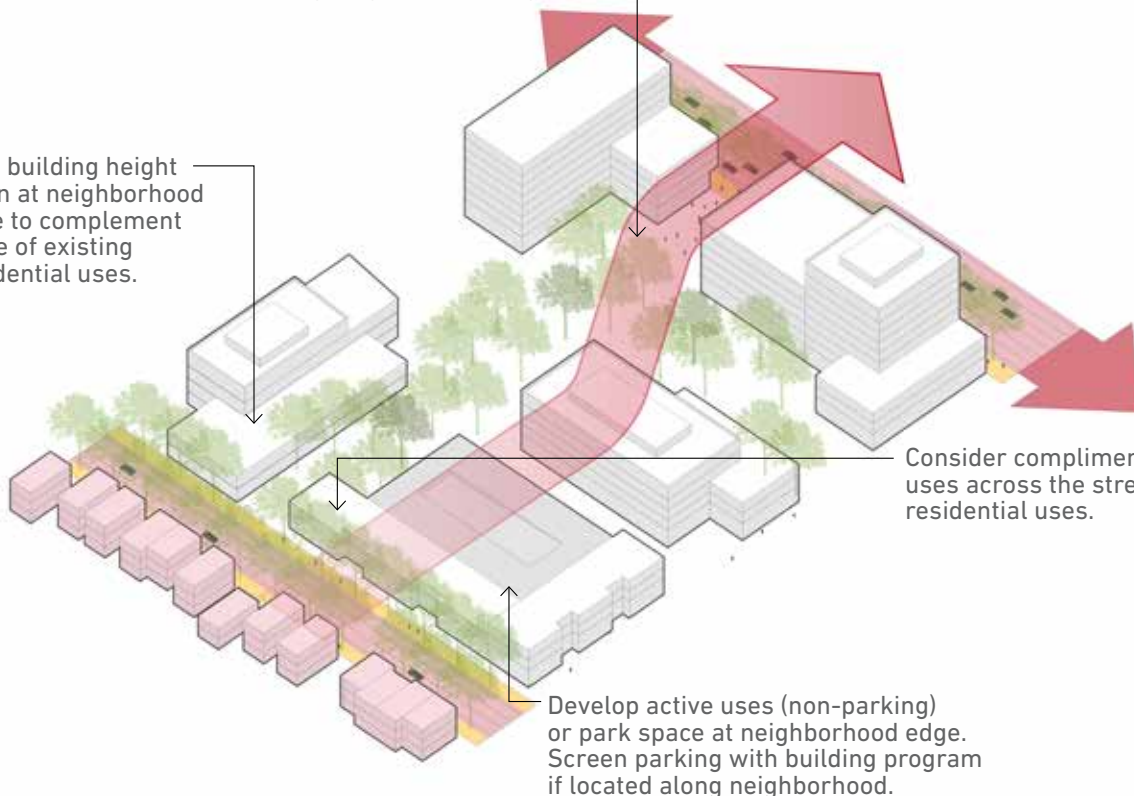
**ADDRESS RESIDENTIAL NEIGHBORHOOD EDGES WITH COMPLEMENTARY PROGRAM, DESIGN, SCALE, AND CHARACTER.**



Plan showing application of Transition principle in four quadrant area.

Step building height down at neighborhood edge to complement scale of existing residential uses.

Transition massing to larger scale as it moves away from existing neighborhood edge.



Consider complimentary residential uses across the street from existing residential uses.

Develop active uses (non-parking) or park space at neighborhood edge. Screen parking with building program if located along neighborhood.



## GREAT PLACES: UNIVERSITY PARK, CAMBRIDGE, MA EXAMPLE

University Park at MIT is an urban mixed-use district featuring office, research, residential, and retail uses. The scale and form of development respond to the community context, with higher densities closer to Massachusetts Avenue and MIT, and progressively lower densities approaching existing residential neighborhoods.

1. **Density:** Initial development was concentrated in a compact area around a central park to create a sense of completion and a unique place early in the development phasing.
2. **Collaboration:** A central park creates a gathering space for collaboration and contemplation.
3. **Transition:** Large scale, mixed-use buildings transition to smaller scale residential buildings at the neighborhood edge to complement the community context.
4. **Mixed-use:** The development includes a mix of office, laboratory, hotel, residential, and retail uses.

# DESIGN GUIDELINES

## DESIGN FOUNDATIONS

### DESIGN FOUNDATIONS

Great streets and memorable places are signature components of successful Innovation District. They can be achieved with a wide variety of design elements, as illustrated in these examples. These guidelines outline design standards specifically developed for the Uptown Innovation District.

A key component of Great Streets is multiple modes and catering to pedestrians.

#### GREAT STREETS

Great streets help to define important places by establishing an image and sense of identity. Streets that serve as major connections to and through the Innovation Districts provide an opportunity to “set the tone” for the district’s appearance. Streetscape elements and materials, when thoughtfully designed and installed, can be used to create a visual signature that represents the character, quality, and activity of a place. The use of consistent and coordinated palettes of materials, colors, textures and patterns will create a cohesive visual identity for the public realm of the District.

#### GREAT PLACES

Great places evolve through a combination of public and private actions and activities that shape the physical environment. Businesses and residents will change over time, and with them, building facades, signs and outdoor spaces like patios and front yards. These changes add character that helps to create a sense of place. The design of public streets, however, is the unifying force and should incorporate consistent and coordinated elements, while private developments provide visual variety along the street.

#### HIGH QUALITY

High quality, durable and aesthetically pleasing materials are critical to creating places where people are comfortable and enjoy spending time. The goal in urban areas and Innovation Districts is to mix uses and get people outside and walking between uses. Thus great streets should be designed like great parks, with attention to detail in all aspects of construction and installation. Quality materials like brick and stone add value to the public realm, transitions between different materials should be seamless, and no aspects of the street design should appear as an afterthought.

#### PUBLIC WORKS

Public works include a wide variety of infrastructure elements and facilities ranging in purpose from the purely utilitarian to the highly ornamental. Public roadways fall in the middle of this spectrum. They serve a basic utilitarian function by providing mobility and access and must be designed to meet safety, maintenance, and transportation service standards. But streets are also part of the built environment that people physically experience on a daily basis. The visual experiential quality of the public right-of-way is critical. Streets within the Uptown Innovation District should function as an extension of the public open space system.

# PUBLIC REALM DESIGN PRINCIPLES

1



## ENGAGING PEDESTRIAN ZONES

Create generous and high-quality pedestrian zones that encourage people to walk and stroll. The most successful pedestrian zones are at least wide enough for two pairs of people walking abreast to comfortably pass; and have ample and attractive pedestrian-scale lighting, planting, and street trees. At the pedestrian scale, people notice and experience materials and quality, so details and construction level are very important.

2



## ACTIVE RETAIL ZONES

Encourage active retail adjacent to the public realm along sidewalks by placing buildings close to the sidewalk with transparent storefronts and frontage/forecourt space for outdoor dining, display, and interactive seating.

3



## INVEST IN THE CORNERS

Focus investment and the highest quality materials and design around the street corners, as corners are where multiple streams of people and modes cross and often places of great vitality. Corners are also important places for wayfinding and identity placemaking.

4



## EMBRACE MULTIMODEL

Design streets to encourage and support multiple modes of transportation. In the 21st century great streets must be multi-modal, serving the diverse mobility needs of the population. This means accommodating walkers, joggers, strollers, dogs, wheelchairs, scooters, bicyclists, vehicles, parking & drop-off, autonomous vehicles, trucks, deliveries, busses, and future transit technologies. Great streets provide dedicated zones for pedestrian, bicycle, and vehicular travel. There are challenges to provide for all modes in built street environments, so communities may need to prioritize different modes throughout the street network but be sure to support them all within the district.

# PUBLIC REALM DESIGN PRINCIPLES

5



## PLACES FOR STAYING

Encourage the inclusion of lushly landscaped forecourts, pocket parks, pedestrian allees, and open courtyards along streets that invite people outside to relax and interact. These spaces should draw people off the sidewalk and could include outdoor dining, play, and other activities. These are especially effective mid-block to provide access from the sidewalk to the interior of the block and rear parking areas, as well as to reduce the perception of fortress building massing and impenetrable blocks.

6



## APPROPRIATE SPACIAL STRUCTURE

Size and place buildings and landscape zones along streets to appropriately frame the street corridor. The wider the street, the more important it is for taller, vertical architecture and trees to line the street and space, helping to create an appropriate scale. For large streets like MLK Boulevard and Reading Road, buildings should be at least five stories in size and placed close to the street corridor edge, with a wider streetscape zone to allow for a robust street tree and pedestrian area. Robust plantings reinforce spatial structure and are also a fundamental part of great streets.

7



## IMPORTANCE OF STREET TREES

Incorporate street trees fully into the public realm. Street trees provide a myriad of beneficial public and private benefits: from aesthetics, to shade, to storm water, to air quality, to habitat, to nature, to pleasing people, to increased property value. To achieve these benefits, the right tree species, placement, and planting soil must be selected. Proper street trees are deciduous, grow tall, and are pruned so that the bottom of the canopy is above the first floor - providing visibility to storefronts and signs while providing summer shade, fall color, winter sun, and spring flowers.

8



## INTEGRATE WATER MANAGEMENT

Design streetscapes that integrate water management into the overall design. Addressing storm water requirements is often a challenge for new development. The design and re/construction of streets is the best time to incorporate water management to help with storm water quantity and quality requirements. From street trees and planters, to opportunities for bioretention and bioswales, to incorporation of pervious pavers and pavement, streetscapes and the public realm provide opportunities to address water management and sustainability.

9



## MULTI-FUNCTIONAL SPACES

Promote flexible design of streets, streetscape, and public spaces so that they can be used in different ways at different times. For example, parking zones or medians can be designed to serve as additional plaza and event space on weekends or evenings for things like farmer's markets or festivals. Or they could be designed to convert into outdoor dining in certain locations. Considerations could include material selection, the use of curbless edges, the placement of additional electric capacity, etc. The key is to build in flexibility in strategic locations.

10



## TRANSITIONS + MIXING ZONES

Carefully design areas of transition, such as those where different modes or activities intersect, or where public space/right-of-way borders private space. Areas such as streets or drives crossing the pedestrian zone, or where a bike/mobility lane abuts a sidewalk, should be designed with material changes that help signal where this is occurring and how to safely navigate it. It is equally important for the transition between public and private space to be subtle, so that private frontage feels both visually and functionally a part of the street corridor while allowing for some individual expression.

11

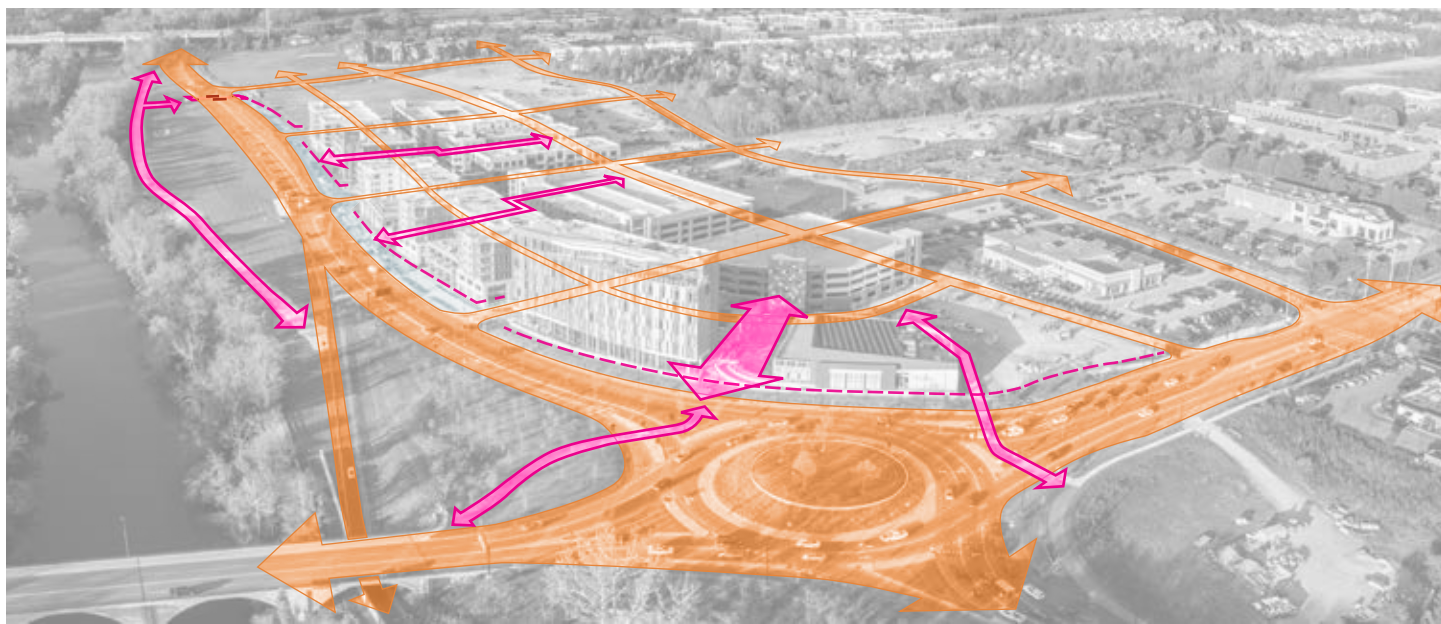


## RETHINKING LEFTOVER SPACES

Focus on the potential of all spaces. In urban districts, there should be no "leftover" space. Streets, blocks, and sites should be designed to create places with purpose. Leftover spaces can sap the energy of innovation districts and divide areas. Design or convert unprogrammed spaces into contributing and intentional spaces. This may be placing trails and seating in natural areas, creating plazas or greens, converting an area into a dog park, or incorporating public art, just to name a few strategies.

# DESIGN GUIDELINES

## BLOCK PATTERN



### INTENT

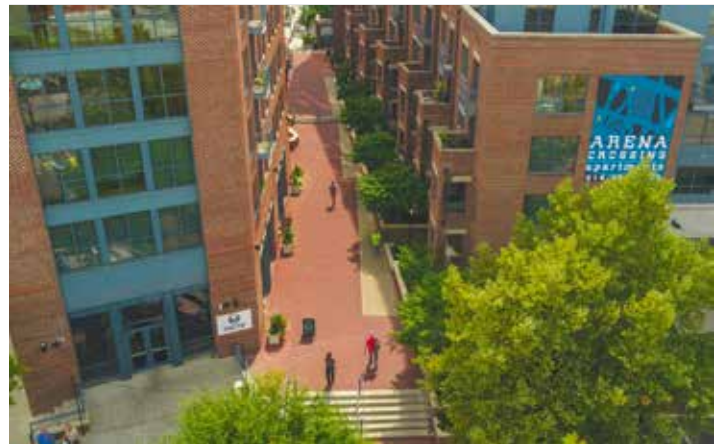
Short blocks that are approachable and can be traveled easily by foot contribute to a pedestrianized environment. Right-sized permeable blocks create an environment conducive of pedestrian movement.

The best and most walkable urban environments have blocks no larger than 300 x600 feet. Districts with blocks at this scale are inviting to people and establish a foundation for a vibrant and active place. They enhance connectivity and add corners which are important location for retail activity. Large blocks, aka “superblocks”, with fortress-like building walls, impede desired activity and should be avoided. The use of alleys, pedestrian vias, a building arcades that provide pedestrian passage through blocks are important, facilitating walkability, adding character, and creating more opportunities for commerce and interactions.

## GENERAL GUIDELINES

- 1 Require walkable blocks that are scaled to the pedestrian experience by encouraging block sizes between 400 and 600 ft.
- 2 Connect new development to existing sidewalks.
- 3 Encourage pedestrian cut-through to break block size and increase pedestrian connectivity and permeability
- 4 Encourage activation of pedestrian cut-through and internal roads
- 5 Avoid conflict between pedestrian circulation and vehicle access

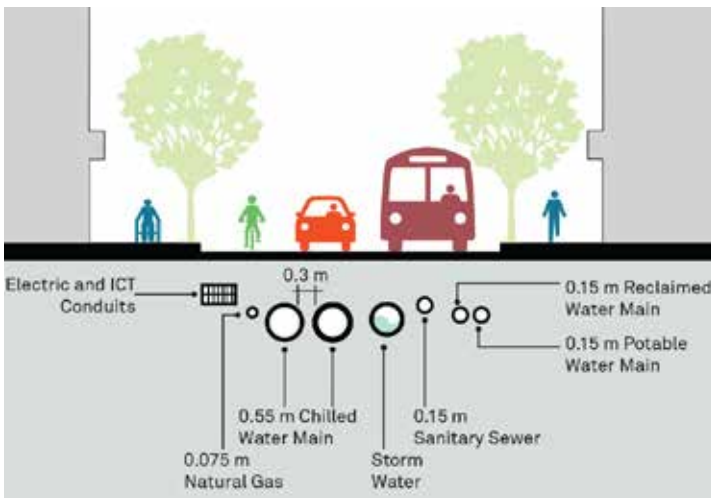
## D0



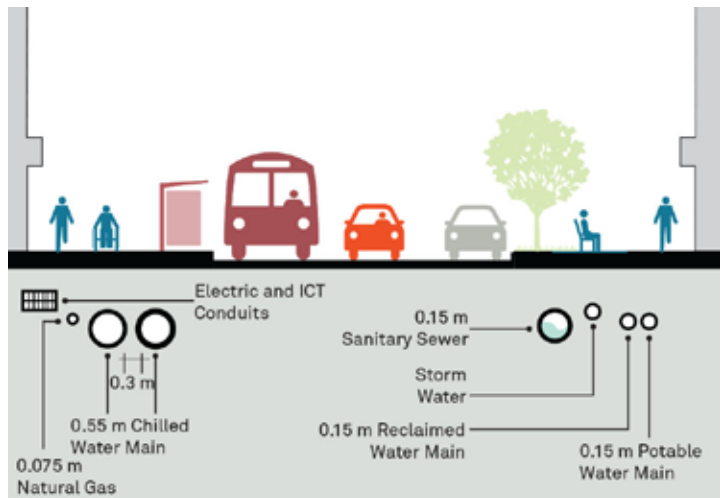
# DESIGN GUIDELINES

## UTILITIES

### OPTION 1. Install Utilities in the Roadbed



### OPTION 2. Install Utilities Adjacent to the Roadbed



Source: Adapted by Global Street Design Guide published by Island Press.

## INTENT

Commonly found utilities in the public realm are water supply and firefighting, stormwater and wastewater, electricity and communications, greeninfrastructure, lighting and gas. Minimize the utilities visual impact enhance the pedestrian experience while keeping quality service provided.

The two diagrams above illustrates the underground utilities placement guidance adapted by Global Street Design.

## GENERAL GUIDELINES

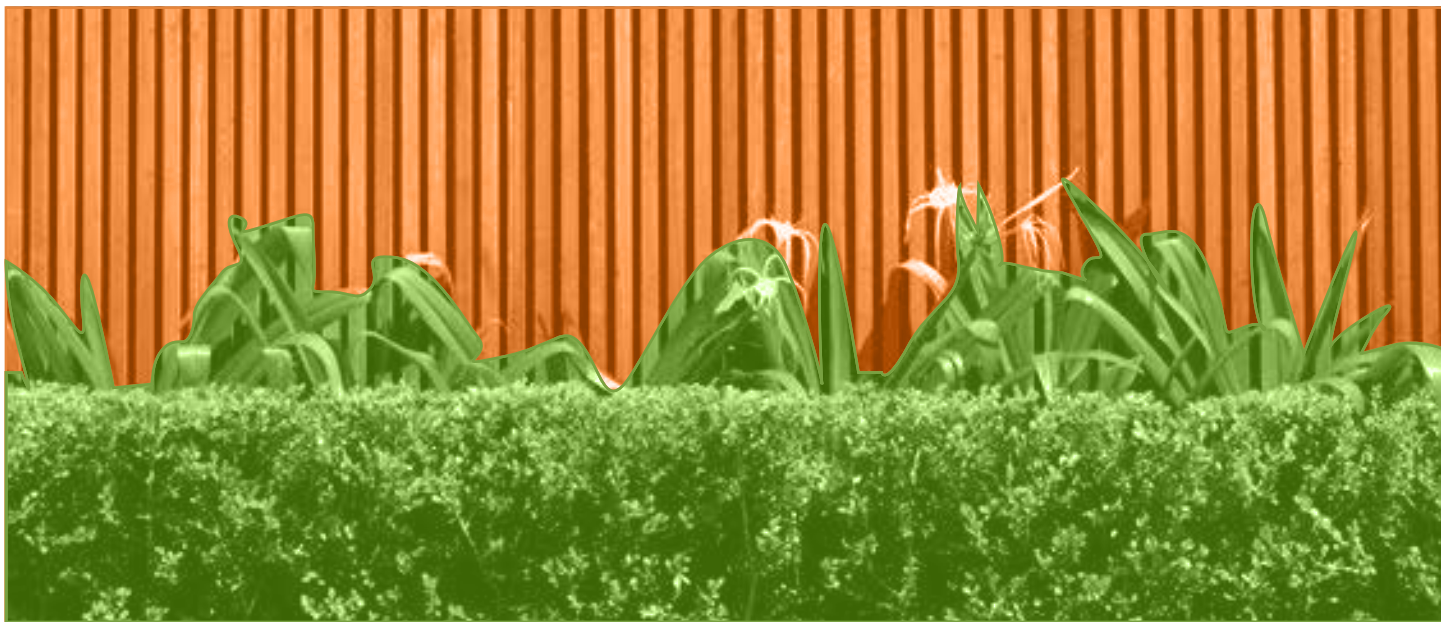
- 1 Whenever feasible bury utilities.
- 2 Encourage the use of green renewable energy sources.
- 3 Locate “back-of-house” utilities out of sight but accessible for service.
- 4 Minimize number of utilities at corners to maximize the pedestrian experience.
- 5 Utilize adequate planting or architectural screening.
- 6 Encourage artistic expressions on utility boxes.

## DO



# DESIGN GUIDELINES

## WALLS, FENCING, AND SCREENING



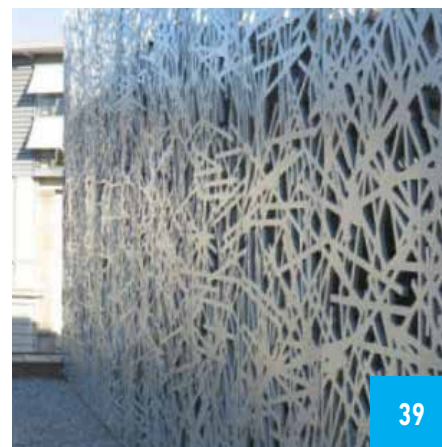
### INTENT

Upright structures such as wall, fences and screening positively impact walkability when properly designed, and installed. It is used to protect pedestrians from potential dangerous or unsightly areas. It is also an opportunity to add lighting, seating and artistic expression to the streetscape.

## GENERAL GUIDELINES

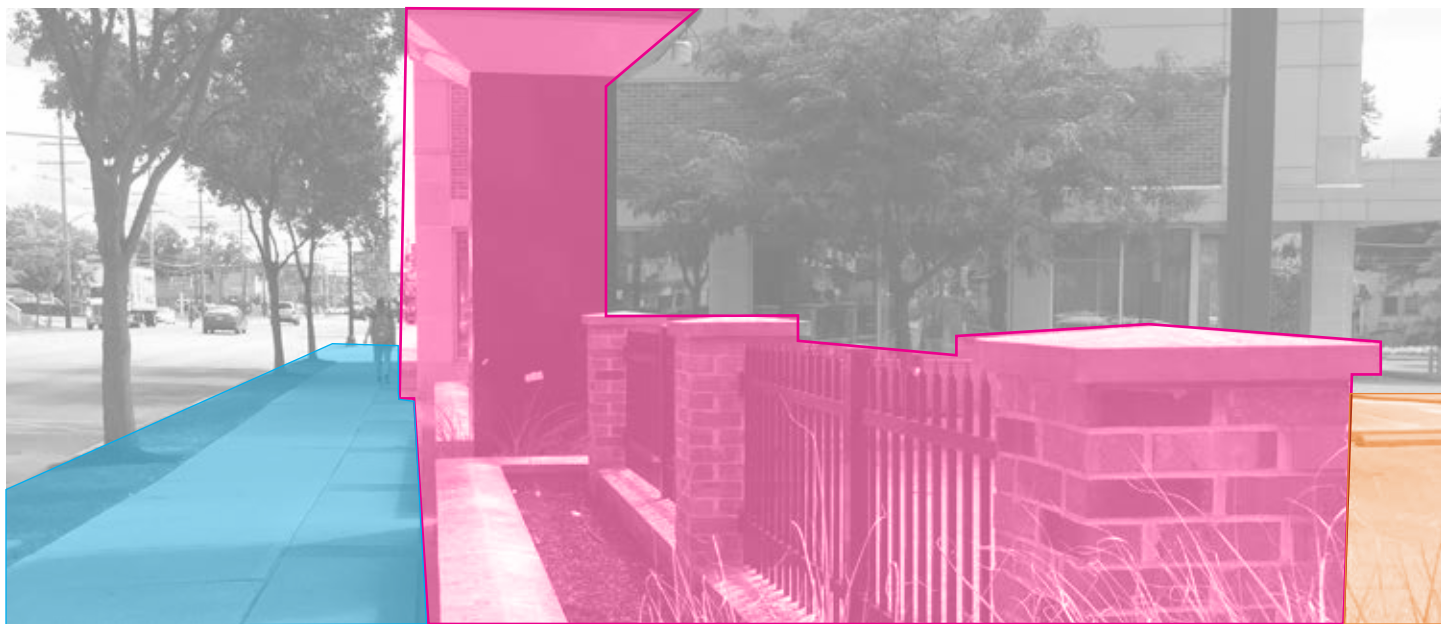
- 1 Use durable and lasting materials and ensure it is compatible of adjacent buildings as design should complement its architectural and integrated to it.
- 2 No walls are allowed between the street and any building, except low retaining walls and screening for authorized off-street loading area.
- 3 If utilizing a landscape screen refer to species in this guideline (page#)
- 4 Encourage seating walls in areas of high pedestrian traffic. Seating wall should be between 16-18 inches tall and 18" deep.
- 5 Allow and encourage artistic expression to amenitize streetscape.

## D0



# DESIGN GUIDELINES

## PARKING LOTS



### INTENT

On-site parking can be accommodated in surface parking lots, although structured and on-street is preferred. Surface parking lots must be designed and placed to provide proper access without compromising the public realm or pedestrian activity. Surface parking lot can be utilized as part of a phasing implementation strategy.

## GENERAL GUIDELINES

- 1 On-street parking and structured parking is encouraged where possible.
- 2 Parking should be located behind buildings. If parking lots are visible from a street, they should be buffered or screened with landscaping or low walls.
- 3 Parking lots should be accessed by alley or side street where possible.
- 4 Encourage the use of tree canopy, bioswales, and low-impact site development strategies.

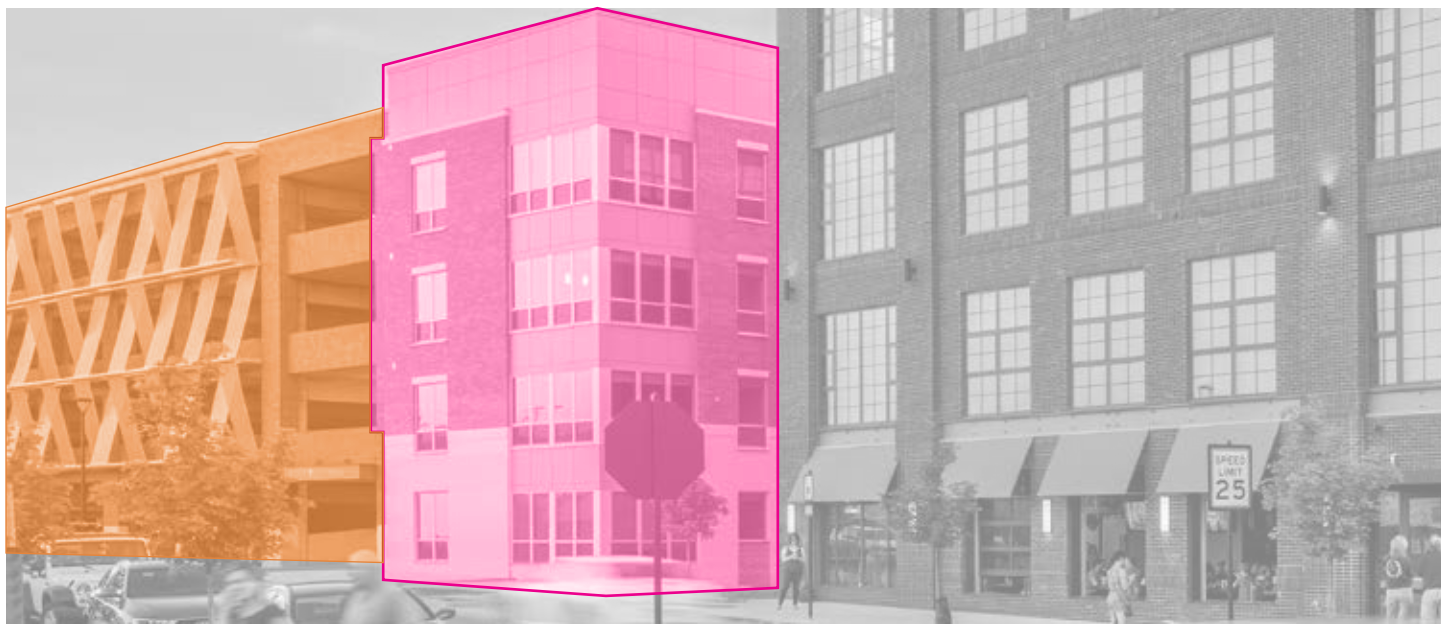
## DO



**DO NOT**

# DESIGN GUIDELINES

## PARKING STRUCTURES



### INTENT

Parking structures are crucial to dense development, but they should not distract from the overall character or environment. Parking structures should be designed in a way that adequately accommodates parking needs while adding to the aesthetic quality of a place or fitting in with the surrounding context.

## GENERAL GUIDELINES

- 1 Parking should be structured.
- 2 Parking should be wrapped with, screened, or built with materials and articulation that complement the surrounding context.
- 3 Surface parking lots should be prohibited except when part of project phasing.
- 4 Parking structures should be accessed by alleys and side streets.
- 5 Ground-level street frontage should include active storefronts or pedestrian spaces.
- 6 Encourage the use of public art, lighting and creative materials.

## D0



# DESIGN GUIDELINES

## BUILDING PLACEMENT



### INTENT

The placement of buildings, entries, drives, parking, service areas and public spaces are important to the block pattern. Appropriate placement of buildings creates a street wall that provides a consistent edge, maintains a human scale, and establishes the overall character or feel of a place.

Orienting building façades to the sidewalk edge establishes a street wall that promotes safety and comfort in the pedestrian realm.

Outdoor dining brings lively activity from the private realm into the public realm. Ensure that outdoor dining and other active ground floor uses do not encroach on the flow of pedestrian traffic.

Terraced walls respond to major changes of elevation while maintaining walking paths and providing additional seating.

Parking areas tucked into the middle of the block provide more opportunity for vibrant pedestrian areas along the street wall.

## GENERAL GUIDELINES

- 1 Building frontage should be aligned uniformly and along the sidewalk edge.
- 2 Public areas within buildings should face the public realm.
- 3 On-site parking should not be visible from the street where possible and should not conflict with pedestrian activity.
- 4 Ensure that outdoor dining does not interrupt pedestrian traffic.

## DO



# DESIGN GUIDELINES

## BUILDING MASSING & ARTICULATION



### INTENT

The general shape of buildings or series of buildings should be designed with scale, proportion in mind to maintain compatibility with surrounding buildings and promote a pedestrian-scaled public realm. Articulation of building facades can help break down the scale of large buildings and accentuate certain site or building elements through the use of architecture features, materials, fenestration, awnings, balconies, heights and setbacks.

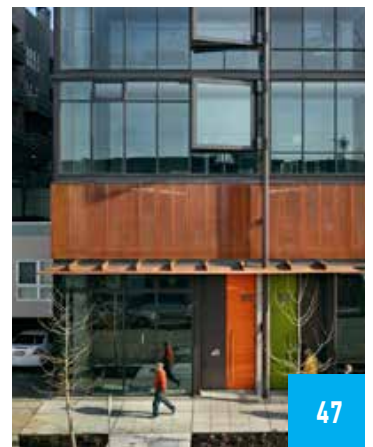
Providing definition between the ground floor and upper floors of buildings creates variety in the private realm. Stepping upper stories back from the primary façade helps the overall achieve a human scale by reducing the impact of tall buildings along the street wall.

Divide larger buildings and their façades into smaller modules so that the form and massing can better relate to its surroundings. Horizontal and vertical elements provide variety and visual appeal that relates to its surrounding context. Design street level stories at a human scale such that they relate to the pedestrian user and adjacent properties.

## GENERAL GUIDELINES

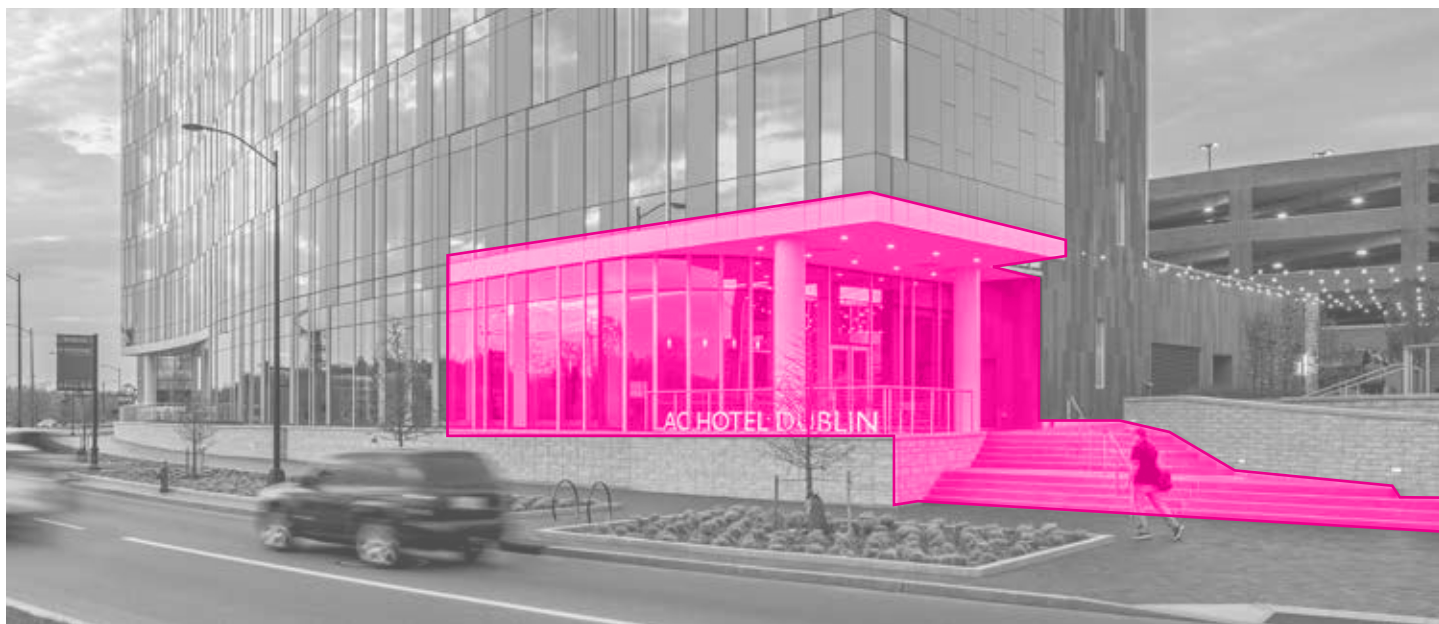
- 1 Building mass, scale, articulation and proportion should reflect and complement its surrounding context.
- 2 The ground floor should be articulated differently than the upper floors to create pedestrian scale.
- 3 Transparency of the ground floor should be maximized to allow views of activity.
- 4 Avoid monotonous facades and encourage the use of horizontal and vertical articulation to express facade widths.
- 5 For buildings at corners, accentuate the corner with architectural elements.
- 6 Encourage the use of creative facade materials and details.

## D0



# DESIGN GUIDELINES

## BUILDING ENTRY



### INTENT

A building entry is an access point into a building. Building entries should be located and designed to promote activity and walkability. Building entries can also be used to articulate building facades and differentiate storefronts. Buildings need to interact seamlessly with adjoining sidewalks, streets and open spaces.

Successful entries are distinct and legible to pedestrians, without dominating a building's overall composition. Locating entrances along active areas of the public realm promotes a steady flow of pedestrian traffic into and out of buildings. Large buildings with multiple entrances create variety and provide flexibility to accommodate future uses.

Clean, transparent windows make a more active and interesting ground floor for pedestrians. Restaurants with open windows and doors draw in visitors and pronounce their purpose as a destination. Separated residential entries that face onto the public realm create an inviting street edge.

Corner entrance can either be setback or with doors on both sides of the street. While the former requires only one entrance the latter addresses each side equally.

## GENERAL GUIDELINES

- 1 Entrances must face the public realm and be located at active and convenient locations to encourage walkability.
- 2 Entrances must be accessible by all levels of physical ability.
- 3 For buildings at corners, entrances should be used to anchor the intersection.
- 4 Entrances must be articulated using architectural elements such as awnings, signs, recessed entries, materials or furnishings and/or landscape elements.
- 5 Entrances should be designed to pronounce their purpose and differentiated by use.

## D0



# PUBLIC REALM

## ZONES OF THE PUBLIC REALM

### ZONES OF THE PUBLIC REALM

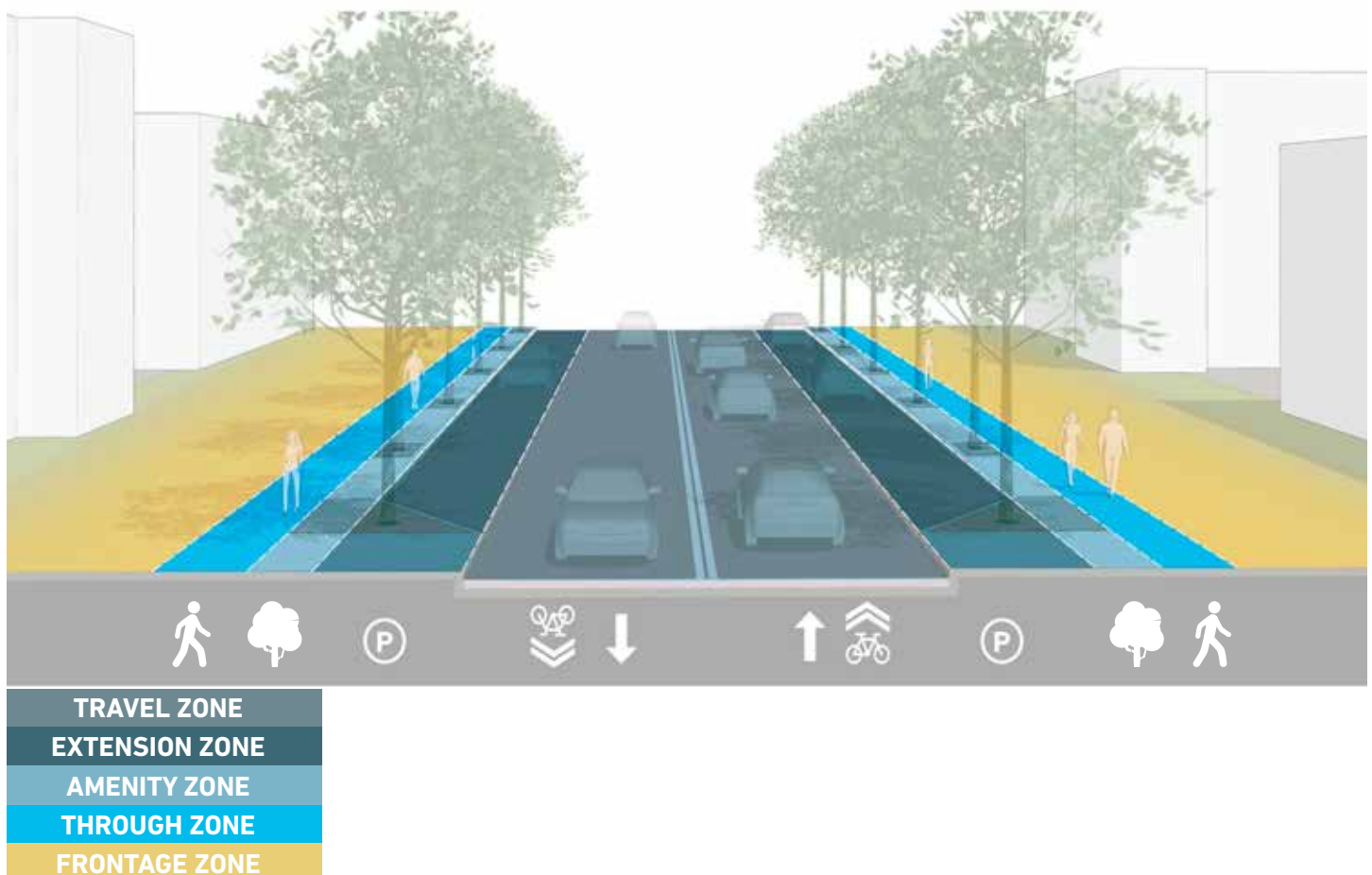
The public realm is the space around, and between buildings that is publicly accessible, including streets, sidewalk, parks and open spaces. This area is predominately within public rights-of-way, but also includes privately owned public space (POPS), land which, though privately owned, open to and is made available to the public.

For the purpose of these guidelines, the public realm is categorized into five zones. Each zone

includes unique features and functions of the public realm. The diagram below illustrates the five zone types while the following page further describes each zone as well as how this document addresses each zone.

To achieve great streets, it is imperative to get the design of this space correct. Complete Streets principles are also critical in Innovation Districts and this document embraces those principles to accommodate all modes of travel within the District.

### ZONE TYPES



## TRAVEL ZONE

The Travel Zone is the portion of the street dedicated to the through movement of vehicular traffic. Generally auto-oriented, the Travel Zone also accommodates mass transit systems and on-street bike facilities such as bike lanes and sharrows.

## EXTENSION ZONE

This area, typically used for parallel, on-street parking, is also where pedestrian space may be extended into the parking lane, via features such as bulb-outs and mid-block curb extensions. This document prescribes which types of street should accommodate on-street parking and where pedestrian friendly Extension Zone techniques may be used.

## AMENITY ZONE

This area, generally still within the public right-of-way, is adjacent to the sidewalk and is home to street trees, landscaping, transit stops, street lights, traffic control and wayfinding signs, and site furnishings. Also referred to as the buffer zone, this area provides physical separation between the pedestrian and vehicular travel zones. This area may be a planted streetscape or an extension of the Through Zone hardscape or a combination thereof. The Amenity Zone may also include the area generally referred to as an edge zone, which is the area used by people getting in and out of vehicles parked at the curbside. This document prescribes dimensional, material, and landscaping standards for the Amenity Zone.

## THROUGH ZONE

This is the portion of the sidewalk dedicated to the unobstructed, linear through movement for pedestrian travel along the street. The Through Zone is subject to specific standards to comply with the Americans with Disabilities Act (ADA). These standards recommend sidewalk widths which allow two parties walking abreast to pass each other comfortably. This document prescribes dimensional and material standards for the Through Zone.

## FRONTAGE ZONE

This is the area adjacent to the property line where transitions between the public sidewalk and ROW and the private forecourt and building face occurs. It provides a zone of transition from the sidewalk to building entries while also activating building fronts. This area is predominantly, but not exclusively, privately owned. This document prescribes standards for setbacks, landscaping, and appropriate street-side activities within the Frontage Zone.

## CONDITIONAL ZONES

Certain portions of the streetscape require special consideration in terms of the spacing and placement of streetscape elements.

- + Intersections/Corners
- + Transit Stops
- + ADA Parking
- + Driveways
- + Medians

# STREET HIERARCHY

## OVERVIEW

Public works include a wide variety of infrastructure elements and facilities ranging in purpose from the purely utilitarian to the highly ornamental. Public roadways often fall in the middle of this spectrum. They serve a basic utilitarian function by providing mobility and access and must be designed to meet safety and transportation service standards. But streets are also part of the built environment that people physically experience on a daily basis. They establish the baseline experience for people moving through them. To create the desired identity

and environment desired in the Uptown Innovation District, the visual quality of the public right-of-way is critical.

Street design must be a balance of providing for the safe and effective movement of people in various modes and the creation of an appealing aesthetic and foundational sense of place. Streets can be classified into groups based upon the traffic and modes they accommodate and the type of character they establish. Provided here is the street hierarchy for the Uptown Innovation District study area.

## STREET HIERARCHY







# STREET DESIGN MATRIX

We have classified the streets into seven types in three groups. The arterial streets that carry traffic to and through the area are identified as “Signature Boulevard” (Martin Luther King Jr. Boulevard) and “Primary Avenue” (Reading Road). The collector streets that provide access within the Uptown District and surrounding neighborhoods are “District Avenue” (Harvey Avenue/Vernon Place and University Avenue/Lincoln Avenue) and “Neighborhood Collector” (Ridgeway Avenue, Whittier Street, Winslow Avenue, etc.). The last group are internal streets and ways, a number of

which do not exist today and which will be built as the area and blocks develop. They are “ceremonial street”, “courtyard commons”, and “pedestrian way”. These internal streets and ways may include both publicly-dedicated streets and private streets. Generally, the vehicular traffic volumes range from greatest – Signature Boulevard, to least – Courtyard Commons.

The following matrix summarizes the characteristics and define parameters for each of the street types.

						MEDIAN	TRAVEL LANES	LANE WIDTH	SPEED	ROW WIDTH	BIKE FACILITIES
ARTERIAL	SIGNATURE BOULEVARD	●	●	◐	◐	Allowed Turn Lane Planted	6	12'	30-40 mph	100' - 132'	Off-Street Through Zone
	PRIMARY AVENUE	●	●	◐	◐	Allowed Turn Lane	4 - 5	11'	25-35 mph	74' - 112'	On-Street Bike Lanes
COLLECTOR	DISTRICT AVENUE	◐	●	◐	◐	Prohibited	2 - 3	11'	25-35 mph	60' - 72'	On-Street Bike Lanes
	NEIGHBORHOOD CONNECTOR	○	●	●	●	Prohibited	2	10'	25 mph or less	48' - 52'	On-Street Sharrows
INTERNAL STREETS	CEREMONIAL STREET	○	●	◐	◐	Allowed Planted Programed	2	10'	25 mph or less	52' - 166' Street may be private.	Off-Street Through Zone
	COURTYARD COMMONS	○	◐	◐	◐	Allowed	2	10'	20 mph or less	40' - 60' Street may be private.	Off-Street Through Zone
	PEDESTRIAN VIADOR	○	○	◐	●	n/a	n/a	n/a	n/a	18'-45' Alley private	Shared Through Zone
		COMPLETE STREETS BALANCING MODE EMPHASIS					● Mode Emphasized ◐ Mode Balanced with Other Modes ○ Mode Not Emphasized				

# STREETSCAPE HIERARCHY

## OVERVIEW

While the Street Hierarchy focuses on travel and modes, the Streetscape Hierarchy provides additional guidance for the street and streetscape design – particularly behind the curb. To create the identity and environment desired in the Uptown Innovation District, the visual quality of the public right-of-way and the private frontage behind it is crucial. Intersections also represent important identity and wayfinding opportunities. This matrix

highlights the component public realm zones and streetscapes of the various street types.

The objective is to create a distinct pedestrian street character throughout the district that encourages an active pedestrian environment. Fundamental components include the creation of a street canopy, and aesthetically-pleasing, comfortable, and appropriately lighted sidewalks. It is also important to provide for on-street parking to support active first-floor uses.

## STREETSCAPES



# STREETSCAPE DESIGN MATRIX

This also helps to describe the character of the quasi-public space between the right-of-way and building face on private property. These are the expanded outdoor seating, entry, forecourt, and pocket park areas that create an engaging street and place. They should be of materials and function as an extension of the public street and open space system.

It is expected that these streetscapes are all complementary and part of the same general

identity. Streets within the Uptown Innovation District should prioritize architectural/ landscape design, high-quality materials, and construction quality to reinforce Uptown's identity as a leading innovation district.

The following pages further expand upon these design details.

The following matrix summarizes the characteristics and define parameters for each of the streetscape and public realm types.

		EXTENSION ZONE	AMENITY ZONE	THROUGH ZONE	FRONTAGE ZONE	AMENITY ZONE PERMEABILITY	ON-STREET PARKING	LIGHTING	STREET TREES	MATERIAL PALETTE
ARTERIAL	SIGNATURE BOULEVARD	n/a	8'	12' - 20'	0' - 35'	Low	Not Allowed	Street, pedestrian and accent	Canopy	Palatte A
	PRIMARY AVENUE	0' - 8'	8'	10'	0' - 10'	Medium	Permitted	Street, pedestrian and accent	Standard	Palatte A
COLLECTOR	DISTRICT AVENUE	8' - 12'	6' - 12'	8' - 9'	0' - 30'	Medium	Permitted	Street, pedestrian and accent	Standard	Palatte B
	NEIGHBORHOOD CONNECTOR	0' - 8'	4' - 6'	4' - 6'	0' - 15'	High	Encouraged	Street and pedestrian	Standard	Palatte C
INTERNAL STREETS	CEREMONIAL STREET	8'	8'	8' - 10'	0' - 10'	High	Encouraged	Street, pedestrian and accent	Standard	Palatte A
	COURTYARD COMMONS	n/a	4' - 6' *	10' *	0' - 10'	High	Encouraged	Street, pedestrian and accent	Ornamental	Palatte B,C
	PEDESTRIAN VIADOR	n/a	n/a	n/a	n/a	n/a	n/a	Pedestrian and accent	Ornamental	Palatte A
PUBLIC REALM STREETSCAPE										

# RIGHT-OF-WAY

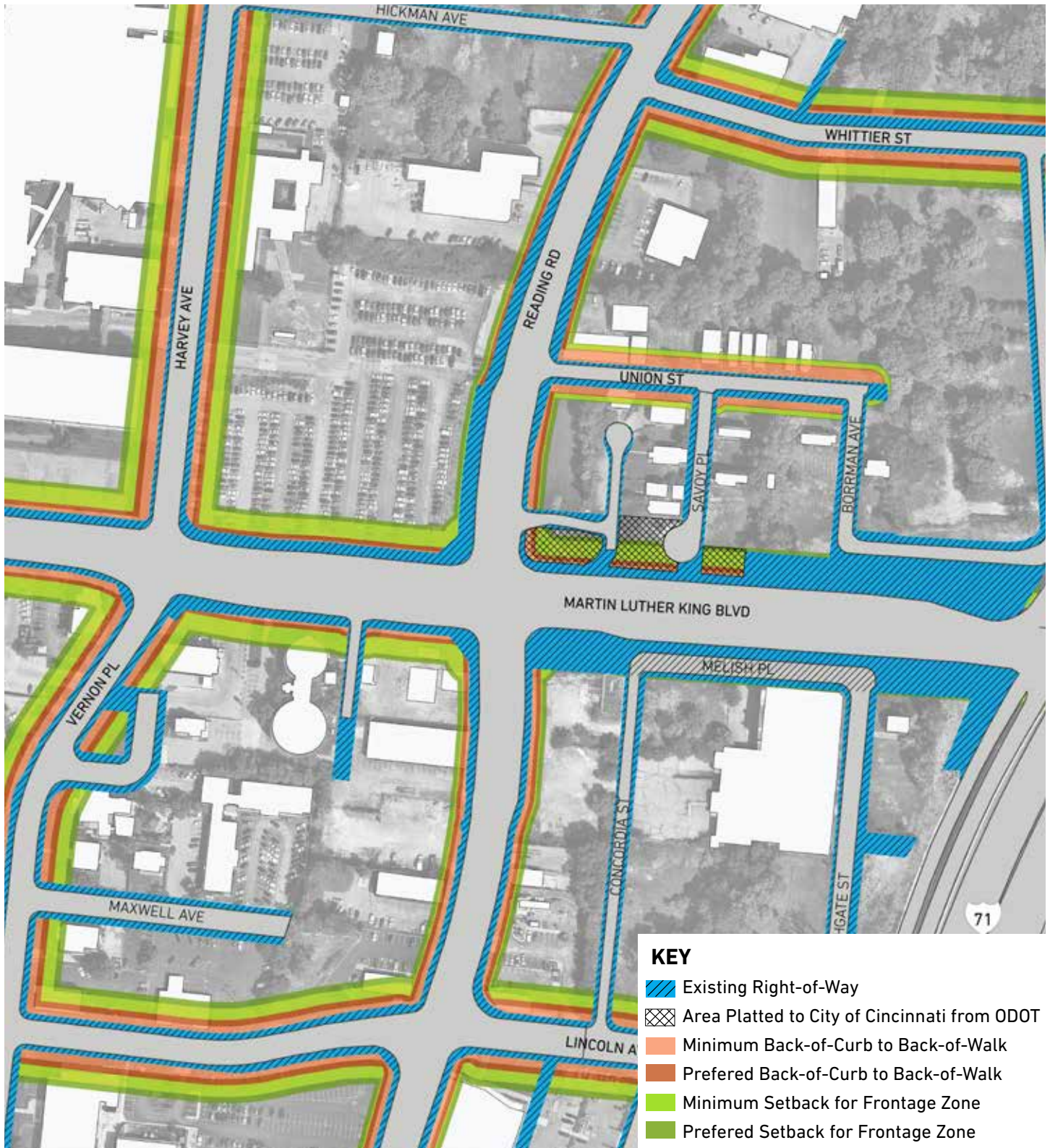
## IMPLICATIONS OF THE RIGHT-OF-WAY

The amount of right-of-way necessary to achieve the streetscape hierarchy for the Uptown Innovation District varies depending upon the location within the district. This is because existing right-of-way varies along streets and blocks, and because the design of the street responds to its classification and location. As a result, there are areas within the district where additional right-of-way, streetscape easements, or private landowner partnerships will be necessary. Creating the appropriate and desired streetscape will require coordination and cooperation between public agencies, the city of Cincinnati, and private landowners. Because the four corners of the focus area are slated for complete transformation, it is possible to achieve this vision and meet the guidelines.

To provide a more detailed understanding of these issues, the desired streetscape hierarchy has been compared to the existing right-of-way. The map to the right highlights the existing right-of-way, and areas where additional ground will be needed to achieve the identified streetscape. Blue hatched areas highlight the existing right-of-way. Orange highlights the area where additional ground is needed to achieve the minimum identified streetscape. Red highlights the area needed to achieve the preferred identified streetscape. The combined blue, orange, and red areas are necessary to achieve the desired streetscape for the Uptown Innovation District. The green areas highlight the proposed building setback.

Note, these dimensions are based upon the Street and Streetscape Hierarchy.

## PROPOSED RIGHT-OF-WAY/EASEMENT



# SIGNATURE BOULEVARD

## STREETSCAPE OVERVIEW

Martin Luther King Jr. Boulevard is Uptown's signature boulevard and the main east-west connector and entry way to the Innovation District. It is the signature gateway from the new I-71 interchange and must immediately establish a positive impression. It must also be made a comfortable pedestrian experience. To accomplish this along a wide, ten-lane corridor requires substantial, majestic street trees, a wide pedestrian thoroughway, and five-plus story development that frames the street. The preferred condition is a large tree planter zone (8') that buffers a combined bicycle and pedestrian multiuse way (15 ft.) and private frontage zone in front of new signature buildings. It is important to create a double-row of street trees on each side of MLK east of Reading and this can be achieved because the needed ground is publicly-controlled.

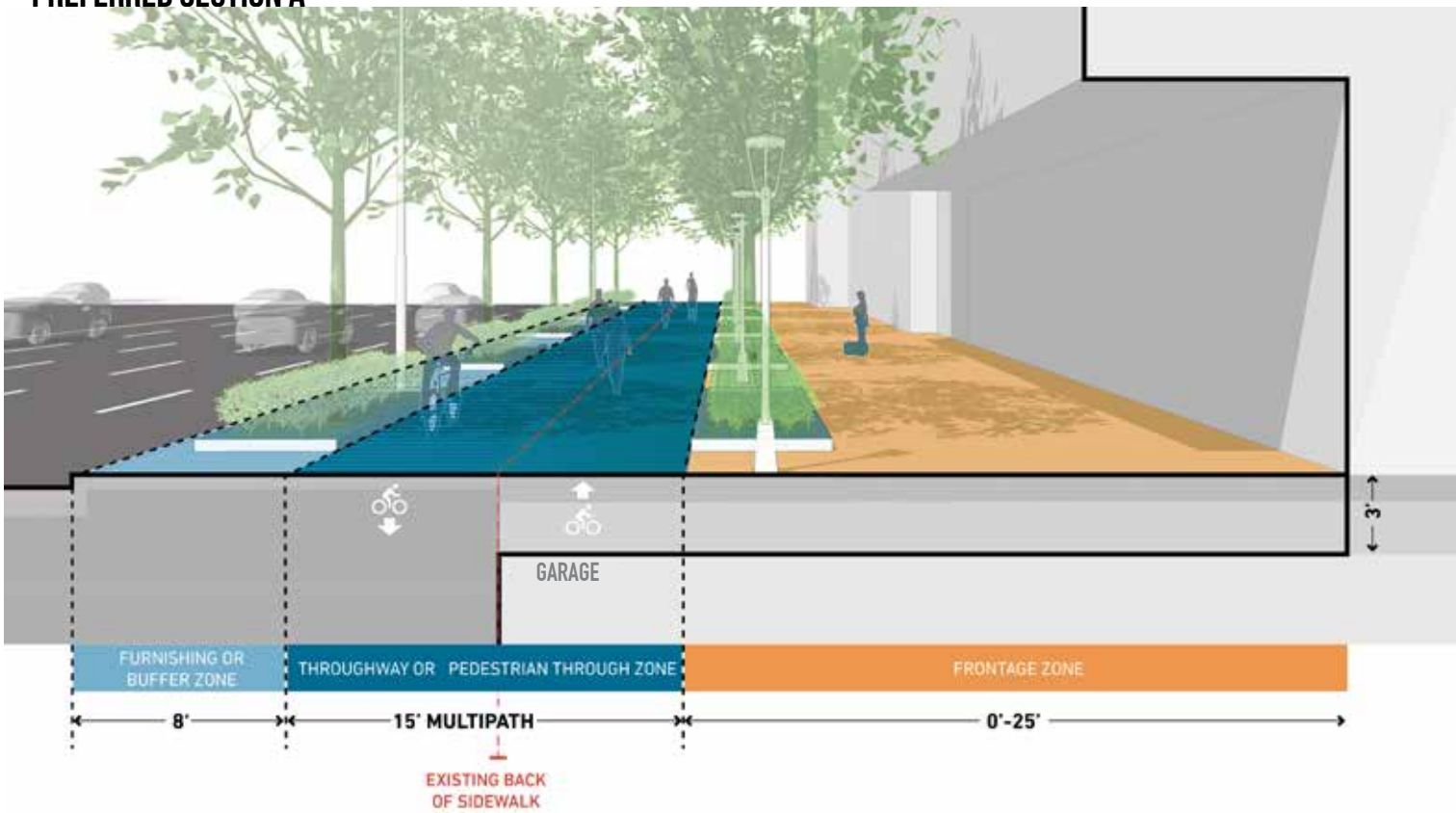
## STREETSCAPE APPLICATION ZONES



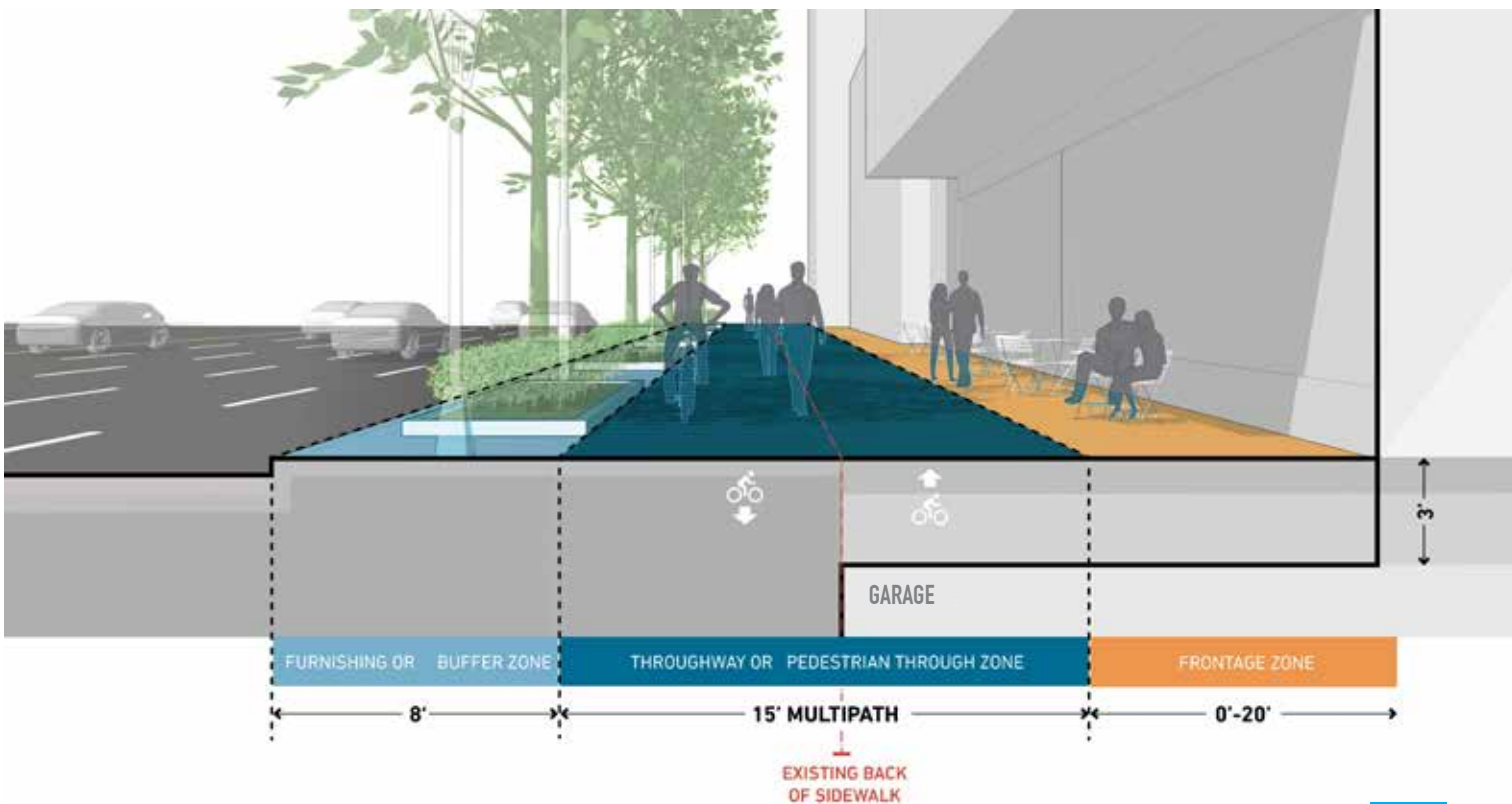
## STREETSCAPE DESIGN STANDARDS

<b>EXTENSION ZONE</b>	N/A
<b>AMENITY ZONE</b>	8'
<b>THROUGH ZONE</b>	12' - 20'
<b>FRONTAGE ZONE</b>	0' - 35'
<b>AMENITY ZONE PERMEABILITY</b>	LOW
<b>ON-STREET PARKING</b>	NOT PERMITTED
<b>MATERIAL PALETTE</b>	PALETTE A (SEE PAGE ##)
<b>LIGHTING</b>	PALETTE # (SEE PAGE ##)
<b>STREET TREES</b>	CANOPY (SEE PAGE ##)
<b>SIGNAGE</b>	PALETTE # (SEE PAGE ##)

## PREFERRED SECTION A



## PREFERRED SECTION B



# SIGNATURE BOULEVARD

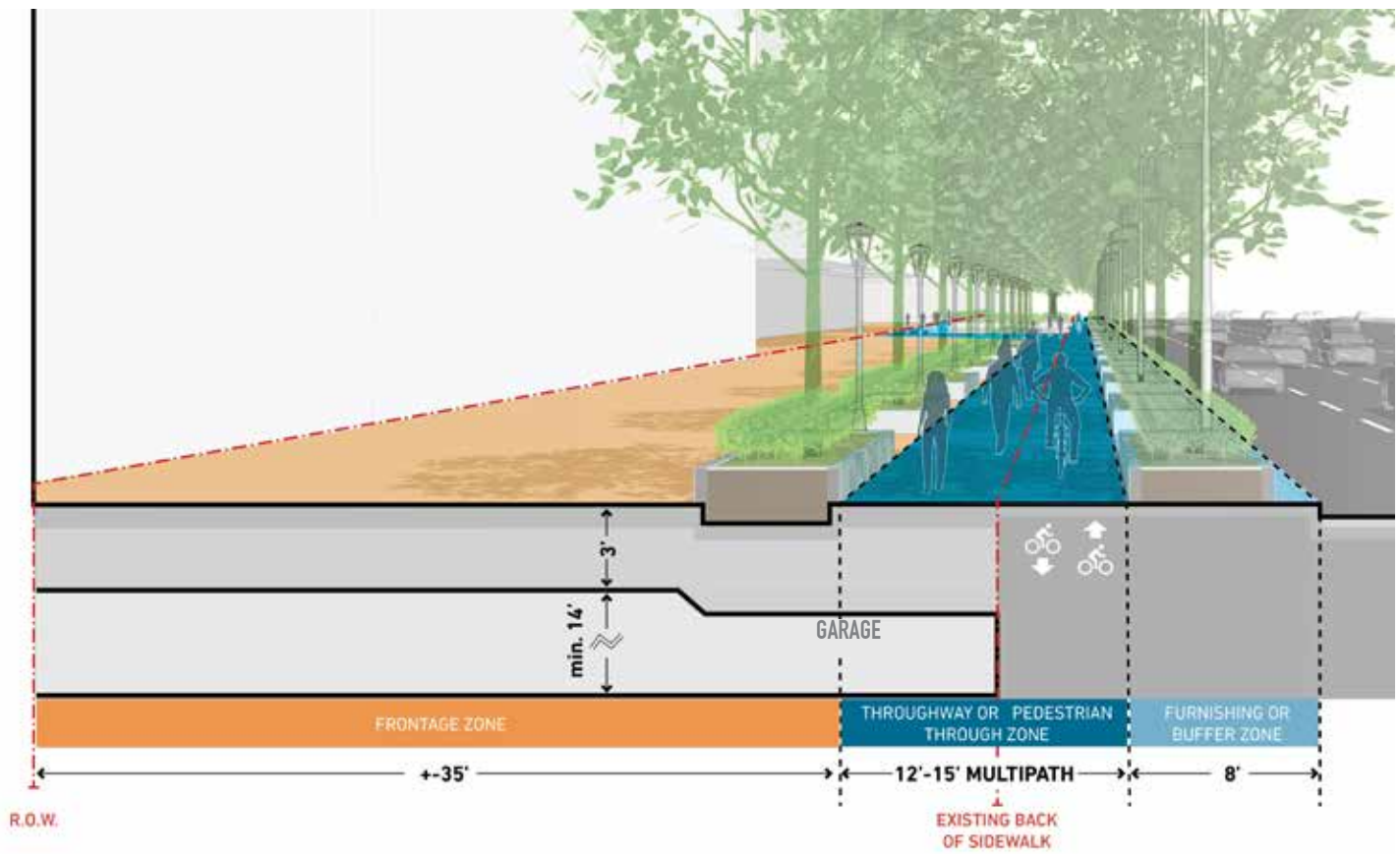
## SPECIAL CONDITIONS - MELISH PLACE

The design of the south side of MLK Blvd. between I-71 and Reading Road is complicated by the presence of Melish Place. While this street can be abandoned and there is enough ROW to meet the Guidelines, below this street are substantial regional utilities that cannot be moved or substantially buried. As a result, this requires a special condition. On the roughly third of the block closest to Reading Road, the utilities can be buried, and the desired streetscape can be achieved. On the third closest to

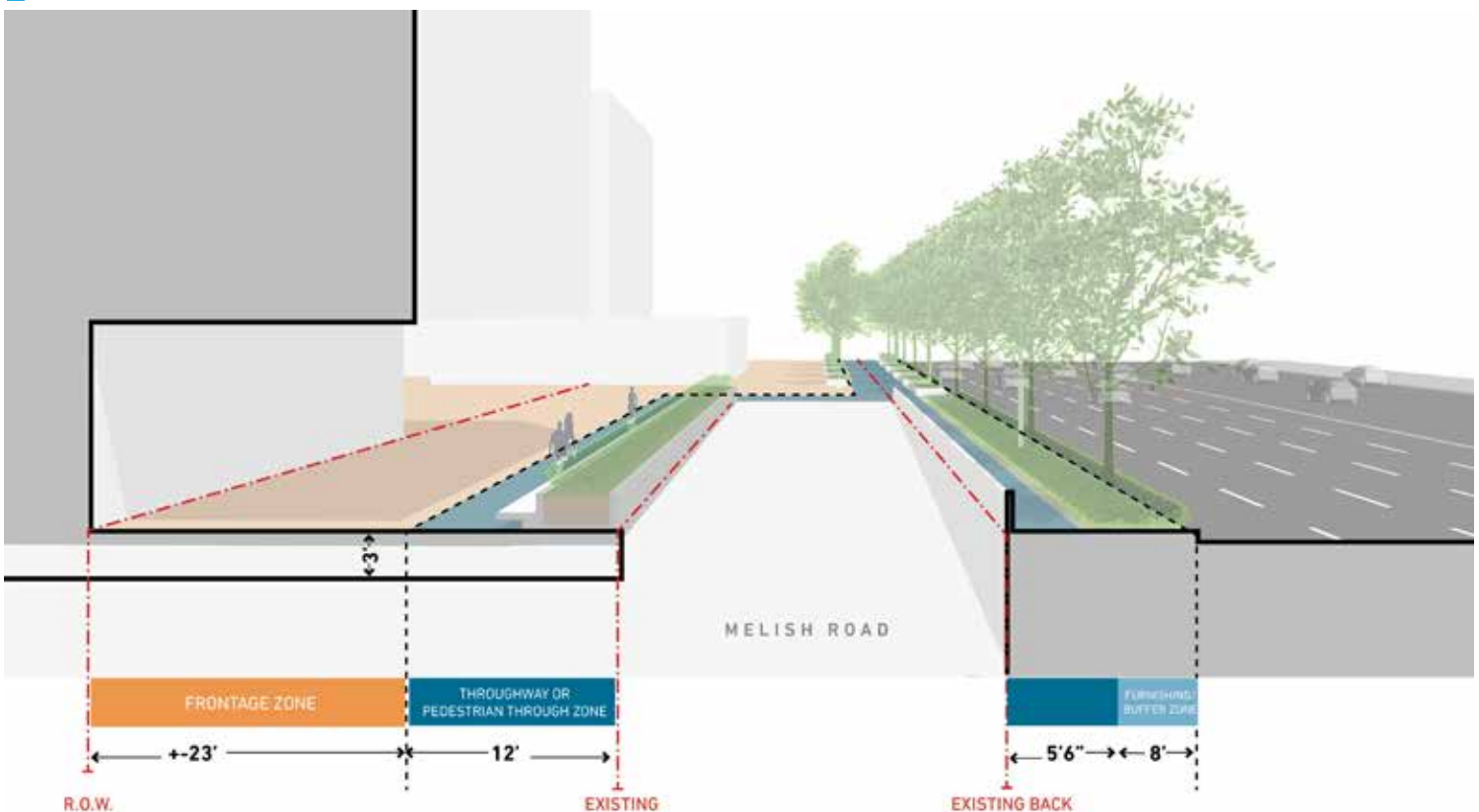
I-71, a cap or parking garage transfer slab should extend over the Melish easements and support the desired streetscape, with parking below that still allows access to the utilities (14' vertical clearance is required). In the middle third, where there is not enough height for a below grade structure, an opening can be provided, and the pedestrian sidewalk rerouted closer to the buildings. The buildings in this area can have recessed first floors to create a comfortable and engaging streetscape environment.



## PREFERRED SECTION C.1



## PREFERRED SECTION C.2



# PRIMARY AVENUE

## STREETSCAPE OVERVIEW

The primary avenue is the main north-south connector and is also a major entryway to the Innovation District. This six lanes corridor needs to be designed to provide a comfortable pedestrian experience. Buffering the wide street that is highly traveled is critical, this preferred condition is a large tree planter zone between the pedestrian zone and the street.

## STREETSCAPE APPLICATION ZONES



## STREETSCAPE DESIGN STANDARDS

**EXTENSION ZONE** 0' - 8'

**AMENITY ZONE** 8'

**THROUGH ZONE** 10'

**FRONTAGE ZONE** 0' - 10'

**AMENITY ZONE PERMEABILITY** MEDIUM

**ON-STREET PARKING** PERMITTED

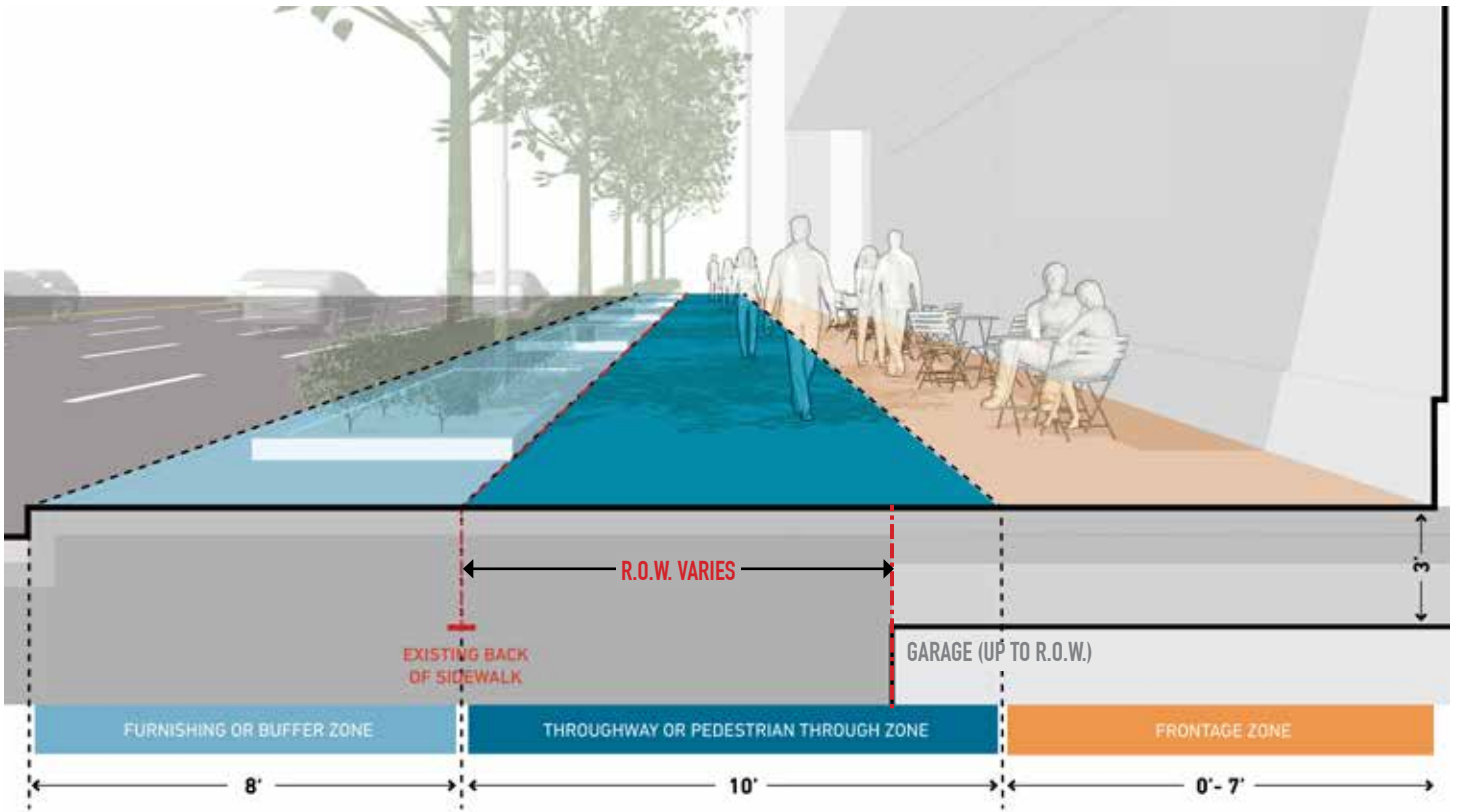
**MATERIAL PALETTE** PALETTE A (SEE PAGE ##)

**LIGHTING** PALETTE # (SEE PAGE ##)

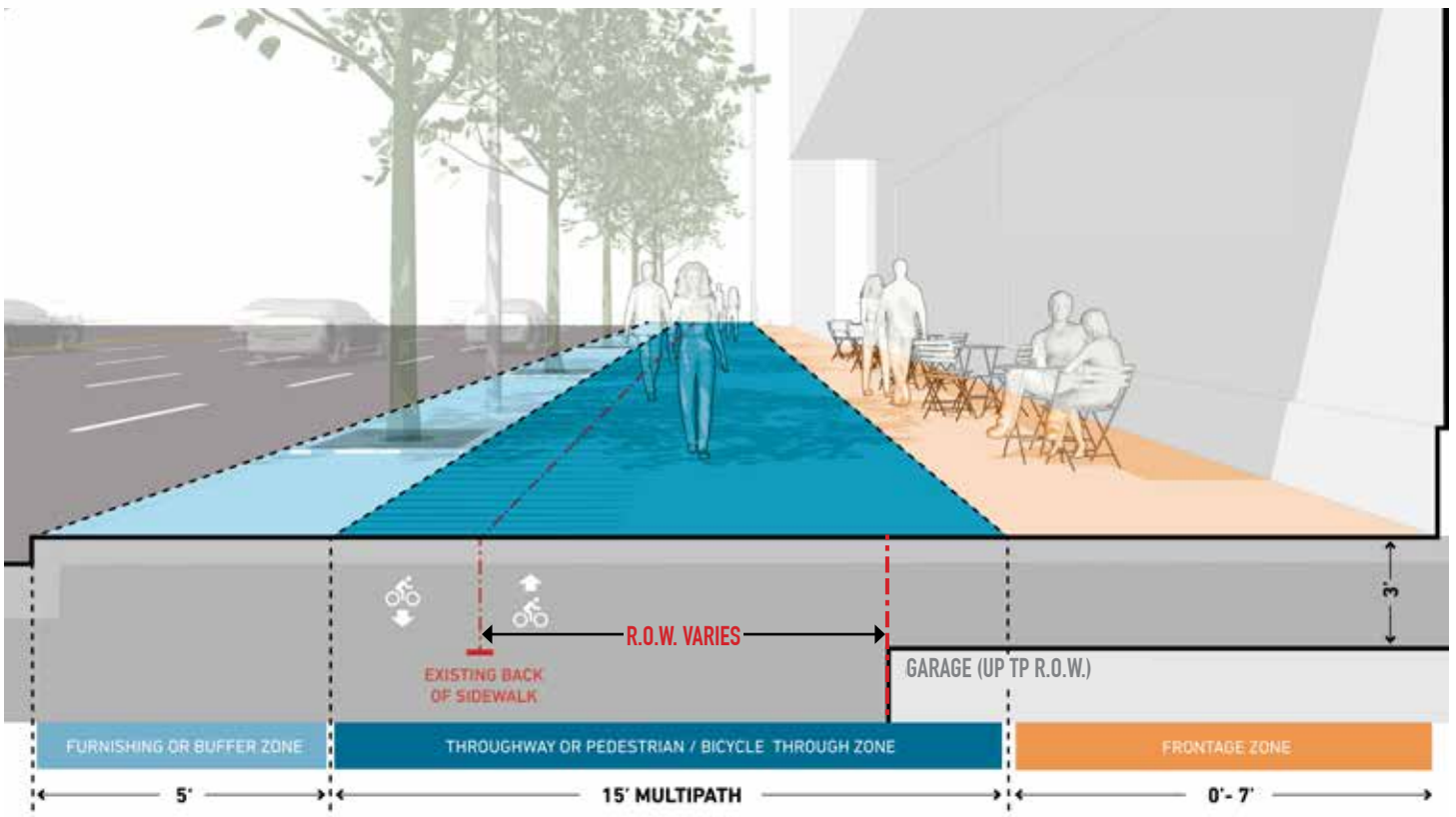
**STREET TREES** CANOPY (SEE PAGE ##)

**SIGNAGE** PALETTE # (SEE PAGE ##)

## PREFERRED SECTION A



## PREFERRED SECTION A - ALTERNATE



# DISTRICT AVENUE

## STREETSCAPE OVERVIEW

The district avenues are important district streets but are secondary to the signature boulevard and primary avenue. District avenues do not carry the vehicular volumes of those streets and therefore are generally four to five lane sections, often with off-peak on-street parking. Most have sidewalks adjacent to the curb. As the blocks along the edges of these streets redevelop, there is the opportunity to create dedicated parking, a moderate buffer zone with street trees, and curb extensions at intersections for pedestrian safety. Street trees location may need to be adjusted to the outboard side of the sidewalk depending on utility locations, though this is not preferred. Where traffic conditions allow, reducing street sections to two or three travel lanes with dedicated parking and and/or bike lanes is recommended.

## STREETSCAPE APPLICATION ZONES



## STREETSCAPE DESIGN STANDARDS

**EXTENSION ZONE** 8' - 12'

**AMENITY ZONE** 6' - 12'

**THROUGH ZONE** 8' - 9'

**FRONTAGE ZONE** + 30'

**AMENITY ZONE PERMEABILITY** MEDIUM

**ON-STREET PARKING** PERMITTED

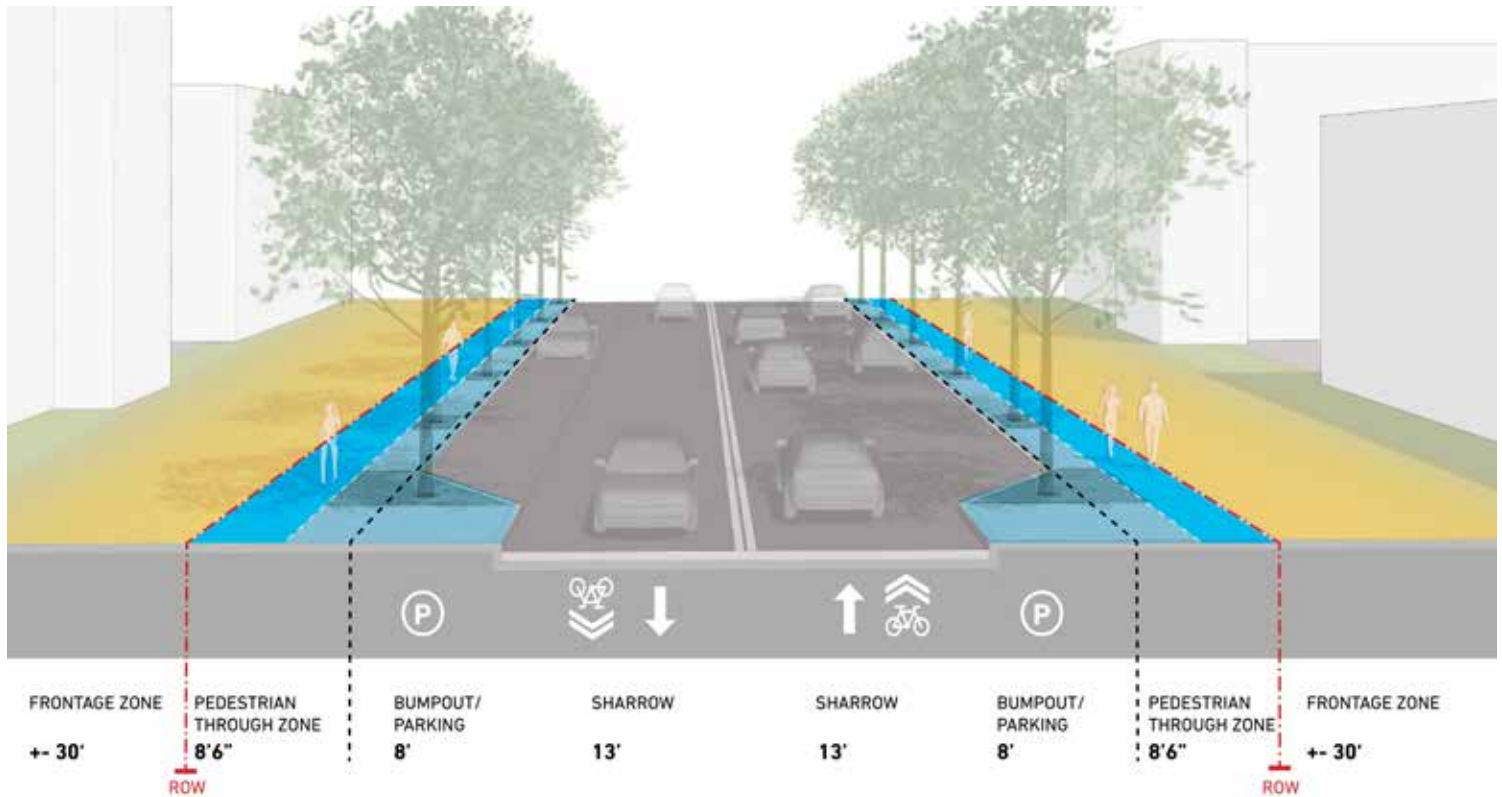
**MATERIAL PALETTE** PALETTE B (SEE PAGE ##)

**LIGHTING** PALETTE # (SEE PAGE ##)

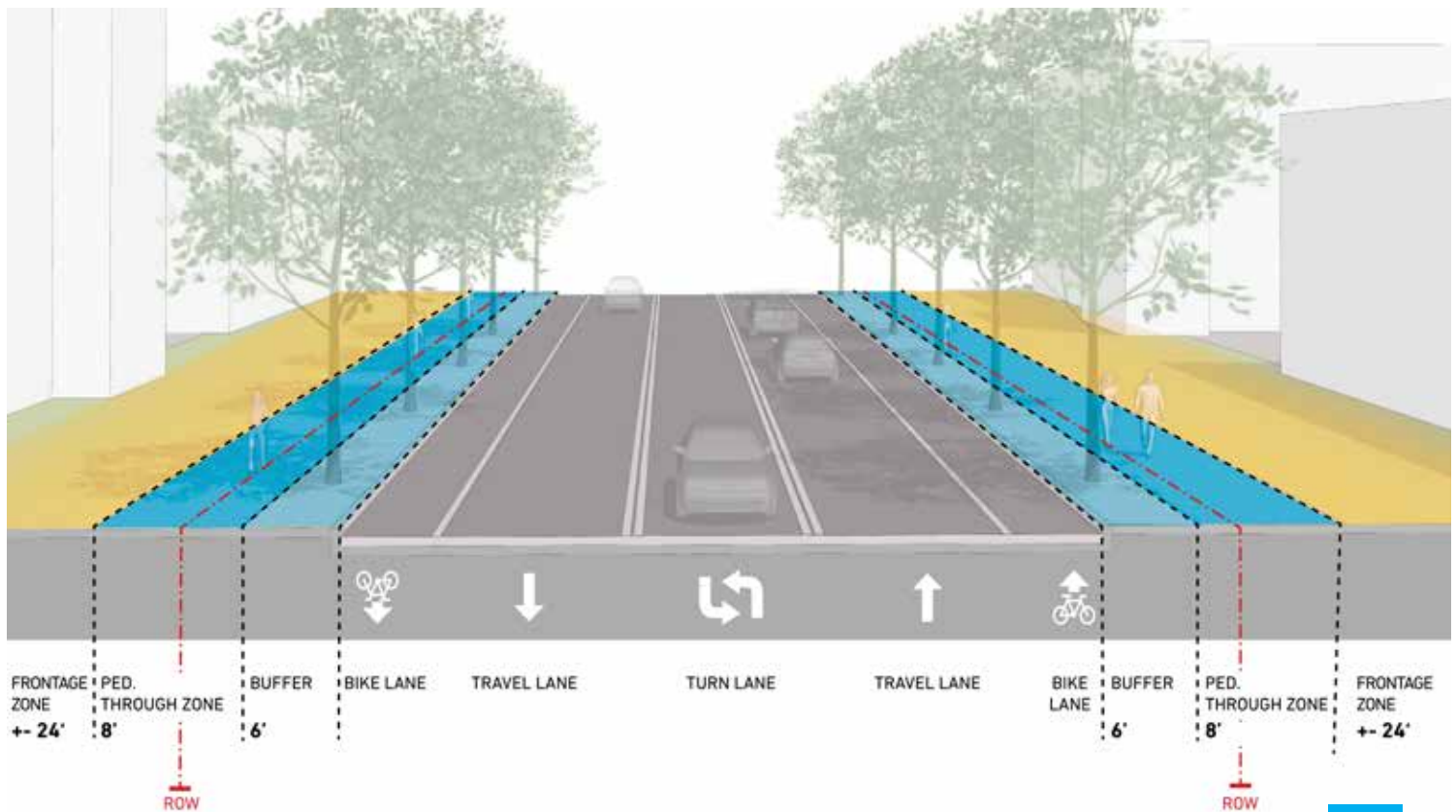
**STREET TREES** STANDARD (SEE PAGE ##)

**SIGNAGE** PALETTE # (SEE PAGE ##)

## PREFERRED SECTION A



## PREFERRED SECTION B



# NEIGHBORHOOD CONNECTOR

## STREETSCAPE OVERVIEW

The neighborhood transition streets generally border existing residential areas and are smaller in scale with lower traffic volumes. The purpose of Neighborhood Connectors is to transition from the Innovation District back into the existing surrounding neighborhood. The preferred street condition is two travel lanes with dedicated on-street parking on one side of the street. This is similar to the existing condition. The desired streetscape is a moderate tree buffer zone that separates the pedestrian zone from the travel lanes and creates a tree-lined street.

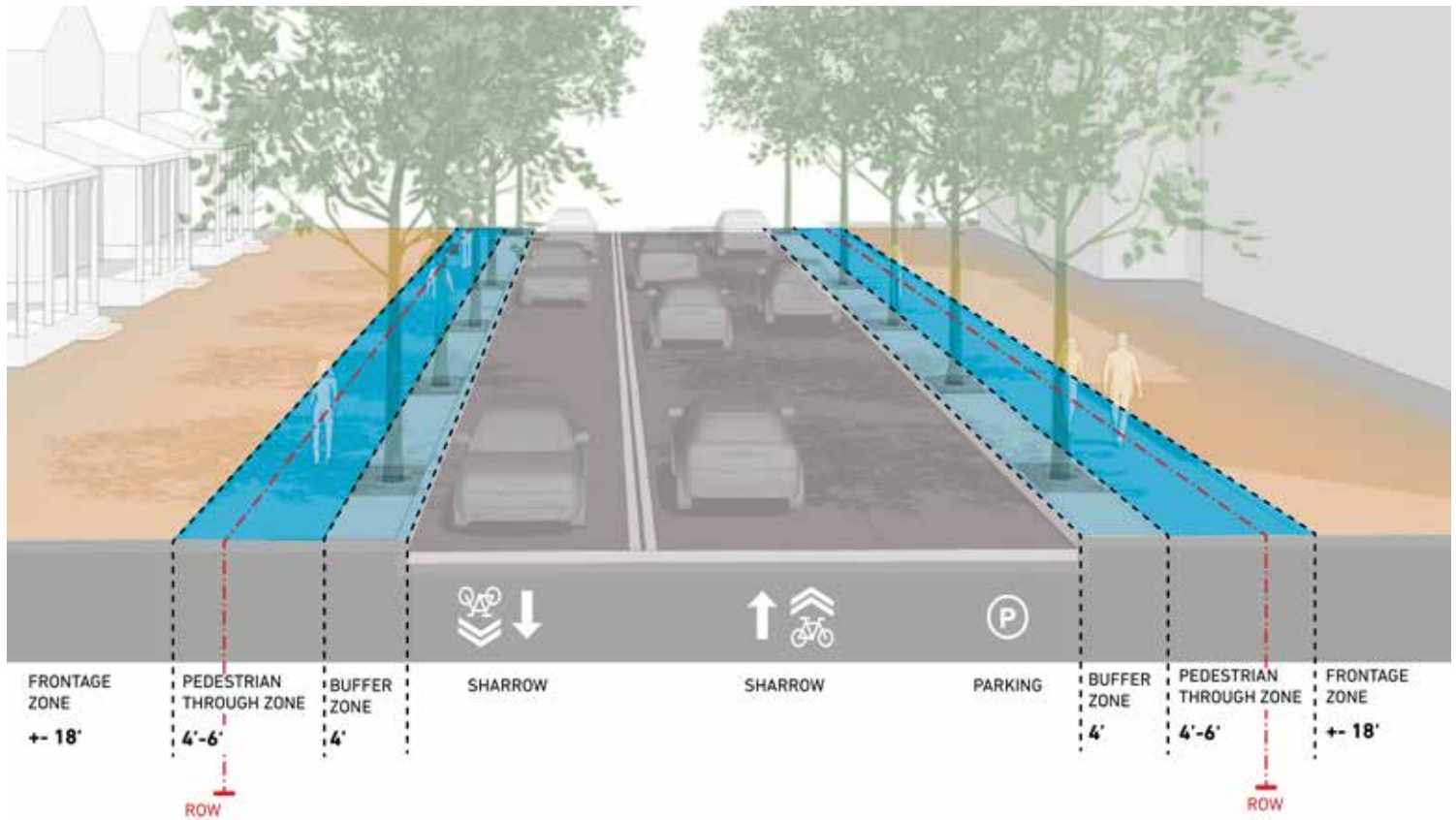
## STREETSCAPE APPLICATION ZONES



## STREETSCAPE DESIGN STANDARDS

<b>EXTENSION ZONE</b>	0' - 8'
<b>AMENITY ZONE</b>	0' - 6'
<b>THROUGH ZONE</b>	4' - 6'
<b>FRONTAGE ZONE</b>	+15'
<b>AMENITY ZONE PERMEABILITY</b>	HIGH
<b>ON-STREET PARKING</b>	ENCOURAGED
<b>MATERIAL PALETTE</b>	PALETTE C (SEE PAGE ##)
<b>LIGHTING</b>	PALETTE # (SEE PAGE ##)
<b>STREET TREES</b>	STANDARD (SEE PAGE ##)
<b>SIGNAGE</b>	PALETTE # (SEE PAGE ##)

## PREFERRED SECTION A



# CEREMONIAL STREET

## STREETSCAPE OVERVIEW

Ceremonial streets are new internal streets to the Uptown Innovation District blocks. These will likely be privately built and may remain private streets or be publicly dedicated. As such, they may take many forms. The guidelines' objectives for these streets is to create attractive and welcoming entrances into the development that are striking and visible from Reading Road. These streets should provide a sense of arrival for visitors into the internal parking and circulation system of the District. As such they are slow-speed streets and should be designed to be flexible spaces and encourage pedestrian connectivity across them. They could even include central gathering greens or plazas. Because they will be new roads, they can be designed with appropriate space for comfortable pedestrian walks and lush landscape.

## STREETSCAPE APPLICATION ZONES



## STREETSCAPE DESIGN STANDARDS

**EXTENSION ZONE** 0' - 8'

**AMENITY ZONE** 8'

**THROUGH ZONE** 8' - 10'

**FRONTAGE ZONE** 0' - 10'

**AMENITY ZONE PERMEABILITY** HIGH

**ON-STREET PARKING** ENCOURAGED

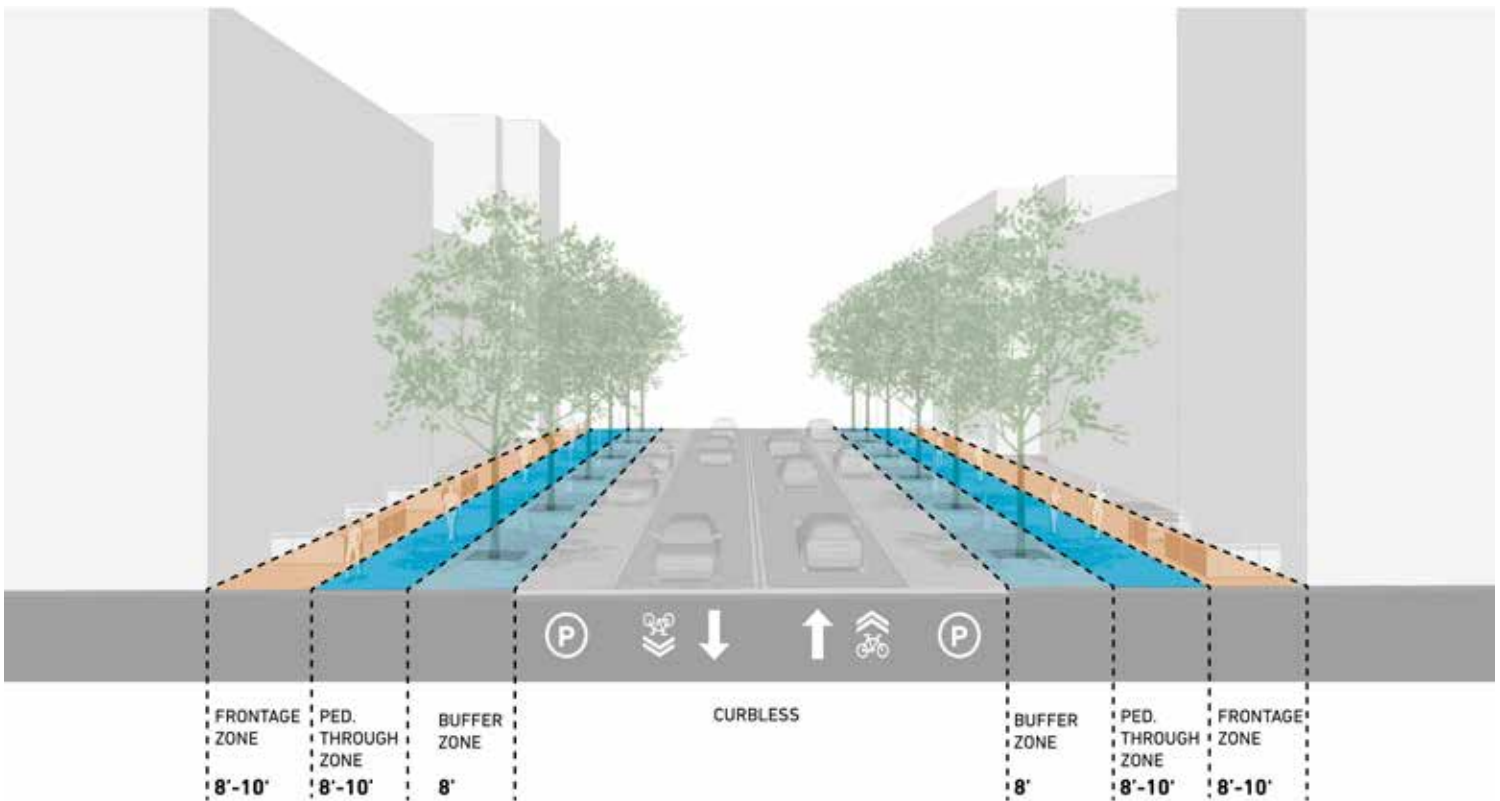
**MATERIAL PALETTE** PALETTE B (SEE PAGE ##)

**LIGHTING** PALETTE # (SEE PAGE ##)

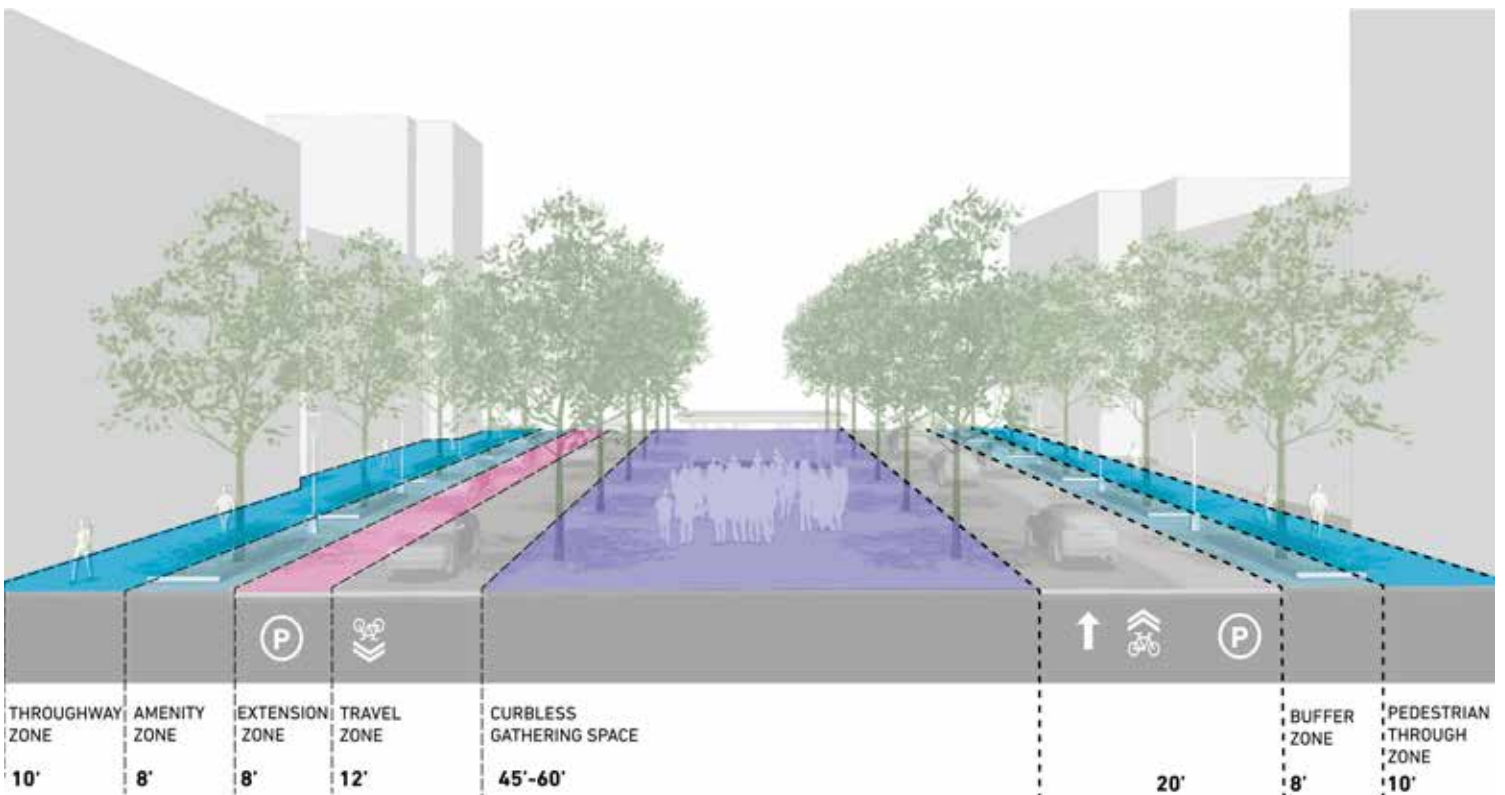
**STREET TREES** STANDARD (SEE PAGE ##)

**SIGNAGE** PALETTE # (SEE PAGE ##)

## PREFERRED SECTION A



## PREFERRED SECTION B



# COURTYARD COMMONS

## STREETSCAPE OVERVIEW

Courtyard Commons are primarily new private streets that allow access internal to the blocks and are primarily for access to individual buildings and parking. These streets do not serve through traffic. Although specifically for those working, living, or visiting the Innovation District, these streets should be built to public street standards including street pedestrian zones, tree amenity zones, and lighting. These will typically be narrow two-lane roads without parking, although parking could be included if desired. They can also be service alleys.

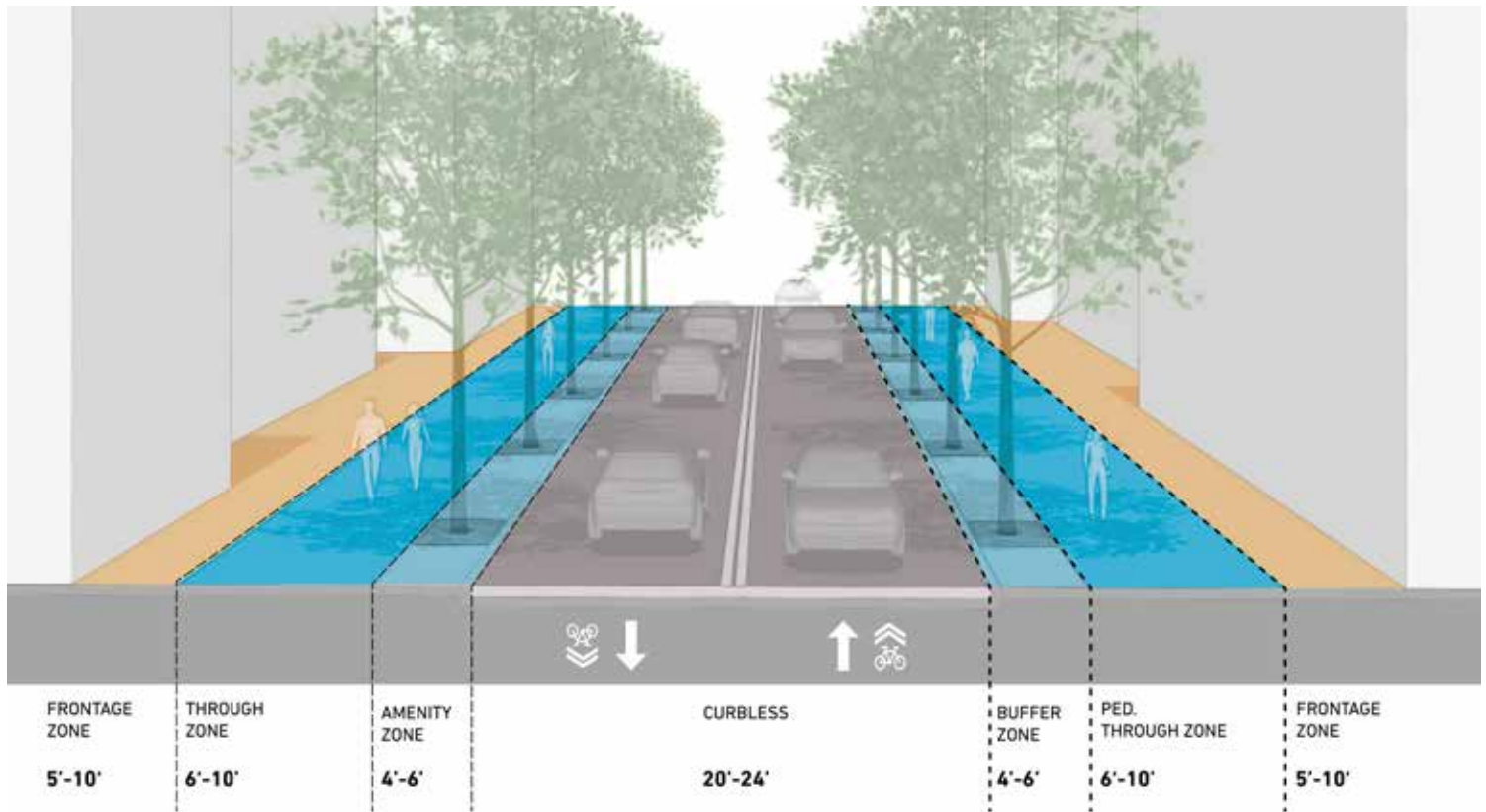
## STREETSCAPE APPLICATION ZONES



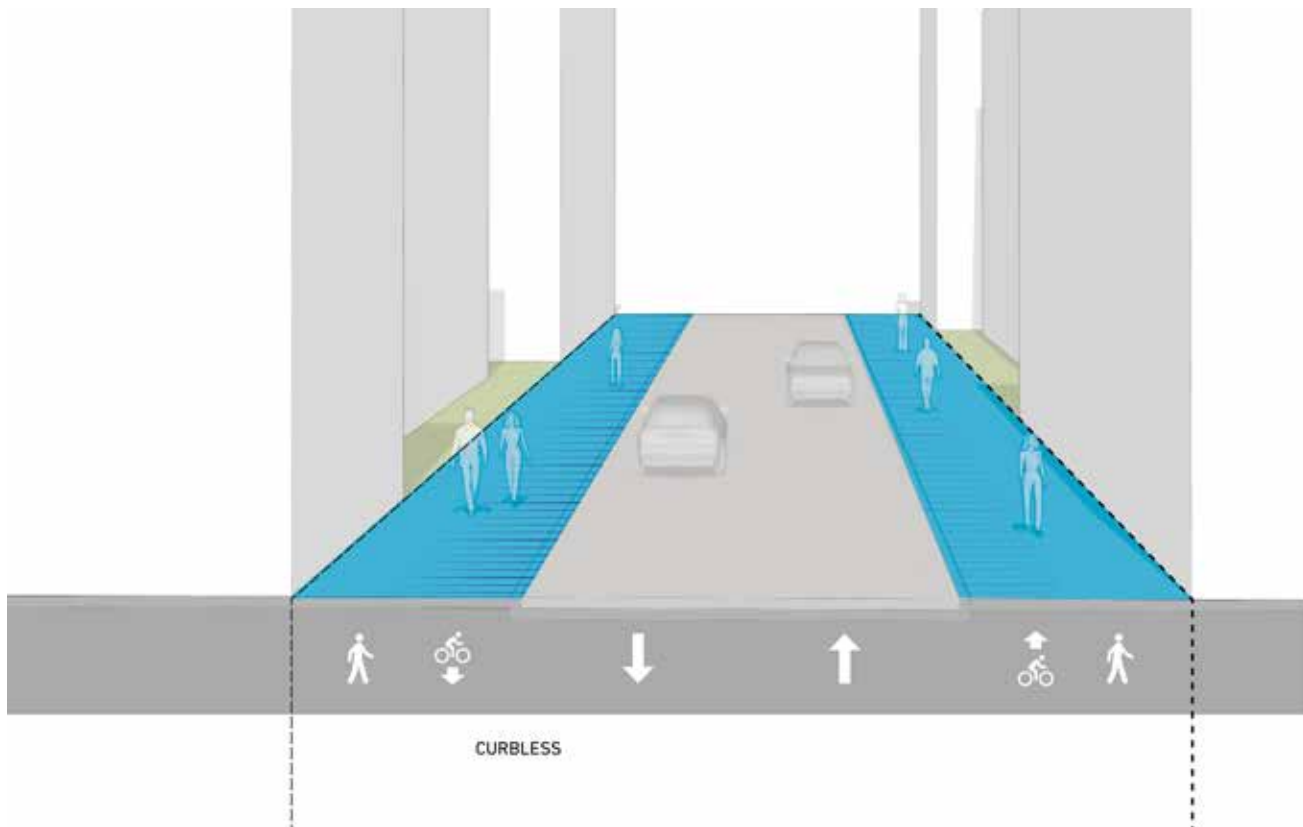
## STREETSCAPE DESIGN STANDARDS

<b>EXTENSION ZONE</b>	N/A
<b>AMENITY ZONE</b>	4' - 6'*
<b>THROUGH ZONE</b>	10'*
<b>FRONTAGE ZONE</b>	0' - 10'
<b>AMENITY ZONE PERMEABILITY</b>	HIGH
<b>ON-STREET PARKING</b>	ENCOURAGED
<b>MATERIAL PALETTE</b>	PALETTE B (SEE PAGE ##)
<b>LIGHTING</b>	PALETTE # (SEE PAGE ##)
<b>STREET TREES</b>	ORNAMENTAL (SEE PAGE ##)
<b>SIGNAGE</b>	PALETTE # (SEE PAGE ##)

## PREFERRED SECTION A



## PREFERRED SECTION B



# PEDESTRIAN VIADOR

## STREETSCAPE OVERVIEW

The pedestrian viadors are critically important to provide pedestrian access from the surrounding streets through the blocks and between developments within the Innovation District. They help to break down the overall size of the district's blocks and should be used to prevent buildings from becoming too long or imposing. These pedestrian viadors should be designed to feel safe and inviting for pedestrians and should be well lit. Viadors are part of what caters to the walkable, mixed-use nature of innovation districts.

## STREETSCAPE APPLICATION ZONES



## PASSAGEWAY

Passive pedestrian connections. Throughway or contemplation spaces.

## ACTIVATION & PROGRAMING

Active pedestrian environment through activation and programing. Brings the community together to experience and exchange ideas.

# PEDESTRIAN VIADOR BENCHMARKS

## PASSAGEWAY



## ACTIVATION & PROGRAMING

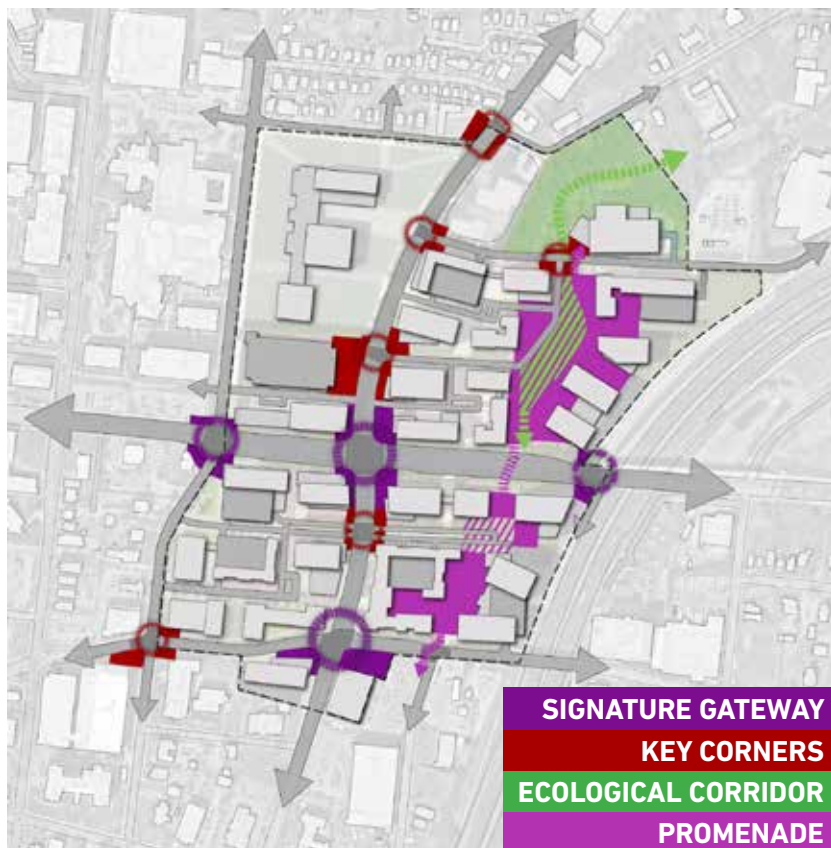


# PLACES FOR STAYING

## OVERVIEW

Great places are anchored by a variety of elements that appeal to the human condition and scale. They are often unique and defining to the place. One potential defining character of the Uptown Innovation District is the “ecological corridor.” This is an opportunity to incorporate the natural ravine that bifurcates the east side of the district and could even serve as a connection to the Wasson Way trail network. It could be extended as a signature promenade through the southern quarter of the district. Other opportunities include defining key corners as gateways and places for activity; as well as the creation of signature plazas to foster special events, gathering, and interaction. Connecting to nature, neighbors, and those one would not otherwise meet should be hallmarks of the Uptown Innovation District.

## GREAT PLACES



## SIGNATURE PLAZAS

Ample setbacks at significant intersections. Commercial activity should also be focused on these nodes.

## KEY CORNERS

Smaller plazas centered on key corners as well as areas fronting buildings which generate significant pedestrian traffic.

## ECOLOGICAL CORRIDOR

Preserve natural features and systems. Allow for recreational trails. Provide alternative connection to district from Wasson Way.

## PROMENADE

Incorporate nature into hardscape. Will allow for physical and visual north-south connections to the Ecological Corridor as well as east-west connectivity.

# BENCHMARKS

## SIGNATURE PLAZAS



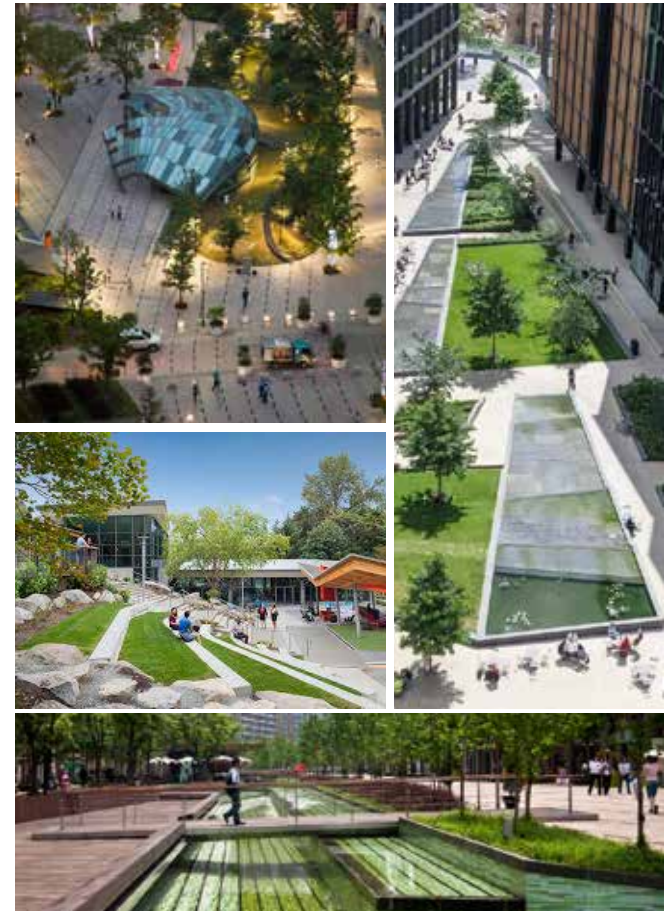
## KEY CORNERS



## ECOLOGICAL COORIDOR



## PROMENADE



# MATERIAL PALETTE

## PALETTE A

### PALETTE A OVERVIEW

The Uptown Innovation District must prioritize architectural and landscape design, material, and construction quality along key streets to reinforce Uptown's identity as a leading innovation district. The building architecture of the district is expected to be a high-quality, modern design that reflects the image of the innovation corridor. This includes transparency, articulation, shading, form, materials, and other elements that link indoor and outdoor spaces to create a vibrant urban character.

The streetscape must reflect this and establish the foundational character of the district. The palette of materials and components should be modern, clean, durable, forward-looking, and sustainable. The signature and primary streets and gateways of the district must have particular emphasis of the highest quality materials and engaging design.

Palette 'A' consists of the highest quality materials including signature and custom design furnishings. Primary use along the arterials and more visible streets within the Innovation District as indicated in the matrix.

### PRIMARY HARDSCAPE

GRANITE PAVERS



ARCHITECTURAL FINISH CONCRETE



### ACCENT MATERIAL

ARCHITECTURAL FINISH CONCRETE



PREMIUM CONCRETE UNIT PAVERS



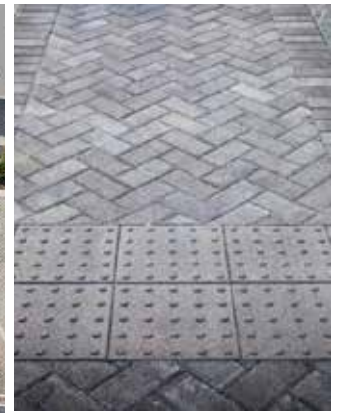
## CURBS



GRANITE CURB



## PAVER CROSSING



## STREET FURNITURE



SIGNATURE DESIGN



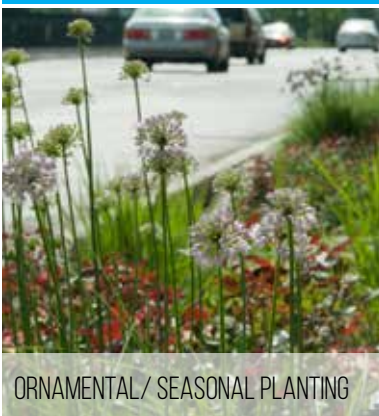
## SEATING



SIGNATURE/CUSTOM SEATING



## PLANTINGS



ORNAMENTAL/ SEASONAL PLANTING



## LANDSCAPED EDGE



CURBED STREETSCAPE PLANTERS



# PALETTE B

## PALETTE A OVERVIEW

Palette 'B' is complementary to Palette 'A' and reflects similar high quality. Includes clean design and premium and customizable furnishings. Land

Its intended use is along the collector streets, particularly the District Avenues, within the Innovation District as indicated in the matrix.

### PRIMARY HARDSCAPE



ARCHITECTURAL FINISH CONCRETE

### ACCENT MATERIAL



STONE ACCENT PAVER



PREMIUM CONCRETE PAVERS

## CURBS

GRANITE CURB



CONCRETE CURB

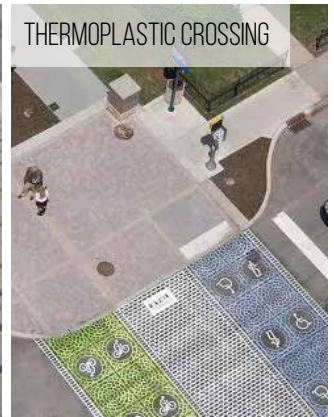


## CROSSINGS

PAVERS CROSSING



THERMOPLASTIC CROSSING



## STREET FURNITURE

CLEAN DESIGN



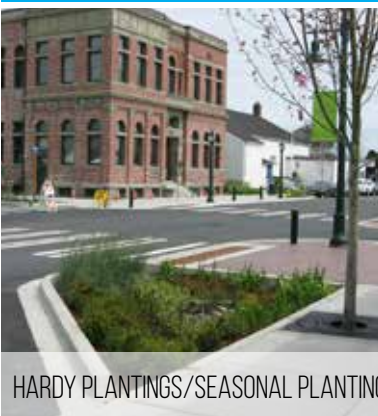
## SEATING

PREMIUM/CUSTOMIZED SEATING



## PLANTINGS

HARDY PLANTINGS/SEASONAL PLANTINGS



## LANDSCAPED EDGE

SIMPLE LANDSCAPE EDGE



# PALETTE C

## PALETTE A OVERVIEW

Palette 'C' is a simplified version of palettes 'A' and 'B'. Includes clean and simple design, standard furnishings and low maintenance landscaping. Its primary use is along the Neighborhood Connector streets at the neighborhood edges of the Innovation District, as indicated in the matrix.

### PRIMARY HARDSCAPE



ARCHITECTURAL FINISH CONCRETE

### ACCENT MATERIAL



TOP SEEDED CONCRETE



CONCRETE UNIT PAVERS

## CURBS

CONCRETE CURB



## CROSSINGS

STANDARD STRIPPING



STANDARD THERMOPLASTIC



## STREET FURNITURE

SIMPLE/BASIC DESIGN



## SEATING

STANDARD BENCHES + MOVABLE FURNITURE



## PLANTINGS

LOW MAINTENANCE PLANTING



## LANDSCAPED EDGE

OPEN PLANTER



# LIGHTING

## OVERVIEW

Lighting and the character of the related fixtures and poles reinforces the district identity and helps create special, memorable experiences. Sleek, timeless fixtures have been selected for the Uptown Innovation District. The street lights complement those that already exist along the central Uptown section of MLK Boulevard.

In addition to consistently spaced and placed street lights, appropriate and thorough pedestrian lighting contributes to a safe and comfortable pedestrian environment. Distinctive pedestrian lights could be used to highlight retail and gathering places within the district. Likewise, additional accent lights, bollard lights, catenary lights and other artistic lighting are encouraged to activate public spaces and outdoor dining areas.



## LIGHTING STANDARDS

### STREET LIGHTING

Pavement illumination  
Glare (75-90 degrees)  
Illumination uniformity  
Vertical object illumination  
Higher illumination levels  
Coordinate color temperatures for all  
20'-30' tall

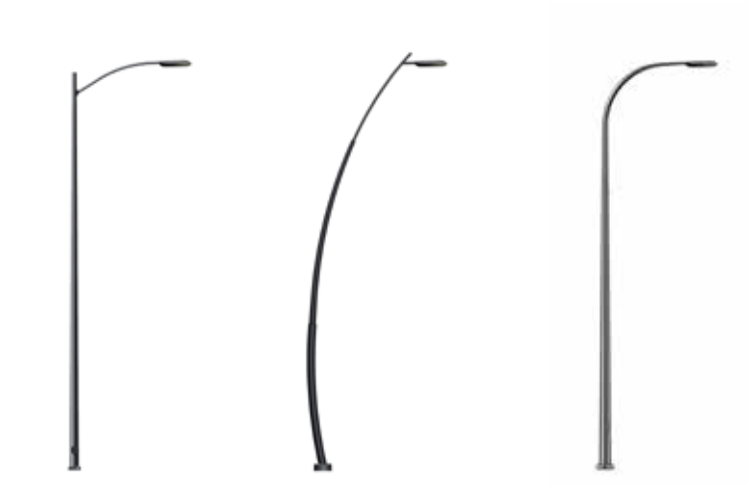
### PEDESTRIAN LIGHTING

Daytime appearance of fixture  
Glare (0-75 degrees)  
Diffused horizontal illuminance patterns  
Warm light color — outdoor dining  
2700k LED all other others 3000-3500k LED  
Lower illumination levels  
10'-15' tall

### ACCENT LIGHTING

Various types  
Artistic  
Uploight/Downlight  
Placemaking

STREET LIGHTING



PEDESTRIAN LIGHTING



ACCENT LIGHTING



# LANDSCAPE

## STREET TREES

Trees and landscaping are critically important to the creation of great streets. In fact, few streets can be great without them. Street trees and landscape help to balance the modern design and aesthetic of innovation districts and introduce nature and sustainability into the corridors.

In addition to the environmental and aesthetic quality improvements, trees and lush landscaping have been shown to have positive effects on consumer behavior in business districts. Across multiple studies, consumers are more likely to stay longer, visit more often, and spend more money in business districts that feature high quality streetscapes.

Street trees in particular must be carefully selected and placed within street corridors to coordinate with utility, lighting, and clear zone requirements. Street tree species have been selected that are tolerant of urban environments and have a high canopy that not only provides needed shade and comfort for pedestrians, but also allows for better visibility of storefronts and signage. Careful attention to design must be made to ensure that street trees are planted in appropriate, quality soils with ample volume to improve longevity and health. Following initial planting, they will need to be properly limbed and maintained to ensure they become high canopy trees.

## GENERAL SELECTION CRITERIA

- + USDA Plant Hardiness to Zone 5
- + Adaptable to a variety of soil conditions, pH 6.6
- + Native or indigenous, if possible
- + Relatively disease free or resistant cultivar
- + Strong, withstands winds and ice
- + Easy to transplant

## SOIL DEPTHS

Trees are recommended based upon their potential size at maturity and the available soil volumes where they are to be planted. Based on best practices, large street tree canopy require 1200-1500 cubic feet (CF) of soil, small street trees 800-1000 CF, and ornamental trees 600-800 CF.

# LANDSCAPE MATRIX

The following matrix summarizes the different landscape components' characteristics:

	HEIGHT	WIDTH	SIZE	SPACING	SOIL DEPTH
LARGE STREET TREES	50'-75'	30'-60'	4" caliper minimum	approx. 30-40'	36"
SMALL STREET TREES	25'-45'	15'-35'	4" caliper minimum	approx. 30'	30"
ORNAMENTAL TREES	20'-25'	10'-20'	15' height, multi-stem	-	24" min.
SHRUBS	12"-60"	24"	#5 CONT. or B&B	36"-48" O.C.	18" min.
VINES, & GROUNDCOVERS	6"-18"	NA	#1, #2, #3 CONT.	4"-12" O.C.	12" min.
GRASSES & PERENNIALS	6"-30"	12"-30"	PEAT POT OR #1 CONT.	12"-18" O.C.	18" min.

# LARGE STREET TREES

## NORTHERN RED OAK



*Quercus rubra*

Size: 60' Height, 60' Width

Flowers: Inconspicuous

Fall Color: Brilliant Red

Size: 4" Caliper Minimum planted size, 6" recommended. Larger planted size preferred for high visibility areas.

## LONDON PLANETREE



*Platanus x acerifolia*

Size: 60' Height, 40' Width

Flowers: Inconspicuous

Fall Color: Yellow/Brown

Size: 4" Caliper Minimum planted size. Larger planted size preferred for high visibility areas.

## TULIP POPLAR



*Liriodendron tulipifera L.*

Size: 70' Height, 35' Width

Flowers: Yellow, Showy

Fall Color: Orange/Yellow

Size: 4" Caliper Minimum planted size. Larger planted size preferred for high visibility areas.

## PIN OAK



*Quercus palustris*

Size: 60' Height, 30' Width

Flowers: Inconspicuous

Fall Color: Brilliant Red

Size: 4" Caliper Minimum planted size, 6" recommended. Larger planted size preferred for high visibility areas.

## PRINCETON ELM



*Ulmus americana 'Princeton'*

Size: 50' Height, 35' Width

Flowers: Insignificant

Fall Color: Yellow

Size: 4" Caliper Minimum planted size. Larger planted size preferred for high visibility areas.

# SMALL STREET TREES

## RED RAGE TUPELO



*Nyssa sylvatica 'Red Rage'*

Size: 35' Height, 20' Width

Flowers: Inconspicuous

Fall Color: Brilliant Red

Size: 4" Caliper Minimum planted size. Larger planted size preferred for high visibility areas.

## SKYLINE HONEYLOCUST



*Gleditsia triacanthos var. inermis 'Skyline'*

Size: 45' Height, 35' Width

Flowers: Yellow, inconspicuous

Fall Color: Golden Yellow

Size: 4" Caliper Minimum planted size. Larger planted size preferred for high visibility areas.

## PRINCETON SENTRY GINKGO



*Ginkgo biloba 'Princeton Sentry'*

Size: 40' Height, 15' Width

Flowers: Green

Fall Color: Yellow

Size: 4" Caliper Minimum planted size. Larger planted size preferred for high visibility areas.

**FRONTIER ELM**

*Ulmus (carpinifolia x parvifolia)*  
'Frontier'

Size: 30' Height, 20' Width

Flowers: Inconspicuous

Fall Color: purple-red

Size: 4" Caliper Minimum planted size. Larger planted size preferred for high visibility areas.

**SUN VALLEY RED MAPLE**

*Acer rubrum* 'Sun Valley'

Size: 30' Height, 20' Width

Flowers: Inconspicuous

Fall Color: Brilliant Red

Size: 4" Caliper Minimum planted size. Larger planted size preferred for high visibility areas.

# LANDSCAPE TREES

## WHITESPIRE BIRCH



*Betula populifolia 'Whitespire'*

Size: 30' Height, 20' Width

Flowers: Yellow (male), Green (female)

Fall Color: Yellow

Size: 15' height single or multi-stem. Larger planted size preferred for high visibility areas.

Note: For use in high visibility landscape areas or large planters

## AUTUMN BRILLIANCE SERVICEBERRY



*Amelanchier x grandifolia*

Size: 20' Height, 15' Width

Flowers: White

Fall Color: Bright Red

Size: 15' height single or multi-stem. Larger planted size preferred for high visibility areas.

Note: For use in high visibility landscape areas or large planters

## EASTERN REDBUD



*Cercis canadensis*

Size: 20' Height, 25' Width

Flowers: Purple

Fall Color: Bright Red

Size: 15' height single or multi-stem. Larger planted size preferred for high visibility areas.

Note: For use in high visibility landscape areas or large planters

# SHRUBS

## GROW LOW SUMAC



*Rhus aromatica 'Gro-Low'*

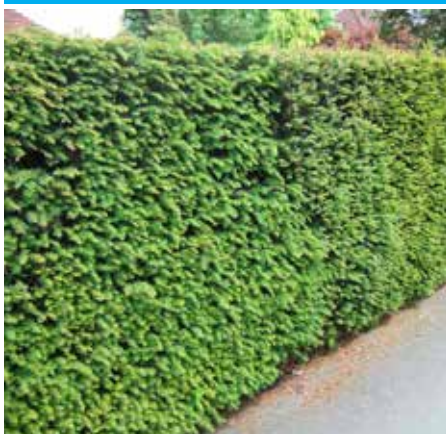
Size: #3 CONT, 24" Height, 24" Width

Flowers: Insignificant

Fall Color: Red

Spacing: 30" O.C.

## EVERLOW YEW



*Taxus x media 'Everlow'*

Size: 18" Height, 24" Width

Flowers: Insignificant

Fall Color: Green

Spacing: 24" O.C.

## DWARF KOREAN LILAC



*Syringa meyeri 'Palibin'*

Size: #5 CONT, 5' Height, 5' Width

Flowers: Insignificant

Fall Color: Pink

Spacing: 36" O.C.

## SHRUBS

## PRAGUE VIBURNUM



*Viburnum x pragense*

Size: B&B, 12" Height,

Flowers: White

Fall Color: NA

Spacing: 36" O.C.

## OAKLEAF HYDRANGEA



*Hydrangea quercifolia 'sikes dwarf'*

Size: B&B, 36" Height

Flowers: White

Fall Color: Red

Spacing: 30" O.C.

# GRASSES, VINES, & GROUNDCOVERS

## BIG BLUE LILYTURF



*Liriope muscari 'Big Blue'*

Size: #1 CONT, 18" Height

Flowers: Blue

Fall Color: Green

Spacing: 15" O.C.

## GREEN SHEEN PACHYSANDRA



*Pachysandra terminalis 'green sheen'*

Size: #1 CONT, 10" Height

Flowers: Light Purple

Fall Color: Green

Spacing: 15" O.C.

## LITTLE KITTEN DWARF MAIDEN GRASS



*Miscanthus sinensis 'Little Kitten'*

Size: #2 CONT, 3' Height,  
24"-30" Width

Flowers: Tan

Fall Color: Bronze

Spacing: 18" O.C.

# GRASSES, VINES, & GROUNDCOVERS

## KARLEY ROSE FOUNTAIN GRASS



*Pennisetum orientale*  
'Karley Rose'

Size: #3 CONT, 24" Height

Flowers: Pink

Fall Color: Bronze

Spacing: 18" O.C.

## SHENANDOAH RED SWITCH GRASS



*Panicum virgatum*  
'Shenandoah'

Size: #2 CONT, 3' Height

Flowers: Pink

Fall Color: Burgundy

Spacing: 24" O.C.

## PRAIRIE DROPSEED



*Sporobolus heterolepis*

Size: #2 CONT, 15" Height

Flowers: Tan

Fall Color: Orange

Spacing: 15" O.C.

**SILVER LACE VINE**

*Polygonum aubertii*

Size: #2 CONT, 6" Height

Flowers: White

Fall Color: N/A, Semi-Evergreen

Spacing: 24" O.C.

Note: Aggressive Vine for Vertical Surfaces, will grow to 25-30'.  
Drought tolerant

**BOSTON IVY**

*Parthenocissus tricuspidata*  
'Veitchii'

Size: #2 CONT, 6" Height

Flowers: Inconspicuous

Fall Color: Deep Red

Spacing: 24" O.C.

Note: Aggressive Vine for Vertical Surfaces, will grow to 25-40'.  
Drought tolerant

**BALTIC IVY**

*Hedera helix* 'Baltica'

Size: Peat pots, 6" length

Flowers: Inconspicuous

Fall Color: Evergreen/bronze

Spacing: 4" O.C.

Note: Aggressive Vine for Vertical Surfaces, will grow to 25-40'.  
Drought tolerant

# PERENNIALS

## GOLDSTURM RUDBECKIA



*Rudbeckia fulgida 'Goldsturm'*

Size: #2 CONT, 30" Height

Flowers: Yellow

Fall Color: N/A

Spacing: 15" O.C.

Note:

## LITTLE SPIRE RUSSIAN SAGE



*Perovskia atriplicifolia 'Little Spire'*

Size: #2 CONT, 18" Height

Flowers: Purple

Fall Color: N/A

Spacing: 18" O.C.

Note:

## WHITE SWAN PURPLE CONEFLOWER



*Echinacea purpurea 'White Swan'*

Size: #2 CONT, 18" Height

Flowers: Salmon, White

Fall Color: N/A

Spacing: 18" O.C.

Note:

**DRAGON'S BLOOD STONECROP**

*Sedum spurium*  
'Dragon's Blood'

Size: #2 CONT, 6" Height

Flowers: Red

Fall Color: Burgundy

Spacing: 12" O.C.

Note:

**WINEBERRY CANDY DAYLILY**

*Hemerocallis*  
'Wineberry Candy'

Size: #2 CONT, 18" Height

Flowers: Red/Yellow

Fall Color: None

Spacing: 16" O.C.

Note:

# SIGNAGE

## SIGNAGE OVERVIEW

Because the Uptown Innovation District will be a transformed area with new development and places, it is important to develop and incorporate a signage and wayfinding system that both represents the new district and is part of an overall Uptown wayfinding system. The creation of the Uptown Innovation District presents an opportunity to tell the district's story, stimulate economic development, and create community pride and identity. Place branding is about discovering what makes a place unique and then sharing that story with residents, businesses, and visitors in interesting ways. Often, place branding manifests in signage and environmental graphics, both of which contribute to a unified brand for a community.

Within the Innovation District there are numerous locations that would be well-suited for different types and scales of environmental graphics. District gateways are major points

## WAYFINDING CORRIDORS HIERARCHY



## FAMILY OF SIGNS

### A - GATEWAY

Signs welcoming and directing travelers as they enter the district

### B - TRAFFIC SIGN

Traffic signs or road signs are signs erected at the side of or above roads to give instructions or provide information to road users.

### C - CYCLE SIGN

On-street and off-street bike wayfinding

### D - GROUND SIGN

Intended primarily for buildings with greater front and corner side required build zones or setbacks.

### E - DIRECTORY SIGN

Directory signs are intended to provide identification for upper story tenants and/or tenants that are otherwise not permitted an individual sign. Directory signs may also be used for restaurant menus and other similar uses.

# FAMILY OF SIGNS

of entry into the Innovation District, like at the intersection of MLK Boulevard and Reading Road. Placemaking strategies like signature architecture, art installations, super graphics, and large signage would be most appropriate in these locations. Likewise, district thresholds are the points that signify the start or termination of the Innovation District. Here, signature streetscape gestures or public art works could be installed that relate to the district's identity. These thresholds should also help direct vehicular traffic towards the core of the Innovation District through wayfinding signage.

Within the Innovation District blocks, pedestrian-scale signage and graphics would be most

appropriate. The addition of artistic crosswalks, pedestrian wayfinding signage, parking identification, and branded banners could contribute to the District's distinctive identity and create a more interesting pedestrian environment.

This system needs to be designed for the Uptown Innovation District. Examples of other district branding and wayfinding are below. Some topics to consider when branding the Innovation District include the appropriate symbolism that represents the entire district experience; the mediums through which the identity will be shared; the creation of an identity for the Innovation District as part of the larger Uptown area; and how to direct people here.







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6900 Tylersville Road  
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Count Name: King and Reading  
Site Code: 21-0192  
Start Date: 11/09/2022  
Page No: 3

### Turning Movement Peak Hour Data (7:15 AM)

Start Time	Reading Road Southbound					Martin Luther King Drive Westbound					Reading Road Northbound					Martin Luther King Drive Eastbound					
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Int. Total
7:15 AM	34	86	37	1	158	36	530	5	0	571	7	23	25	0	55	23	244	27	0	294	930
7:30 AM	42	110	61	1	214	44	469	11	0	524	3	42	38	0	83	18	333	29	0	380	1077
7:45 AM	43	92	54	0	189	38	416	14	0	468	7	62	25	0	94	20	267	29	0	316	1278
8:00 AM	29	89	32	0	150	40	471	16	0	527	5	43	34	0	82	41	266	23	0	330	1089
Total	148	377	184	2	711	158	1886	46	0	2090	22	170	122	0	314	102	1110	108	0	1320	4435
Approach %	20.8	53.0	25.5	0.3	-	7.6	89.0	2.2	0.0	-	7.0	54.1	38.9	0.0	-	7.7	84.1	8.2	0.0	-	-
Total %	3.3	8.5	4.1	0.0	16.0	3.6	42.5	1.0	0.0	47.1	0.5	3.8	2.8	0.0	7.1	2.3	25.0	2.4	0.0	29.7	-
PHF	0.860	0.857	0.754	0.500	0.831	0.898	0.890	0.719	0.000	0.915	0.786	0.685	0.803	0.000	0.835	0.622	0.833	0.931	0.000	0.868	0.868
All Vehicles (no classification)	148	377	184	2	711	158	1886	46	0	2090	22	170	122	0	314	102	1110	108	0	1320	4435
% All Vehicles (no classification)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0



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Count Name: King and Reading  
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Start Date: 11/09/2022  
Page No: 5

## Turning Movement Peak Hour Data (4:30 PM)

Start Time	Reading Road Southbound					Martin Luther King Drive Westbound					Reading Road Northbound					Martin Luther King Drive Eastbound					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
4:30 PM	31	127	57	0	215	35	234	15	0	284	52	90	36	0	178	17	421	17	0	455	1142
4:45 PM	32	94	86	0	212	33	228	9	0	270	30	71	34	0	135	14	398	19	0	431	1048
5:00 PM	43	156	81	0	280	36	211	16	0	263	55	91	30	0	176	15	428	31	0	474	1193
5:15 PM	27	121	74	0	222	35	248	12	0	295	59	121	42	0	222	35	465	30	0	530	1269
Total	133	498	298	0	929	139	921	52	0	1112	196	373	142	0	711	81	1712	97	0	1890	4652
Approach %	14.3	53.6	32.1	0.0	-	12.5	82.8	4.7	0.0	-	27.6	52.5	20.0	0.0	-	4.3	90.6	5.1	0.0	-	-
Total %	2.9	10.7	6.4	0.0	20.0	3.0	20.0	1.1	0.0	23.9	4.2	8.0	3.1	0.0	15.3	1.7	36.8	2.1	0.0	40.6	-
PHF	0.773	0.798	0.866	0.000	0.829	0.965	0.928	0.813	0.000	0.942	0.831	0.771	0.845	0.000	0.801	0.579	0.920	0.782	0.000	0.892	0.916
All Vehicles (no classification)	133	498	298	0	929	139	921	52	0	1112	196	373	142	0	711	81	1712	97	0	1890	4652
% All Vehicles (no classification)	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0



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Count Name: King and Harvey and Vernon  
Site Code: 21-0192  
Start Date: 11/09/2022  
Page No: 3

## Turning Movement Peak Hour Data (7:15 AM)

Start Time	Harvey Avenue Southbound						Martin Luther King Drive Westbound						Vernon Place Northbound						Martin Luther King Drive Eastbound					
	Right	Thru	Left	U-Turn	App. Total		Right	Thru	Left	U-Turn	App. Total		Right	Thru	Left	U-Turn	App. Total		Right	Thru	Left	U-Turn	App. Total	Int. Total
7:15 AM	7	11	30	0	48		180	399	16	0	595		8	25	9	0	42		20	276	48	0	344	1029
7:30 AM	12	17	52	0	81		143	353	25	0	521		10	43	10	0	63		16	291	39	0	346	1011
7:45 AM	8	37	37	0	82		125	367	15	0	507		11	41	9	0	61		17	272	41	0	330	980
8:00 AM	18	28	38	0	84		140	349	20	0	509		17	37	14	0	68		10	252	24	0	286	947
Total	45	93	157	0	295		588	1468	76	0	2132		46	146	42	0	234		63	1091	152	0	1306	3967
Approach %	15.3	31.5	53.2	0.0	-		27.6	68.9	3.6	0.0	-		19.7	62.4	17.9	0.0	-		4.8	83.5	11.6	0.0	-	-
Total %	1.1	2.3	4.0	0.0	7.4		14.8	37.0	1.9	0.0	53.7		1.2	3.7	1.1	0.0	6.0		1.6	27.5	3.8	0.0	32.9	-
PHF	0.625	0.628	0.755	0.000	0.878		0.817	0.919	0.76	0.000	0.896		0.676	0.849	0.750	0.000	0.860		0.788	0.937	0.792	0.000	0.944	0.964
All Vehicles (no classification)	45	93	157	0	295		588	1468	76	0	2132		46	146	42	0	234		63	1091	152	0	1306	3967
% All Vehicles (no classification)	100.0	100.0	100.0	-	100.0		100.0	100.0	100.0	-	100.0		100.0	100.0	100.0	-	100.0		100.0	100.0	100.0	-	100.0	100.0



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Count Name: King and Harvey and Vernon  
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Start Date: 11/09/2022  
Page No: 5

### Turning Movement Peak Hour Data (4:30 PM)

Start Time	Harvey Avenue Southbound						Martin Luther King Drive Westbound						Vernon Place Northbound						Martin Luther King Drive Eastbound					
	Right	Thru	Left	U-Turn	App. Total		Right	Thru	Left	U-Turn	App. Total		Right	Thru	Left	U-Turn	App. Total		Right	Thru	Left	U-Turn	App. Total	Int. Total
4:30 PM	48	73	60	0	181		29	267	8	0	304		22	23	9	0	54		7	351	12	0	370	909
4:45 PM	33	55	65	0	153		36	252	11	0	301		16	27	11	0	54		9	390	13	0	412	920
5:00 PM	42	68	47	0	157		31	247	4	0	282		19	34	14	0	67		8	394	13	0	415	921
5:15 PM	29	47	60	0	136		46	266	10	0	322		11	24	4	0	39		7	460	20	0	487	984
Total	152	243	232	0	627		144	1032	33	0	1209		68	108	38	0	214		31	1595	58	0	1684	3734
Approach %	24.2	38.8	37.0	0.0	-		11.9	85.4	2.7	0.0	-		31.8	50.5	17.8	0.0	-		1.8	94.7	3.4	0.0	-	-
Total %	4.1	6.5	6.2	0.0	16.8		3.9	27.6	0.9	0.0	32.4		1.8	2.9	1.0	0.0	5.7		0.8	42.7	1.6	0.0	45.1	-
PHF	0.792	0.832	0.892	0.000	0.866		0.783	0.966	0.750	0.000	0.939		0.773	0.794	0.679	0.000	0.799		0.861	0.867	0.725	0.000	0.864	0.949
All Vehicles (no classification)	152	243	232	0	627		144	1032	33	0	1209		68	108	38	0	214		31	1595	58	0	1684	3734
% All Vehicles (no classification)	100.0	100.0	100.0	-	100.0		100.0	100.0	100.0	-	100.0		100.0	100.0	100.0	-	100.0		100.0	100.0	100.0	-	100.0	100.0



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Count Name: Reading & University & Lincoln  
Site Code: 21-0192  
Start Date: 11/09/2022  
Page No: 3

### Turning Movement Peak Hour Data (7:30 AM)

Start Time	Reading Road Southbound					Lincoln Avenue Westbound					Reading Road Northbound					University Avenue Eastbound					
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Int. Total
7:30 AM	8	86	43	0	137	17	29	0	0	46	13	110	27	0	150	0	10	8	0	18	351
7:45 AM	21	95	43	0	159	11	27	0	0	38	13	118	22	0	153	0	13	7	0	20	370
8:00 AM	14	92	57	0	163	20	26	2	0	48	15	104	21	0	140	8	8	12	0	28	379
8:15 AM	24	89	47	0	160	17	15	1	0	33	13	70	19	0	102	2	11	3	0	16	311
Total	67	362	190	0	619	65	97	3	0	165	54	402	89	0	545	10	42	30	0	82	1411
Approach %	10.8	58.5	30.7	0.0	-	39.4	58.8	1.8	0.0	-	9.9	73.8	16.3	0.0	-	12.2	51.2	36.6	0.0	-	-
Total %	4.7	25.7	13.5	0.0	43.9	4.6	6.9	0.2	0.0	11.7	3.8	28.5	6.3	0.0	38.6	0.7	3.0	2.1	0.0	5.8	-
PHF	0.698	0.953	0.833	0.000	0.949	0.813	0.836	0.375	0.000	0.859	0.900	0.852	0.824	0.000	0.891	0.313	0.808	0.625	0.000	0.732	0.931
All Vehicles (no classification)	67	362	190	0	619	65	97	3	0	165	54	402	89	0	545	10	42	30	0	82	1411
% All Vehicles (no classification)	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0



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Start Date: 11/09/2022  
Page No: 5

### Turning Movement Peak Hour Data (4:15 PM)

Start Time	Reading Road Southbound					Lincoln Avenue Westbound					Reading Road Northbound					University Avenue Eastbound					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
4:15 PM	9	148	20	0	177	48	13	6	0	67	1	114	4	0	119	8	44	51	0	103	466
4:30 PM	12	152	19	0	183	49	16	9	0	74	4	134	6	0	144	25	34	54	0	113	514
4:45 PM	10	144	20	0	174	41	20	3	0	64	2	93	3	0	98	23	50	34	0	107	443
5:00 PM	17	157	16	0	190	39	19	11	0	69	5	122	9	0	136	20	41	26	0	87	482
Total	48	601	75	0	724	177	68	29	0	274	12	463	22	0	497	76	169	165	0	410	1905
Approach %	6.6	83.0	10.4	0.0	-	64.6	24.8	10.6	0.0	-	2.4	93.2	4.4	0.0	-	18.5	41.2	40.2	0.0	-	-
Total %	2.5	31.5	3.9	0.0	38.0	9.3	3.6	1.5	0.0	14.4	0.6	24.3	1.2	0.0	26.1	4.0	8.9	8.7	0.0	21.5	-
PHF	0.706	0.957	0.938	0.000	0.953	0.903	0.850	0.659	0.000	0.926	0.600	0.864	0.611	0.000	0.863	0.760	0.845	0.764	0.000	0.907	0.927
All Vehicles (no classification)	48	601	75	0	724	177	68	29	0	274	12	463	22	0	497	76	169	165	0	410	1905
% All Vehicles (no classification)	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0



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Count Name: University & Vernon  
Site Code: 21-0192  
Start Date: 11/09/2022  
Page No: 3

### Turning Movement Peak Hour Data (7:30 AM)

Start Time	Vernon Place Southbound					University Avenue Westbound					Vernon Place Northbound					University Avenue Eastbound					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
7:30 AM	27	19	2	0	48	23	32	3	0	58	1	16	5	0	22	2	24	22	0	48	176
7:45 AM	40	27	9	0	76	20	35	8	0	63	2	25	4	0	31	7	18	15	0	40	210
8:00 AM	23	22	10	0	55	21	30	9	0	60	3	32	6	0	41	8	17	9	0	34	190
8:15 AM	23	22	1	0	46	13	35	2	0	50	2	24	4	0	30	4	11	14	0	29	155
Total	113	90	22	0	225	77	132	22	0	231	8	97	19	0	124	21	70	60	0	151	731
Approach %	50.2	40.0	9.8	0.0	-	33.3	57.1	9.5	0.0	-	6.5	78.2	15.3	0.0	-	13.9	46.4	39.7	0.0	-	-
Total %	15.5	12.3	3.0	0.0	30.8	10.5	18.1	3.0	0.0	31.6	1.1	13.3	2.6	0.0	17.0	2.9	9.6	8.2	0.0	20.7	-
PHF	0.706	0.833	0.550	0.000	0.740	0.837	0.943	0.611	0.000	0.917	0.667	0.758	0.792	0.000	0.756	0.656	0.729	0.682	0.000	0.786	0.870
All Vehicles (no classification)	113	90	22	0	225	77	132	22	0	231	8	97	19	0	124	21	70	60	0	151	731
% All Vehicles (no classification)	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0	100.0	100.0	-	100.0	100.0



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Start Date: 11/09/2022  
Page No: 5

### Turning Movement Peak Hour Data (4:15 PM)

Start Time	Vernon Place Southbound						University Avenue Westbound						Vernon Place Northbound						University Avenue Eastbound					
	Right	Thru	Left	U-Turn	App. Total		Right	Thru	Left	U-Turn	App. Total		Right	Thru	Left	U-Turn	App. Total		Right	Thru	Left	U-Turn	App. Total	Int. Total
4:15 PM	20	43	22	0	85		3	21	1	0	25		12	13	3	0	28		1	66	13	0	80	218
4:30 PM	17	50	32	0	99		6	30	2	0	38		10	16	4	0	30		8	78	13	0	99	266
4:45 PM	21	36	20	0	77		2	35	1	0	38		8	10	3	0	21		11	75	27	0	113	249
5:00 PM	21	33	35	0	89		11	39	2	0	52		6	22	6	0	34		6	56	13	0	75	250
Total	79	162	109	0	350		22	125	6	0	153		36	61	16	0	113		26	275	66	0	367	983
Approach %	22.6	46.3	31.1	0.0	-		14.4	81.7	3.9	0.0	-		31.9	54.0	14.2	0.0	-		7.1	74.9	18.0	0.0	-	-
Total %	8.0	16.5	11.1	0.0	35.6		2.2	12.7	0.6	0.0	15.6		3.7	6.2	1.6	0.0	11.5		2.6	28.0	6.7	0.0	37.3	-
PHF	0.940	0.810	0.779	0.000	0.884		0.500	0.801	0.750	0.000	0.736		0.750	0.593	0.667	0.000	0.831		0.591	0.881	0.611	0.000	0.812	0.924
All Vehicles (no classification)	79	162	109	0	350		22	125	6	0	153		36	61	16	0	113		26	275	66	0	367	983
% All Vehicles (no classification)	100.0	100.0	100.0	-	100.0		100.0	100.0	100.0	-	100.0		100.0	100.0	100.0	-	100.0		100.0	100.0	100.0	-	100.0	100.0



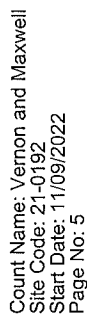
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Count Name: Vernon and Maxwell  
Site Code: 21-0192  
Start Date: 11/09/2022  
Page No: 3

### Turning Movement Peak Hour Data (7:30 AM)

Start Time	Vernon Place Southbound					Maxwell Avenue Westbound					Vernon Place Northbound				
	Thru	Left	U-Turn	App. Total		Right	Left	U-Turn	App. Total		Right	Thru	U-Turn	App. Total	Int. Total
7:30 AM	54	2	0	56		2	0	0	2		2	49	0	51	109
7:45 AM	78	4	0	82		1	0	0	1		5	58	0	63	146
8:00 AM	58	6	0	64		2	1	0	3		5	59	0	64	131
8:15 AM	48	3	1	52		3	1	0	4		4	41	0	45	101
Total	238	15	1	254		8	2	0	10		16	207	0	223	487
Approach %	93.7	5.9	0.4	-		80.0	20.0	0.0	-		7.2	92.8	0.0	-	-
Total %	48.9	3.1	0.2	52.2		1.6	0.4	0.0	2.1		3.3	42.5	0.0	45.8	-
PHF	0.763	0.625	0.250	0.774		0.667	0.500	0.000	0.625		0.800	0.877	0.000	0.871	0.834
All Vehicles (no classification)	238	15	1	254		8	2	0	10		16	207	0	223	487
% All Vehicles (no classification)	100.0	100.0	100.0	100.0		100.0	100.0	-	100.0		100.0	100.0	-	100.0	100.0



Count Name: Vernon and Maxwell  
Site Code: 21-0192  
Start Date: 11/09/2022  
Page No: 5

Mason, Ohio, United States 45040  
336-6600 wardellwilcox@bayerbecke

Start Time	Vernon Place Southbound					Maxwell Avenue Westbound					Vernon Place Northbound				
	Thru	Left	U-Turn	App. Total		Right	Left	U-Turn	App. Total		Right	Thru	U-Turn	App. Total	Int. Total
4:15 PM	77	1	0	78		4	3	0	7		1	25	0	26	111
4:30 PM	96	3	0	99		7	5	0	12		1	38	0	39	150
4:45 PM	78	1	1	80		5	1	0	6		1	37	0	38	124
5:00 PM	79	3	0	82		7	3	0	10		4	44	0	45	137
Total	330	8	1	339		23	12	0	35		4	144	0	148	522
Approach %	97.3	2.4	0.3	-		65.7	34.3	0.0	-		2.7	97.3	0.0	-	-
Total %	63.2	1.5	0.2	64.9		4.4	2.3	0.0	6.7		0.8	27.6	0.0	28.4	-
PHF	0.859	0.667	0.250	0.856		0.821	0.600	0.000	0.729		1.000	0.818	0.000	0.822	0.870
All Vehicles (no classification)	330	8	1	339		23	12	0	35		4	144	0	148	522
% All Vehicles (no classification)	100.0	100.0	100.0	100.0		100.0	100.0	-	100.0		100.0	100.0	-	100.0	100.0



November 30, 2022

Kam Smith  
Bayer Becker  
1404 Race Street  
Suite 204  
Cincinnati, OH 45202

**Subject: Conditional Availability of Sewers**  
**Office Medical Lab 60,000sf**  
**Auditor's Parcel Number 0091-0001-0201, -0215, -0218, -0330, & -0331**  
**3041 Reading Road**  
**Cincinnati**  
**APD Number CMD2200208**

Dear Mr. Smith,

Your sewer availability request for the property referenced above has been processed and approved. Sanitary sewer service is available via the connection to the existing public sewer in Reading Road, subject to the following requirements and conditions:

1. All plans and construction shall comply with the latest edition of the MSD Rules and Regulations which governs the design, construction, maintenance, operation, and use of sanitary and combined sewers. This document can be downloaded from the MSD website at [https://www.msdbg.org/Doing\\_business/msd-rules-regulations/index.html](https://www.msdbg.org/Doing_business/msd-rules-regulations/index.html).
2. Due to the age, pipe material type, and diameter of the sanitary sewer, special considerations should be made to protect MSDGC's infrastructure during construction. Any damage to the sanitary sewer is to be remediated at the cost of the contractor. Once the connection point to the sewer has been uncovered, MSDGC's on-site inspector will need to verify any necessary repairs to the sanitary sewer that must be completed before the work can take place.
3. In instances where the overflow rim of the lowest plumbing fixture in any proposed structure is below the elevation of the rim of the next upstream manhole in the sewer system to which the proposed structure is connected, a backwater valve shall be installed in accordance with Section 614 of the MSD Rules and Regulations.
4. This development shall be subject to the requirements of Article XV of the MSD Rules and Regulations, which requires filing the appropriate Waste Discharge Permit Application as a condition of obtaining sewer service. These forms can be downloaded from the MSD website at [https://www.msdbg.org/Customer\\_care/Industrial\\_and\\_Commercial\\_Customers/index.html](https://www.msdbg.org/Customer_care/Industrial_and_Commercial_Customers/index.html). Additional information can be obtained by contacting the MSD Division of Industrial waste at 513.557.7000.
5. A tap permit must be obtained in accordance with Section 1201 of the MSD Rules and Regulations. After the tap permit is issued, the sewer contractor must contact the MSD Field Office at 513.244.1369 for sewer inspection.
6. All sewer tappers making building sewer connections to the MSD sewer system shall be licensed and bonded by MSD in accordance with Section 1212 of the MSD Rules and Regulations.
7. The person to whom a tap permit or special permit is issued shall be responsible for obtaining any additional permits required to open-cut any public street, road, or highway from the appropriate

public authority that has jurisdiction in accordance with Section 1210 of the MSD Rules and Regulations.

8. Each structure or each dwelling is to be provided with a separate water service and meter and shall also be serviced by a separate and completely independent building sewer tapping into the sanitary or combined sewer system in accordance with Section 1202 of the MSD Rules and Regulations.
9. All storm and sanitary sewer flows shall be separated within the development site before discharging to the combined sewer system in accordance with Section 302 of the MSD Rules and regulations.
10. Storm detention shall be provided in accordance with Section 303 of the MSD Rules and Regulations. MSD will require additional detention regulations due to downstream capacity issues, which will be determined during the Detailed Review.
11. For additional site stormwater requirements within the City of Cincinnati, contact the City of Cincinnati's Stormwater Management Utility (SMU) at 513.591.5050.

The conditional availability of sewer service as described in this letter is effective until one year from the date of this letter and may be extended for one additional year in accordance with Article V, Section 510 of the MSD Rules and Regulations. Extension requests may be made within thirty (30) days of the expiration date of this application. Subsequent extension requests may or may not be granted depending on the availability of sewer credits, the hydraulic capacity of the sewer system, and/or other factors that may affect MSD's ability to accept additional sanitary flows into our sewer system.

This determination of sewer availability is based on the best information available at this time to the Metropolitan Sewer District of Greater Cincinnati and is subject to modification or revocation resulting from regulatory action taken by the United States Environmental Protection Agency, the State of Ohio Environmental Protection Agency, from federal consent decrees, or other judicial action ordered by federal courts of the United States Government or the courts of the State of Ohio.

If you have any questions, please call William Weinheimer at 513.557.7019 or me at 513.557.7188.

Sincerely,



Robert Franklin  
Engineering Tech. Supervisor, Development Services  
Metropolitan Sewer District of Greater Cincinnati

RF: WW

c: Availability File, Cincinnati, Katherine Keough-Jurs



November 30, 2022

Kam Smith  
Bayer Becker  
1404 Race Street  
Suite 204  
Cincinnati, OH 45202

**Subject: Conditional Availability of Sewers**  
**Mixed Use Retail – 24,000sf Office – 30,000sf, Apartments 100 1-Br, 200 2-Br**  
**Auditor's Parcel Number 0091-0001-0201, -0100 to -0109, -0112**  
**0106-0001-0145, -0146, -0149, -0150, -0204, -0243, -0254 to -0260, -0328**  
**515 E. Martin Luther King Jr Drive**  
**Cincinnati**  
**APD Number CMD2200209**

Dear Mr. Smith,

Your sewer availability request for the property referenced above has been processed and approved. Sanitary sewer service is available via the connection to the proposed public sewer in Vernon Place, subject to the following requirements and conditions:

1. All plans and construction shall comply with the latest edition of the MSD Rules and Regulations which governs the design, construction, maintenance, operation, and use of sanitary and combined sewers. This document can be downloaded from the MSD website at [https://www.msdbg.org/Doing\\_business/msd-rules-regulations/index.html](https://www.msdbg.org/Doing_business/msd-rules-regulations/index.html).
2. Due to the age, pipe material type, and diameter of the sanitary sewer, special considerations should be made to protect MSDGC's infrastructure during construction. Any damage to the sanitary sewer is to be remediated at the cost of the contractor. Once the connection point to the sewer has been uncovered, MSDGC's on-site inspector will need to verify any necessary repairs to the sanitary sewer that must be completed before the work can take place.
3. In instances where the overflow rim of the lowest plumbing fixture in any proposed structure is below the elevation of the rim of the next upstream manhole in the sewer system to which the proposed structure is connected, a backwater valve shall be installed in accordance with Section 614 of the MSD Rules and Regulations.
4. A mainline sewer extension is required for the proposed development. Concept and detail plans must be submitted for MSD review and approval in accordance with Articles VI and VII of the latest revision of the MSD Rules and Regulations.

A Permit to Install is required from the Ohio EPA before MSD will grant final approval of Detail Plans for sanitary sewer construction. The permit application shall be prepared by a Registered Ohio Professional Engineer for submittal by MSD to the Ohio EPA. No construction of a mainline extension can begin prior to obtaining a PTI from the Ohio EPA.

A public sanitary sewer easement shall be dedicated for all portions of the proposed mainline extension which will be located outside of a dedicated public right of way. This easement shall be dedicated by plat, prepared in accordance with MSD, Hamilton County, and State of Ohio standards, and shall be submitted to MSD for review prior to execution by the grantors. All public sewer easements shall be a minimum of 20 feet in width, and MSD reserves the right to require a wider

easement if site conditions warrant.

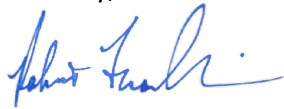
5. A public sewer traverses the proposed development site. No soil grading shall take place within the boundaries of recorded or prescribed easements until an Excavation/Fill permit has been obtained in accordance with Section 406 of the MSD Rules and Regulations. Additionally, no permanent structures or retaining walls may be constructed over a public sewer or within a recorded public easement as set forth in Sections 206 and 207 of the MSD Rules and Regulations until the sewer is properly abandoned and the new sewer is constructed.
6. A tap permit must be obtained in accordance with Section 1201 of the MSD Rules and Regulations. After the tap permit is issued, the sewer contractor must contact the MSD Field Office at 513.244.1369 for sewer inspection.
7. All sewer tappers making building sewer connections to the MSD sewer system shall be licensed and bonded by MSD in accordance with Section 1212 of the MSD Rules and Regulations.
8. The person to whom a tap permit or special permit is issued shall be responsible for obtaining any additional permits required to open-cut any public street, road, or highway from the appropriate public authority that has jurisdiction in accordance with Section 1210 of the MSD Rules and Regulations.
9. Each structure or each dwelling is to be provided with a separate water service and meter and shall also be serviced by a separate and completely independent building sewer tapping into the sanitary or combined sewer system in accordance with Section 1202 of the MSD Rules and Regulations.
10. All storm and sanitary sewer flows shall be separated within the development site before discharging to the combined sewer system in accordance with Section 302 of the MSD Rules and regulations.
11. Storm detention shall be provided in accordance with Section 303 of the MSD Rules and Regulations. MSD will require additional detention regulations due to downstream capacity issues, which will be determined during the Detailed Review.
12. For additional site stormwater requirements within the City of Cincinnati, contact the City of Cincinnati's Stormwater Management Utility (SMU) at 513.591.5050.

The conditional availability of sewer service as described in this letter is effective until one year from the date of this letter and may be extended for one additional year in accordance with Article V, Section 510 of the MSD Rules and Regulations. Extension requests may be made within thirty (30) days of the expiration date of this application. Subsequent extension requests may or may not be granted depending on the availability of sewer credits, the hydraulic capacity of the sewer system, and/or other factors that may affect MSD's ability to accept additional sanitary flows into our sewer system.

This determination of sewer availability is based on the best information available at this time to the Metropolitan Sewer District of Greater Cincinnati and is subject to modification or revocation resulting from regulatory action taken by the United States Environmental Protection Agency, the State of Ohio Environmental Protection Agency, from federal consent decrees, or other judicial action ordered by federal courts of the United States Government or the courts of the State of Ohio.

If you have any questions, please call William Weinheimer at 513.557.7019 or me at 513.557.7188.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert Franklin".

Robert Franklin  
Engineering Tech. Supervisor, Development Services  
Metropolitan Sewer District of Greater Cincinnati

RF: WW

c: Availability File, Cincinnati, Katherine Keough-Jurs

**CITY MANAGER'S  
COORDINATED REPORT TO CITY COUNCIL****SUBJECT: CR #97-2022 – Queen City Hills Development****TRANSPORTATION/ENGINEERING – RECOMMENDATION**

Date: 11/16/2022

Bob Vickrey

NO OBJECTION

**PUBLIC SERVICES – RECOMMENDATION**

Date: 11/4/2022

Joel Koopman

NO OBJECTION

**METROPOLITAN SEWER - RECOMMENDATION**

Date: 11/4/2022

Rob Kern

**CONDITIONS****STORMWATER MGT UTILITY- RECOMMENDATION**

Date: 11/14/2022

Nick Christopf

**CONDITIONS****GREATER CINCINNATI WATER WORKS - RECOMMENDATION**

Date: 11/10/2022

Cheri Bush

**PARTIAL OBJECTIONS/CONDITIONS****ECONOMIC DEVELOPMENT & COMMUNITY DEVELOPMENT - RECOMMENDATION** Date: 12/1/2022

Mary Poole

NO OBJECTION

**CITY PLANNING AND ENGAGEMENT - RECOMMENDATION**

Date: 12/5/2022

Katherine Keough-Jurs

**CONDITIONS****DUKE ENERGY – GENERAL**

Date: 12/1/2022

Michael Abel

**CONDITIONS****DUKE ENERGY, GAS - RECOMMENDATION**

Date: 10/29/2022

Jesse Orth

**CONDITIONS****DUKE ENERGY, ELECTRIC- RECOMMENDATION**

Date:

Matthew Reis

*NO RESPONSE matthew.ries@duke-energy.com***ALTAFIBER - RECOMMENDATION**

Date: 11/22/2022

Breck Cowan

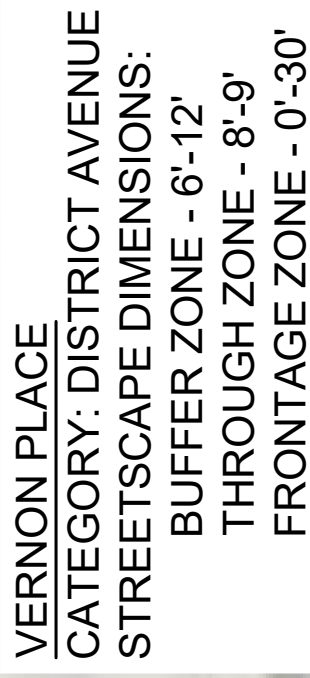
**CONDITIONS**

Page 2 of 2  
CR#97-2022  
Date: 12/6/2022

**SUBJECT: CR #97-2022 – Queen City Hills Development**

<b>FIRE DEPARTMENT – RECOMMENDATION</b> Chief Michael A. Washington, Sr.	Date: 11/17/2022
NO OBJECTION	
<b>POLICE DEPARTMENT – RECOMMENDATION</b> Interim Chief Teresa A Theetge	Date: 11/15/2022
NO OBJECTION	
<b>BUILDINGS &amp; INSPECTIONS</b> Arthur Dahlberg	Date: 11/21/2022
<b>CONDITIONS</b>	
<b>PARKS DEPARTMENT – RECOMMENDATION</b> Matt DiBona	Date: 12/6/2022
NO OBJECTION	
<b>RECREATION COMMISSION – RECOMMENDATION</b> Matt Schiller	Date: 11/9/2022
NO OBJECTION	
<b>COMMUNICATIONS TECHNOLOGY- RECOMMENDATION</b> Chris Abernathy	Date: 11/21/2022
NO OBJECTION	
<b>OFFICE OF ENVIRONMENT AND SUSTAINABILITY- RECOMMENDATION</b> Howard Miller	Date: 12/5/2022
NO OBJECTION	

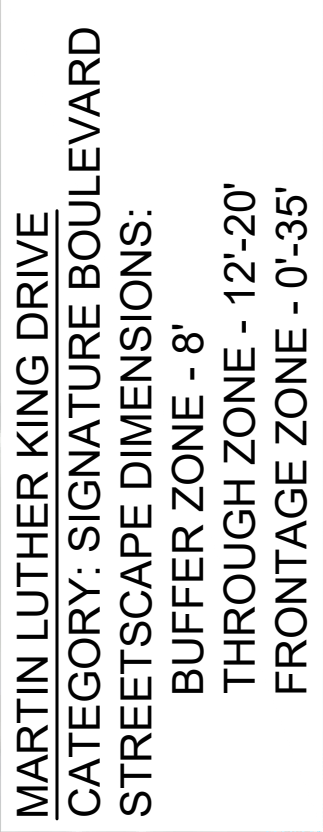




**VERNON PLACE**  
**CATEGORY: DISTRICT AVENUE**  
**STREETSCAPE DIMENSIONS:**  
 BUFFER ZONE - 6'-12'  
 THROUGH ZONE - 8'-9'  
 FRONTAGE ZONE - 0'-30'

MAXWELL AVENUE  
CATEGORY: COURTYARD COMMONS  
STREETSCAPE DIMENSIONS:  
    BUFFER ZONE - 4'-6"  
    THROUGH ZONE - 10'  
    FRONTAGE ZONE - 0'-10'

MAXWELL AVENUE  
CATEGORY: COURTYARD COMMONS  
STREETSCAPE DIMENSIONS:  
    BUFFER ZONE - 4'-6"  
    THROUGH ZONE - 10'  
    FRONTAGE ZONE - 0'-10'



**MARTIN LUTHER KING DRIVE**  
**CATEGORY: SIGNATURE BOULEVARD**  
**STREETSCAPE DIMENSIONS:**  
    **BUFFER ZONE - 8'**  
    **THROUGH ZONE - 12'-20'**  
    **FRONTAGE ZONE - 0'-35'**

**READING ROAD**  
**CATEGORY: PRIMARY AVENUE**  
**STREETSCAPE DIMENSIONS:**  
    **BUFFER ZONE - 8'**  
    **THROUGH ZONE - 10'**  
    **FRONTAGE ZONE - 0'-10'**

**READING ROAD**  
**CATEGORY: PRIMARY AVENUE**  
**STREETSCAPE DIMENSIONS:**  
    **BUFFER ZONE - 8'**  
    **THROUGH ZONE - 10'**  
    **FRONTAGE ZONE - 0'-10'**

ALSHEYAB, RAWAN  
3014 BURNETT AVE  
CINCINNATI, OH 45219

Avondale Community Council  
3635 Reading Road, #100  
Cincinnati, OH 45229

Avondale Development Corp.  
3635 Reading Road, #200  
Cincinnati, OH 45229

BURNET APARTMENTS LLC  
2718 VINE ST  
CINCINNATI, OH 45219

BURNET R & S CORP INC  
4555 LAKE FOREST DR, SUITE 410  
CINCINNATI, OH 45242

CARNATION FUNDING COMPANY LLC  
155 NORTH WACKER DR, #4250  
CHICAGO IL 60606

CENTRAL CLINIC  
311 ALBERT SABIN WAY  
CINCINNATI, OH 45229

CENTRAL COMMUNITY HEALTH  
BOARD OF HAMILTON COUNTY  
532 MAXWELL AVE  
CINCINNATI, OH 45219

CINCINNATI CHILDRENS HOSPITAL  
MEDICAL CENTER  
3333 BURNET AVE  
CINCINNATI, OH 45229

COLDIRON PROPERTIES LLC  
3024 BURNETT AVE  
CINCINNATI, OH 45219

DIGITAL FUTURES OFFICE 2 LLC  
3200 MADISON RD, SUITE 2B  
CINCINNATI, OH 45209

FIRST NATIONAL BANK OF CINTI  
THE US BANK TAX DEP  
2800 E LAKE ST  
MINNEAPOLIS, MN 55406

UPTOWN TRANSPORTATION  
AUTHORITY LLC  
3440 BURNET AVE, STE 130  
CINCINNATI, OH 45229

JEBRIL, NIDAL  
3016 READING RD  
CINCINNATI, OH 45206

MCDONALDS CORPORATION  
PO BOX 66351  
CHICAGO, IL 60666

MERRILL, JERRI ANN  
17219 ST ROUTE 136  
WINCHESTER, OH 45697

MESA PROPERTIES LLC  
3955 MONTGOMERY RD  
CINCINNATI, OH 45212

MLK INVESTORS I LLC  
2135 DANA AVE, SUITE 200  
CINCINNATI, OH 45207

OUDEH, ABEDALSALAM  
& ABDALLAH ODEH  
3000 READING RD  
CINCINNATI, OH 45206

PI LAND LLC  
8033 HAMILTON AVENUE  
CINCINNATI, OH 45231

PORT OF GREATER CINCINNATI  
DEVELOPMENT AUTHORITY  
3 E FOURTH ST, SUITE 300  
CINCINNATI, OH 45202

READING ROAD PROPERTY  
11843 KEMPER SPRINGS DR  
CINCINNATI, OH 45240

REILLY U & H MGMT LLC  
7215 ALGONQUIN DR  
CINCINNATI, OH 45243

SGA ENTERPRISES INC  
2333 ANDERSON RD  
FT MITCHELL, KY 41017

STATE OF OHIO  
505 S STATE ROUTE 741  
LEBANON, OH 45036

STATE OF OHIO  
FBO THE UNIVERSTIY OF CINCINNATI  
2618 MCMICKEN CIR  
CINCINNATI, OH 45221

STERLING MEDICAL ASSOCIATES INC  
2936 VERNON PL  
CINCINNATI, OH 45219

TEKO LAND GROUP LTD  
3665 ERIE AVE  
CINCINNATI, OH 45208

TERRAZA 7 LLC  
11995 EL CAMINO REAL  
SAN DIEGO, CA 92130

UC HEALTH  
3200 BURNET AVE  
CINCINNATI, OH 45229

UCF HOLDINGS LLC  
ATTN: THOMAS FREEMAN  
P O BOX 19970  
CINCINNATI, OH 45219

UNIVERSITY OF CINCINNATI  
BOARD OF TRUSTEES  
PO BOX 210623  
CINCINNATI, OH 45221-0623

YWCA DEVELOPMENT CORP  
898 WALNUT ST  
CINCINNATI, OH 45202

VERNON INVESTMENTS LLC  
2939 VERNON PL  
CINCINNATI, OH 45219

VERNON PLACE HOLDINGS LLC  
5710 WOOSTER PIKE, #320  
CINCINNATI, OH 45227

VERNON PLACE LTD PARTNERSHIP  
2925 VERNON PL  
CINCINNATI, OH 45219

February 8, 2023

Cincinnati City Council  
Council Chambers, City Hall  
Cincinnati, Ohio 45202

Dear Members of Council:

We are transmitting herewith an Emergency Ordinance captioned as follows:

**AMENDING** the official zoning map of the City of Cincinnati to rezone certain real property in the area generally bound by East Martin Luther King Jr. Drive to the north, Reading Road to the east, Maxwell Avenue to the south, and Vernon Place to the west in the Avondale neighborhood from the CC-A, “Commercial Community – Auto-Oriented,” CC-P, “Commercial Community – Pedestrian,” and OG, “Office General,” zoning districts to Planned Development District No. 97, “Queen City Hills.”

The City Planning Commission recommended approval of the zone change at its February 3, 2023 meeting.

**Summary:**

Queen City Hills, the developer, proposes the redevelopment of one of the four corridor quadrant areas at Reading Road and E. Martin Luther King Jr. Drive in Avondale. It is approximately 5.85 acres in size and contains 15 parcels. The proposed Concept Plan and Development Program Statement is for the redevelopment into a large-scale, mixed-use development, referred to as the “Biotech Cincinnati Life Science Research Park for Innovation Corridor.” Major site components include a commercial development lab, a research lab and office space, street level retail space along E. Martin Luther King Jr. Drive, a structured parking garage and podium, a large public plaza, and multi-family housing.

The development team has been actively engaged with the Avondale Community Council regarding this project since 2019. Throughout 2019 and 2020, the development team met with Uptown Consortium and WEB Ventures monthly to discuss development goals. The development team has worked hard to ensure that the proposed project meets the Uptown District Design Guidelines, a set of development principles created through an intense community engagement process led by Uptown Consortium.

The City Planning Commission recommended the following on February 3, 2023, to City Council:

1. **ACCEPT** the Concept Plan and Development Program Statement as submitted; and
2. **ADOPT** the Department of City Planning and Engagement Findings as detailed in the report; and
3. **APPROVE** the proposed zone change from Commercial Community – Auto-oriented (CC-A), Commercial Community-Pedestrian (CC-P), and Office General (OG) to Planned Development (PD), including a Concept Plan and Development Program Statement, at the southwest quadrant of the intersection of Reading Road and E. Martin Luther King Jr. Drive in Avondale.

Motion to Approve: Mr. Weber  
Seconded: Ms. Kearney

Ayes: Ms. Kearney  
Mr. Samad  
Mr. Stallworth  
Mr. Weber

THE CITY PLANNING COMMISSION



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Katherine Keough-Jurs, FAICP, Director  
Department of City Planning and Engagement

February 8, 2023

To: Chelsey Pettyjohn, Office of the Clerk of Council

From: Katherine Keough-Jurs, FAICP, Director, Department of City Planning & Engagement *KJK*

Copies to: Stacey Hoffman, Senior City Planner, Department of City Planning & Engagement

Subject: Scheduling of Emergency Ordinance – Planned Development #97, Queen City Hills

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The above referenced Emergency Ordinance is requested to be scheduled for the Equitable Growth and Housing Committee on February 28, 2023. This item requires a public hearing following a required 14-day notification period by mail and in the City Bulletin.

Included in this submission are the following items:

- 1) The transmittal letter to the Mayor and City Council;
- 2) A copy of the City Planning Commission staff report dated February 3, 2023;
- 3) The Emergency Ordinance (Transmitted by Law);
- 4) Mailing labels for the notice of the public hearing; and
- 5) A copy of the mailing labels for your file.

**February 8, 2023**

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

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

202300559

**Subject: Emergency Ordinance – Approving and Authorizing a CRA Tax Abatement with Condominium Holdings, LLC**

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Attached is an Emergency Ordinance captioned:

**APPROVING AND AUTHORIZING** the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement with Condominium Holdings, LLC, an affiliate of Cincinnati City Center Development Corporation, commonly known as 3CDC, thereby authorizing a 15-year tax exemption for 100% of the value of improvements to real property located at 1428 Vine Street in the Over-the-Rhine neighborhood of Cincinnati, in connection with the remodeling of the first floors of two existing buildings into approximately 2,486 square feet of ground floor commercial space, at a total construction cost of approximately \$466,444.

#### **BACKGROUND/CURRENT CONDITIONS**

The project site includes two buildings located at 1428-1430 Vine Street in Over-the-Rhine. The buildings currently sit vacant. The Developer acquired the buildings in 2019 through another related entity and transferred them to Condominium Holdings, LLC in 2022. The exterior of these two buildings has previously been updated.

#### **DEVELOPER INFORMATION**

Condominium Holdings, LLC is a subsidiary of the Cincinnati City Center Development Corporation (3CDC). Since 2003, 3CDC has undertaken over \$1.4 billion in investment in the Central Business District and Over-the-Rhine, renovating over 160 different buildings and one million square feet of commercial space.

#### **PROJECT DESCRIPTION**

The Developer plans to convert the ground floor of the two subject buildings into two white-box commercial spaces totaling 2,486 square feet. They estimate that the commercial spaces will lead to the creation of 9 full-time equivalent jobs totaling \$289,200 in annual payroll. Separate from the scope of this CRA Application, the Developer will also be renovating the upper floors of these buildings into 9 residential condominium units. For the commercial portion of this project, the Developer estimates a total project cost of \$682,294, as well as the creation of 5 temporary construction jobs at \$238,913 in payroll over 12 months.

This project achieves the Compete Initiative Area Goal 2 (pages 114-120) and Sustain Initiative Area Goal 2 (pages 193-198) of Plan Cincinnati by cultivating our position as the most vibrant and healthiest part of our region and preserving our natural and built environment.

### **PROPOSED INCENTIVE**

DCED is recommending a 15-year, net 52% Commercial CRA tax abatement. This recommendation is based on the following factors:

- This project will activate two currently vacant storefronts, as well as contribute to continued neighborhood development in the northern portion Over-the-Rhine near Liberty Street.
- This project will help expand the City's income tax base through the creation of 9 full-time equivalent positions.
- The Developer is also focusing their leasing efforts on the recruitment of Black-owned businesses to fill the open commercial space created by this project.

*\* "But For" Analysis Explanation:*

- Without an abatement, the projected return on equity for the commercial portion of this project is at or below 0% for the first 10 years, which would equate to the project not moving forward as the Developer would lose money on their investment.
- With the proposed abatement, the projected return on equity for the project rises to 4% in Year 5 and 9% in Year 10, meaning that the project becomes profitable to the Developer through the tax abatement incentive.

PROFORMA WITHOUT ABATEMENT (YEARS 1-15)		PROFORMA WITH ABATEMENT (YEARS 1-15)	
Revenue	\$48,615	Revenue	\$48,615
Operating Expenses and Reserves	\$26,106	Operating Expenses and Reserves	\$17,618
Net Operating Income	\$22,509	Net Operating Income	\$30,996
Debt Service	\$24,757	Debt Service	\$24,757
Cash Flow After Debt Service	-\$2,247	Cash Flow After Debt Service	\$3,744
Cash on Cash Return	-2%	Cash on Cash Return	4%

<b>SUMMARY</b>		
<b>Incentive Value</b>		
	Annual Net Incentive to Developer	\$4,160
	<b>Total Term Incentive to Developer</b>	<b>\$62,396</b>
	<b>City's Portion of Property Taxes Forgone (Term)</b>	<b>\$16,863</b>
	<b>City's TIF District Revenue Forgone (Term)</b>	<b>\$0</b>
<b>Public Benefit</b>		
	CPS PILOT	
	Annual CPS Pilot	\$2,640
	Total Term CPS PILOT	<b>\$39,597</b>
	VTICA	
	Annual VTICA	\$1,200
	Total Term VTICA	<b>\$17,999</b>
	Income Tax (Max)	<b>\$82,384</b>
	<b>Total Public Benefit (CPS PILOT/VTICA /Income Tax)</b>	<b>\$139,981</b>
	Total Public Benefit ROI*	\$2.24
	City's ROI**	\$8.30
	*This figure represents the total dollars returned for public purposes (City/Schools/Other) over the benefit received. This figure may be less than \$1.00 if meeting specific City policy objectives that are non-financial or project has limited likelihood to proceed without incentive	
	**This figure represents the total dollars returned for City/VTICA over the City's property taxes forgone. This figure may be less than \$1.00 if meeting specific City policy objectives that are non-financial or project has limited likelihood to proceed without incentive	

## **PROJECT TEAM & TIMELINE**

The project team (listed below) will make themselves available at the request of the councilmember(s).

- Assistant City Manager: William Weber
- DCED Director: Markiea Carter
- Project Attorney: Samantha Brandenburg

The anticipated council timeline, which includes two Budget and Finance meetings if necessary is as follows:

- February 8, 2023: Introduction to City Council
- February 13, 2023: Budget and Finance (1)
- February 20, 2023: Budget and Finance (2)
- February 22, 2023: City Council for Final Approval

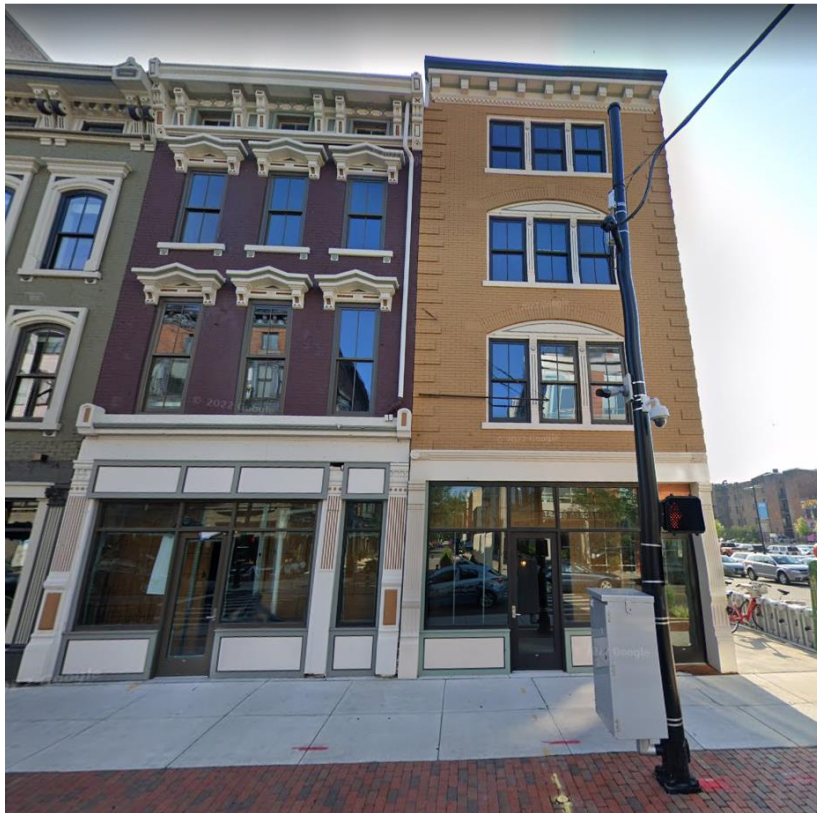
**RECOMMENDATION**

The Administration recommends approval of this Emergency Ordinance, so the project financing can close, maintaining a strict project timeline and allow the City to realize its economic benefit at the earliest possible time.

Attachment: A. Property location and photographs

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

## Attachment A: Location and Photographs



## EMERGENCY

EVK

- 2023

**APPROVING AND AUTHORIZING** the City Manager to execute a *Community Reinvestment Area Tax Exemption Agreement* with Condominium Holdings, LLC, an affiliate of Cincinnati Center City Development Corporation, commonly known as 3CDC, thereby authorizing a 15-year tax exemption for 100% of the value of improvements made to real property located at 1428 Vine Street in the Over-the-Rhine neighborhood of Cincinnati, in connection with the remodeling of the first floors of 2 existing buildings into approximately 2,486 square feet of ground floor commercial space, at a total construction cost of approximately \$466,444.

WHEREAS, to encourage the development of real property and the acquisition of personal property, the Council of the City of Cincinnati by Ordinance No. 274-2017 passed on September 27, 2017, designated the area within the corporate boundaries of the City of Cincinnati as a “Community Reinvestment Area” pursuant to Ohio Revised Code (“ORC”) Sections 3735.65 through 3735.70 (the “Statute”); and

WHEREAS, Ordinance No. 275-2017 passed by this Council on September 27, 2017, as amended by Ordinance No. 339-2018, passed by this Council on October 31, 2018, sets forth certain additional policies, conditions and limitations regarding newly constructed or remodeled commercial and residential structures in the Community Reinvestment Area; and

WHEREAS, effective October 23, 2017, the Director of Development of the State of Ohio determined that the area within the corporate boundaries of the City of Cincinnati contains the characteristics set forth in the Statute and confirmed such area as a Community Reinvestment Area under the Statute; and

WHEREAS, Condominium Holdings, LLC (the “Company”) desires to remodel the first floors of 2 existing buildings into approximately 2,486 square feet of ground floor commercial space on real property at 1428 Vine Street located within the corporate boundaries of the City of Cincinnati (the “Improvements”), provided that the appropriate development incentives are available to support the economic viability of the Improvements; and

WHEREAS, to provide an appropriate development incentive for the Improvements, the City Manager has recommended a *Community Reinvestment Area Tax Exemption Agreement*, in substantially the form of Attachment A to this ordinance, to authorize a real property tax exemption for the Improvements in accordance with the Statute; and

WHEREAS, the property is located within the Cincinnati City School District; and

WHEREAS, the Board of Education of the Cincinnati City School District (the “Board of Education”), pursuant to that certain *Tax Incentive Agreement* effective as of April 28, 2020 (as may be amended, the “Board of Education Agreement”), has approved exemptions of up to

100% of Community Reinvestment Area projects, waived advance notice and the right to review such projects, and waived sharing or allocation of municipal income taxes in connection with such projects; and

WHEREAS, pursuant to the Board of Education Agreement, the Company has entered into (or will enter into) an agreement with the Board of Education requiring the Company to pay the Board of Education amounts equal to 33% of the exempt real property taxes; and

WHEREAS, the City's Department of Community and Economic Development estimates that the real property tax exemption for the Improvements will provide an annual net benefit to the Company in the amount of approximately \$4,160; and

WHEREAS, the Company has represented that it has entered into (or will enter into) a voluntary tax incentive contribution agreement with a third-party organization for amounts equal to 15% of the exempt real property taxes, which funds shall be committed by the third-party organization to support the streetcar that specially benefits the property; and

WHEREAS, the Improvements do not involve relocation of part or all of the Company's operations from another county or municipal corporation in Ohio or, if there is relocation, notice has been given per ORC Section 3735.673; now, therefore,

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

Section 1. That Council approves a *Community Reinvestment Area Tax Exemption Agreement* with Condominium Holdings, LLC (the "Agreement"), thereby authorizing a 15-year tax exemption for 100% of the assessed value of improvements to be made to real property located at 1428 Vine Street in Cincinnati, as calculated by the Hamilton County Auditor, in connection with the remodeling of the first floors of 2 existing buildings into approximately 2,486 square feet of ground floor commercial space, to be completed at a total construction cost of approximately \$466,444.

Section 2. That Council authorizes the City Manager:

- (i) to execute the Agreement on behalf of the City in substantially the form of Attachment A to this ordinance; and
- (ii) to forward on behalf of Council a copy of the Agreement, within fifteen (15) days after execution, to the Director of the Ohio Development Services Agency in accordance with Ohio Revised Code Section 3735.671(F); and
- (iii) to submit on behalf of Council annual reports on the Agreement to the Director of

the Ohio Development Services Agency and to the Board of Education of the Cincinnati City School District, in accordance with Ohio Revised Code Section 3735.672; and

- (iv) to take all necessary and proper actions to fulfill the City’s obligations under the Agreement.

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 allow the remodeling described in this ordinance and the corresponding revitalization of the City of Cincinnati and the benefits to the City's economic welfare to begin at the earliest possible time.

Passed: \_\_\_\_\_, 2023

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

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

## Community Reinvestment Area Tax Exemption Agreement

This Community Reinvestment Area Tax Exemption Agreement (this "Agreement") is made and entered into as of the Effective Date (as defined on the signature page hereof) by and between the CITY OF CINCINNATI, an Ohio municipal corporation (the "City"), and CONDOMINIUM HOLDINGS, LLC, an Ohio limited liability company (the "Company"), an affiliate of Cincinnati Center City Development Corporation, commonly known as 3CDC.

## Recitals:

- A. The City, through the adoption of Ordinance No. 274-2017 on September 27, 2017, designated the entire City of Cincinnati as a Community Reinvestment Area to encourage the development of real property and the acquisition of personal property in that area, pursuant to Ohio Revised Code Sections 3735.65 through 3735.70 (the "Statute").
- B. In accordance with the Statute, the Ohio Director of Development has forwarded to the City the Director's determination dated October 23, 2017, stating that the findings contained in Ordinance No. 274-2017 are valid and that the entire City is a Community Reinvestment Area under the Statute. By such determination, the Director of Development of the State of Ohio determined that the area within the corporate boundaries of the City of Cincinnati contains the characteristics set forth in the Statute and confirmed such area as a Community Reinvestment Area under the Statute.
- C. The Council of the City of Cincinnati has also passed Ordinance No. 275-2017 as of September 27, 2017, as amended by Ordinance No. 339-2018, passed on October 31, 2018, Ordinance No. 370-2020, passed on November 12, 2020, and Ordinance No. 24-2022, passed on February 2, 2022 (as amended, the "Commercial Policy Ordinance"), which sets forth certain additional policies, conditions and limitations regarding newly constructed or remodeled commercial and residential structures in the Community Reinvestment Area.
- D. The Company is the sole owner of certain real property within the City, located at 1428 Vine Street, Cincinnati, Ohio 45202 (the "Property"), as further described in Exhibit A (Legal Description of Property) hereto. Notwithstanding the foregoing, the Property shall not include any residential condominiums being developed in connection with the Project (as defined below) (the "Excluded Property"), and the Company acknowledges and agrees that the City's Community Reinvestment Area program entails separate applications by the owner of any residential condominium units included within the Project. For the avoidance of doubt, the Excluded Property shall not be exempt under this Agreement; however, this provision shall not be deemed to prohibit any owners from time to time of any Excluded Property from separately applying for a tax abatement in accordance with applicable law.
- E. The Company has proposed to remodel 2 buildings located on the Property, within the boundaries of the City of Cincinnati, as more fully described in Section 1 herein (the "Project"), provided that the appropriate development incentives are available to support the economic viability of the Project.
- F. The Statute provides that if any part of a project is to be used for commercial or industrial purposes, including projects containing five or more dwelling units, in order to be eligible for tax exemption the City and the Company must enter into an agreement pursuant to Ohio Revised Code Section 3735.671 prior to commencement of construction or remodeling.
- G. The City, having appropriate authority under the Statute for this type of project, agrees (as provided herein and subject to all conditions herein) to provide the Company with the tax exemption incentives stated herein, available under the Statute, for development of the Project.

- H. The Company has submitted to the City an application for this tax exemption agreement (the "Application"), a copy of which is attached hereto as Exhibit B, has remitted with the Application (i) the City application fee of One Thousand Two Hundred Fifty Dollars (\$1,250) made payable to the City and (ii) in accordance with Ohio Revised Code Section 3735.672(C), the state application fee of Seven Hundred Fifty Dollars (\$750) made payable to the Ohio Development Services Agency ("ODSA"), to be forwarded to the ODSA with an executed copy of this Agreement.
- I. The Director of the City's Department of Community and Economic Development has recommended approval of the Application on the basis that the Company is qualified by financial responsibility and business experience to create and preserve employment opportunities and improve the economic climate of the City.
- J. The Board of Education of the Cincinnati City School District (the "Board of Education"), pursuant to that certain *Tax Incentive Agreement* effective as of April 28, 2020, has approved exemptions of up to one hundred percent (100%) of Community Reinvestment Area projects, waived advance notice and right to review such projects, and waived sharing or allocation of municipal income taxes in connection with such projects.
- K. The Company has entered into (or will enter into) an agreement with the Board of Education requiring the Company to pay the Board of Education amounts equal to thirty-three percent (33%) of the full amount of exempt real property taxes that would have been paid to Hamilton County if this Agreement were not in effect (the "Board of Education Agreement").
- L. The Company represents and warrants to the City that the Company and its major tenants, if any, do not intend to relocate part or all of their operations to the City from another county or municipal corporation in the State of Ohio (the "State").
- M. The Company represents that within the past five (5) years neither the Company, any related member of the Company, nor any entity to which the Company is a successor has discontinued operations at a project site in the State during the term of a property tax exemption agreement (under Ohio Revised Code Section 3735.671, 5709.62, 5709.63 or 5709.632) applicable to that site, and the Company acknowledges that misrepresentation hereunder will result in voiding of this Agreement.
- N. The Company represents and warrants to the City that the Company is not subject to an Enterprise Zone Agreement with the City of Cincinnati for the Property or the Project.
- O. City Council passed (i) Motion No. 201401368 on November 19, 2014, establishing a tax incentive policy that incentivizes each applicant for a real property tax abatement in the neighborhoods of Downtown and OTR to enter into a voluntary tax incentive contribution agreement with a third-party organization ("VTICA") for an amount equal to a percentage of the real property taxes that would have been payable on the abated property but for the City-authorized tax abatement (the "VTICA Contribution"), which funds shall be committed by a third-party organization to support the streetcar that specially benefits the abated property, and (ii) Motion No. 201501592 on December 16, 2015, which established that the VTICA Contribution to be recognized by the Director of the Department of Community and Economic Development is 15% of the real property taxes that would have been payable on the abated property but for the City-authorized tax abatement. The Commercial Policy Ordinance confirmed that such motions have not been superseded and remain the will of Council.
- P. The Company acknowledges that the Streetcar will specially benefit the Project due to (a) the Streetcar's enhancement of public transit options in such neighborhoods and (b) the anticipated increase in property values attributable to public investment in Streetcar infrastructure.

- Q. The Company represents and warrants to the City that the Company has entered or will enter into a VTICA and shall pay the VTICA Contribution each year for the full term of the abatement.
- R. This Agreement has been authorized by Ordinance No. \_\_\_\_\_-2023, passed by Cincinnati City Council on \_\_\_\_\_, 2023.
- S. In determining to recommend and authorize this Agreement, the Department of Community and Economic Development and City Council, respectively, have acted in material reliance on the Company's representations in the Application and herein regarding the Project including, but not limited to, representations relating to the number of jobs to be created and/or retained by the Company, the Board of Education Agreement, the VTICA Contribution, and the Project's effect in promoting the general welfare of the people of Cincinnati by, for example, encouraging the development of real property located in the Community Reinvestment Area and thereby promoting economic growth and vitality in Cincinnati.

NOW, THEREFORE, pursuant to Ohio Revised Code Section 3735.67(A) and in conformity with the format required under Ohio Revised Code Section 3735.671, in consideration of the mutual covenants contained herein and the benefit to be derived by the parties from the execution hereof, the parties agree as follows:

Section 1. Project. Upon issuance of the necessary zoning and building approvals, the Company agrees to remodel the first floors of 2 existing buildings on the Property into approximately 2,486 square feet of ground floor commercial space (the "Improvements") at an estimated aggregate cost of Four Hundred Sixty-Six Thousand Four Hundred Forty-Four Dollars (\$466,444) to commence after the execution of this Agreement and to be completed no later than June 1, 2025; *provided*, however, that the Director of the Department of Community and Economic Development (the "Housing Officer") may, in his or her discretion, extend such deadline for a period of up to 12 months by written notice if, in the Director's judgment, the Company is proceeding in good faith towards completion. The remodeling shall be in compliance with applicable building code requirements and zoning regulations. In addition to the foregoing, (A) the Project shall comply with the Americans with Disabilities Act, together with any and all regulations or other binding directives promulgated pursuant thereto (collectively, the "**ADA**"), and (B) if (i) any building(s) within the Project is subject to the accessibility requirements of the ADA (e.g., by constituting a "place of public accommodation" or another category of structure to which the ADA is applicable) and (ii) such building(s) is not already required to meet the Contractual Minimum Accessibility Requirements (as defined below) pursuant to the ADA, applicable building code requirements, or by any other legal requirement, then the Company shall cause such building(s) to comply with the Contractual Minimum Accessibility Requirements in addition to any requirements pursuant to the ADA and the applicable building code or legal requirement. As used herein, "**Contractual Minimum Accessibility Requirements**" means that a building shall, at a minimum, include (1) at least one point of entry (as used in the ADA), accessible from a public right of way, with respect to which all architectural barriers (as used in the ADA) to entry have been eliminated, and (2) if such accessible point of entry is not a building's primary point of entry, conspicuous signage directing persons to such accessible point of entry.

Section 2. Real Property Tax Exemption. Subject to the satisfaction of the conditions set forth in this Agreement, the City approves exemption from real property taxation, pursuant to and to the fullest extent authorized by the Statute, of one hundred percent (100%) of the amount by which the Improvements increase the assessed value of the Property as determined by the Hamilton County Auditor, for a period of fifteen (15) years, provided that the Company shall have entered into the Board of Education Agreement. Within 120 days after completion of the Project (unless otherwise extended in writing by the City's Housing Officer), the Company must file the appropriate application for tax exemption with the City's Housing Officer. The Company is solely responsible to take this action. Upon receipt of the application for tax exemption, the City will proceed with the exemption authorized by this Agreement. In accordance with Ohio Revised Code Section 3735.67, the exemption is conditioned on verification by the Housing Officer of (A) the completion of remodeling, (B) the cost of remodeling, (C) the facts asserted in the application for exemption and (D) if a remodeled structure is a structure of historical or architectural significance as designated by the City, state or federal government, that the appropriateness of the

remodeling has been certified in writing by the appropriate agency. If the required verification is made, the Housing Officer will forward the exemption application to the Hamilton County Auditor with the necessary certification by the Housing Officer. Subject to the conditions set forth in this Agreement, the exemption commences the first tax year for which the Improvements would first be taxable were the Improvements not exempted from taxation. The dates provided in this paragraph refer to tax years in which the subject property is assessed, as opposed to years in which taxes are billed. No exemption shall commence after tax year 2026 nor extend beyond the earlier of (i) tax year 2040 or (ii) the end of the fifteenth (15<sup>th</sup>) year of exemption.

Section 3. Use; Maintenance; Inspections. The Company shall use the Property solely for the purposes described in Section 1 hereof and shall properly maintain and repair the Property throughout the period of tax exemption authorized herein. The Company authorizes the Housing Officer, or the Housing Officer's designees, to enter upon the Property as reasonably required to perform property inspections in accordance with Ohio Revised Code Section 3735.68.

Section 4. Compliance with Board of Education Agreement. As a condition of the tax exemption authorized under this Agreement, the Company agrees to enter into and comply with its obligation under the Board of Education Agreement.

Section 5. Duty of Company to Pay Taxes. As required by Ohio Revised Code Section 3735.671(C)(2), the Company shall pay such real property taxes as are not exempted under this Agreement and are charged against the Property and shall file all tax reports and returns as required by law. If the Company fails to pay such taxes or file such returns and reports, exemptions from taxation granted or authorized under this Agreement are rescinded beginning with the year for which such taxes are charged or such reports or returns are required to be filed and continuing thereafter.

Section 6. Company Certifications Regarding Non-Delinquency of Tax Obligations. As required by Ohio Revised Code Section 3735.671(C)(3), the Company certifies that at the time this Agreement is executed, the Company does not owe any delinquent real or tangible personal property taxes to any taxing authority of the State, and does not owe delinquent taxes for which the Company is liable under Ohio Revised Code Chapters 5733, 5735, 5739, 5741, 5743, 5747 or 5753, or if such delinquent taxes are owed, the Company currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State or an agent or instrumentality thereof, has filed a petition in bankruptcy under 101, et seq., or such a petition has been filed against the Company. For the purposes of this certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the Ohio Revised Code governing payment of those taxes.

Section 7. Covenant of Satisfaction of Tax and Other Obligations. In accordance with Ohio Revised Code Section 9.66, (A) the Company affirmatively covenants that it does not owe: (i) any delinquent taxes to the State or to a political subdivision of the State; (ii) any moneys to the State or a State agency for the administration or enforcement of any environmental laws of the State; or (iii) any other moneys to the State, a State agency or a political subdivision of the State that are past due, regardless of whether the amounts owed are being contested in a court of law or not; (B) the Company authorizes the City and/or the State to inspect the personal financial statements of the Company, including tax records and other similar information not ordinarily open to public inspection; and (C) the Company authorizes the Ohio Environmental Protection Agency and the Ohio Department of Taxation to release information to the City and or other State departments in connection with the above statements. As provided by statute, a knowingly false statement under this section may be prosecuted as a first degree misdemeanor under Ohio Revised Code Section 2921.13, may render the Company ineligible for any future economic development assistance from the State or any political subdivision of the State, and will result in the City requiring the Company's repayment of any assistance provided by the City in connection with the Project.

Section 8. City Cooperation. As required by Ohio Revised Code Section 3735.671(C)(4), upon specific request from the Company, the City shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve and maintain exemptions from taxation granted under this Agreement

including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions.

Section 9. Continuation of Exemptions. As provided in Ohio Revised Code Section 3735.671(C)(5), if for any reason the City revokes the designation of the City of Cincinnati as a Community Reinvestment Area, entitlements granted under this Agreement shall continue for the number of years specified under this Agreement, unless the Company materially fails to fulfill its obligations under this Agreement and the City terminates or modifies the exemptions from taxation authorized pursuant to this Agreement.

Section 10. City Not Liable. The Company acknowledges that the exemption authorized in this Agreement is subject to approval and implementation by the appropriate state and/or county taxing authorities. The Company acknowledges that the City does not give any guarantee or assurance that the exemption approved in this Agreement will be so approved, and the Company agrees that in no event shall the Company seek to hold the City liable in any way in the event such exemption is not granted or implemented.

Section 11. Small Business Enterprise Program.

A. Compliance with Small Business Enterprise Program. The policy of the City is that a fair share of contracts be awarded to Small Business Enterprises (as such term is defined in Cincinnati Municipal Code ("CMC") Section 323-1-S, "SBEs"). Pursuant to CMC Section 323-11, the City's annual goal for SBE participation shall be thirty percent (30%) of the City's total dollars spent for construction (as such term is defined in CMC Section 323-1-C4), supplies (as such term is defined in CMC Section 323-1-S5), services (as such term is defined in CMC Section 323-1-S) and professional services (as such term is defined in CMC Section 323-1-P2). Accordingly, the Company shall use its best efforts and take affirmative steps to achieve the City's goal of voluntarily meeting thirty percent (30%) SBE participation. A list of SBEs may be obtained from the City's Department of Economic Inclusion. The Company may refer interested firms to the City's Department of Economic Inclusion for review and possible certification as an SBE. The Company shall comply with the provisions of CMC Chapter 323, including without limitation taking at least the following affirmative steps:

- (i) Including qualified SBEs on solicitation lists.
- (ii) Assuring that SBEs are solicited whenever they are potential sources. The Company must advertise, on at least two separate occasions, both in local minority publications and in other local newspapers of general circulation, invitations to SBEs to provide services, to supply materials, or to bid on construction contracts, as applicable.
- (iii) When economically feasible, dividing total requirements into small tasks or quantities so as to permit maximum SBE participation.
- (iv) If any subcontracts are to be let, the Company shall require the prime contractor (if different from the Company) to take the above affirmative steps.
- (v) Prior to the commencement of work under any subcontracts, the Company shall provide to the City a list of such subcontractors, including information as to the dollar amount of the subcontracts and such other information as may be requested by the City. The Company shall update the report monthly.
- (vi) The Company shall periodically document its best efforts and affirmative steps to meet the above SBE participation goals by submitting such information as may be requested from time to time by the City.

B. Remedies for Noncompliance with Small Business Enterprise Program. Failure of the Company or its contractors and subcontractors to take the affirmative steps specified above, to provide fair and equal opportunity to SBEs, or to provide technical assistance to SBEs as may be necessary to reach SBE participation as set out in CMC Chapter 323 may be construed by the City as failure of the Company to use its best efforts, and, in addition to other remedies under this Agreement, may be a cause for the City to file suit in Common Pleas Court to

enforce specific performance of the terms of this Section. The provisions of CMC Section 323-99 are hereby incorporated by reference into this Agreement.

Section 12. Jobs. The Company represents that, as of the date of the execution of this Agreement, the Company has no existing employment at the Property or in the State.

Section 13. Job Creation and Retention.

A. Jobs to be Created by Company. The Company agrees to use its best efforts to create (i) 9 full-time permanent jobs and (ii) 5 full-time temporary construction jobs at the Property in connection with the Project. In the case of the construction jobs, the job creation and retention period shall be concurrent with remodeling, and in the case of the other jobs described herein, the job creation period shall begin upon completion of remodeling and shall end three (3) years thereafter.

B. Company's Estimated Payroll Increase. The Company's increase in the number of employees will result in approximately (i) \$289,200 of additional annual payroll with respect to the full-time permanent jobs and (ii) \$238,913 of additional annual payroll prior to the completion of the Project with respect to the full-time temporary construction jobs.

C. Community Reinvestment Area Employment. The Company shall (i) adopt hiring practices to ensure that at least twenty-five percent (25%) of the new employees shall be residents of the City of Cincinnati and (ii) give preference to residents of the City relative to residents of the State who do not reside in the City when hiring new employees under this Agreement.

D. Posting Available Employment Opportunities. To the extent allowable by law, the Company shall use its best efforts to post available employment opportunities within the Company's organization or the organization of any subcontractor working with the Company with the Ohio Means Jobs Center, 1916 Central Parkway, Cincinnati, Ohio 45214-2305, through its Employer Services Unit Manager at 513-746-7200.

Section 14. Equal Employment Opportunity. This Agreement is subject to the City's Equal Employment Opportunity Program contained in CMC Chapter 325. The Equal Employment Opportunity Clause in CMC Section 325-9 is incorporated by reference in this Agreement. The term "Company" is substituted for "Contractor" throughout CMC Section 325-9 in the context of this Agreement.

Section 15. Compliance with Immigration and Nationality Act. In the performance of its obligations under this Agreement, the Company agrees to comply with the provisions of the Immigration and Nationality Act codified at 8 U.S.C. §§ 1324a(a)(1)(A) and (a)(2). Any noncompliance with such provisions shall be solely determined by either the federal agencies authorized to enforce the Immigration and Nationality Act or the U.S. Attorney General, in accordance with Executive Order 12989 of the U.S. President dated February 13, 1996, and as amended by Executive Order 13465 of the U.S. President dated June 6, 2008.

Section 16. Default. As provided in Ohio Revised Code Section 3735.671(C)(6), if the Company materially fails to fulfill its obligations under this Agreement, or if the City determines that the certification as to delinquent taxes required by this Agreement (Section 6 hereof) or the covenant of satisfaction of tax and other obligations (Section 7 hereof) is fraudulent, the City may terminate or modify the exemptions from taxation granted or authorized under this Agreement and may require the repayment by the Company of the amount of taxes that would have been payable had the Improvements not been exempted from taxation pursuant to this Agreement. A modification of exemption may be in the form of reduction in the number of years that eligible property is exempt and/or a reduction in the exemption percentage. The City shall provide written notice to the Company prior to finding the Company in default under this section. The notice shall provide the Company with not less than thirty (30) days to cure the default prior to City termination or modification of the exemptions under this Agreement. The City may

extend the cure period as reasonably necessary under the circumstances. In the event of such termination or modification, the City is authorized to so notify the appropriate taxing authorities in order to effect the termination or modification. If repayment of previously exempt taxes is required by the City under this Section, such amount shall be paid as directed by the City within thirty (30) days of written demand. The City may secure repayment of such taxes by a lien on the Property in the amount required to be repaid. Such a lien shall attach, and may be perfected, collected, and enforced, in the same manner as a mortgage lien on real property, and shall otherwise have the same force and effect as a mortgage lien on real property. Amounts due and not paid when due under this Section 16 shall bear interest at the rate specified in Ohio Revised Code Section 1343.03(A) (as in effect on the date of the City's payment demand).

Section 17. Annual Review and Report. As required by Ohio Revised Code Sections 3735.671(C)(7) and 5709.85, the Company shall provide to the City's Tax Incentive Review Council (or to the City Manager if so requested by the City) any information reasonably required by the Council or the City Manager to evaluate the Company's compliance with this Agreement, including returns filed pursuant to Ohio Revised Code Section 5711.02 if requested by the Council or City Manager. The performance of the Company's obligations stated in this Agreement shall be subject to annual review by the City's Tax Incentive Review Council (the "Annual Review and Report"). The Company shall submit information for the Annual Review and Report to the City no later than March 1 of each year.

Section 18. Revocation.

A. Generally. Pursuant to Ohio Revised Code Section 3735.68, the housing officer shall make annual inspections of the properties within the community reinvestment area upon which are located structures or remodeling for which an exemption has been granted under Ohio Revised Code Section 3735.67. If the housing officer finds that the property has not been properly maintained or repaired due to the neglect of the Company, the housing officer may revoke the exemption at any time after the first year of exemption. If the Company has materially failed to fulfill its obligations under this Agreement, or if the owner is determined to have violated division (E) of that section (see Section 18(B) of this Agreement), City Council, subject to the terms of the agreement, may revoke the exemption at any time after the first year of exemption. The housing officer or City Council shall notify the county auditor and the Company that the tax exemption no longer applies. If the housing officer or legislative authority revokes a tax exemption, the housing officer shall send a report of the revocation to the community reinvestment area housing council and to the tax incentive review council established pursuant to section 3735.69 or 5709.85 of the Revised Code, containing a statement of the findings as to the maintenance and repair of the property, failure to fulfill obligations under the written agreement, or violation of division (E) of Ohio Revised Code Section 3735.671, and the reason for revoking the exemption.

B. Prior Statutory Violations. The Company represents and warrants to the City that it is not prohibited by Ohio Revised Code Section 3735.671(E) from entering into this Agreement. As required by Ohio Revised Code Section 3735.671(C)(9), exemptions from taxation granted or authorized under this Agreement shall be revoked if it is determined that the Company, any successor to the Company or any related member (as those terms are defined in division (E) of Ohio Revised Code Section 3735.671) has violated the prohibition against entering into this Agreement under division (E) of Ohio Revised Code Section 3735.671 or under Ohio Revised Code Sections 5709.62 or 5709.63 prior to the time prescribed by that division or either of those sections.

Section 19. False Statements; Penalties; Material Representations.

A. Generally. As required in connection with Ohio Revised Code Section 9.66(C), the Company affirmatively covenants that it has made no false statements to the State or the City in the process of obtaining approval for this Agreement. If any representative of the Company has knowingly made a false statement to the State or the City to obtain approval for this

Agreement, or if the Company fails to provide any information expressly required under the Application, the Company shall be required to immediately return all benefits received under this Agreement (by payment of the amount of taxes exempted hereunder, paid as directed by the City within thirty (30) days of written demand) and the Company shall be ineligible for any future economic development assistance from the State, any State agency or any political subdivision of the State pursuant to Ohio Revised Code Section 9.66(C)(1). Amounts due and not paid under this Section 19 shall bear interest at the rate of twelve percent (12%) per year. Any person who provides a false statement to secure economic development assistance (as defined in Ohio Revised Code Section 9.66) may be guilty of falsification, a misdemeanor of the first degree, pursuant to Ohio Revised Code Section 2921.13(F)(1), which is punishable by fine of not more than One Thousand Dollars (\$1,000) and/or a term of imprisonment of not more than six (6) months.

B. Material Representations – Board of Education Agreement and VTICA. The Parties acknowledge and agree that a material failure by the Company to comply with its representations concerning the Board of Education Agreement or VTICA Contribution shall constitute an event of default for purposes of Section 16 (*Default*) and the basis for revocation under Section 18 (*Revocation*). Subject to the terms of the VTICA, if the VTICA is unenforceable for reasons of infeasibility or otherwise, the Company shall enter into alternative arrangements providing for the economic equivalent of the VTICA Contribution in order to support the streetcar. Such arrangements may include, but are not limited to, providing for the economic equivalent of the VTICA Contribution through formation of a special improvement district. For purposes of this Section 19.B, alternative arrangements must result in services substantially similar to those that would have been supported through the VTICA and at a value that is the economic equivalent of the VTICA Contribution, which value shall not be required to exceed the VTICA Contribution amount that would have been payable by the Company. Any determination of infeasibility or mechanism for providing alternative arrangements is subject to approval by the City at its sole discretion. Nothing in this Section 19.B shall operate to limit the City's enforcement authority under this Agreement including, without limitation, Section 16, Section 18, and Section 19.A.

Section 20. Conflict of Interest. The Company covenants that, to the Company's knowledge, no employee of the City has any personal interest, direct or indirect, in any matters pertaining to the Project, and the Company agrees to take appropriate steps to prevent any employee of the City from obtaining any such interest throughout the term of this Agreement.

Section 21. Annual Fee. As authorized by Ohio Revised Code Section 3735.671(D), the Company shall pay an annual fee of Five Hundred Dollars (\$500) or one percent (1%) of the annual taxes exempted under this Agreement, whichever is greater, but not to exceed Two Thousand, Five Hundred Dollars (\$2,500) per annum. This fee is due with submission of the information for Annual Review and Report by March 1 of each year.

Section 22. Discontinued Operations. As provided in Ohio Revised Code Section 3735.671(E), if, prior to the expiration of the term of this Agreement, the Company discontinues operations at the Project so that the Property is no longer being used for the purposes described in Section 1 hereof, then the Company, its successors, and any related member shall not enter into an agreement under Ohio Revised Code Sections 3735.671, 5709.62, 5709.63 or 5709.632, and no legislative authority shall enter into such an agreement with the Company, its successors or any related member prior to the expiration of five (5) years after the discontinuation of operations. As used in this Section 22, "successors" and "related member" shall have the meanings set forth in Ohio Revised Code Section 3735.671(E).

Section 23. Notices. Unless otherwise specified herein, each party shall address written notices, demands and communications in connection with this Agreement to the other party as follows (or to such other address as is communicated in accordance with this Section):

To the City:

City of Cincinnati  
Attention: Director of the Department of Community and Economic Development  
Centennial Plaza Two, Suite 700  
805 Central Avenue  
Cincinnati, Ohio 45202

To the Company:

Condominium Holdings, LLC  
Attention: Sara Bedinghaus  
1203 Walnut Street  
Cincinnati, Ohio 45202

If the Company sends a notice to the City alleging that the City is in default under this Agreement, the Company shall simultaneously send a copy of such notice to: City Solicitor, City of Cincinnati, 801 Plum Street, Room 214, Cincinnati, OH 45202.

Section 24. Acknowledgment of City Participation. The Company agrees to acknowledge the support of the City on construction signs, project and exhibition signage, and any publicity such as that appearing on the internet, television, cable television, radio, or in the press or any other printed media. In identifying the City as a Project partner, the Company shall use either the phrase "Project Assistance by the City of Cincinnati" or a City of Cincinnati logotype or other form of acknowledgement that has been approved in advance in writing by the City.

Section 25. Entire Agreement. This Agreement and the Exhibits attached hereto constitute the entire agreement between the City and the Company with respect to the subject matter herein, superseding any prior or contemporaneous agreement with respect thereto.

Section 26. Governing Law. This Agreement is entered into and is to be performed in the State. The City and the Company agree that the law of the State of Ohio shall govern the rights, obligations, duties and liabilities of the parties to this Agreement and shall govern the interpretation of this Agreement.

Section 27. Waiver. The City's waiver of any breach by the Company of any provision of this Agreement shall not constitute or operate as a waiver by the City of any other breach of such provision or of any other provisions, nor shall any failure or delay by the City to enforce any provision hereof operate as a waiver of such provision or of any other provision.

Section 28. Severability. This Agreement shall be severable; if any part or parts of this Agreement shall for any reason be held invalid or unenforceable by a court of competent jurisdiction, all remaining parts shall remain binding and in full force and effect.

Section 29. Amendment. This Agreement may be modified or amended only by a written agreement duly executed by the parties hereto or their representatives.

Section 30. Non-Assignment. As required by Ohio Revised Code Section 3735.671(C)(8), this Agreement is not transferable or assignable by the Company without the express written approval of the City Manager of the City. If the Company has entered into a Board of Education Agreement or VTICA in connection with the Property, the City shall not approve the assignment of this Agreement unless the assignee has assumed the Company's remaining obligations under the Board of Education Agreement and VTICA, as applicable. Failure to assign or otherwise perform the Company's obligations under the Board of Education Agreement or VTICA upon transfer of the Property during the term of the tax abatement authorized by this Agreement shall be basis for revocation of the tax exemption under Section 18.

Section 31. Recording. At its election, the City may record this Agreement at the City's expense in the Hamilton County Recorder's Office.

Section 32. Legislative Action Required. As provided in Ohio Revised Code Section 3735.671(C)(10), the Company and the City acknowledge that this Agreement must be approved by formal action of the City Council of the City as a condition for this Agreement to take effect. Notwithstanding anything to the contrary herein, this Agreement shall take effect after the later of the date of such approval or the final date of execution of this Agreement by all parties.

Section 33. Additional Representations and Warranties of Company. The Company represents and warrants that (a) it is duly organized and existing and it has full power and authority to take, and has taken, all action necessary to execute and deliver this Agreement and any other documents required or permitted to be executed or delivered by it in connection with this Agreement, and to fulfill its obligations hereunder; (b) no notices to, or consents, authorizations or approvals of, any person are required (other than any already given or obtained) for its due execution, delivery and performance of this Agreement; and (c) this Agreement has been duly executed and delivered by it and constitutes the legal, valid and binding obligation of the Company.

Section 34. Certification as to Non-Debarment. The Company represents that neither it nor any of its principals is presently debarred by any federal, state, or local government agency. In completing the Project, the Company shall not solicit bids from any contractors or subcontractors who are identified as being debarred by any federal, state, or local government agency. If the Company or any of its principals becomes debarred by any federal, state, or local government agency during the term of this Agreement, the company shall be considered in default under this Agreement.

Section 35. Appeals. Pursuant to Ohio Revised Code Section 3735.70, a person aggrieved under the Statute or this Agreement may appeal to the community reinvestment area housing council, which shall have the authority to overrule any decision of a housing officer. Appeals may be taken from a decision of the council to the court of common pleas of the county where the area is located.

Section 36. Wage Enforcement.

(i) Applicability. Council passed Ordinance No. 22-2016 on February 3, 2016, which ordained Chapter 326 (Wage Enforcement) of the Cincinnati Municipal Code (the "Wage Enforcement Chapter"). The Wage Enforcement Chapter was then amended by Ordinance No. 96-2017, passed May 17, 2017. As amended, the Wage Enforcement Chapter imposes certain requirements upon persons entering into agreements with the City whereby the City provides an incentive or benefit that is projected to exceed \$25,000, as described more particularly in the Wage Enforcement Chapter. Cincinnati Municipal Code Section 326-5 requires that the language below be included in contracts subject to the Wage Enforcement Chapter.

(ii) Required Contractual Language. Capitalized terms used, but not defined, in this clause (ii) have the meanings ascribed thereto in the Wage Enforcement Chapter.

(a) This contract is or may be subject to the Wage Enforcement provisions of the Cincinnati Municipal Code. These provisions require that any Person who has an Agreement with the city or with a Contractor or Subcontractor of that Person shall report all Complaints or Adverse Determinations of Wage Theft and Payroll Fraud (as each of those terms is defined in Chapter 326 of the Cincinnati Municipal Code) against the Contractor or Subcontractors to the Department of Economic Inclusion within 30 days of notification of the Complaint or Adverse Determination.

(b) If this contract is subject to the Wage Enforcement provisions of Chapter 326 of the Cincinnati Municipal Code, the Person entering into this contract is required to include provisions in solicitations and contracts regarding a Development Site that all employers, Contractors or Subcontractors performing or proposing to perform work on a Development Site provide an initial sworn and notarized "Affidavit Regarding Wage Theft and Payroll Fraud" on a form prescribed by the city

manager or his or her designee and, within 30 days of an Adverse Determination or Complaint of Wage Theft or Payroll Fraud, shall provide an "Amended Affidavit Regarding Wage Theft and Payroll Fraud" on a form prescribed by the city manager or his or her designee.

(c) If this contract is subject to the Wage Enforcement provisions of Chapter 326 of the Cincinnati Municipal Code, the Person entering into this contract is required to authorize, and does hereby specifically authorize, any local, state or federal agency, court, administrative body or other entity investigating a complaint of Wage Theft or Payroll Fraud against the Person (collectively "investigative bodies") to release to the City's Department of Economic Inclusion any and all evidence, findings, complaints and determinations associated with the allegations of Wage Theft or Payroll Fraud upon the City's request and further authorizes such investigative bodies to keep the City advised regarding the status of the investigation and ultimate determination. If the investigative bodies require the Person to provide additional authorization on a prescribed form or in another manner, the Person shall be required to provide such additional authorization within 14 days of a request by the City.

(d) If this Agreement is subject to the Wage Enforcement provisions of Chapter 326 of the Cincinnati Municipal Code, the Person entering into this Agreement shall include in its contracts with all Contractors language that requires the Contractors to provide the authorizations set forth in subsection (c) above and that further requires each Contractor to include in its contracts with Subcontractors those same obligations for each Subcontractor and each lower tier subcontractor.

(e) If this Agreement is subject to the Wage Enforcement provisions of Chapter 326 of the Cincinnati Municipal Code, the Person entering into this Agreement shall post a conspicuous notice on the Development Site throughout the entire period work is being performed pursuant to the Agreement indicating that the work being performed is subject to Cincinnati Municipal Code Chapter 326, Wage Enforcement, as administered by the City of Cincinnati Department of Economic Inclusion. Such notice shall include contact information for the Department of Economic Inclusion as provided by the department.

(f) Under the Wage Enforcement provisions, the City shall have the authority, under appropriate circumstances, to terminate this contract or to reduce the incentives or subsidies to be provided under this contract and to seek other remedies, including debarment.

Section 37. Legal Requirements. In completing and operating the Project, the Company shall comply with all applicable statutes, ordinances, regulations, and rules of the government of the United States, State of Ohio, County of Hamilton, and City of Cincinnati.

Section 38. Counterparts and Electronic Signatures. This Agreement may be executed by the parties hereto in two or more counterparts and each executed counterpart shall be considered an original but all of which together shall constitute one and the same instrument. This Agreement may be executed and delivered by electronic signature; any original signatures that are initially delivered electronically shall be physically delivered as soon as reasonably possible.

Remainder of this page intentionally left blank. Signature page follows.

Executed by the parties on the dates indicated below, effective as of the later of such dates (the "Effective Date").

CITY OF CINCINNATI,  
an Ohio municipal corporation

CONDOMINIUM HOLDINGS, LLC,  
an Ohio limited liability company

By: \_\_\_\_\_  
Sheryl M. M. Long, City Manager

Date: \_\_\_\_\_, 2023

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_, 2023

Authorized by resolution dated \_\_\_\_\_

Approved as to Form:

\_\_\_\_\_  
Assistant City Solicitor

Certified Date: \_\_\_\_\_

Fund/Code: \_\_\_\_\_

Amount: \_\_\_\_\_

By: \_\_\_\_\_  
Karen Alder, City Finance Director

## **Exhibit A to CRA Agreement**

### **LEGAL DESCRIPTION OF PROPERTY**

**Property Address:** 1428 Vine Street, Cincinnati, Ohio 45202  
**Auditor's Parcel No.:** 080-0001-0270-00 (Unit 100) and 080-0001-0270-00 (Unit 101)

#### **Unit 100:**

Note: All capitalized terms used below in this legal description and not expressly defined herein shall have the meanings given to such terms in that certain Declaration of Condominium Ownership recorded in Official Record Book 14809, Page 553 of the Hamilton County, Ohio Recorder's Office ("Declaration").

Situated in the City of Cincinnati, County of Hamilton, State of Ohio and being known as Condominium Unit Number 100 of Meyer Lofts Condominium, as created by the Declaration, the Condominium Drawings for which are recorded in Plat Book 495, Pages 33-40 of the Hamilton County, Ohio Recorder's Office, together with said Unit's undivided interest in the Common Elements of the Condominium and any Limited Common Elements assigned to said Unit, if any, all on and subject to the terms of the Declaration.

Parcel number: 080-0001-0270-00

#### **Unit 101:**

Note: All capitalized terms used below in this legal description and not expressly defined herein shall have the meanings given to such terms in that certain Declaration of Condominium Ownership recorded in Official Record Book 14809, Page 553 of the Hamilton County, Ohio Recorder's Office ("Declaration").

Situated in the City of Cincinnati, County of Hamilton, State of Ohio and being known as Condominium Unit Number 101 of Meyer Lofts Condominium, as created by the Declaration, the Condominium Drawings for which are recorded in Plat Book 495, Pages 33-40 of the Hamilton County, Ohio Recorder's Office, together with said Unit's undivided interest in the Common Elements of the Condominium and any Limited Common Elements assigned to said Unit, if any, all on and subject to the terms of the Declaration.

Parcel number: 080-0001-0271-00

**Exhibit B to CRA Agreement**  
APPLICATION FOR TAX EXEMPTION

TO BE ATTACHED

**Clerk of Council**

801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
(513) 352-3246

Please check ALL that apply

- ☐ Termination(s) of Engagement  
☐ Change of Address  
☐ Amended Statement

207300490

**LEGISLATIVE AGENT UPDATED REGISTRATION STATEMENT**

This statement must be filed with the Clerk of Council by the last day of January and July, annually. Please read instructions and review Sections 112-1 to 112-17, Cincinnati Municipal Code, prior to filing. **There is no fee for this filing.** Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days (the form may be obtained from the Clerk.) **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.** Other related prohibitions and penalties are contained in Section 112-99 of the Cincinnati Municipal Code.

**A. GENERAL INFORMATION**

Full Name of Legislative Agent

George T. Glover  
(First) (Middle) (Last)

Occupation

Managing Director Focus Capital Solutions LLC

Business Address

425 Walnut Street #1800

City

Cincinnati Ohio

Suite Number

45202

Telephone Number

(513) 357-9486

**AGENT CHANGE OF NAME OR ADDRESS** - Based on your initial Registration Statement or last Updated Registration Statement, state any changes in your name or address.

(If none, check here ☒)

Name of Legislative Agent

Address

Street

Suite Number

City

State

Zip(+4)

Telephone Number

**Reporting Period:** Statement filed for period covering (check one and fill in year).

☐ January 1 through June 30, 199

☒ July 1 through December 31, 2002

(Report due on or before July 31)

(Report due on or before Jan. 31)

**B. AMENDMENTS, TERMINATIONS, AND TYPES OF LEGISLATION**

**AMENDED STATEMENT** - Is this an Amended Statement (i.e., any change in an amount or a filing pursuant to a dispute resolution decision of the OCCl.

\_\_\_\_ YES ☒ NO

If yes, you are required to complete only the portion(s) you have amended.

**TERMINATIONS** - Are you still engaged by all of the employers listed on page 1 of this form?

☒ YES ☒ NO

If no, please list the name of the Employers by whom you are no longer engaged and the date of termination. (Attach additional sheets if necessary.)

Employer Name	Date of Termination

**ORDINANCES AND RESOLUTIONS** - List the specific ordinance(s) and resolution(s) on which you actively advocated during this reporting period.

Cincinnati City Council Motion  
to Allocate Remaining FY 2003 Funds

_____	_____	_____	_____
_____	_____	_____	_____

**ADDITIONAL TYPES OF LEGISLATION** - Since your Initial Registration Statement or last Updated Registration Statement for all Employers listed on this form, give a brief description of each of the additional types of legislation to which any of your engagements relate.

(If none, check here ☒)

## C. DEFINITIONS

**"Staff"** means any city employee whose official duties are to formulate policy and who exercises administrative or supervisory authority or who authorizes the expenditure of city funds. "Staff" is limited to employees who are required to file a Financial Disclosure Statement under Article XXVI of the Administrative Code.

**"Legislation"** means ordinances, resolutions, amendments, nominations, and any other matter pending before the Council. See the definition of "legislation" under Section 112-1-L, Cincinnati Municipal Code.

**"Financial Transaction"** See definition in Section 112-1-F, Cincinnati Municipal Code.

## D. FINANCIAL TRANSACTIONS

If the Legislative Agent, or a member of his or her immediate family had, during this reporting period, a financial transaction\* (which is not being disputed under Section 112-19, Cincinnati Municipal Code,) with or for the benefit of a member of the Council, appointee of the Council, City Manager, the Director of a department created under the Administrative Code, or any member of the staff\* of such public officer or employee, then the following information is required with respect to each such financial transaction:

- a. Name of the public officer, employee, or staff member: \_\_\_\_\_
- b. Brief description of the purpose and nature of the transaction: \_\_\_\_\_  
\_\_\_\_\_
- c. Date the transaction was made or entered into: \_\_\_\_\_
- d. Other pertinent details: \_\_\_\_\_  
\_\_\_\_\_

(Attach an additional sheet for each public officer, employee, or staff member.)

(If none, check here X)

NOTE: If the Legislative Agent is required to disclose a financial transaction described in this Paragraph F, then the Legislative Agent shall deliver a copy of such paragraph which contains such information to the public officer(s) of employee(s) identified therein, at least ten (10) days before this form is filed with the Clerk of Council.

If the foregoing provision is applicable, indicate the date that such information was delivered:

**CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFIES THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.**

**ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.**

George J. Glover

Type or Print Name of Legislative Agent

[Signature]

Signature of Legislative Agent

1/27/2023

Date

People Working Cooperatively  
202306491

**Clerk of Council**

801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
(513) 352-3246

Please check ALL that apply

- ☐ Termination(s) of Engagement  
☐ Change of Address  
☐ Amended Statement

**LEGISLATIVE AGENT UPDATED REGISTRATION STATEMENT**

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**A. GENERAL INFORMATION**

Full Name of Legislative Agent

George T. Glover  
(First) (Middle) (Last)

Occupation

Managing Director, Focus Capital Solutions LLC

Business Address

405 Walnut Street #1800  
Street Suite Number

Cincinnati  
City

Ohio  
State

45202  
Zip(+4)

Telephone Number (513)

357-9486

**AGENT CHANGE OF NAME OR ADDRESS** - Based on your initial Registration Statement or last Updated Registration Statement, state any changes in your name or address.

(If none, check here ☒)

Name of Legislative Agent

Address

Street

Suite Number

City

State

Zip(+4)

Telephone Number ( )

**Reporting Period:** Statement filed for period covering (check one and fill in year).

☒ January 1 through June 30, 199  
☐ July 1 through December 31, 199

(Report due on or before July 31)  
(Report due on or before Jan. 31)

**B. AMENDMENTS, TERMINATIONS, AND TYPES OF LEGISLATION**

**AMENDED STATEMENT** - Is this an Amended Statement (i.e., any change in an amount or a filing pursuant to a dispute resolution decision of the OCCl.

\_\_\_\_ YES    X NO

If yes, you are required to complete only the portion(s) you have amended.

**TERMINATIONS** - Are you still engaged by all of the employers listed on page 1 of this form?

X YES    \_\_\_\_ NO

If no, please list the name of the Employers by whom you are no longer engaged and the date of termination. (Attach additional sheets if necessary.)

Employer Name	Date of Termination

**ORDINANCES AND RESOLUTIONS** - List the specific ordinance(s) and resolution(s) on which you actively advocated during this reporting period. N/A

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**ADDITIONAL TYPES OF LEGISLATION** - Since your Initial Registration Statement or last Updated Registration Statement for all Employers listed on this form, give a brief description of each of the additional types of legislation to which any of your engagements relate.

(If none, check here X)

### C. DEFINITIONS

"Staff" means any city employee whose official duties are to formulate policy and who exercises administrative or supervisory authority or who authorizes the expenditure of city funds. "Staff" is limited to employees who are required to file a Financial Disclosure Statement under Article XXVI of the Administrative Code.

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"Financial Transaction" See definition in Section 112-1-F, Cincinnati Municipal Code.

### D. FINANCIAL TRANSACTIONS

If the Legislative Agent, or a member of his or her immediate family had, during this reporting period, a financial transaction\* (which is not being disputed under Section 112-19, Cincinnati Municipal Code,) with or for the benefit of a member of the Council, appointee of the Council, City Manager, the Director of a department created under the Administrative Code, or any member of the staff\* of such public officer or employee, then the following information is required with respect to each such financial transaction:

- a. Name of the public officer, employee, or staff member: \_\_\_\_\_
- b. Brief description of the purpose and nature of the transaction: \_\_\_\_\_  
\_\_\_\_\_
- c. Date the transaction was made or entered into: \_\_\_\_\_
- d. Other pertinent details: \_\_\_\_\_  
\_\_\_\_\_

(Attach an additional sheet for each public officer, employee, or staff member.)

(If none, check here X )

NOTE: If the Legislative Agent is required to disclose a financial transaction described in this Paragraph F, then the Legislative Agent shall deliver a copy of such paragraph which contains such information to the public officer(s) of employee(s) identified therein, at least ten (10) days before this form is filed with the Clerk of Council.

If the foregoing provision is applicable, indicate the date that such information was delivered:

**CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFIES THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.**

**ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.**

George T. Glover

Type or Print Name of Legislative Agent

[Signature]  
Signature of Legislative Agent

1/27/2023  
Date

202300502

**Clerk of Council**

801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
(513) 352-3246

Please check ALL that apply

- ☒ Termination(s) of Engagement  
☐ Change of Address  
☐ Amended Statement  
☒ Updated Registration

**LEGISLATIVE AGENT UPDATED REGISTRATION STATEMENT**

This statement must be filed with the Clerk of Council by the last day of January and July, annually. Please read instructions and review Sections 112-1 to 112-17, Cincinnati Municipal Code, prior to filing. **There is no fee for this filing.** Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days (the form may be obtained from the Clerk.) **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.** Other related prohibitions and penalties are contained in Section 112-99 of the Cincinnati Municipal Code.

**A. GENERAL INFORMATION**

Full Name of Legislative Agent Charles H. Gerhardt, III  
(First) (Middle) (Last)

Occupation President & CEO, Government Strategies Group

Business Address 700 Walnut Street, Suite 450

Cincinnati OH 45202  
City State Zip(+4)

Telephone Number ( 513 ) 651-4100

**AGENT CHANGE OF NAME OR ADDRESS** - Based on your initial Registration Statement or last Updated Registration Statement, state any changes in your name or address.

(If none, check here X )

Name of Legislative Agent \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_  
City State Zip(+4)

Telephone Number ( \_\_\_\_\_ ) \_\_\_\_\_

**Reporting Period:** Statement filed for period covering (check one and fill in year).

       January 1 - June 30, 2022

  X   July 1 - December 31, 2022

(Report due on or before July 31)

(Report due on or before Jan. 31)

**B. AMENDMENTS, TERMINATIONS, AND TYPES OF LEGISLATION**

**AMENDED STATEMENT** - Is this an Amended Statement (i.e., any change in an amount or a filing pursuant to a dispute resolution decision of the OCCl.

\_\_\_\_ YES    X NO

If yes, you are required to complete only the portion(s) you have amended.

**TERMINATIONS** - Are you still engaged by all of the employers listed on page 1 of this form?

X YES    \_\_\_\_ NO

If no, please list the name of the Employers by whom you are no longer engaged and the date of termination. (Attach additional sheets if necessary.)

Employer Name	Date of Termination
Nicol Investment	September 30, 2022
Norton Outdoor Advertising	September 30, 2022
The Guild	July 1, 2022

**ORDINANCES AND RESOLUTIONS** - List the specific ordinance(s) and resolution(s) on which you actively advocated during this reporting period.

See attachment	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**ADDITIONAL TYPES OF LEGISLATION** - Since your Initial Registration Statement or last Updated Registration Statement for all Employers listed on this form, give a brief description of each of the additional types of legislation to which any of your engagements relate.

(If none, check here \_\_\_\_)

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\_\_\_\_\_
- c. Date the transaction was made or entered into: \_\_\_\_\_
- d. Other pertinent details: \_\_\_\_\_  
\_\_\_\_\_

(Attach an additional sheet for each public officer, employee, or staff member.)

(If none, check here   X   )

NOTE: If the Legislative Agent is required to disclose a financial transaction described in this Paragraph F, then the Legislative Agent shall deliver a copy of such paragraph which contains such information to the public officer(s) of employee(s) identified therein, at least ten (10) days before this form is filed with the Clerk of Council.

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**CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFIES THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.**

**ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.**

**Charles H. Gerhardt**

Type or Print Name of Legislative Agent



Signature of Legislative Agent

**1/31/2023**

Date

Charles H. Gerhardt, III  
Legislative Agent Updated Registration Statement  
July 1, 2022 - December 31, 2022

Client	Activity	Items
altafiber	Activities related to ARPA and broadband expansion in the City of Cincinnati.	No legislation.
Arena Management Holdings	Activities related to arena.	No legislation.
ArtWorks	Activities related to city operating and capital budget, Youth 2 Work, youth employment, and Creative Campus capital project.	Items # 202201938, 202201976, 202201990, 202201888, 202201849, 202201850, 202201904.
Best Point Education & Behavioral Health	Activity related to workforce development, city operating, and human services funding.	Items # 202201938, 202201976, 202201990, 202201888, 202201849, 202201850, 202201904.
Bethany House Services	Activities related to family homelessness, city operating, and human services funding.	Items # 202201938, 202201976, 202201990, 202201888, 202201849, 202201850, 202201904.
Birkla Investment Group	Activities related to the Terrace Plaza, 530 Main Street, @580, and other real estate development.	Items # 202201129, 202202120.
Boys and Girls Club of Greater Cincinnati	Activities related to Boys and Girls Clubs and ARPA funding.	No legislation.
Caracole	Activity related to Human Services funding and HIV/AIDS prevention programming.	Items # 202201849, 202201850, 202201904.
Center for Addictions Treatment	Activities related to addiction recovery, leveraged support, and human services funding.	Items # 202201849, 202201850, 202201904, 202201616.
Cincinnati Bulk Terminals	Activities related barge operation on riverfront.	No legislation.
Cincinnati Center City Development Corporation (3CDC)	Activities related to 3CDC development.	No legislation.
Cincinnati Children's Hospital Medical Center	Activities related to Children's Hospital, ARPA funding, and the FY22 carryover budget.	Items # 202201849, 202201850, 202201904.
Cincinnati Museum Center	Activities related to Cincinnati Museum Center and arts funding.	No legislation.
Cincinnati Works	Activities related to employment services, City funding, including operating budget, human services funding, and the Hand Up Initiative.	Item # 202201849, 202201850, 202201904.
Contemporary Arts Center	Activities related to arts funding.	No legislation.
Duke Energy	Activities related to Duke operations in the City of Cincinnati.	No legislation.
FC Cincinnati	Activities related to Major League Soccer stadium and real estate development in Cincinnati.	No legislation.
Film Cincinnati	Activity related to major motion pictures, city operating budget, and security.	202201938, 202201976, 202201990, 202201888.
First Step Home	Activities related to expansion / renovation at the treatment campus, FY22 carryover budget, and human services funding.	Items # 202201938, 202201976, 202201990, 202201888, 202201849, 202201850, 202201904, 202201616.
Great Parks of Hamilton County	Activities related to Great Parks / City of Cincinnati property leases, parks, trails and conservation.	Items # 202300388, 202300265.
Keystone Hotel Group	New filing: Activities related to real estate development.	No legislation.
LADD, Inc.	Activity related to smart technology, independent living, and ARPA.	No legislation.
Lighthouse Youth & Family Services	Activity related to homeless youth and the city operating budget.	Items # 202201849, 202201850, 202201904.
Living with Change	Activities related to LGBTQ+ issues.	No legislation.
Manhattan Development Group	Activities related to real estate development in Madisonville.	No legislation.
Marathon Health	Activities related to healthcare.	No legislation.
Metro	Activities related to SORTA public transportation services and operating budget.	Items # 202202260, 202202143.
MORTAR	Activities related to city funding to support minority entrepreneurship.	Items # 202201938, 202201976, 202201990, 202201888, 202201849.
Newcrest Image	Activities related to real estate development.	No legislation.
Nicol Investment	Activities related to DORA at The Banks and E Freedom Way public plaza.	Termination report attached.
Norton Outdoor Advertising	No activity. Termination report attached.	No legislation.
OVG360	Activities related to the Duke Energy Convention Center.	No legislation.
Playhouse in the Park	Activities related to construction of the new theater, city lease, funding for the arts.	No legislation.
Produce Perks Midwest	Activities related to food insecurity.	No legislation.
Prus Construction	Activities related to development and construction in the city.	No legislation.
Terrex Development and Construction	Activities related to Terrex development projects.	No legislation.
The Children's Theatre of Cincinnati	Activities related to Emery Theatre.	Items # 202201871, 202201938, 202201976, 202201990, 202201888.
The Guild	Activity related to economic development and short term rentals. Termination report attached.	No legislation.
The Literacy Lab	Activities related to the Leading Men Fellowship.	No legislation.
Towne Properties	Activities related to real estate development at Montgomery & Lester Road.	Item # 202202513.
United Healthcare	Activities related to healthcare plans.	No legislation.
Valley Asphalt Co.	Activities related to development of Valley Asphalt's new city operations.	No legislation.
VineBrook Homes	Activities related to rental properties.	No legislation.
Visit Cincy	Activities related to tourism and convention district.	No legislation.

202300503

**Clerk of Council**  
801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
(513) 352-3246

Please check ALL that apply

- ☒ Termination(s) of Engagement
- ☐ Change of Address
- ☐ Amended Statement
- ☒ Updated Registration

## LEGISLATIVE AGENT UPDATED REGISTRATION STATEMENT

This statement must be filed with the Clerk of Council by the last day of January and July, annually. Please read instructions and review Sections 112-1 to 112-17, Cincinnati Municipal Code, prior to filing. **There is no fee for this filing.** Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days (the form may be obtained from the Clerk.) **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.** Other related prohibitions and penalties are contained in Section 112-99 of the Cincinnati Municipal Code.

### A. GENERAL INFORMATION

Full Name of Legislative Agent James T. Benedict  
(First) (Middle) (Last)

Occupation Vice President, Government Strategies Group

Business Address 700 Walnut Street, Suite 450  
Street Suite Number

Cincinnati OH 45202  
City State Zip(+4)

Telephone Number ( 513 ) 651-4100

**AGENT CHANGE OF NAME OR ADDRESS** - Based on your initial Registration Statement or last Updated Registration Statement, state any changes in your name or address.

(If none, check here ☒ )

Name of Legislative Agent \_\_\_\_\_

Address \_\_\_\_\_  
Street Suite Number

\_\_\_\_\_  
City State Zip(+4)

Telephone Number ( \_\_\_\_\_ ) \_\_\_\_\_

**Reporting Period:** Statement filed for period covering (check one and fill in year).

- |  |                                   |
|--|-----------------------------------|
| <input type="checkbox"/> January 1 - June 30, 2022             | (Report due on or before July 31) |
| <input checked="" type="checkbox"/> July 1 - December 31, 2022 | (Report due on or before Jan. 31) |

**B. AMENDMENTS, TERMINATIONS, AND TYPES OF LEGISLATION**

**AMENDED STATEMENT** - Is this an Amended Statement (i.e., any change in an amount or a filing pursuant to a dispute resolution decision of the OCCl.

\_\_\_\_ YES    X NO

If yes, you are required to complete only the portion(s) you have amended.

**TERMINATIONS** - Are you still engaged by all of the employers listed on page 1 of this form?

X YES    \_\_\_\_ NO

If no, please list the name of the Employers by whom you are no longer engaged and the date of termination. (Attach additional sheets if necessary.)

Employer Name	Date of Termination
Nicol Investment	September 30, 2022
Norton Outdoor Advertising	September 30, 2022
The Guild	July 1, 2022

**ORDINANCES AND RESOLUTIONS** - List the specific ordinance(s) and resolution(s) on which you actively advocated during this reporting period.

See attachment	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**ADDITIONAL TYPES OF LEGISLATION** - Since your Initial Registration Statement or last Updated Registration Statement for all Employers listed on this form, give a brief description of each of the additional types of legislation to which any of your engagements relate.

(If none, check here \_\_\_\_)

## C. DEFINITIONS

"Staff" means any city employee whose official duties are to formulate policy and who exercises administrative or supervisory authority or who authorizes the expenditure of city funds. "Staff" is limited to employees who are required to file a Financial Disclosure Statement under Article XXVI of the Administrative Code.

"Legislation" means ordinances, resolutions, amendments, nominations, and any other matter pending before the Council. See the definition of "legislation" under Section 112-1-L, Cincinnati Municipal Code.

"Financial Transaction" See definition in Section 112-1-F, Cincinnati Municipal Code.

## D. FINANCIAL TRANSACTIONS

If the Legislative Agent, or a member of his or her immediate family had, during this reporting period, a financial transaction\* (which is not being disputed under Section 112-19, Cincinnati Municipal Code,) with or for the benefit of a member of the Council, appointee of the Council, City Manager, the Director of a department created under the Administrative Code, or any member of the staff\* of such public officer or employee, then the following information is required with respect to each such financial transaction:

- a. Name of the public officer, employee, or staff member: \_\_\_\_\_
- b. Brief description of the purpose and nature of the transaction: \_\_\_\_\_  
\_\_\_\_\_
- c. Date the transaction was made or entered into: \_\_\_\_\_
- d. Other pertinent details: \_\_\_\_\_  
\_\_\_\_\_

(Attach an additional sheet for each public officer, employee, or staff member.)

(If none, check here   X  )

NOTE: If the Legislative Agent is required to disclose a financial transaction described in this Paragraph F, then the Legislative Agent shall deliver a copy of such paragraph which contains such information to the public officer(s) of employee(s) identified therein, at least ten (10) days before this form is filed with the Clerk of Council.


If the foregoing provision is applicable, indicate the date that such information was delivered:

**CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFIES THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.**

**ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.**

**James T. Benedict**

Type or Print Name of Legislative Agent

  
\_\_\_\_\_  
Signature of Legislative Agent

**1/31/2023**

Date

James T. Benedict  
Legislative Agent Updated Registration Statement  
July 1, 2022 - December 31, 2022

Client	Activity	Items
altafiber	Activities related to ARPA and broadband expansion in the City of Cincinnati.	No legislation.
Arena Management Holdings	Activities related to arena.	No legislation.
ArtWorks	Activities related to city operating and capital budget, Youth 2 Work, youth employment, and Creative Campus capital project.	Items # 202201938, 202201976, 202201990, 202201888, 202201849, 202201850, 202201904.
Best Point Education & Behavioral Health	Activity related to workforce development, city operating, and human services funding.	Items # 202201938, 202201976, 202201990, 202201888, 202201849, 202201850, 202201904.
Bethany House Services	Activities related to family homelessness, city operating, and human services funding.	Items # 202201938, 202201976, 202201990, 202201888, 202201849, 202201850, 202201904.
Birkla Investment Group	Activities related to the Terrace Plaza, 530 Main Street, @580, and other real estate development.	Items # 202201129, 202202120.
Boys and Girls Club of Greater Cincinnati	Activities related to Boys and Girls Clubs and ARPA funding.	No legislation.
Center for Addictions Treatment	Activities related to addiction recovery, leveraged support, and human services funding.	Items # 202201849, 202201850, 202201904, 202201616.
Cincinnati Bulk Terminals	Activities related barge operation on riverfront.	No legislation.
Cincinnati Center City Development Corporation (3CDC)	Activities related to 3CDC development.	No legislation.
Cincinnati Children's Hospital Medical Center	Activities related to Children's Hospital, ARPA funding, and the FY22 carryover budget.	Items # 202201849, 202201850, 202201904.
Cincinnati Museum Center	Activities related to Cincinnati Museum Center and arts funding.	No legislation.
Cincinnati Works	Activities related to employment services, City funding, including operating budget, human services funding, and the Hand Up Initiative.	Item # 202201849, 202201850, 202201904.
Duke Energy	Activities related to Duke operations in the City of Cincinnati.	No legislation.
FC Cincinnati	Activities related to Major League Soccer stadium and real estate development in Cincinnati.	No legislation.
Film Cincinnati	Activity related to major motion pictures, city operating budget, and security.	202201938, 202201976, 202201990, 202201888.
First Step Home	Activities related to expansion / renovation at the treatment campus, FY22 carryover budget, and human services funding.	Items # 202201938, 202201976, 202201990, 202201888, 202201849, 202201850, 202201904, 202201616.
Great Parks of Hamilton County	Activities related to Great Parks / City of Cincinnati property leases, parks, trails and conservation.	Items # 202300388, 202300265.
LADD, Inc.	Activity related to smart technology, independent living, and ARPA.	No legislation.
Lighthouse Youth & Family Services	Activity related to homeless youth and the city operating budget.	Items # 202201849, 202201850, 202201904.
Metro	Activities related to SORTA public transportation services and operating budget.	Items # 202202260, 202202143.
MORTAR	Activities related to city funding to support minority entrepreneurship.	Items # 202201938, 202201976, 202201990, 202201888, 202201849.
National Marketshare Group	Activities related to Lower Price Hill pedestrian safety and streetscaping.	No legislation.
Nicol Investment	Activities related to DORA at The Banks and E Freedom Way public plaza.	No legislation.
Norton Outdoor Advertising	Termination report attached.	No legislation.
Playhouse in the Park	No activity. Termination report attached.	No legislation.
Produce Perks Midwest	Activities related to construction of the new theater, city lease, funding for the arts.	No legislation.
Prus Construction	Activities related to food insecurity.	No legislation.
Terrex Development and Construction	Activities related to development and construction in the city.	No legislation.
The Children's Theatre of Cincinnati	Activities related to Terrex development projects.	No legislation.
The Guild	Activities related to Emery Theatre.	Items # 202201871, 202201938, 202201976, 202201990, 202201888.
The Literacy Lab	Activity related to economic development and short term rentals. Termination	No legislation.
Valley Asphalt Co.	Activities related to the Leading Men Fellowship.	No legislation.
VineBrook Homes	Activities related to development of Valley Asphalt's new city operations.	No legislation.
	Activities related to rental properties.	No legislation.

707300504

# **Clerk of Council**

801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
(513) 352-3246

Please check ALL that apply

- ☒ Termination(s) of Engagement  
☐ Change of Address  
☐ Amended Statement  
☒ Updated Registration

## **LEGISLATIVE AGENT UPDATED REGISTRATION STATEMENT**

This statement must be filed with the Clerk of Council by the last day of January and July, annually. Please read instructions and review Sections 112-1 to 112-17, Cincinnati Municipal Code, prior to filing. **There is no fee for this filing.** Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days (the form may be obtained from the Clerk.) **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.** Other related prohibitions and penalties are contained in Section 112-99 of the Cincinnati Municipal Code.

### **A. GENERAL INFORMATION**

Full Name of Legislative Agent J. Douglas Moormann  
(First) (Middle) (Last)

Occupation Vice President, Development Strategies Group

Business Address 700 Walnut Street, Suite 450

Cincinnati OH 45202  
City State Zip(+4)

Telephone Number ( 513 ) 651-4100

**AGENT CHANGE OF NAME OR ADDRESS** - Based on your initial Registration Statement or last Updated Registration Statement, state any changes in your name or address.

(If none, check here X )

Name of Legislative Agent \_\_\_\_\_

Address \_\_\_\_\_  
Street Suite Number

\_\_\_\_\_  
City State Zip(+4)

Telephone Number ( \_\_\_\_\_ ) \_\_\_\_\_

**Reporting Period:** Statement filed for period covering (check one and fill in year).

       January 1 - June 30, 2022

(Report due on or before July 31)

X July 1 - December 31, 2022

(Report due on or before Jan. 31)

**B. AMENDMENTS, TERMINATIONS, AND TYPES OF LEGISLATION**

**AMENDED STATEMENT** - Is this an Amended Statement (i.e., any change in an amount or a filing pursuant to a dispute resolution decision of the OCCl.

\_\_\_\_ YES    X NO

If yes, you are required to complete only the portion(s) you have amended.

**TERMINATIONS** - Are you still engaged by all of the employers listed on page 1 of this form?

X YES    \_\_\_\_ NO

If no, please list the name of the Employers by whom you are no longer engaged and the date of termination. (Attach additional sheets if necessary.)

Employer Name	Date of Termination
Boys and Girls Club of Greater Cincinnati	July 1, 2022
Charles Street	July 1, 2022

**ORDINANCES AND RESOLUTIONS** - List the specific ordinance(s) and resolution(s) on which you actively advocated during this reporting period:

See attachment	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**ADDITIONAL TYPES OF LEGISLATION** - Since your Initial Registration Statement or last Updated Registration Statement for all Employers listed on this form, give a brief description of each of the additional types of legislation to which any of your engagements relate.

(If none, check here \_\_\_\_)

### C. DEFINITIONS

"Staff" means any city employee whose official duties are to formulate policy and who exercises administrative or supervisory authority or who authorizes the expenditure of city funds. "Staff" is limited to employees who are required to file a Financial Disclosure Statement under Article XXVI of the Administrative Code.

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"Financial Transaction" See definition in Section 112-1-F, Cincinnati Municipal Code.

### D. FINANCIAL TRANSACTIONS

If the Legislative Agent, or a member of his or her immediate family had, during this reporting period, a financial transaction\* (which is not being disputed under Section 112-19, Cincinnati Municipal Code,) with or for the benefit of a member of the Council, appointee of the Council, City Manager, the Director of a department created under the Administrative Code, or any member of the staff\* of such public officer or employee, then the following information is required with respect to each such financial transaction:

- a. Name of the public officer, employee, or staff member: \_\_\_\_\_
- b. Brief description of the purpose and nature of the transaction: \_\_\_\_\_  
\_\_\_\_\_
- c. Date the transaction was made or entered into: \_\_\_\_\_
- d. Other pertinent details: \_\_\_\_\_  
\_\_\_\_\_

(Attach an additional sheet for each public officer, employee, or staff member.)

(If none, check here   X  )

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**ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.**

J. Douglas Moormann

Type or Print Name of Legislative Agent



Signature of Legislative Agent

1/31/2023

Date

**J. Douglas Moormann**  
**Legislative Agent Updated Registration Statement**  
**July 1, 2022 - December 31, 2022**

Client	Activity	Items
American Sign Museum	Activities related to capital expansion in Camp Washington.	Items # 202201938, 202201976, 202201990, 202201888.
Birkla Investment Group	Activities related to the Terrace Plaza, 530 Main Street, @580, and other real estate development.	Items # 202201129, 202202120.
Boys and Girls Club of Greater Cincinnati	Activities related to Boys and Girls Clubs and ARPA funding. Termination report attached.	No legislation.
Charles Street	No activity. Termination report attached.	No legislation.
Divisions Maintenance Group	Activities related to economic development.	No legislation.
Hills Properties	Activity related to the development of the Graphite Oakley apartment complex.	No legislation.
Keystone Hotel Group	Activities related to real estate development.	No legislation.
Kroger	Issues related to business expansion and location work.	No legislation.
Local Oakley	Activity related to development of the Local Oakley project.	Items # 202201808, 202201768, 202201495.
Manhattan Development Group	Activities related to real estate development in Madisonville.	No legislation.
Newcrest Image	Activities related to real estate development.	No legislation.
Neyer Properties	Issues related to the Cincinnati Public Radio site in Evanston.	Item # 20221466.
NuovoRE	Activity related to redevelopment of the Gwynne Building.	No legislation.
Prus Construction	Activities related to development and construction in the city.	No legislation.
Pure Romance	Activity related to economic development. No legislation.	No legislation.
Sunflower Development Group	Activities related to real estate development.	No legislation.
Terrex Development and Construction	Activities related to Terrex development projects.	No legislation.
Topicz	Activities related to real estate development.	No legislation.
Towne Properties	Activities related to real estate development at Montgomery & Lester Road.	Item # 202202513.
Visit Cincy	Activities related to tourism and convention district.	No legislation.

202300505

**Clerk of Council**

801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
(513) 352-3246

Please check ALL that apply

- ☒ Termination(s) of Engagement  
☐ Change of Address  
☐ Amended Statement  
☒ Updated Registration

**LEGISLATIVE AGENT UPDATED REGISTRATION STATEMENT**

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**A. GENERAL INFORMATION**

Full Name of Legislative Agent Ali Trianfo  
(First) (Middle) (Last)

Occupation Dir. of Operations & Community Affairs, Government Strategies Group

Business Address 700 Walnut Street, Suite 450  
Street Suite Number

Cincinnati OH 45202  
City State Zip(+4)

Telephone Number ( 513 ) 651-4100

**AGENT CHANGE OF NAME OR ADDRESS** - Based on your initial Registration Statement or last Updated Registration Statement, state any changes in your name or address.

(If none, check here X )

Name of Legislative Agent \_\_\_\_\_

Address \_\_\_\_\_  
Street Suite Number

\_\_\_\_\_  
City State Zip(+4)

Telephone Number ( \_\_\_\_\_ ) \_\_\_\_\_

**Reporting Period:** Statement filed for period covering (check one and fill in year).

       January 1 - June 30, 2022

(Report due on or before July 31)

X July 1 - December 31, 2022

(Report due on or before Jan. 31)

**B. AMENDMENTS, TERMINATIONS, AND TYPES OF LEGISLATION**

**AMENDED STATEMENT** - Is this an Amended Statement (i.e., any change in an amount or a filing pursuant to a dispute resolution decision of the OCCl.

\_\_\_\_ YES    X NO

If yes, you are required to complete only the portion(s) you have amended.

**TERMINATIONS** - Are you still engaged by all of the employers listed on page 1 of this form?

X YES    \_\_\_\_ NO

If no, please list the name of the Employers by whom you are no longer engaged and the date of termination. (Attach additional sheets if necessary.)

Employer Name	Date of Termination
ArtWorks	December 31, 2022
Boys & Girls Club of Greater Cincinnati	December 31, 2022
Living with Change	December 31, 2022
National Marketshare Group	December 31, 2022
The Literacy Lab	December 31, 2022

**ORDINANCES AND RESOLUTIONS** - List the specific ordinance(s) and resolution(s) on which you actively advocated during this reporting period.

See attachment \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ADDITIONAL TYPES OF LEGISLATION** - Since your Initial Registration Statement or last Updated Registration Statement for all Employers listed on this form, give a brief description of each of the additional types of legislation to which any of your engagements relate.

(If none, check here \_\_\_\_)

## C. DEFINITIONS

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**"Financial Transaction"** See definition in Section 112-1-F, Cincinnati Municipal Code.

## D. FINANCIAL TRANSACTIONS

If the Legislative Agent, or a member of his or her immediate family had, during this reporting period, a financial transaction\* (which is not being disputed under Section 112-19, Cincinnati Municipal Code,) with or for the benefit of a member of the Council, appointee of the Council, City Manager, the Director of a department created under the Administrative Code, or any member of the staff\* of such public officer or employee, then the following information is required with respect to each such financial transaction:

- a. Name of the public officer, employee, or staff member: \_\_\_\_\_
- b. Brief description of the purpose and nature of the transaction: \_\_\_\_\_  
\_\_\_\_\_
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\_\_\_\_\_

(Attach an additional sheet for each public officer, employee, or staff member.)

(If none, check here   X   )

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**ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.**

Ali Trianfo

Type or Print Name of Legislative Agent

\_\_\_\_\_  
Signature of Legislative Agent

1/31/2023

Date

**Ali Trianfo**  
**Legislative Agent Updated Registration Statement**  
**July 1, 2022 - December 31, 2022**

Client	Activity	Items
American Sign Museum	Activities related to capital expansion in Camp Washington.	Items # 202201938, 202201976, 202201990, 202201888.
Bethany House Services	Activities related to family homelessness, city operating, and human services funding.	Items # 202201938, 202201976, 202201990, 202201888, 202201849, 202201850, 202201904.
Caracole	Activity related to Human Services funding and HIV/AIDS prevention programming.	Items # 202201849, 202201850, 202201904
LADD, Inc.	Activity related to smart technology, independent living, and ARPA.	No legislation.
Lighthouse Youth & Family Services	Activity related to homeless youth and the city operating budget.	Items # 202201849, 202201850, 202201904.
MORTAR	Activities related to city funding to support minority entrepreneurship.	Items # 202201938, 202201976, 202201990, 202201888, 202201849.

TERMINATIONS EFF. 12/31/2022	Activity	Items
ArtWorks	Activities related to city operating and capital budget, Youth 2 Work, youth employment, and Creative Campus capital project. Termination report attached.	Items # 202201938, 202201976, 202201990, 202201888, 202201849, 202201850, 202201904.
Boys and Girls Club of Greater Cincinnati	No activity. Termination report attached.	No legislation.
Living with Change	No activity. Termination report attached.	No legislation.
National Marketshare Group	Activities related to Lower Price Hill pedestrian safety and streetscaping. Termination report attached.	No legislation.
The Literacy Lab	No activity. Termination report attached.	No legislation.

20220506

**Clerk of Council**

801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
(513) 352-3246

Please check ALL that apply

- ☐ Termination(s) of Engagement  
☐ Change of Address  
☐ Amended Statement  
☒ *updated Registration*

**LEGISLATIVE AGENT UPDATED REGISTRATION STATEMENT**

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**A. GENERAL INFORMATION**

Full Name of Legislative Agent Ted Heckmann  
(First) (Middle) (Last)  
Occupation Senior Director - Regulatory & Gov't Affairs  
Business Address 3730 Sunburst Ridge Lane  
Street Suite Number  
Cincinnati OH 45248  
City State Zip(+4)  
Telephone Number (513) 608-7624

**AGENT CHANGE OF NAME OR ADDRESS** - Based on your initial Registration Statement or last Updated Registration Statement, state any changes in your name or address.

(If none, check here ☐)

Name of Legislative Agent \_\_\_\_\_  
Address 3730 Sunburst Ridge Lane  
Street Suite Number  
Cincinnati OH 45248  
City State Zip(+4)  
Telephone Number ( ) \_\_\_\_\_

**Reporting Period:** Statement filed for period covering (check one and fill in year).

☐ January 1 through June 30, 199\_\_\_\_ (Report due on or before July 31)  
☒ July 1 through December 31, ~~199~~ 2022 (Report due on or before Jan. 31)

**B. AMENDMENTS, TERMINATIONS, AND TYPES OF LEGISLATION**

**AMENDED STATEMENT** - Is this an Amended Statement (i.e., any change in an amount or a filing pursuant to a dispute resolution decision of the OCCl.

\_\_\_\_ YES    ☒ NO

If yes, you are required to complete only the portion(s) you have amended.

**TERMINATIONS** - Are you still engaged by all of the employers listed on page 1 of this form?

\_\_\_\_ YES    ☒ NO

If no, please list the name of the Employers by whom you are no longer engaged and the date of termination. (Attach additional sheets if necessary.)

Employer Name	Date of Termination
_____	_____
_____	_____
_____	_____

**ORDINANCES AND RESOLUTIONS** - List the specific ordinance(s) and resolution(s) on which you actively advocated during this reporting period.

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**ADDITIONAL TYPES OF LEGISLATION** - Since your Initial Registration Statement or last Updated Registration Statement for all Employers listed on this form, give a brief description of each of the additional types of legislation to which any of your engagements relate.

(If none, check here ☒)

### C. DEFINITIONS

"Staff" means any city employee whose official duties are to formulate policy and who exercises administrative or supervisory authority or who authorizes the expenditure of city funds. "Staff" is limited to employees who are required to file a Financial Disclosure Statement under Article XXVI of the Administrative Code.

"Legislation" means ordinances, resolutions, amendments, nominations, and any other matter pending before the Council. See the definition of "legislation" under Section 112-1-L, Cincinnati Municipal Code.

"Financial Transaction" See definition in Section 112-1-F, Cincinnati Municipal Code.

### D. FINANCIAL TRANSACTIONS

If the Legislative Agent, or a member of his or her immediate family had, during this reporting period, a financial transaction\* (which is not being disputed under Section 112-19, Cincinnati Municipal Code,) with or for the benefit of a member of the Council, appointee of the Council, City Manager, the Director of a department created under the Administrative Code, or any member of the staff\* of such public officer or employee, then the following information is required with respect to each such financial transaction:

- a. Name of the public officer, employee, or staff member: \_\_\_\_\_
- b. Brief description of the purpose and nature of the transaction: \_\_\_\_\_  
\_\_\_\_\_
- c. Date the transaction was made or entered into: \_\_\_\_\_
- d. Other pertinent details: \_\_\_\_\_  
\_\_\_\_\_

(Attach an additional sheet for each public officer, employee, or staff member.)

(If none, check here ☒)

NOTE: If the Legislative Agent is required to disclose a financial transaction described in this Paragraph F, then the Legislative Agent shall deliver a copy of such paragraph which contains such information to the public officer(s) or employee(s) identified therein, at least ten (10) days before this form is filed with the Clerk of Council.

If the foregoing provision is applicable, indicate the date that such information was delivered:

**CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFIES THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.**

**ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.**

Ted Heckmann

Type or Print Name of Legislative Agent

Ted Heckmann

Signature of Legislative Agent

1/20/2023

Date

202300507

# **Clerk of Council**

801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
(513) 352-3246

Please check ALL that apply

- ☐ Termination(s) of Engagement  
☐ Change of Address  
☐ Amended Statement  
☒ Updated Registration

## **LEGISLATIVE AGENT UPDATED REGISTRATION STATEMENT**

This statement must be filed with the Clerk of Council by the last day of January and July, annually. Please read instructions and review Sections 112-1 to 112-17, Cincinnati Municipal Code, prior to filing. **There is no fee for this filing.** Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days (the form may be obtained from the Clerk.) **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.** Other related prohibitions and penalties are contained in Section 112-99 of the Cincinnati Municipal Code.

### **A. GENERAL INFORMATION**

Full Name of Legislative Agent Anne C. Sesler  
(First) (Middle) (Last)

Occupation Director of Public Affairs, Government Strategies Group

Business Address 700 Walnut Street, Suite 450  
Street Suite Number

Cincinnati OH 45202  
City State Zip(+4)

Telephone Number ( 513 ) 651-4100

**AGENT CHANGE OF NAME OR ADDRESS** - Based on your initial Registration Statement or last Updated Registration Statement, state any changes in your name or address.

(If none, check here ☒ )

Name of Legislative Agent \_\_\_\_\_

Address \_\_\_\_\_  
Street Suite Number

\_\_\_\_\_  
City State Zip(+4)

Telephone Number ( \_\_\_\_\_ ) \_\_\_\_\_

**Reporting Period:** Statement filed for period covering (check one and fill in year).

☐ January 1 - June 30, 2022

(Report due on or before July 31)

☒ July 1 - December 31, 2022

(Report due on or before Jan. 31)

**B. AMENDMENTS, TERMINATIONS, AND TYPES OF LEGISLATION**

**AMENDED STATEMENT** - Is this an Amended Statement (i.e., any change in an amount or a filing pursuant to a dispute resolution decision of the OCCl.

\_\_\_\_ YES     X  NO

If yes, you are required to complete only the portion(s) you have amended.

**TERMINATIONS** - Are you still engaged by all of the employers listed on page 1 of this form?

\_\_\_\_ YES     X  NO

If no, please list the name of the Employers by whom you are no longer engaged and the date of termination. (Attach additional sheets if necessary.)

Employer Name	Date of Termination
_____	_____
_____	_____
_____	_____
_____	_____

**ORDINANCES AND RESOLUTIONS** - List the specific ordinance(s) and resolution(s) on which you actively advocated during this reporting period.

<u>See attachment</u>	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**ADDITIONAL TYPES OF LEGISLATION** - Since your Initial Registration Statement or last Updated Registration Statement for all Employers listed on this form, give a brief description of each of the additional types of legislation to which any of your engagements relate.

(If none, check here \_\_\_\_\_)

## C: DEFINITIONS

**"Staff"** means any city employee whose official duties are to formulate policy and who exercises administrative or supervisory authority or who authorizes the expenditure of city funds. "Staff" is limited to employees who are required to file a Financial Disclosure Statement under Article XXVI of the Administrative Code.

**"Legislation"** means ordinances, resolutions, amendments, nominations, and any other matter pending before the Council. See the definition of "legislation" under Section 112-1-L, Cincinnati Municipal Code.

**"Financial Transaction"** See definition in Section 112-1-F, Cincinnati Municipal Code.

## D. FINANCIAL TRANSACTIONS

If the Legislative Agent, or a member of his or her immediate family had, during this reporting period, a financial transaction\* (which is not being disputed under Section 112-19, Cincinnati Municipal Code,) with or for the benefit of a member of the Council, appointee of the Council, City Manager, the Director of a department created under the Administrative Code, or any member of the staff\* of such public officer or employee, then the following information is required with respect to each such financial transaction:

- a. Name of the public officer, employee, or staff member: \_\_\_\_\_
- b. Brief description of the purpose and nature of the transaction: \_\_\_\_\_  
\_\_\_\_\_
- c. Date the transaction was made or entered into: \_\_\_\_\_
- d. Other pertinent details: \_\_\_\_\_  
\_\_\_\_\_

(Attach an additional sheet for each public officer, employee, or staff member.)

(If none, check here   X   )

NOTE: If the Legislative Agent is required to disclose a financial transaction described in this Paragraph F, then the Legislative Agent shall deliver a copy of such paragraph which contains such information to the public officer(s) of employee(s) identified therein, at least ten (10) days before this form is filed with the Clerk of Council.

If the foregoing provision is applicable, indicate the date that such information was delivered:

**CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFIES THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.**

**ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.**

Anne C. Sesler

Type or Print Name of Legislative Agent

Anne Sesler

Signature of Legislative Agent

1/31/2023

Date

Anne C. Sesler  
Legislative Agent Updated Registration Statement  
July 1, 2022 - December 31, 2022

Client	Activity	Items
Bethany House Services	Activities related to family homelessness, city operating, and human services funding.	Items # 202201938, 202201976, 202201990, 202201888, 202201849, 202201850, 202201904.
Boys and Girls Club of Greater Cincinnati	Activities related to Boys and Girls Clubs and ARPA funding.	No legislation.
Caracole	Activity related to Human Services funding and HIV/AIDS prevention programming.	Items # 202201849, 202201850, 202201904.
FC Cincinnati	Activities related to Major League Soccer stadium and real estate development in Cincinnati.	No legislation.
Metro	Activities related to SORTA public transportation services and operating budget.	Items # 202202260, 202202143.
MORTAR	Activities related to city funding to support minority entrepreneurship.	Items # 202201938, 202201976, 202201990, 202201888, 202201849.
OVG360	Activities related to the Duke Energy Convention Center.	No legislation.
Visit Cincy	Activities related to tourism and convention district.	No legislation.

202300508

**Clerk of Council**

801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
(513) 352-3246

Please check ALL that apply

- ☐ Termination(s) of Engagement  
☐ Change of Address  
☐ Amended Statement  
☒ Updated Registration

**LEGISLATIVE AGENT UPDATED REGISTRATION STATEMENT**

This statement must be filed with the Clerk of Council by the last day of January and July, annually. Please read instructions and review Sections 112-1 to 112-17, Cincinnati Municipal Code, prior to filing. **There is no fee for this filing.** Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days (the form may be obtained from the Clerk.) **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.** Other related prohibitions and penalties are contained in Section 112-99 of the Cincinnati Municipal Code.

**A. GENERAL INFORMATION**

Full Name of Legislative Agent Alana M. Tucker  
(First) (Middle) (Last)

Occupation Senior Associate, Government Strategies Group

Business Address 700 Walnut Street, Suite 450

Cincinnati OH 45202  
City State Zip(+4)

Telephone Number ( 513 ) 651-4100

**AGENT CHANGE OF NAME OR ADDRESS** - Based on your initial Registration Statement or last Updated Registration Statement, state any changes in your name or address.

(If none, check here X )

Name of Legislative Agent \_\_\_\_\_

Address \_\_\_\_\_  
Street Suite Number

\_\_\_\_\_  
City State Zip(+4)

Telephone Number ( \_\_\_\_\_ ) \_\_\_\_\_

**Reporting Period:** Statement filed for period covering (check one and fill in year).

☐ January 1 - June 30, 2022

(Report due on or before July 31)

☒ July 1 - December 31, 2022

(Report due on or before Jan. 31)

**B. AMENDMENTS, TERMINATIONS, AND TYPES OF LEGISLATION**

**AMENDED STATEMENT** - Is this an Amended Statement (i.e., any change in an amount or a filing pursuant to a dispute resolution decision of the OCCl.

\_\_\_\_ YES    X NO

If yes, you are required to complete only the portion(s) you have amended.

**TERMINATIONS** - Are you still engaged by all of the employers listed on page 1 of this form?

\_\_\_\_ YES    X NO

If no, please list the name of the Employers by whom you are no longer engaged and the date of termination. (Attach additional sheets if necessary.)

Employer Name	Date of Termination
_____	_____
_____	_____
_____	_____
_____	_____

**ORDINANCES AND RESOLUTIONS** - List the specific ordinance(s) and resolution(s) on which you actively advocated during this reporting period.

<u>See attachment</u>	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**ADDITIONAL TYPES OF LEGISLATION** - Since your Initial Registration Statement or last Updated Registration Statement for all Employers listed on this form, give a brief description of each of the additional types of legislation to which any of your engagements relate.

(If none, check here \_\_\_\_)

## C. DEFINITIONS

"Staff" means any city employee whose official duties are to formulate policy and who exercises administrative or supervisory authority or who authorizes the expenditure of city funds. "Staff" is limited to employees who are required to file a Financial Disclosure Statement under Article XXVI of the Administrative Code.

"Legislation" means ordinances, resolutions, amendments, nominations, and any other matter pending before the Council. See the definition of "legislation" under Section 112-1-L, Cincinnati Municipal Code.

"Financial Transaction" See definition in Section 112-1-F, Cincinnati Municipal Code.

## D. FINANCIAL TRANSACTIONS

If the Legislative Agent, or a member of his or her immediate family had, during this reporting period, a financial transaction\* (which is not being disputed under Section 112-19, Cincinnati Municipal Code,) with or for the benefit of a member of the Council, appointee of the Council, City Manager, the Director of a department created under the Administrative Code, or any member of the staff\* of such public officer or employee, then the following information is required with respect to each such financial transaction:

- a. Name of the public officer, employee, or staff member: \_\_\_\_\_
- b. Brief description of the purpose and nature of the transaction: \_\_\_\_\_  
\_\_\_\_\_
- c. Date the transaction was made or entered into: \_\_\_\_\_
- d. Other pertinent details: \_\_\_\_\_  
\_\_\_\_\_

(Attach an additional sheet for each public officer, employee, or staff member.)

(If none, check here  X )

NOTE: If the Legislative Agent is required to disclose a financial transaction described in this Paragraph F, then the Legislative Agent shall deliver a copy of such paragraph which contains such information to the public officer(s) of employee(s) identified therein, at least ten (10) days before this form is filed with the Clerk of Council.

If the foregoing provision is applicable, indicate the date that such information was delivered:

**CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFIES THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.**

**ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.**

Alana M. Tucker

Type or Print Name of Legislative Agent

Alana M. Tucker

Signature of Legislative Agent

1/31/2023

Date

Alana M. Tucker  
Legislative Agent Updated Registration Statement  
July 1, 2022 - December 31, 2022

Client	Activity	Items
ArtWorks	Activities related to city operating and capital budget, Youth 2 Work, youth employment, and Creative Campus capital project.	Items # 202201938, 202201976, 202201990, 202201888, 202201849, 202201850, 202201904.
Center for Addictions Treatment	Activities related to addiction recovery, leveraged support, and human services funding.	Items # 202201849, 202201850, 202201904, 202201616.
Contemporary Arts Center	Activities related to arts funding.	No legislation.
First Step Home	Activities related to expansion / renovation at the treatment campus, FY22 carryover budget, and human services funding.	Items # 202201938, 202201976, 202201990, 202201888, 202201849, 202201850, 202201904, 202201616.
Great Parks of Hamilton County	Activities related to Great Parks / City of Cincinnati property leases, parks, trails and conservation.	Items # 202300388, 202300265.
Living with Change	Activities related to LGBTQ+ issues.	No legislation.
Marathon Health	Activities related to healthcare.	No legislation.
Metro	Activities related to SORTA public transportation services and operating budget.	Items # 202202260, 202202143.
Playhouse in the Park	Activities related to construction of the new theater, city lease, funding for the arts.	No legislation.
Produce Perks Midwest	Activities related to food insecurity.	No legislation.
The Literacy Lab	Activities related to the Leading Men Fellowship.	No legislation.

**Clerk of Council**

801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
(513) 352-3246

Please check ALL that apply

- ☐ Termination(s) of Engagement  
☐ Change of Address  
☐ Amended Statement

200800516

**LEGISLATIVE AGENT UPDATED REGISTRATION STATEMENT**

This statement must be filed with the Clerk of Council by the last day of January and July, annually. Please read instructions and review Sections 112-1 to 112-17, Cincinnati Municipal Code, prior to filing. **There is no fee for this filing.** Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days (the form may be obtained from the Clerk.) **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.** Other related prohibitions and penalties are contained in Section 112-99 of the Cincinnati Municipal Code.

**A. GENERAL INFORMATION**

Full Name of Legislative Agent Kylie Jane Johnson  
(First) (Middle) (Last)

Occupation Policy Advocate

Business Address 1145 Chesapeake Ave. Suite i  
Street Suite Number

Columbus OH 43212  
City State Zip(+4)

Telephone Number ( 513 ) 818-2278

**AGENT CHANGE OF NAME OR ADDRESS** - Based on your initial Registration Statement or last Updated Registration Statement, state any changes in your name or address.

(If none, check here X )

Name of Legislative Agent \_\_\_\_\_

Address \_\_\_\_\_  
Street Suite Number

\_\_\_\_\_  
City State Zip(+4)

Telephone Number ( \_\_\_\_\_ ) \_\_\_\_\_

**Reporting Period:** Statement filed for period covering (check one and fill in year).

☐ January 1 through June 30, 199  
☒ July 1 through December 31, ~~199~~ 2022

(Report due on or before July 31)  
(Report due on or before Jan. 31)

**B. AMENDMENTS, TERMINATIONS, AND TYPES OF LEGISLATION**

**AMENDED STATEMENT** - Is this an Amended Statement (i.e., any change in an amount or a filing pursuant to a dispute resolution decision of the OCCI.

\_\_\_\_ YES    X NO

If yes, you are required to complete only the portion(s) you have amended.

**TERMINATIONS** - Are you still engaged by all of the employers listed on page 1 of this form?

X YES    \_\_\_\_ NO

If no, please list the name of the Employers by whom you are no longer engaged and the date of termination. (Attach additional sheets if necessary.)

Employer Name	Date of Termination
_____	_____
_____	_____
_____	_____

**ORDINANCES AND RESOLUTIONS** - List the specific ordinance(s) and resolution(s) on which you actively advocated during this reporting period.

<u>0300 - 2022</u>	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**ADDITIONAL TYPES OF LEGISLATION** - Since your Initial Registration Statement or last Updated Registration Statement for all Employers listed on this form, give a brief description of each of the additional types of legislation to which any of your engagements relate.

(If none, check here X)

## C. DEFINITIONS

"Staff" means any city employee whose official duties are to formulate policy and who exercises administrative or supervisory authority or who authorizes the expenditure of city funds. "Staff" is limited to employees who are required to file a Financial Disclosure Statement under Article XXVI of the Administrative Code.

"Legislation" means ordinances, resolutions, amendments, nominations, and any other matter pending before the Council. See the definition of "legislation" under Section 112-1-L, Cincinnati Municipal Code.

"Financial Transaction" See definition in Section 112-1-F, Cincinnati Municipal Code.

## D. FINANCIAL TRANSACTIONS

If the Legislative Agent, or a member of his or her immediate family had, during this reporting period, a financial transaction\* (which is not being disputed under Section 112-19, Cincinnati Municipal Code,) with or for the benefit of a member of the Council, appointee of the Council, City Manager, the Director of a department created under the Administrative Code, or any member of the staff\* of such public officer or employee, then the following information is required with respect to each such financial transaction:

- a. Name of the public officer, employee, or staff member: \_\_\_\_\_
- b. Brief description of the purpose and nature of the transaction: \_\_\_\_\_  
\_\_\_\_\_
- c. Date the transaction was made or entered into: \_\_\_\_\_
- d. Other pertinent details: \_\_\_\_\_  
\_\_\_\_\_

(Attach an additional sheet for each public officer, employee, or staff member.)

(If none, check here X)

NOTE: If the Legislative Agent is required to disclose a financial transaction described in this Paragraph F, then the Legislative Agent shall deliver a copy of such paragraph which contains such information to the public officer(s) of employee(s) identified therein, at least ten (10) days before this form is filed with the Clerk of Council.

If the foregoing provision is applicable, indicate the date that such information was delivered:

**CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFIES THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.**

**ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.**

Kylie Johnson  
Type or Print Name of Legislative Agent

Kylie J. Johnson  
Signature of Legislative Agent

01/19/2023  
Date

## C. DEFINITIONS

"Staff" means any city employee whose official duties are to formulate policy and who exercises administrative or supervisory authority or who authorizes the expenditure of city funds. "Staff" is limited to employees who are required to file a Financial Disclosure Statement under Article XXVI of the Administrative Code.

"Legislation" means ordinances, resolutions, amendments, nominations, and any other matter pending before the Council. See the definition of "legislation" under Section 113-1-1, Cincinnati Municipal Code.

"Financial Transaction" See definition in Section 113-1-1, Cincinnati Municipal Code.

## D. FINANCIAL TRANSACTIONS

If the Legislative Agent, or a member of his or her immediate family had, during this reporting period, a financial transaction (which is not being disputed under Section 113-1-1, Cincinnati Municipal Code), with or for the benefit of a member of the Council, spouse of the Council, City Manager, the Director of a department created under the Administrative Code, or any member of the staff, of such public officer or employee, then the following information is required with respect to each such financial transaction:

- a. Name of the public officer, employee, or staff member.
- b. Brief description of the purpose and nature of the transaction.
- c. Date the transaction was made or entered into.
- d. Other pertinent details.

(Attach an additional sheet for each public officer, employee, or staff member.)

(If none, check here.)

NOTE: If the Legislative Agent is required to disclose a financial transaction described in this Paragraph 5, then the Legislative Agent shall deliver a copy of each paragraph which contains such information to the public officer(s) or employee(s) identified therein, at least ten (10) days before this form is filed with the Clerk of Council.

If the foregoing provision is applicable, indicate the date that such information was delivered:

**CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFIES THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.**

**ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED**

**INDIVIDUAL.**

\_\_\_\_\_  
Type or Print Name of Legislative Agent

\_\_\_\_\_  
Signature of Legislative Agent

\_\_\_\_\_  
Date

**Clerk of Council**

801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
(513) 352-3246

**\$25.00 FILING FEE***20230552***LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT**

This statement must be filed with the Clerk of Council within ten (10) days of engagement. Please read instructions and review Section 112-5 prior to filing. There is a \$25.00 fee for this filing. Check or money order only made payable to "Clerk of Council". Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days the form may be obtained from Clerk. **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

**A. LEGISLATIVE AGENT INFORMATION**

1. Full Name JOHN S. ESTERLY
2. Occupation LOCOMOTIVE ENGINEER
3. Title/Position CHAIRMAN, STATE LEGISLATIVE BOARD
4. Business Address PO Box 7951  

City COLUMBUS

State OH

Suite Number 43207  
Zip(+4)
5. Telephone Number (614) 284-5876
6. Date of Engagement as Legislative Agent JANUARY 28, 2023

**B. EMPLOYER INFORMATION**

1. Full name of company or organization BROTHERHOOD OF LOCOMOTIVE ENGINEERS + TRAINMEN
2. Type of Industry LABOR UNION
3. Business Address PO Box 7951  

City COLUMBUS

State OH

Suite Number 43207  
Zip(+4)

**C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.**

PROMOTING LEGISLATION TO ENRICH OUR  
MEMBERS SAFETY AND LIVELIHOOD.

**D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.**

<input type="checkbox"/> Agriculture	<input type="checkbox"/> Environment	<input type="checkbox"/> Real Estate/Housing
<input type="checkbox"/> Alcohol/Tobacco	<input type="checkbox"/> Financial Institutions/Consumer Finance	<input type="checkbox"/> Retail and Commercial
<input type="checkbox"/> Arts/Entertainment	<input type="checkbox"/> Medical/Hospitals/Health Care	<input type="checkbox"/> Service Business
<input type="checkbox"/> Communications/Media	<input type="checkbox"/> Insurance	<input type="checkbox"/> Social Svs./Human Svs.
<input type="checkbox"/> Contractors/Construction	<input checked="" type="checkbox"/> Labor/Labor Organizations	<input type="checkbox"/> Science and Technology
<input type="checkbox"/> County/Local Government	<input type="checkbox"/> Legal	<input type="checkbox"/> State Employees
<input type="checkbox"/> Education	<input type="checkbox"/> Manufacturer	<input type="checkbox"/> State Government
<input type="checkbox"/> Energy/Utilities	<input type="checkbox"/> Public Interest	<input checked="" type="checkbox"/> Transportation

**CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.**

**ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.**

JOHN. S. ESTERLY  
Type or Print Name of Legislative Agent

[Signature]  
Signature of Legislative Agent

1/28/23  
Date

JOHN S. ESTERLY  
Type or Print Name of Persons Signing for Employer

**BY:** [Signature]  
Signature for Employer

CHAIRMAN, OSLB  
Title

1/28/23  
Date

Greater Cincinnati Fdn.

**Clerk of Council**

801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
(513) 352-3246

Please check ALL that apply

- ☐ Termination(s) of Engagement  
☐ Change of Address  
☐ Amended Statement

**LEGISLATIVE AGENT UPDATED REGISTRATION STATEMENT**

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**A. GENERAL INFORMATION**

Full Name of Legislative Agent Megan Elizabeth Cummings  
(First) (Middle) (Last)  
Occupation Vice President, Civic Engagement, Greater Cincinnati Fdn.  
Business Address 720 E. Pete Rose Way, Ste 120  
Street Suite Number  
Cincinnati OH 45202  
City State Zip(+4)  
Telephone Number (513) 768-6144

**AGENT CHANGE OF NAME OR ADDRESS** - Based on your initial Registration Statement or last Updated Registration Statement, state any changes in your name or address.

(If none, check here ☒)

Name of Legislative Agent \_\_\_\_\_

Address \_\_\_\_\_  
Street Suite Number

City State Zip(+4)

Telephone Number (\_\_\_\_\_) \_\_\_\_\_

**Reporting Period:** Statement filed for period covering (check one and fill in year).

☒ January 1 through June 30, 199\_  
☒ July 1 through December 31, 499\_  
2022

(Report due on or before July 31)  
(Report due on or before Jan. 31)

**B. AMENDMENTS, TERMINATIONS, AND TYPES OF LEGISLATION**

**AMENDED STATEMENT** - Is this an Amended Statement (i.e., any change in an amount or a filing pursuant to a dispute resolution decision of the OCCl.

\_\_\_\_ YES    ☒ NO

If yes, you are required to complete only the portion(s) you have amended.

**TERMINATIONS** - Are you still engaged by all of the employers listed on page 1 of this form?

☒ YES    \_\_\_\_ NO

If no, please list the name of the Employers by whom you are no longer engaged and the date of termination. (Attach additional sheets if necessary.)

Employer Name	Date of Termination
_____	_____
_____	_____
_____	_____

**ORDINANCES AND RESOLUTIONS** - List the specific ordinance(s) and resolution(s) on which you actively advocated during this reporting period.

202201918	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**ADDITIONAL TYPES OF LEGISLATION** - Since your Initial Registration Statement or last Updated Registration Statement for all Employers listed on this form, give a brief description of each of the additional types of legislation to which any of your engagements relate.

(If none, check here ☒)

### C. DEFINITIONS

"Staff" means any city employee whose official duties are to formulate policy and who exercises administrative or supervisory authority or who authorizes the expenditure of city funds. "Staff" is limited to employees who are required to file a Financial Disclosure Statement under Article XXVI of the Administrative Code.

"Legislation" means ordinances, resolutions, amendments, nominations, and any other matter pending before the Council. See the definition of "legislation" under Section 112-1-L, Cincinnati Municipal Code.

"Financial Transaction" See definition in Section 112-1-F, Cincinnati Municipal Code.

### D. FINANCIAL TRANSACTIONS

If the Legislative Agent, or a member of his or her immediate family had, during this reporting period, a financial transaction\* (which is not being disputed under Section 112-19, Cincinnati Municipal Code,) with or for the benefit of a member of the Council, appointee of the Council, City Manager, the Director of a department created under the Administrative Code, or any member of the staff\* of such public officer or employee, then the following information is required with respect to each such financial transaction:

- a. Name of the public officer, employee, or staff member: \_\_\_\_\_
- b. Brief description of the purpose and nature of the transaction: \_\_\_\_\_  
\_\_\_\_\_
- c. Date the transaction was made or entered into: \_\_\_\_\_
- d. Other pertinent details: \_\_\_\_\_  
\_\_\_\_\_

(Attach an additional sheet for each public officer, employee, or staff member.)

(If none, check here ✓)

NOTE: If the Legislative Agent is required to disclose a financial transaction described in this Paragraph F, then the Legislative Agent shall deliver a copy of such paragraph which contains such information to the public officer(s) of employee(s) identified therein, at least ten (10) days before this form is filed with the Clerk of Council.

If the foregoing provision is applicable, indicate the date that such information was delivered:

**CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFIES THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.**

**ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.**

Meghan Cummings

Type or Print Name of Legislative Agent

Meghan E. Cummings

Signature of Legislative Agent

2/2/2023

Date

## Clerk of Council

801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
(513) 352-3246

Please check ALL that apply

- ☐ Termination(s) of Engagement  
☐ Change of Address  
☐ Amended Statement

## LEGISLATIVE AGENT UPDATED REGISTRATION STATEMENT

This statement must be filed with the Clerk of Council by the last day of January and July, annually. Please read instructions and review Sections 112-1 to 112-17, Cincinnati Municipal Code, prior to filing. **There is no fee for this filing.** Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days (the form may be obtained from the Clerk.) **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.** Other related prohibitions and penalties are contained in Section 112-99 of the Cincinnati Municipal Code.

### A. GENERAL INFORMATION

Full Name of Legislative Agent DERRICK R. CLAY  
(First) (Middle) (Last)  
Occupation lobbyist  
Business Address 41 South High Street Ste 2400  
City Columbus State Ohio Zip(+4) 43215  
Telephone Number ( 614 ) 628-6825

**AGENT CHANGE OF NAME OR ADDRESS** - Based on your initial Registration Statement or last Updated Registration Statement, state any changes in your name or address.

(If none, check here ☒)

Name of Legislative Agent \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip(+4) \_\_\_\_\_

Telephone Number ( \_\_\_\_\_ ) \_\_\_\_\_

**Reporting Period:** Statement filed for period covering (check one and fill in year).

☒ January 1 through June 30, 199\_  
☐ July 1 through December 31, 199\_

(Report due on or before July 31)  
(Report due on or before Jan. 31)

**B. AMENDMENTS, TERMINATIONS, AND TYPES OF LEGISLATION**

**AMENDED STATEMENT** - Is this an Amended Statement (i.e., any change in an amount or a filing pursuant to a dispute resolution decision of the OCCl.

\_\_\_\_ YES    ☒ NO

If yes, you are required to complete only the portion(s) you have amended.

**TERMINATIONS** - Are you still engaged by all of the employers listed on page 1 of this form?

\_\_\_\_ YES    ☒ NO

If no, please list the name of the Employers by whom you are no longer engaged and the date of termination. (Attach additional sheets if necessary.)

Employer Name	Date of Termination
_____	_____
_____	_____
_____	_____
_____	_____

**ORDINANCES AND RESOLUTIONS** - List the specific ordinance(s) and resolution(s) on which you actively advocated during this reporting period.

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**ADDITIONAL TYPES OF LEGISLATION** - Since your Initial Registration Statement or last Updated Registration Statement for all Employers listed on this form, give a brief description of each of the additional types of legislation to which any of your engagements relate.

(If none, check here ☒)

## C. DEFINITIONS

**"Staff"** means any city employee whose official duties are to formulate policy and who exercises administrative or supervisory authority or who authorizes the expenditure of city funds. "Staff" is limited to employees who are required to file a Financial Disclosure Statement under Article XXVI of the Administrative Code.

**"Legislation"** means ordinances, resolutions, amendments, nominations, and any other matter pending before the Council. See the definition of "legislation" under Section 112-1-L, Cincinnati Municipal Code.

**"Financial Transaction"** See definition in Section 112-1-F, Cincinnati Municipal Code.

## D. FINANCIAL TRANSACTIONS

If the Legislative Agent, or a member of his or her immediate family had, during this reporting period, a financial transaction\* (which is not being disputed under Section 112-19, Cincinnati Municipal Code,) with or for the benefit of a member of the Council, appointee of the Council, City Manager, the Director of a department created under the Administrative Code, or any member of the staff\* of such public officer or employee, then the following information is required with respect to each such financial transaction:

- a. Name of the public officer, employee, or staff member: \_\_\_\_\_
- b. Brief description of the purpose and nature of the transaction: \_\_\_\_\_  
\_\_\_\_\_
- c. Date the transaction was made or entered into: \_\_\_\_\_
- d. Other pertinent details: \_\_\_\_\_  
\_\_\_\_\_

(Attach an additional sheet for each public officer, employee, or staff member.)

(If none, check here ☒)

NOTE: If the Legislative Agent is required to disclose a financial transaction described in this Paragraph F, then the Legislative Agent shall deliver a copy of such paragraph which contains such information to the public officer(s) of employee(s) identified therein, at least ten (10) days before this form is filed with the Clerk of Council.

If the foregoing provision is applicable, indicate the date that such information was delivered:

**CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFIES THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.**

**ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL**

DERRICK R. CLAY  
Type or Print Name of Legislative Agent

Derrick R. Clay  
Signature of Legislative Agent

1/31/2023  
Date

**Clerk of Council**

801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
(513) 352-3246

**\$25.00 FILING FEE***202300517***LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT**

This statement must be filed with the Clerk of Council within ten (10) days of engagement. Please read instructions and review Section 112-5 prior to filing. There is a \$25.00 fee for this filing. *Check or money order only made payable to "Clerk of Council"*. Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days the form may be obtained from Clerk. **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

**A. LEGISLATIVE AGENT INFORMATION**

1. Full Name Annalese Cahill
2. Occupation Government Affairs
3. Title/Position Government Relations Associate
4. Business Address 255 E 5th Street 1900  
Street Suite Number  
Cincinnati OH 45202  
City State Zip(+4)
5. Telephone Number (513) 832-5428
6. Date of Engagement as Legislative Agent 02/01/2023

**B. EMPLOYER INFORMATION**

1. Full name of company or organization Uptown Consortium
2. Type of Industry Nonprofit
3. Business Address 3440 Burnet Ave 130  
Street Suite Number  
Cincinnati OH 45229  
City State Zip(+4)

**C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.**

Economic development, zoning, tax incentives & policy, real estate development

**D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.**

<input type="checkbox"/> Agriculture	<input type="checkbox"/> Environment	<input checked="" type="checkbox"/> Real Estate/Housing
<input type="checkbox"/> Alcohol/Tobacco	<input type="checkbox"/> Financial Institutions/Consumer Finance	<input type="checkbox"/> Retail and Commercial
<input type="checkbox"/> Arts/Entertainment	<input type="checkbox"/> Medical/Hospitals/Health Care	<input type="checkbox"/> Service Business
<input type="checkbox"/> Communications/Media	<input type="checkbox"/> Insurance	<input type="checkbox"/> Social Svs./Human Svs.
<input type="checkbox"/> Contractors/Construction	<input type="checkbox"/> Labor/Labor Organizations	<input type="checkbox"/> Science and Technology
<input type="checkbox"/> County/Local Government	<input type="checkbox"/> Legal	<input type="checkbox"/> State Employees
<input type="checkbox"/> Education	<input type="checkbox"/> Manufacturer	<input type="checkbox"/> State Government
<input type="checkbox"/> Energy/Utilities	<input type="checkbox"/> Public Interest	<input checked="" type="checkbox"/> Transportation

**CERTIFICATION:** THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

Annalese Cahill

Type or Print Name of Legislative Agent

*Annalese M. Cahill*

Signature of Legislative Agent

2/2/2023

Date

B Robinson

Type or Print Name of Persons Signing for Employer

*B. Robinson*

BY:

Signature for Employer

President & CEO

Title

2/2/2023

Date

202300578

**Clerk of Council**

801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
(513) 352-3246

**\$25.00 FILING FEE****LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT**

This statement must be filed with the Clerk of Council within ten (10) days of engagement. Please read instructions and review Section 112-5 prior to filing. There is a \$25.00 fee for this filing. *Check or money order only made payable to "Clerk of Council"*. Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days the form may be obtained from Clerk. **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

**A. LEGISLATIVE AGENT INFORMATION**

1. Full Name Annalese Cahill
2. Occupation Government Affairs
3. Title/Position Government Relations Associate
4. Business Address 255 E 5th Street 1900  

Cincinnati
OH
45202

City
State
Zip(+4)
5. Telephone Number ( 513 ) 832-5428
6. Date of Engagement as Legislative Agent 02/01/2023

**B. EMPLOYER INFORMATION**

1. Full name of company or organization Norfolk Southern
2. Type of Industry Transportation
3. Business Address One Constitution Ave 300  

Washington
DC
22302

City
State
Zip(+4)

**C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.**

Land Use

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.**

<input type="checkbox"/> Agriculture	<input type="checkbox"/> Environment	<input type="checkbox"/> Real Estate/Housing
<input type="checkbox"/> Alcohol/Tobacco	<input type="checkbox"/> Financial Institutions/Consumer Finance	<input type="checkbox"/> Retail and Commercial
<input type="checkbox"/> Arts/Entertainment	<input type="checkbox"/> Medical/Hospitals/Health Care	<input type="checkbox"/> Service Business
<input type="checkbox"/> Communications/Media	<input type="checkbox"/> Insurance	<input type="checkbox"/> Social Svs./Human Svs.
<input type="checkbox"/> Contractors/Construction	<input type="checkbox"/> Labor/Labor Organizations	<input type="checkbox"/> Science and Technology
<input type="checkbox"/> County/Local Government	<input type="checkbox"/> Legal	<input type="checkbox"/> State Employees
<input type="checkbox"/> Education	<input type="checkbox"/> Manufacturer	<input type="checkbox"/> State Government
<input type="checkbox"/> Energy/Utilities	<input type="checkbox"/> Public Interest	<input checked="" type="checkbox"/> Transportation

**CERTIFICATION:** THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

Annalese Cahill

Type or Print Name of Legislative Agent

  
Signature of Legislative Agent

2/2/2023

Date

D Wilson

Type or Print Name of Persons Signing for Employer

D Wilson

BY:

Signature for Employer

AVP Government Relations

Title

2/2/2023

Date

202300579

**Clerk of Council**

801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
(513) 352-3246

**\$25.00 FILING FEE**

**LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT**

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**A. LEGISLATIVE AGENT INFORMATION**

1. Full Name Annalese Cahill
2. Occupation Government Affairs
3. Title/Position Government Relations Associate
4. Business Address 255 E 5th Street 1900  
Street Suite Number  
Cincinnati OH 45202  
City State Zip(+4)
5. Telephone Number ( 513 ) 832-5428
6. Date of Engagement as Legislative Agent 02/01/2023

**B. EMPLOYER INFORMATION**

1. Full name of company or organization UC Health
2. Type of Industry Hospital
3. Business Address 234 Goodman St  
Street Suite Number  
Cincinnati OH 45219  
City State Zip(+4)

**C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.**

Healthcare

**D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.**

<input type="checkbox"/> Agriculture	<input type="checkbox"/> Environment	<input type="checkbox"/> Real Estate/Housing
<input type="checkbox"/> Alcohol/Tobacco	<input type="checkbox"/> Financial Institutions/Consumer Finance	<input type="checkbox"/> Retail and Commercial
<input type="checkbox"/> Arts/Entertainment	<input checked="" type="checkbox"/> Medical/Hospitals/Health Care	<input type="checkbox"/> Service Business
<input type="checkbox"/> Communications/Media	<input type="checkbox"/> Insurance	<input type="checkbox"/> Social Svs./Human Svs.
<input type="checkbox"/> Contractors/Construction	<input type="checkbox"/> Labor/Labor Organizations	<input type="checkbox"/> Science and Technology
<input type="checkbox"/> County/Local Government	<input type="checkbox"/> Legal	<input type="checkbox"/> State Employees
<input type="checkbox"/> Education	<input type="checkbox"/> Manufacturer	<input type="checkbox"/> State Government
<input type="checkbox"/> Energy/Utilities	<input type="checkbox"/> Public Interest	<input type="checkbox"/> Transportation

**CERTIFICATION:** THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

**ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.**

Annalese Cahill

Type or Print Name of Legislative Agent



Signature of Legislative Agent

2/2/2023

Date

**C Sabers**

Type or Print Name of Persons Signing for Employer

By: Sabers

Signature for Employer

Vice President, Government Relations

Title

2/2/2023

Date

202300520

**Clerk of Council**

801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
(513) 352-3246

**\$25.00 FILING FEE**

**LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT**

This statement must be filed with the Clerk of Council within ten (10) days of engagement. Please read instructions and review Section 112-5 prior to filing. There is a \$25.00 fee for this filing. *Check or money order only made payable to "Clerk of Council"*. Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days the form may be obtained from Clerk. **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

**A. LEGISLATIVE AGENT INFORMATION**

1. Full Name Annalese Cahill
2. Occupation Government Affairs
3. Title/Position Government Relations Associate
4. Business Address 255 E 5th Street 1900  
Street Suite Number  
Cincinnati OH 45202  
City State Zip(+4)
5. Telephone Number ( 513 ) 832-5428
6. Date of Engagement as Legislative Agent 02/01/2023

**B. EMPLOYER INFORMATION**

1. Full name of company or organization Taft Museum of Art
2. Type of Industry Arts
3. Business Address 316 Pike St  
Street Suite Number  
Cincinnati OH 45202  
City State Zip(+4)

**C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.**

Economic development, arts programming

**D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.**

<input type="checkbox"/> Agriculture	<input type="checkbox"/> Environment	<input type="checkbox"/> Real Estate/Housing
<input type="checkbox"/> Alcohol/Tobacco	<input type="checkbox"/> Financial Institutions/Consumer Finance	<input type="checkbox"/> Retail and Commercial
<input checked="" type="checkbox"/> Arts/Entertainment	<input type="checkbox"/> Medical/Hospitals/Health Care	<input type="checkbox"/> Service Business
<input type="checkbox"/> Communications/Media	<input type="checkbox"/> Insurance	<input type="checkbox"/> Social Svs./Human Svs.
<input type="checkbox"/> Contractors/Construction	<input type="checkbox"/> Labor/Labor Organizations	<input type="checkbox"/> Science and Technology
<input type="checkbox"/> County/Local Government	<input type="checkbox"/> Legal	<input type="checkbox"/> State Employees
<input type="checkbox"/> Education	<input type="checkbox"/> Manufacturer	<input type="checkbox"/> State Government
<input type="checkbox"/> Energy/Utilities	<input type="checkbox"/> Public Interest	<input type="checkbox"/> Transportation

**CERTIFICATION:** THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

Annalese Cahill  
Type or Print Name of Legislative Agent

Annalese Cahill  
Signature of Legislative Agent

2/2/2023  
Date

**L. Necamp**

L. Necamp  
Type or Print Name of Persons Signing for Employer

L. Necamp  
Signature for Employer

Deputy Director  
Title

2/2/2023

Date

202300501

**Clerk of Council**

801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
(513) 352-3246

**\$25.00 FILING FEE**

**LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT**

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**A. LEGISLATIVE AGENT INFORMATION**

1. Full Name Annalese Cahill
2. Occupation Government Affairs
3. Title/Position Government Relations Associate
4. Business Address 255 E 5th Street 1900  
Street Suite Number  
Cincinnati OH 45202  
City State Zip(+4)
5. Telephone Number (513) 832-5428
6. Date of Engagement as Legislative Agent 02/01/2023

**B. EMPLOYER INFORMATION**

1. Full name of company or organization Uptown Rental Properties
2. Type of Industry Real Estate
3. Business Address 2718 Short Vine St  
Street Suite Number  
Cincinnati OH 45219  
City State Zip(+4)

**C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.**

Economic development, zoning, incentives

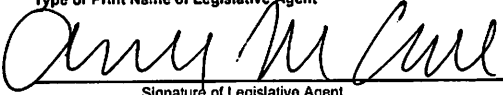
**D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.**

<input type="checkbox"/> Agriculture	<input type="checkbox"/> Environment	<input checked="" type="checkbox"/> Real Estate/Housing
<input type="checkbox"/> Alcohol/Tobacco	<input type="checkbox"/> Financial Institutions/Consumer Finance	<input checked="" type="checkbox"/> Retail and Commercial
<input type="checkbox"/> Arts/Entertainment	<input type="checkbox"/> Medical/Hospitals/Health Care	<input type="checkbox"/> Service Business
<input type="checkbox"/> Communications/Media	<input type="checkbox"/> Insurance	<input type="checkbox"/> Social Svs./Human Svs.
<input type="checkbox"/> Contractors/Construction	<input type="checkbox"/> Labor/Labor Organizations	<input type="checkbox"/> Science and Technology
<input type="checkbox"/> County/Local Government	<input type="checkbox"/> Legal	<input type="checkbox"/> State Employees
<input type="checkbox"/> Education	<input type="checkbox"/> Manufacturer	<input type="checkbox"/> State Government
<input type="checkbox"/> Energy/Utilities	<input type="checkbox"/> Public Interest	<input type="checkbox"/> Transportation

**CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.**


**ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.**

Annalesse Cahill  
Type or Print Name of Legislative Agent

  
Signature of Legislative Agent

2/2/2023  
Date

Guilford Guthrie  
Type or Print Name of Persons Signing for Employer

  
BY: Signature for Employer

Development Manager  
Title

2/2/2023  
Date

**Clerk of Council**

801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
(513) 352-3246

900300500  
**\$25.00 FILING FEE**

**LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT**

This statement must be filed with the Clerk of Council within ten (10) days of engagement. Please read instructions and review Section 112-5 prior to filing. There is a \$25.00 fee for this filing. *Check or money order only made payable to "Clerk of Council"*. Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days the form may be obtained from Clerk. **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

**A. LEGISLATIVE AGENT INFORMATION**

1. Full Name Annalese Cahill
2. Occupation Government Affairs
3. Title/Position Government Relations Associate
4. Business Address 255 E 5th Street 1900  
Street Suite Number  
Cincinnati OH 45202  
City State Zip(+4)
5. Telephone Number ( 513 ) 832-5428
6. Date of Engagement as Legislative Agent 02/01/2023

**B. EMPLOYER INFORMATION**

1. Full name of company or organization University of Cincinnati
2. Type of Industry Higher Education
3. Business Address 2600 Clifton Ave University Pavilion 6th Floor  
Street Suite Number  
Cincinnati OH 45221  
City State Zip(+4)

**C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.**

Education, economic development, real estate, public safety

**D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.**

<input type="checkbox"/> Agriculture	<input type="checkbox"/> Environment	<input type="checkbox"/> Real Estate/Housing
<input type="checkbox"/> Alcohol/Tobacco	<input type="checkbox"/> Financial Institutions/Consumer Finance	<input type="checkbox"/> Retail and Commercial
<input type="checkbox"/> Arts/Entertainment	<input type="checkbox"/> Medical/Hospitals/Health Care	<input type="checkbox"/> Service Business
<input type="checkbox"/> Communications/Media	<input type="checkbox"/> Insurance	<input type="checkbox"/> Social Svs./Human Svs.
<input type="checkbox"/> Contractors/Construction	<input type="checkbox"/> Labor/Labor Organizations	<input type="checkbox"/> Science and Technology
<input type="checkbox"/> County/Local Government	<input type="checkbox"/> Legal	<input type="checkbox"/> State Employees
<input checked="" type="checkbox"/> Education	<input type="checkbox"/> Manufacturer	<input type="checkbox"/> State Government
<input type="checkbox"/> Energy/Utilities	<input type="checkbox"/> Public Interest	<input type="checkbox"/> Transportation

**CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.**

**ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.**

Annalese Cahill

Type or Print Name of Legislative Agent

*Annalese M. Cahill*

Signature of Legislative Agent

2/3/2023

Date

K Ryan

Type or Print Name of Persons Signing for Employer

*K Ryan*

BY:

Signature for Employer

Executive Director, Government Relations

Title

2/3/2023

Date

202300583

**Clerk of Council**

801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
(513) 352-3246

**\$25.00 FILING FEE**

**LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT**

This statement must be filed with the Clerk of Council within ten (10) days of engagement. Please read instructions and review Section 112-5 prior to filing. There is a \$25.00 fee for this filing. *Check or money order only made payable to "Clerk of Council"*. Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days the form may be obtained from Clerk. **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

**A. LEGISLATIVE AGENT INFORMATION**

1. Full Name Matt Davis
2. Occupation Government Affairs
3. Title/Position President
4. Business Address 255 E 5th Street 1900  
Street Suite Number  
Cincinnati OH 45202  
City State Zip(+4)
5. Telephone Number ( 513 ) 977-8640
6. Date of Engagement as Legislative Agent 02/01/2023

**B. EMPLOYER INFORMATION**

1. Full name of company or organization Uptown Rental Properties
2. Type of Industry Real Estate
3. Business Address 2718 Short Vine St  
Street Suite Number  
Cincinnati OH 45219  
City State Zip(+4)

**C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.**

Economic development, zoning, incentives

**D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.**

<input type="checkbox"/> Agriculture	<input type="checkbox"/> Environment	<input checked="" type="checkbox"/> Real Estate/Housing
<input type="checkbox"/> Alcohol/Tobacco	<input type="checkbox"/> Financial Institutions/Consumer Finance	<input checked="" type="checkbox"/> Retail and Commercial
<input type="checkbox"/> Arts/Entertainment	<input type="checkbox"/> Medical/Hospitals/Health Care	<input type="checkbox"/> Service Business
<input type="checkbox"/> Communications/Media	<input type="checkbox"/> Insurance	<input type="checkbox"/> Social Svs./Human Svs.
<input type="checkbox"/> Contractors/Construction	<input type="checkbox"/> Labor/Labor Organizations	<input type="checkbox"/> Science and Technology
<input type="checkbox"/> County/Local Government	<input type="checkbox"/> Legal	<input type="checkbox"/> State Employees
<input type="checkbox"/> Education	<input type="checkbox"/> Manufacturer	<input type="checkbox"/> State Government
<input type="checkbox"/> Energy/Utilities	<input type="checkbox"/> Public Interest	<input type="checkbox"/> Transportation

**CERTIFICATION:** THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

MATT DAVIS  
Type or Print Name of Legislative Agent

  
Signature of Legislative Agent

2-6-23  
Date

Guilford Guthrie  
Type or Print Name of Persons Signing for Employer

Guilford Guthrie  
BY: Signature for Employer

Development Manager  
Title

2/2/2023  
Date

20200524

\$25.00 FILING FEE

**Clerk of Council**

801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
(513) 352-3246

**LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT**

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**A. LEGISLATIVE AGENT INFORMATION**

1. Full Name Matt Davis
2. Occupation Government Affairs
3. Title/Position President
4. Business Address 255 E 5th Street 1900  
Street Suite Number  
Cincinnati OH 45202  
City State Zip(+4)
5. Telephone Number ( 513 ) 977-8640
6. Date of Engagement as Legislative Agent 02/01/2023

**B. EMPLOYER INFORMATION**

1. Full name of company or organization Cincinnati Blue Line Foundation
2. Type of Industry Nonprofit
3. Business Address 1900 Central Parkway  
Street Suite Number  
Cincinnati OH 45214  
City State Zip(+4)

**C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.**

Economic development, zoning, mental health, first responders

20200524

**D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.**

<input type="checkbox"/> Agriculture	<input type="checkbox"/> Environment	<input checked="" type="checkbox"/> Real Estate/Housing
<input type="checkbox"/> Alcohol/Tobacco	<input type="checkbox"/> Financial Institutions/Consumer Finance	<input type="checkbox"/> Retail and Commercial
<input type="checkbox"/> Arts/Entertainment	<input type="checkbox"/> Medical/Hospitals/Health Care	<input type="checkbox"/> Service Business
<input checked="" type="checkbox"/> Communications/Media	<input type="checkbox"/> Insurance	<input type="checkbox"/> Social Svs./Human Svs.
<input type="checkbox"/> Contractors/Construction	<input type="checkbox"/> Labor/Labor Organizations	<input type="checkbox"/> Science and Technology
<input checked="" type="checkbox"/> County/Local Government	<input type="checkbox"/> Legal	<input type="checkbox"/> State Employees
<input type="checkbox"/> Education	<input type="checkbox"/> Manufacturer	<input type="checkbox"/> State Government
<input type="checkbox"/> Energy/Utilities	<input type="checkbox"/> Public Interest	<input type="checkbox"/> Transportation

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ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

MATT DAVIS  
Type or Print Name of Legislative Agent

[Signature]  
Signature of Legislative Agent

M. Hube

\_\_\_\_\_  
Type or Print Name of Persons Signing for Employer

B. Hube  
Signature for Employer

Interim Executive Director

\_\_\_\_\_  
Title

2-6-23  
Date

2/2/2023

\_\_\_\_\_  
Date

207200585

**Clerk of Council**

801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
(513) 352-3246

**\$25.00 FILING FEE**

**LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT**

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**A. LEGISLATIVE AGENT INFORMATION**

1. Full Name Matt Davis
2. Occupation Government Affairs
3. Title/Position President
4. Business Address 255 E 5th Street 1900  
Street Suite Number  
Cincinnati OH 45202  
City State Zip(+4)
5. Telephone Number ( 513 ) 977-8640
6. Date of Engagement as Legislative Agent 02/01/2023

**B. EMPLOYER INFORMATION**

1. Full name of company or organization Taft Museum of Art
2. Type of Industry Arts
3. Business Address 316 Pike St  
Street Suite Number  
Cincinnati OH 45202  
City State Zip(+4)

**C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.**

Economic development, arts programming

**D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.**

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Agriculture                   | <input type="checkbox"/> Environment                             | <input type="checkbox"/> Real Estate/Housing    |
| <input type="checkbox"/> Alcohol/Tobacco               | <input type="checkbox"/> Financial Institutions/Consumer Finance | <input type="checkbox"/> Retail and Commercial  |
| <input checked="" type="checkbox"/> Arts/Entertainment | <input type="checkbox"/> Medical/Hospitals/Health Care           | <input type="checkbox"/> Service Business       |
| <input type="checkbox"/> Communications/Media          | <input type="checkbox"/> Insurance                               | <input type="checkbox"/> Social Svs./Human Svs. |
| <input type="checkbox"/> Contractors/Construction      | <input type="checkbox"/> Labor/Labor Organizations               | <input type="checkbox"/> Science and Technology |
| <input type="checkbox"/> County/Local Government       | <input type="checkbox"/> Legal                                   | <input type="checkbox"/> State Employees        |
| <input type="checkbox"/> Education                     | <input type="checkbox"/> Manufacturer                            | <input type="checkbox"/> State Government       |
| <input type="checkbox"/> Energy/Utilities              | <input type="checkbox"/> Public Interest                         | <input type="checkbox"/> Transportation         |

**CERTIFICATION:** THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

MATT DEBIS  
Type or Print Name of Legislative Agent

[Signature]  
Signature of Legislative Agent

2-6-23  
Date

L Necamp  
Type or Print Name of Persons Signing for Employer

L. Necamp  
Signature for Employer

Deputy Director  
Title

2/2/2023  
Date

202300582

**Clerk of Council**

801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
(513) 352-3246

**\$25.00 FILING FEE**

**LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT**

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**A. LEGISLATIVE AGENT INFORMATION**

1. Full Name Matt Davis
2. Occupation Government Affairs
3. Title/Position President
4. Business Address 255 E 5th Street 1900  
Cincinnati OH 45202  
City State Zip(+4)
5. Telephone Number ( 513 ) 977-8640
6. Date of Engagement as Legislative Agent 02/01/2023

**B. EMPLOYER INFORMATION**

1. Full name of company or organization United Way of Greater Cincinnati
2. Type of Industry Nonprofit
3. Business Address 2400 Reading Road  
Cincinnati OH 45202  
City State Zip(+4)

**C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.**

Community and economic development, public health, advocacy

7517-432,0318

**D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.**

<input type="checkbox"/> Agriculture	<input type="checkbox"/> Environment	<input type="checkbox"/> Real Estate/Housing
<input type="checkbox"/> Alcohol/Tobacco	<input type="checkbox"/> Financial Institutions/Consumer Finance	<input type="checkbox"/> Retail and Commercial
<input type="checkbox"/> Arts/Entertainment	<input type="checkbox"/> Medical/Hospitals/Health Care	<input type="checkbox"/> Service Business
<input type="checkbox"/> Communications/Media	<input type="checkbox"/> Insurance	<input checked="" type="checkbox"/> Social Svs./Human Svs.
<input type="checkbox"/> Contractors/Construction	<input type="checkbox"/> Labor/Labor Organizations	<input type="checkbox"/> Science and Technology
<input checked="" type="checkbox"/> County/Local Government	<input type="checkbox"/> Legal	<input type="checkbox"/> State Employees
<input type="checkbox"/> Education	<input type="checkbox"/> Manufacturer	<input type="checkbox"/> State Government
<input type="checkbox"/> Energy/Utilities	<input type="checkbox"/> Public Interest	<input type="checkbox"/> Transportation

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ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

MAT DAVIS  
Type or Print Name of Legislative Agent

[Signature]  
Signature of Legislative Agent

2-6-23  
Date

Kristina R Scott  
Type or Print Name of Persons Signing for Employer

Kristina R Scott  
BY: Signature for Employer

Public Policy and Advocacy Director  
Title

2/2/2023  
Date

707300587

**Clerk of Council**

801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
(513) 352-3246

**\$25.00 FILING FEE****LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT**

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**A. LEGISLATIVE AGENT INFORMATION**

1. Full Name Colleen Reynolds
2. Occupation Government Affairs
3. Title/Position Partner
4. Business Address 255 E 5th Street 1900  

City
State
Zip(+4)

Cincinnati OH 45202
5. Telephone Number ( 513 ) 832-5449
6. Date of Engagement as Legislative Agent 02/01/2023

**B. EMPLOYER INFORMATION**

1. Full name of company or organization Cincinnati Blue Line Foundation
2. Type of Industry Nonprofit
3. Business Address 1900 Central Parkway  

City
State
Zip(+4)

Cincinnati OH 45214

**C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.**

Economic development, zoning, mental health, first responders

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.**

<input type="checkbox"/> Agriculture	<input type="checkbox"/> Environment	<input checked="" type="checkbox"/> Real Estate/Housing
<input type="checkbox"/> Alcohol/Tobacco	<input type="checkbox"/> Financial Institutions/Consumer Finance	<input type="checkbox"/> Retail and Commercial
<input type="checkbox"/> Arts/Entertainment	<input type="checkbox"/> Medical/Hospitals/Health Care	<input type="checkbox"/> Service Business
<input checked="" type="checkbox"/> Communications/Media	<input type="checkbox"/> Insurance	<input type="checkbox"/> Social Svs./Human Svs.
<input type="checkbox"/> Contractors/Construction	<input type="checkbox"/> Labor/Labor Organizations	<input type="checkbox"/> Science and Technology
<input checked="" type="checkbox"/> County/Local Government	<input type="checkbox"/> Legal	<input type="checkbox"/> State Employees
<input type="checkbox"/> Education	<input type="checkbox"/> Manufacturer	<input type="checkbox"/> State Government
<input type="checkbox"/> Energy/Utilities	<input type="checkbox"/> Public Interest	<input type="checkbox"/> Transportation

**CERTIFICATION:** THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

Colleen Reynolds  
Type or Print Name of Legislative Agent

Colleen M. Reynolds  
Signature of Legislative Agent

2/2/23  
Date

M. Hube

\_\_\_\_\_  
Type or Print Name of Persons Signing for Employer

B. Hube  
Signature for Employer

Interim Executive Director

\_\_\_\_\_  
Title

2/2/2023

\_\_\_\_\_  
Date

202300588

**Clerk of Council**

801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
(513) 352-3246

**\$25.00 FILING FEE**

**LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT**

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**A. LEGISLATIVE AGENT INFORMATION**

1. Full Name Colleen Reynolds
2. Occupation Government Affairs
3. Title/Position Partner
4. Business Address 255 E 5th Street 1900  
Street Suite Number  
Cincinnati OH 45202  
City State Zip(+4)
5. Telephone Number ( 513 ) 832-5449
6. Date of Engagement as Legislative Agent 02/01/2023

**B. EMPLOYER INFORMATION**

1. Full name of company or organization Uptown Rental Properties
2. Type of Industry Real Estate
3. Business Address 2718 Short Vine St  
Street Suite Number  
Cincinnati OH 45219  
City State Zip(+4)

**C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.**

Economic development, zoning, incentives

**D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.**

<input type="checkbox"/> Agriculture	<input type="checkbox"/> Environment	<input checked="" type="checkbox"/> Real Estate/Housing
<input type="checkbox"/> Alcohol/Tobacco	<input type="checkbox"/> Financial Institutions/Consumer Finance	<input checked="" type="checkbox"/> Retail and Commercial
<input type="checkbox"/> Arts/Entertainment	<input type="checkbox"/> Medical/Hospitals/Health Care	<input type="checkbox"/> Service Business
<input type="checkbox"/> Communications/Media	<input type="checkbox"/> Insurance	<input type="checkbox"/> Social Svs./Human Svs.
<input type="checkbox"/> Contractors/Construction	<input type="checkbox"/> Labor/Labor Organizations	<input type="checkbox"/> Science and Technology
<input type="checkbox"/> County/Local Government	<input type="checkbox"/> Legal	<input type="checkbox"/> State Employees
<input type="checkbox"/> Education	<input type="checkbox"/> Manufacturer	<input type="checkbox"/> State Government
<input type="checkbox"/> Energy/Utilities	<input type="checkbox"/> Public Interest	<input type="checkbox"/> Transportation

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ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

Colleen Reynolds  
Type or Print Name of Legislative Agent

Colleen M. Reynolds  
Signature of Legislative Agent

2/2/23  
Date

Guilford Guthrie  
Type or Print Name of Persons Signing for Employer

Guilford Guthrie  
BY: Signature for Employer

Development Manager  
Title

2/2/2023  
Date

207300889

**Clerk of Council**

801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
(513) 352-3246

**\$25.00 FILING FEE****LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT**

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**A. LEGISLATIVE AGENT INFORMATION**

1. Full Name Colleen Reynolds
2. Occupation Government Affairs
3. Title/Position Partner
4. Business Address 255 E 5th Street 1900  

Cincinnati  
City

OH  
State

45202  
Suite Number  
Zip(+4)
5. Telephone Number ( 513 ) 832-5449
6. Date of Engagement as Legislative Agent 02/01/2023

**B. EMPLOYER INFORMATION**

1. Full name of company or organization United Way of Greater Cincinnati
2. Type of Industry Nonprofit
3. Business Address 2400 Reading Road  

Cincinnati  
City

OH  
State

45202  
Suite Number  
Zip(+4)

**C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.**

Community and economic development, public health, advocacy

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.**

<input type="checkbox"/> Agriculture	<input type="checkbox"/> Environment	<input type="checkbox"/> Real Estate/Housing
<input type="checkbox"/> Alcohol/Tobacco	<input type="checkbox"/> Financial Institutions/Consumer Finance	<input type="checkbox"/> Retail and Commercial
<input type="checkbox"/> Arts/Entertainment	<input type="checkbox"/> Medical/Hospitals/Health Care	<input type="checkbox"/> Service Business
<input type="checkbox"/> Communications/Media	<input type="checkbox"/> Insurance	<input checked="" type="checkbox"/> Social Svs./Human Svs.
<input type="checkbox"/> Contractors/Construction	<input type="checkbox"/> Labor/Labor Organizations	<input type="checkbox"/> Science and Technology
<input checked="" type="checkbox"/> County/Local Government	<input type="checkbox"/> Legal	<input type="checkbox"/> State Employees
<input type="checkbox"/> Education	<input type="checkbox"/> Manufacturer	<input type="checkbox"/> State Government
<input type="checkbox"/> Energy/Utilities	<input type="checkbox"/> Public Interest	<input type="checkbox"/> Transportation

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*Colleen Reynolds*

\_\_\_\_\_  
Type or Print Name of Legislative Agent

*Colleen M. Reynolds*

\_\_\_\_\_  
Signature of Legislative Agent

*2/2/23*

\_\_\_\_\_  
Date

Kristina R Scott

\_\_\_\_\_  
Type or Print Name of Persons Signing for Employer

*Kristina R Scott*

BY:

\_\_\_\_\_  
Signature for Employer

Public Policy and Advocacy Director

\_\_\_\_\_  
Title

2/2/2023

\_\_\_\_\_  
Date

**Clerk of Council**

801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
(513) 352-3246

202300590  
\$25.00 FILING FEE

**LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT**

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**A. LEGISLATIVE AGENT INFORMATION**

1. Full Name Colleen Reynolds
2. Occupation Government Affairs
3. Title/Position Partner
4. Business Address 255 E 5th Street 1900  
Street Suite Number  
Cincinnati OH 45202  
City State Zip(+4)
5. Telephone Number (513) 832-5449
6. Date of Engagement as Legislative Agent 02/01/2023

**B. EMPLOYER INFORMATION**

1. Full name of company or organization Steiner
2. Type of Industry Real Estate
3. Business Address 4016 Townsfair Way 201  
Street Suite Number  
Columbus OH 43219  
City State Zip(+4)

**C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.**

Real estate, zoning, public finance

**D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.**

<input type="checkbox"/> Agriculture	<input type="checkbox"/> Environment	<input type="checkbox"/> Real Estate/Housing
<input type="checkbox"/> Alcohol/Tobacco	<input type="checkbox"/> Financial Institutions/Consumer Finance	<input checked="" type="checkbox"/> Retail and Commercial
<input type="checkbox"/> Arts/Entertainment	<input type="checkbox"/> Medical/Hospitals/Health Care	<input type="checkbox"/> Service Business
<input type="checkbox"/> Communications/Media	<input type="checkbox"/> Insurance	<input type="checkbox"/> Social Svs./Human Svs.
<input type="checkbox"/> Contractors/Construction	<input type="checkbox"/> Labor/Labor Organizations	<input type="checkbox"/> Science and Technology
<input type="checkbox"/> County/Local Government	<input type="checkbox"/> Legal	<input type="checkbox"/> State Employees
<input type="checkbox"/> Education	<input type="checkbox"/> Manufacturer	<input type="checkbox"/> State Government
<input type="checkbox"/> Energy/Utilities	<input type="checkbox"/> Public Interest	<input type="checkbox"/> Transportation

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Colleen Reynolds

Type or Print Name of Legislative Agent



Signature of Legislative Agent

2/2/23

Date

Laura Wedekind

Type or Print Name of Persons Signing for Employer



Signature for Employer

President

Title

2/2/2023

Date

20230591

**Clerk of Council**

801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
(513) 352-3246

**\$25.00 FILING FEE**

**LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT**

This statement must be filed with the Clerk of Council within ten (10) days of engagement. Please read instructions and review Section 112-5 prior to filing. There is a \$25.00 fee for this filing. *Check or money order only made payable to "Clerk of Council"*. Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days the form may be obtained from Clerk. **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

**A. LEGISLATIVE AGENT INFORMATION**

1. Full Name Colleen Reynolds
2. Occupation Government Affairs
3. Title/Position Partner
4. Business Address 255 E 5th Street 1900  
Street Suite Number  
Cincinnati OH 45202  
City State Zip(+4)
5. Telephone Number (513) 832-5449
6. Date of Engagement as Legislative Agent 02/01/2023

**B. EMPLOYER INFORMATION**

1. Full name of company or organization Taft Museum of Art
2. Type of Industry Arts
3. Business Address 316 Pike St  
Street Suite Number  
Cincinnati OH 45202  
City State Zip(+4)

**C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.**

Economic development, arts programming

**D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.**

<input type="checkbox"/> Agriculture	<input type="checkbox"/> Environment	<input type="checkbox"/> Real Estate/Housing
<input type="checkbox"/> Alcohol/Tobacco	<input type="checkbox"/> Financial Institutions/Consumer Finance	<input type="checkbox"/> Retail and Commercial
<input checked="" type="checkbox"/> Arts/Entertainment	<input type="checkbox"/> Medical/Hospitals/Health Care	<input type="checkbox"/> Service Business
<input type="checkbox"/> Communications/Media	<input type="checkbox"/> Insurance	<input type="checkbox"/> Social Svs./Human Svs.
<input type="checkbox"/> Contractors/Construction	<input type="checkbox"/> Labor/Labor Organizations	<input type="checkbox"/> Science and Technology
<input type="checkbox"/> County/Local Government	<input type="checkbox"/> Legal	<input type="checkbox"/> State Employees
<input type="checkbox"/> Education	<input type="checkbox"/> Manufacturer	<input type="checkbox"/> State Government
<input type="checkbox"/> Energy/Utilities	<input type="checkbox"/> Public Interest	<input type="checkbox"/> Transportation

**CERTIFICATION:** THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

Colleen Reynolds  
Type or Print Name of Legislative Agent

Colleen M. Reynolds  
Signature of Legislative Agent

2/2/23  
Date

L Necamp

\_\_\_\_\_  
Type or Print Name of Persons Signing for Employer

L. Necamp  
Signature for Employer

Deputy Director  
\_\_\_\_\_  
Title

2/2/2023  
\_\_\_\_\_  
Date

**February 1, 2023**

**To:** Mayor and Members of City Council 202300452

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

**Subject:** **Finance and Budget Monitoring Report for the Period Ending November 30, 2022**

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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) 2023 financial and operating budget conditions as of November 30, 2022, 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 November 30, 2022.

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 \$6.6 million through the end of November. However, this report highlights increased potential expenditure needs in the amount of \$6.1 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 the increased attrition experienced over the past several years. The department is required to use overtime to backfill the vacant positions. The graduation of Recruit Class #120 is expected to reduce overtime usage starting in the spring of 2023. If overtime trends do not curtail, the CFD projects a need of up to \$4.1 million by fiscal year end due to increased overtime. 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, Oktoberfest Zinzinnati, and Cincinnati Bengals home football games. Increased overtime is also required due to a higher vacancy rate of sworn positions, which is expected to curtail when the 113<sup>th</sup> Recruit Class graduates this winter.
3. The Approved FY 2022 Budget included a 2.0% wage increase for Cincinnati Organized and Dedicated Employees (CODE). The wage increase was not paid in FY 2022 as contract negotiations were still underway. Following the report of a fact finder in September 2022, which was approved by the City Council on

October 5, 2022, through Ordinance No. 0312-2022, the new labor agreement includes a 5.0% wage increase retroactive to March 2022. The City processed a one-time payment to CODE employees in November 2022 for the portion of the wage increase retroactive to March 2022. Across all funds, the retroactive payment totaled \$2.3 million, including \$631,000 in the General Fund. Supplemental appropriations may be required to cover the additional cost of the wage increase over the budgeted amount as well as the retroactive pay.

4. The Approved FY 2023 Budget Update included a 3.0% wage increase for CODE. The fact finder's report, which was approved by the City Council on October 5, 2022, through Ordinance No. 0312-2022, includes a 4.0% wage increase for March 2023. Supplemental appropriations may be required to cover the cost of the wage increase over the budgeted amount.
5. Parking meter revenue is below the estimate. However, many contractual service expenditures are based on revenue, so less revenue results in lower expenses in some cases. This should offset the reduction in revenue. The fund will be monitored closely to ensure expenditures do not outpace revenues.
6. The lasting impacts of the COVID-19 pandemic continue to impact supply chains and the costs of various goods and services. Departments report several areas of concern, including energy costs, vehicle repair and maintenance costs, and the supply of new vehicles. Trends in the energy sector show an increase in costs for natural gas, petroleum, etc. Supply chain issues have also resulted in the shortage of vehicle parts and semiconductor chips. Fleet repairs are becoming more difficult and more expensive in certain cases. The acquisition of new vehicles has also been affected by these issues. Fleet Services anticipates that new vehicles will be significantly delayed which may result in an operating budget need for vehicle leases until new vehicles become available and increased repair costs as older vehicles will remain in service for a longer than anticipated period of time. These issues will be monitored closely for budgetary and operational impacts.

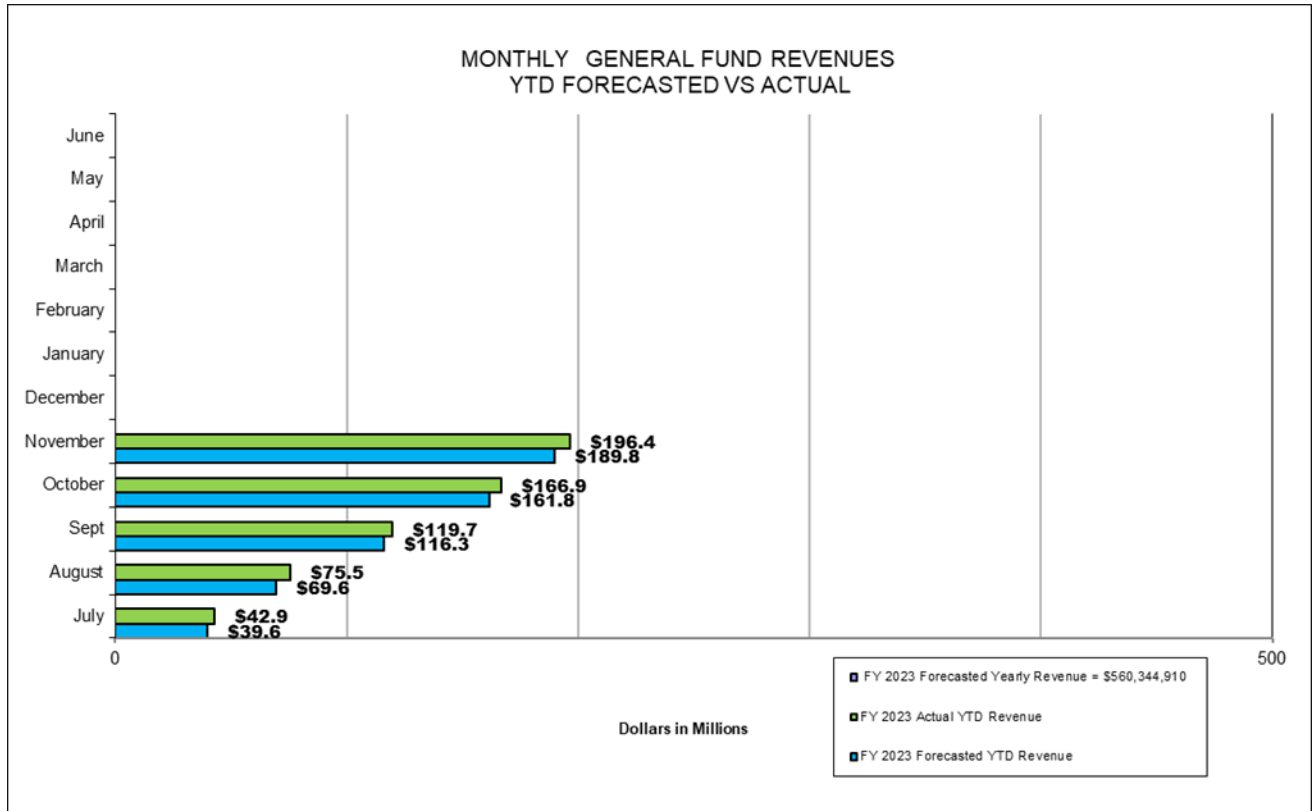
## **REVENUE**

The following report provides an update on the City of Cincinnati's financial condition as of the month ending November 30, 2022. Variances are based on current year estimates and prior year activity in attached schedules.

A more detailed explanation of revenues is attached for review, including reports comparing current year actual revenue versus forecasted revenue and prior year 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 November 30, 2022 and shows that actual revenue of \$196.4 million was above forecasted revenue of \$189.8 million by \$6.6 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
General Property Tax		(\$1,534,628)
City Income Tax	5,776,518	
Admissions Tax	1,037,662	
Short Term Rental Excise Tax	535,141	
Licenses & Permits	364,631	
Fines, Forfeitures, & Penalties	467,949	
Investment Income	416,397	
Local Government	415,772	
Casino	461,182	
Police	153,935	
Buildings and Inspections		(\$9,390)
Fire	437,462	
Parking Meter	250	
Other		(\$1,925,324)
	10,066,899	(\$3,469,341)
Difference	6,597,557	

**General Fund (favorable variance) is \$6.6 million** above the amount forecasted through November in the FY 2023 Budget. This is the fifth month's report for the new fiscal year. What follows is an explanation of significant variances of individual General Fund revenue components.

- 1. Property Tax (unfavorable variance) is \$1.5 million** below estimate due to the decrease in the millage for this half. The millage for the second half is set at a higher rate, which will offset this unfavorable variance. The Administration anticipates Property Tax revenue will be on target at year end. This is a semi-annual payment. The second payment will be received in late Spring.
- 2. Income Tax (favorable variance) is \$5.8 million** above the forecasted amount. This amount can fluctuate throughout the year as quarterly net profits are due. The Administration will continue to watch the trends very closely.
- 3. Admission Tax (favorable variance) is \$1 million** above estimate. Many estimates have been set to pre-pandemic levels as businesses rebound. Finance will continue to monitor this group.
- 4. Short Term Rental Excise Tax (favorable variance) is up \$535k.** This variance is contributed to a higher than anticipated response through Airbnb.

- 5. Other (unfavorable variance) is \$1.9 million** below forecast. This category is made up of many small sources of revenue that fluctuate from time to time. Finance will continue to monitor these various revenue sources.

## **II. RESTRICTED FUNDS**

- A. Parking System Facilities (favorable variance) is \$689k** above estimate. The estimate was very conservative this year as the decline from the pandemic is still lingering in this category. Finance is monitoring how many companies are bringing their employees back to the office and utilizing the lots and garages. The actuals are still down significantly from FY 2019 pre-pandemic amounts.
- B. Convention Center (favorable variance) is \$770k** above estimate. The venue started this fiscal year off better than it has in several years with many bookings taking place. The addition of many people returning to hotels has increased the transient occupancy tax revenue and that adds to the favorable variance.
- C. Sawyer Point (unfavorable variance) is down \$490k.** This variance is partly due to a large concert cancelling at the beginning of the fiscal year and parking at the riverfront being down.
- D. Community Health Centers (favorable variance) is up \$2.6 million.** Federal Emergency Management Agency (FEMA) reimbursements were received that cover prior year COVID expenses such as supplies and vaccine clinics. This was not estimated in FY 2023 as the timeliness of these reimbursements are difficult to know.
- E. Streetcar Operations (favorable variance) is \$1.9 million above estimate.** The Ohio Transit Partnership (OTP) and Formula grant payments were delayed from FY 2022 as were the voluntary tax incentive contribution agreement (VTICA) payments. These receipts were not estimated in FY 2023. This category will remain above estimate this fiscal year.

## **EXPENDITURES**

The following provides an update on the City of Cincinnati's operating budget position as of the month ending November 30, 2022. 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 38.6% of budget, and commitments are 43.3% of budget in General Fund 050 as compared to the estimated period ending November 30, 2022, or 41.7% of the fiscal year. "Non-personnel expenses" are trending higher at 60.4% 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 2023 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 2023.

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

As of November 30, 2022, one General Fund 050 department is projecting savings at the end of FY 2023. The identified savings 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.

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

The Department of City Planning and Engagement projects savings of \$100,000 due to position vacancy savings. However, these savings will likely be needed to fully offset needs related to non-personnel expenses for the new community engagement functions by fiscal year end. This includes computer equipment for the new staff as well as other expenses for community engagement efforts.

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

Based on current expenditure projections, the following General Fund 050 departments are forecasting a budget need in FY 2023. 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 these budgets in the coming months and work with the respective departments to mitigate the need for supplemental appropriations. As appropriate, any remaining budget needs will be addressed with the FAO.

#### **1. Department of Human Resources (\$10,000)**

The Department of Human Resources projects a need in non-personnel. The door at the main entrance is no longer functional and needs to be replaced to ensure

safety and security. The replacement is estimated at \$10,000. This need will be addressed by a future mid-year budget adjustment ordinance.

**2. Citizen Complaint Authority (\$70,000)**

The Citizen Complaint Authority (CCA) projects a possible personnel need of up to \$70,000 resulting from vacant positions that were filled at higher than anticipated salaries as well as anticipated equity salary adjustments. Additionally, the department is projecting a non-personnel need resulting from a FY 2022 computer expense that was not properly encumbered as well as telephone expenses for cell phones for investigators. Of the estimated need, \$15,000 will be addressed by a future mid-year budget adjustment ordinance.

**3. Cincinnati Police Department (\$1.6 million)**

The Cincinnati Police Department (CPD) projects an overall need of approximately \$1.6 million primarily due to personnel expense overages. Personnel overages are estimated at \$1.3 million and are attributed to increased Police Visibility Overtime (PVO) related to Downtown Event Deployment to curb violence and for large public events such as BLINK, Oktoberfest Zinzinnati, and Cincinnati Bengals home football games. Increased overtime is also required due to a higher vacancy rate of sworn positions, which is expected to curtail when the 113<sup>th</sup> Recruit Class graduates this winter. Lump sum payments have also exceeded expectations due to the retirement of several veteran officers. Additionally, a non-personnel need of \$300,000 is projected due to unbudgeted annual software maintenance for the department's wireless mobile digital video (in-car camera) system. Personnel and non-personnel expenditures will be closely monitored over the next few months. A portion of the overtime need will be addressed by a future reallocation of American Rescue Plan (ARP) Act funds.

**15. Department of Public Services (\$30,000)**

The Department of Public Services (DPS) reports a \$30,000 need in non-personnel for a Cincinnati Police Department facility energy audit. DPS is also reporting a potential need related to increased utility costs due to stormwater rate increases. DPS projects utility expenses could create a budget need of approximately \$162,000. Additionally, DPS projects a potential need of \$23,000 due to the CODE retroactive salary adjustment implemented in November 2022 and other staffing adjustments. These needs may be partially offset by position vacancy savings as well as increased reimbursements. These needs will be monitored closely as the fiscal year continues.

**4. Cincinnati Fire Department (\$4.1 million)**

The Cincinnati Department (CFD) projects a total need of up to \$4.1 million primarily due to overtime. Increased attrition over the past several years has necessitated the use of overtime to backfill vacant positions. The graduation of Recruit Class #120 is expected to reduce overtime usage starting in the spring of

2023. If overtime trends do not curtail, the CFD projects a need of up to \$4.1 million by fiscal year end due to increased overtime. However, this need may be partially offset by non-personnel savings. Both the department and the Office of Budget and Evaluation will continue to closely monitor staffing trends and overtime needs.

**5. Department of Economic Inclusion (\$120,000)**

The Department of Economic Inclusion projects a potential personnel need of up to \$164,000 due to being fully staffed. However, this need may be partially offset through additional reimbursements from the Income Tax-Infrastructure Fund for eligible work for a total estimated net need of \$120,000.

**6. Non-Departmental Accounts (\$201,000)**

The Internal Revenue Service (IRS) limits the maximum employee benefit received from a defined contribution retirement plan. Per the Cincinnati Municipal Code (CMC), the City is responsible for covering the excess benefit amount, which is paid from the Contribution to Total Benefit Arrangement (Cincinnati Retirement System (CRS)) non-departmental account. An amount of \$1,000 is needed in this account in order to comply with IRS regulations. Additionally, the Law Department projects a potential need of up to \$200,000 in the Judgments Against the City non-departmental account for settlements. The timing of settlements may also impact the potential need. The Law Department will monitor this need closely. It is also expected that the City will owe a judgment of approximately \$3,280,000 in a future budget monitoring period due to the Ohio First District Court of Appeals upholding the finding, in *White v. Cincinnati, 2021-Ohio-4003*, that the false alarm fee imposed by the City under Cincinnati Municipal Code (CMC) Chapter 807 to be a tax which was determined to be unconstitutional. The finding will likely dictate the timing required for the payment of this judgment.

**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 2023.

**1. Clerk of Council**

The Clerk of Council's Office projects a potential non-personnel need due to evening neighborhood meetings, which are held twice a month. Each meeting costs an estimated \$1,000. This ongoing expense will be monitored and addressed in a budget adjustment ordinance if necessary.

**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. However, a potential non-personnel need may arise related to Infrastructure Investment and Jobs Act (IIJA) grant application consulting services.

**4. City Manager's Office: Office of Communications**

The Office of Communications projects no budget savings or need at this time.

**5. City Manager's Office: Office of Human Relations**

The Office of Human Relations projects a need of \$4,950 related to a cancelled prior-year encumbrance. This expense will be absorbed by the City Manager's Office and monitored.

**6. 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.

**7. City Manager's Office: Emergency Communications Center (ECC)**

The Emergency Communications Center projects no budget savings or need at this time. However, a need may arise related to the 311 service line chat tool software.

**8. City Manager's Office: Office of Environment and Sustainability**

The Office of Environment and Sustainability projects no budget savings or need at this time.

**9. City Manager's Office: Office of Procurement**

The Office of Procurement projects no budget savings or need at this time, pending reimbursement processing.

**10. City Manager's Office: Office of Performance and Data Analytics (OPDA)**

The Office of Performance and Data Analytics projects potential personnel savings, which will be monitored. No savings or needs are anticipated in the non-personnel budget.

**11. City Manager's Office: Internal Audit**

Internal Audit projects a possible personnel need. The budget will be monitored for a possible shortfall, which can be resolved in the Final Adjustment Ordinance if necessary.

**12. Department of Law**

The Department of Law projects no budget savings or need at this time.

**13. Department of Finance**

The Department of Finance projects no budget savings or need at this time, pending reimbursement processing.

**14. Department of Community and Economic Development**

The Department of Community and Economic Development (DCED) projects a non-personnel need due to Shillito's West annual operating expenses. Additionally, there is a potential personnel need in the Housing Division. These needs will be offset by personnel savings in the Economic Development Division. Transfers between agencies may be required as part of the Final Adjustment Ordinance.

**16. Cincinnati Recreation Commission**

The Cincinnati Recreation Commission projects no budget savings or need at this time. The department has several reimbursements that will be processed in the coming months. Additionally, transfers between agencies may be requested as part of the Final Adjustment Ordinance.

**17. Cincinnati Parks Department**

The Parks Department projects no budget savings or need at this time, pending reimbursement processing. However, transfers between agencies may be required as part of the Final Adjustment Ordinance.

**18. Department of Buildings and Inspections**

The Department of Buildings and Inspections projects no budget savings or need at this time. The department has several reimbursements that will be processed in the coming months. Additionally, due to staffing and hiring issues, the department is engaging an external contractor to assist with plan reviews. This contractual service need can be offset by position vacancy savings, but transfers will be required as part of the Final Adjustment Ordinance.

**19. Department of Transportation and Engineering**

The Department of Transportation and Engineering projects no personnel budget savings or needs, pending reimbursement processing.

**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 32.3% expended year to date. The Greater Cincinnati Water Works (GCWW) projects a potential need related to utility expenses, postage, and credit card processing fees, which can be offset by savings in expert services and savings generated from the delay of water meter acquisition. These needs will be monitored closely.

**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 31.1% expended year to date. The Division of Parking Facilities within the Department of Community and Economic Development continues to experience an increase in rent expenses due to the rise in employee parking at the Seventh Street Garage and the Hennegan Lot. The division is responsible for covering the difference between what City employees pay and the contracted monthly rate. This need is expected to be offset with savings in contractual services.

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

Duke Energy Convention Center Fund 103 is 47.7% expended year to date. Contractual service expenses are trending slightly high due to increased Convention Center operating costs for the first quarter. However, the Finance Department projects no savings or need at this time.

**D. General Aviation Fund 104**

General Aviation Fund 104 is 29.9% expended year to date. The Department of Transportation and Engineering may have personnel and fringe benefits savings in Fund 104 due to position vacancies, which will be monitored. Possible non-personnel needs related to auto repairs and maintenance will also be monitored.

**E. Municipal Golf Fund 105**

Municipal Golf Fund 105 is 58.3% expended year to date, which reflects expenses for the calendar year (CY) 2022 golf season and meets expectations. The Cincinnati Recreation Commission projects no budget savings or need.

**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, and the Department of Buildings and Inspections, among others,

also receive appropriations from this fund. The Stormwater Management Fund is 35.0% expended year to date. SMU, the Parks Department, and the Department of Buildings and Inspections project no budget savings or need at this time. The Department of Public Services projects potential savings in personnel due to position vacancies.

### **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 54.8% expended year to date. The Finance Department projects no budget savings or need for FY 2023.

### **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 2023 Budget Update remains in balance. Based on expenditures and revenues through November 30, 2022, 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 27.1% expended year to date. The Department of Transportation and Engineering projects no budget savings or need in FY 2023. The Department of Public Services anticipates personnel and fringe benefit savings in Fund 301; however, these savings are anticipated to be partially offset by automotive maintenance and repair expenses as well as increased winter emergency operations expenses due to the projected inclement weather conditions over the next few months.

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

Income Tax-Infrastructure Fund 302 provides resources to several City departments. The Department of Transportation and Engineering is the largest

recipient of resources from this fund. The Department of Public Services also receives Income Tax-Infrastructure Fund resources. Fund 302 is 35.5% expended year to date. The Department of Transportation and Engineering projects potential personnel savings due to position vacancies, which is offset by a potential non-personnel need related to natural gas expenses. Transfers between agencies may also be required as part of the Final Adjustment Ordinance. The Department of Public Services projects a possible personnel need related to overtime expenses and the CODE retroactive salary adjustment implemented in November 2022.

**C. Parking Meter Fund 303**

Parking Meter Fund 303 includes the budget for on-street parking enterprises, including parking meters. Fund 303 is currently 35.9% 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 26.5% expended year to date. The Department of Transportation and Engineering projects potential personnel savings, which will be monitored. The Department of Public Services currently projects a possible fringe benefits savings at this time. However, depending on weather conditions over the next few months, a potential need could arise related to winter emergency operation expenses.

**E. Sawyer Point Fund 318**

Sawyer Point Fund 318 is 18.1% expended year to date. The Parks Department projects no budget savings or need in Fund 318.

**F. Recreation Special Activities Fund 323**

Fund 323 is currently 33.6% expended year to date. The Cincinnati Recreation Commission projects no budget savings or need in Fund 323.

**G. Cincinnati Riverfront Park Fund 329**

Cincinnati Riverfront Park Fund 329 is the appropriated fund for Smale Park. Fund 329 is currently 9.7% 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 3.1% expended year to date. The Department of Buildings and Inspections projects no budget savings or need 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

7.4% expended year to date. The Emergency Communications Center projects no budget savings or need 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. This fund is currently 1.7% expended year to date. The Department of Public Services projects no budget savings or need.

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

Community Health Center Activities Fund 395 is 32.8% expended year to date. The Cincinnati Health Department (CHD) projects potential non-personnel needs related to temporary staffing, uniform expenses, and the unbudgeted repair and replacement of equipment. However, these needs may be offset by personnel savings resulting from position vacancies.

**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 33.3% expended year to date. The Cincinnati Health Department (CHD) projects a non-personnel need, primarily in contractual services related to the search for the next Health Commissioner, uniform expenses, building repair costs, and temporary personnel services. Additionally, the department projects a personnel need in the Technical Resources Division and the Community Health Services Division. Personnel needs are exacerbated by unbudgeted expenses resulting from the new CODE labor agreement, including the retroactive salary adjustment implemented in November 2022. These needs can be fully offset by personnel savings in the Office of the Commissioner and the Primary Health Care Centers Division. Transfers may be required as part of the Final Adjustment Ordinance.

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

Cincinnati Area Geographic Information System Fund 449 is 27.8% expended year to date. Enterprise Technology Solutions projects no budget savings or need at this time.

**N. Streetcar Operations Fund 455**

Streetcar Operations Fund 455 is 34.4% expended year to date. The Department of Transportation and Engineering projects a total non-personnel need of \$504,000, primarily due to police security details and Southwest Ohio Regional Transit Authority (SORTA) expenses. These needs may be covered by anticipated Ohio Department of Transportation (ODOT) grant resources as well as possible position vacancy savings. These needs will be monitored closely.

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

The CLEAR Fund is 20.3% expended year to date. Enterprise Technology Solutions projects no budget savings or need for FY 2023.

### **Summary**

Through November 30, 2022, major budget issues include overtime needs for both the Police Department and Fire Department, revenue decline in Parking Meter Fund 303, unbudgeted wage items resulting from collective bargaining agreements, and lasting impacts from the COVID-19 pandemic related to supply chain issues and the costs of various goods and services. 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 November 30, 2022.

Submitted herewith are the following Department of Finance reports:

2. Comparative Statement of Revenue (Actuals, Forecast and Prior Year) as of November 30, 2022.
3. Audit of the City Treasurer's Report for the month ended October 31, 2022.
4. Statement of Balances in the various funds as of November 30, 2022.

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 2023  
AS OF 11/30/2022**

<b>FUND</b>	<b>FUND NAME</b>	<b>EXPENDITURE CATEGORY</b>	<b>CURRENT BUDGET</b>	<b>EXPENDED</b>	<b>PERCENT EXPENDED</b>	<b>ENCUMBERED</b>	<b>TOTAL COMMITTED</b>	<b>PERCENT COMMITTED</b>	<b>REMAINING BALANCE</b>
050	General	PERSONNEL SERVICES	277,879,940.00	104,268,053.14	37.5%	.00	104,268,053.14	37.5%	173,611,886.86
		EMPLOYEE BENEFITS	111,509,260.00	49,595,100.48	44.5%	345,321.45	49,940,421.93	44.8%	61,568,838.07
		NON-PERSONNEL EXPENSES	84,547,922.89	29,039,480.75	34.3%	22,054,667.78	51,094,148.53	60.4%	33,453,774.36
		PROPERTIES	25,860.00	.00	0.0%	.00	.00	0.0%	25,860.00
<b>*TOTAL FUND_CD 050</b>			<b>473,962,982.89</b>	<b>182,902,634.37</b>	<b>38.6%</b>	<b>22,399,989.23</b>	<b>205,302,623.60</b>	<b>43.3%</b>	<b>268,660,359.29</b>
101	Water Works	PERSONNEL SERVICES	43,725,650.00	13,752,951.44	31.5%	.00	13,752,951.44	31.5%	29,972,698.56
		EMPLOYEE BENEFITS	17,620,410.00	6,954,753.72	39.5%	.00	6,954,753.72	39.5%	10,665,656.28
		NON-PERSONNEL EXPENSES	54,648,230.00	15,950,969.68	29.2%	18,186,049.21	34,137,018.89	62.5%	20,511,211.11
		DEBT SERVICE	45,233,480.00	15,382,935.54	34.0%	28,750.00	15,411,685.54	34.1%	29,821,794.46
<b>*TOTAL FUND_CD 101</b>			<b>161,227,770.00</b>	<b>52,041,610.38</b>	<b>32.3%</b>	<b>18,214,799.21</b>	<b>70,256,409.59</b>	<b>43.6%</b>	<b>90,971,360.41</b>
102	Parking System Facilities	PERSONNEL SERVICES	378,710.00	119,216.11	31.5%	.00	119,216.11	31.5%	259,493.89
		EMPLOYEE BENEFITS	142,290.00	67,706.42	47.6%	.00	67,706.42	47.6%	74,583.58
		NON-PERSONNEL EXPENSES	4,946,200.00	1,240,175.62	25.1%	1,990,967.95	3,231,143.57	65.3%	1,715,056.43
		DEBT SERVICE	2,187,280.00	951,461.42	43.5%	.00	951,461.42	43.5%	1,235,818.58
<b>*TOTAL FUND_CD 102</b>			<b>7,654,480.00</b>	<b>2,378,559.57</b>	<b>31.1%</b>	<b>1,990,967.95</b>	<b>4,369,527.52</b>	<b>57.1%</b>	<b>3,284,952.48</b>
103	Convention-Exposition Center	PERSONNEL SERVICES	91,070.00	19,093.18	21.0%	.00	19,093.18	21.0%	71,976.82
		EMPLOYEE BENEFITS	38,440.00	6,191.34	16.1%	.00	6,191.34	16.1%	32,248.66
		NON-PERSONNEL EXPENSES	9,931,930.00	4,658,968.62	46.9%	196,122.08	4,855,090.70	48.9%	5,076,839.30
		DEBT SERVICE	299,580.00	255,176.54	85.2%	.00	255,176.54	85.2%	44,403.46
<b>*TOTAL FUND_CD 103</b>			<b>10,361,020.00</b>	<b>4,939,429.68</b>	<b>47.7%</b>	<b>196,122.08</b>	<b>5,135,551.76</b>	<b>49.6%</b>	<b>5,225,468.24</b>
104	General Aviation	PERSONNEL SERVICES	891,610.00	266,894.93	29.9%	.00	266,894.93	29.9%	624,715.07
		EMPLOYEE BENEFITS	367,700.00	120,793.05	32.9%	.00	120,793.05	32.9%	246,906.95
		NON-PERSONNEL EXPENSES	962,490.00	248,787.36	25.8%	110,659.99	359,447.35	37.3%	603,042.65
		DEBT SERVICE	44,420.00	40,394.64	90.9%	.00	40,394.64	90.9%	4,025.36
<b>*TOTAL FUND_CD 104</b>			<b>2,266,220.00</b>	<b>676,869.98</b>	<b>29.9%</b>	<b>110,659.99</b>	<b>787,529.97</b>	<b>34.8%</b>	<b>1,478,690.03</b>
105	Municipal Golf	PERSONNEL SERVICES	224,490.00	52,108.89	23.2%	.00	52,108.89	23.2%	172,381.11
		EMPLOYEE BENEFITS	80,740.00	17,960.37	22.2%	.00	17,960.37	22.2%	62,779.63
		NON-PERSONNEL EXPENSES	4,700,510.00	2,886,763.71	61.4%	516,382.28	3,403,145.99	72.4%	1,297,364.01
		DEBT SERVICE	614,550.00	319,437.50	52.0%	.00	319,437.50	52.0%	295,112.50
<b>*TOTAL FUND_CD 105</b>			<b>5,620,290.00</b>	<b>3,276,270.47</b>	<b>58.3%</b>	<b>516,382.28</b>	<b>3,792,652.75</b>	<b>67.5%</b>	<b>1,827,637.25</b>

**CITY OF CINCINNATI  
FUND SUMMARY  
FOR FISCAL YEAR 2023  
AS OF 11/30/2022**

<b>FUND</b>	<b>FUND NAME</b>	<b>EXPENDITURE CATEGORY</b>	<b>CURRENT BUDGET</b>	<b>EXPENDED</b>	<b>PERCENT EXPENDED</b>	<b>ENCUMBERED</b>	<b>TOTAL COMMITTED</b>	<b>PERCENT COMMITTED</b>	<b>REMAINING BALANCE</b>
107	Stormwater Management	PERSONNEL SERVICES	9,545,820.00	2,989,339.45	31.3%	.00	2,989,339.45	31.3%	6,556,480.55
		EMPLOYEE BENEFITS	4,063,860.00	1,304,514.87	32.1%	.00	1,304,514.87	32.1%	2,759,345.13
		NON-PERSONNEL EXPENSES	11,846,260.00	3,781,413.60	31.9%	2,002,765.90	5,784,179.50	48.8%	6,062,080.50
		PROPERTIES	50,000.00	.00	0.0%	47,175.00	47,175.00	94.4%	2,825.00
		DEBT SERVICE	1,957,310.00	1,542,426.68	78.8%	.00	1,542,426.68	78.8%	414,883.32
<b>*TOTAL FUND_CD 107</b>			<b>27,463,250.00</b>	<b>9,617,694.60</b>	<b>35.0%</b>	<b>2,049,940.90</b>	<b>11,667,635.50</b>	<b>42.5%</b>	<b>15,795,614.50</b>
151	Bond Retirement - City	PERSONNEL SERVICES	298,180.00	68,960.40	23.1%	.00	68,960.40	23.1%	229,219.60
		EMPLOYEE BENEFITS	111,490.00	24,537.10	22.0%	.00	24,537.10	22.0%	86,952.90
		NON-PERSONNEL EXPENSES	3,528,470.00	375,392.33	10.6%	96,800.00	472,192.33	13.4%	3,056,277.67
		DEBT SERVICE	125,523,250.00	70,445,054.86	56.1%	.00	70,445,054.86	56.1%	55,078,195.14
<b>*TOTAL FUND_CD 151</b>			<b>129,461,390.00</b>	<b>70,913,944.69</b>	<b>54.8%</b>	<b>96,800.00</b>	<b>71,010,744.69</b>	<b>54.9%</b>	<b>58,450,645.31</b>
301	Street Construction Maintenance & Repair	PERSONNEL SERVICES	6,750,870.00	1,939,202.94	28.7%	.00	1,939,202.94	28.7%	4,811,667.06
		EMPLOYEE BENEFITS	2,959,660.00	1,060,460.61	35.8%	.00	1,060,460.61	35.8%	1,899,199.39
		NON-PERSONNEL EXPENSES	6,963,000.00	1,512,021.54	21.7%	1,498,406.57	3,010,428.11	43.2%	3,952,571.89
<b>*TOTAL FUND_CD 301</b>			<b>16,673,530.00</b>	<b>4,511,685.09</b>	<b>27.1%</b>	<b>1,498,406.57</b>	<b>6,010,091.66</b>	<b>36.0%</b>	<b>10,663,438.34</b>
302	Income Tax-Infrastructure	PERSONNEL SERVICES	13,383,110.00	4,218,822.74	31.5%	.00	4,218,822.74	31.5%	9,164,287.26
		EMPLOYEE BENEFITS	5,233,660.00	2,120,952.46	40.5%	.00	2,120,952.46	40.5%	3,112,707.54
		NON-PERSONNEL EXPENSES	5,878,120.00	2,346,147.19	39.9%	317,583.55	2,663,730.74	45.3%	3,214,389.26
<b>*TOTAL FUND_CD 302</b>			<b>24,494,890.00</b>	<b>8,685,922.39</b>	<b>35.5%</b>	<b>317,583.55</b>	<b>9,003,505.94</b>	<b>36.8%</b>	<b>15,491,384.06</b>
303	Parking Meter	PERSONNEL SERVICES	1,827,660.00	546,871.24	29.9%	.00	546,871.24	29.9%	1,280,788.76
		EMPLOYEE BENEFITS	794,580.00	323,010.22	40.7%	.00	323,010.22	40.7%	471,569.78
		NON-PERSONNEL EXPENSES	2,298,250.00	894,566.42	38.9%	647,636.51	1,542,202.93	67.1%	756,047.07
<b>*TOTAL FUND_CD 303</b>			<b>4,920,490.00</b>	<b>1,764,447.88</b>	<b>35.9%</b>	<b>647,636.51</b>	<b>2,412,084.39</b>	<b>49.0%</b>	<b>2,508,405.61</b>
306	Municipal Motor Vehicle License Tax	PERSONNEL SERVICES	1,577,010.00	483,247.83	30.6%	.00	483,247.83	30.6%	1,093,762.17
		EMPLOYEE BENEFITS	785,010.00	267,480.61	34.1%	.00	267,480.61	34.1%	517,529.39
		NON-PERSONNEL EXPENSES	1,611,270.00	300,506.95	18.7%	175,128.22	475,635.17	29.5%	1,135,634.83
<b>*TOTAL FUND_CD 306</b>			<b>3,973,290.00</b>	<b>1,051,235.39</b>	<b>26.5%</b>	<b>175,128.22</b>	<b>1,226,363.61</b>	<b>30.9%</b>	<b>2,746,926.39</b>

**CITY OF CINCINNATI  
FUND SUMMARY  
FOR FISCAL YEAR 2023  
AS OF 11/30/2022**

FUND	FUND NAME	EXPENDITURE CATEGORY	CURRENT BUDGET	EXPENDED	PERCENT EXPENDED	ENCUMBERED	TOTAL COMMITTED	PERCENT COMMITTED	REMAINING BALANCE
318	Sawyer Point	PERSONNEL SERVICES	410,810.00	55,044.35	13.4%	.00	55,044.35	13.4%	355,765.65
		EMPLOYEE BENEFITS	115,560.00	18,717.50	16.2%	.00	18,717.50	16.2%	96,842.50
		NON-PERSONNEL EXPENSES	693,570.00	147,495.89	21.3%	150,622.94	298,118.83	43.0%	395,451.17
	<b>*TOTAL FUND_CD 318</b>		<b>1,219,940.00</b>	<b>221,257.74</b>	<b>18.1%</b>	<b>150,622.94</b>	<b>371,880.68</b>	<b>30.5%</b>	<b>848,059.32</b>
323	Recreation Special Activities	PERSONNEL SERVICES	3,663,260.00	1,014,625.92	27.7%	.00	1,014,625.92	27.7%	2,648,634.08
		EMPLOYEE BENEFITS	284,470.00	99,072.18	34.8%	.00	99,072.18	34.8%	185,397.82
		NON-PERSONNEL EXPENSES	1,669,070.00	779,672.93	46.7%	171,718.07	951,391.00	57.0%	717,679.00
		PROPERTIES	13,720.00	.00	0.0%	.00	.00	0.0%	13,720.00
	<b>*TOTAL FUND_CD 323</b>		<b>5,630,520.00</b>	<b>1,893,371.03</b>	<b>33.6%</b>	<b>171,718.07</b>	<b>2,065,089.10</b>	<b>36.7%</b>	<b>3,565,430.90</b>
329	Cincinnati Riverfront Park	PERSONNEL SERVICES	670,710.00	.00	0.0%	.00	.00	0.0%	670,710.00
		EMPLOYEE BENEFITS	342,840.00	6,242.50	1.8%	.00	6,242.50	1.8%	336,597.50
		NON-PERSONNEL EXPENSES	505,010.00	141,669.01	28.1%	132,906.24	274,575.25	54.4%	230,434.75
	<b>*TOTAL FUND_CD 329</b>		<b>1,518,560.00</b>	<b>147,911.51</b>	<b>9.7%</b>	<b>132,906.24</b>	<b>280,817.75</b>	<b>18.5%</b>	<b>1,237,742.25</b>
347	Hazard Abatement Fund	PERSONNEL SERVICES	455,010.00	7,482.86	1.6%	.00	7,482.86	1.6%	447,527.14
		EMPLOYEE BENEFITS	231,830.00	10,757.36	4.6%	.00	10,757.36	4.6%	221,072.64
		NON-PERSONNEL EXPENSES	10,720.00	3,283.85	30.6%	.00	3,283.85	30.6%	7,436.15
	<b>*TOTAL FUND_CD 347</b>		<b>697,560.00</b>	<b>21,524.07</b>	<b>3.1%</b>	<b>.00</b>	<b>21,524.07</b>	<b>3.1%</b>	<b>676,035.93</b>
364	9-1-1 Cell Phone Fees	PERSONNEL SERVICES	573,480.00	.00	0.0%	.00	.00	0.0%	573,480.00
		EMPLOYEE BENEFITS	243,880.00	.00	0.0%	.00	.00	0.0%	243,880.00
		NON-PERSONNEL EXPENSES	646,160.00	108,374.21	16.8%	9,772.73	118,146.94	18.3%	528,013.06
	<b>*TOTAL FUND_CD 364</b>		<b>1,463,520.00</b>	<b>108,374.21</b>	<b>7.4%</b>	<b>9,772.73</b>	<b>118,146.94</b>	<b>8.1%</b>	<b>1,345,373.06</b>
377	Safe & Clean	NON-PERSONNEL EXPENSES	52,040.00	904.68	1.7%	50,615.32	51,520.00	99.0%	520.00
	<b>*TOTAL FUND_CD 377</b>		<b>52,040.00</b>	<b>904.68</b>	<b>1.7%</b>	<b>50,615.32</b>	<b>51,520.00</b>	<b>99.0%</b>	<b>520.00</b>
395	Community Health Center Activities	PERSONNEL SERVICES	13,050,900.00	4,067,739.05	31.2%	.00	4,067,739.05	31.2%	8,983,160.95
		EMPLOYEE BENEFITS	5,547,470.00	1,956,999.22	35.3%	.00	1,956,999.22	35.3%	3,590,470.78
		NON-PERSONNEL EXPENSES	8,675,950.00	2,914,634.78	33.6%	4,073,006.46	6,987,641.24	80.5%	1,688,308.76
	<b>*TOTAL FUND_CD 395</b>		<b>27,274,320.00</b>	<b>8,939,373.05</b>	<b>32.8%</b>	<b>4,073,006.46</b>	<b>13,012,379.51</b>	<b>47.7%</b>	<b>14,261,940.49</b>

**CITY OF CINCINNATI  
FUND SUMMARY  
FOR FISCAL YEAR 2023  
AS OF 11/30/2022**

FUND	FUND NAME	EXPENDITURE CATEGORY	CURRENT BUDGET	EXPENDED	PERCENT EXPENDED	ENCUMBERED	TOTAL COMMITTED	PERCENT COMMITTED	REMAINING BALANCE
416	Cincinnati Health District	PERSONNEL SERVICES	13,018,010.00	4,227,079.30	32.5%	.00	4,227,079.30	32.5%	8,790,930.70
		EMPLOYEE BENEFITS	5,175,870.00	1,836,145.88	35.5%	.00	1,836,145.88	35.5%	3,339,724.12
		NON-PERSONNEL EXPENSES	1,367,550.00	451,525.44	33.0%	544,121.30	995,646.74	72.8%	371,903.26
		PROPERTIES	2,980.00	.00	0.0%	.00	.00	0.0%	2,980.00
<b>*TOTAL FUND_CD 416</b>			<b>19,564,410.00</b>	<b>6,514,750.62</b>	<b>33.3%</b>	<b>544,121.30</b>	<b>7,058,871.92</b>	<b>36.1%</b>	<b>12,505,538.08</b>
449	Cincinnati Area Geographic Information Systems (CAGIS)	PERSONNEL SERVICES	1,934,950.00	612,724.80	31.7%	.00	612,724.80	31.7%	1,322,225.20
		EMPLOYEE BENEFITS	666,210.00	277,127.73	41.6%	.00	277,127.73	41.6%	389,082.27
		NON-PERSONNEL EXPENSES	2,180,710.00	441,806.91	20.3%	71,606.24	513,413.15	23.5%	1,667,296.85
<b>*TOTAL FUND_CD 449</b>			<b>4,781,870.00</b>	<b>1,331,659.44</b>	<b>27.8%</b>	<b>71,606.24</b>	<b>1,403,265.68</b>	<b>29.3%</b>	<b>3,378,604.32</b>
455	Streetcar Operations	PERSONNEL SERVICES	619,270.00	181,482.79	29.3%	.00	181,482.79	29.3%	437,787.21
		EMPLOYEE BENEFITS	164,660.00	14,230.50	8.6%	.00	14,230.50	8.6%	150,429.50
		NON-PERSONNEL EXPENSES	4,356,489.00	1,572,974.97	36.1%	2,697,700.14	4,270,675.11	98.0%	85,813.89
<b>*TOTAL FUND_CD 455</b>			<b>5,140,419.00</b>	<b>1,768,688.26</b>	<b>34.4%</b>	<b>2,697,700.14</b>	<b>4,466,388.40</b>	<b>86.9%</b>	<b>674,030.60</b>
457	County Law Enforcement Applied Regionally (CLEAR)	PERSONNEL SERVICES	1,572,400.00	357,619.64	22.7%	.00	357,619.64	22.7%	1,214,780.36
		EMPLOYEE BENEFITS	479,030.00	146,408.53	30.6%	.00	146,408.53	30.6%	332,621.47
		NON-PERSONNEL EXPENSES	3,494,640.00	623,923.90	17.9%	598,246.79	1,222,170.69	35.0%	2,272,469.31
<b>*TOTAL FUND_CD 457</b>			<b>5,546,070.00</b>	<b>1,127,952.07</b>	<b>20.3%</b>	<b>598,246.79</b>	<b>1,726,198.86</b>	<b>31.1%</b>	<b>3,819,871.14</b>
<b>TOTAL</b>			<b>940,968,831.89</b>	<b>364,836,071.17</b>	<b>38.8%</b>	<b>56,714,732.72</b>	<b>421,550,803.89</b>	<b>44.8%</b>	<b>519,418,028.00</b>

February 1, 2023

**To:** Mayor and Members of City Council 202300453

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

**Subject:** Ordinance – Police: FY 2022 Ohio Drug Law Enforcement Grant

Attached is an Ordinance captioned:

**AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant in the amount of up to \$108,780.69 in FY 2022 Ohio Drug Law Enforcement funds from the Ohio Department of Public Safety, Office of Criminal Justice Services for the purpose of funding personnel costs and equipment for investigations conducted pursuant to Title III of the federal Omnibus Crime Control and Safe Streets Act of 1968; and **AUTHORIZING** the Finance Director to deposit the grant funds into the Law Enforcement Grant Fund 368, Project Account No. 23ODLE.

This Ordinance authorizes the City Manager to apply for, accept, and appropriate a grant in the amount of up to \$108,780.69 in FY 2022 Ohio Drug Law Enforcement funds from the Ohio Department of Public Safety (ODPS), Office of Criminal Justice Services (OCJS) for the purpose of funding personnel costs and equipment for investigations conducted pursuant to Title III of the federal Omnibus Crime Control and Safe Streets Act of 1968. This Ordinance also authorizes the Finance Director to deposit the grant funds into Law Enforcement Grant Fund 368, Project Account No. 23ODLE.

Electronic surveillance is cost-intensive, progressive, and requires tremendous amounts of manpower. These grant resources will supplement Cincinnati Police Department (CPD) resources to aid in the disruption and dismantling of drug trafficking organizations operating in Cincinnati, thereby abating the operations of drug trafficking organizations, reducing illicit drug distribution, decreasing overdoses and overdose fatalities, and reducing drug-related violence and crime.

CPD applied for the grant prior to receiving City Council approval to meet the grant application deadline. Should this Ordinance not be approved, the grant award will not be accepted.

The grant does require local matching resources of \$36,263.95. This match will be provided from CPD Narcotics Unit investigators' on-duty time. There are no new FTEs associated with this grant.

Acceptance of this grant is in accordance with the "Live" goal to "[c]reate a more livable community" as described on pages 156-163 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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

Attachment



**AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant in the amount of up to \$108,780.69 in FY 2022 Ohio Drug Law Enforcement funds from the Ohio Department of Public Safety, Office of Criminal Justice Services for the purpose of funding personnel costs and equipment for investigations conducted pursuant to Title III of the federal Omnibus Crime Control and Safe Streets Act of 1968; and **AUTHORIZING** the Finance Director to deposit the grant funds into Law Enforcement Grant Fund 368, Project Account No. 23ODLE.

WHEREAS, there is a grant available in the amount of up to \$108,780.69 from the Ohio Department of Public Safety, Office of Criminal Justice Services for the purpose of funding personnel costs and equipment for investigations conducted pursuant to Title III of the federal Omnibus Crime Control and Safe Streets Act of 1968, which establishes procedures for lawful electronic surveillance; and

WHEREAS, electronic surveillance is cost-intensive, progressive, and requires a tremendous amount of manpower; and

WHEREAS, this grant will supplement Cincinnati Police Department (“CPD”) resources to aid in the disruption and dismantling of drug trafficking organizations operating in Cincinnati, thereby abating the operations of drug trafficking organizations, reducing illicit drug distribution, decreasing overdoses and overdose fatalities, and reducing drug-related violence and crime; and

WHEREAS, CPD has already applied for the grant but will not accept any grant funds without approval of Council; and

WHEREAS, local matching resources of \$36,263.95 are required, which will be provided from CPD Narcotics Unit investigators’ on-duty time; and

WHEREAS, there are no new FTEs associated with this grant; and

WHEREAS, acceptance of this grant is in accordance with the “Live” goal to “[c]reate a more livable community” as described on pages 156-163 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is hereby authorized to apply for, accept, and appropriate a grant in the amount of up to \$108,780.69 in FY 2022 Ohio Drug Law Enforcement funds from

the Ohio Department of Public Safety, Office of Criminal Justice Services for the purpose of funding personnel costs and equipment for investigations conducted pursuant to Title III of the federal Omnibus Crime Control and Safe Streets Act of 1968.

Section 2. That the Finance Director is hereby authorized to deposit the grant resources into Law Enforcement Grant Fund 368, Project Account No. 23ODLE.

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 of Sections 1 and 2 herein.

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

Passed: \_\_\_\_\_, 2023

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

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

February 1, 2023

**To:** Mayor and Members of City Council 202300454

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

**Subject:** **Ordinance – Health: NACCHO Local Health Department Healthcare-Associated Infections and Antimicrobial Resistance Project Grant**

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Attached is an Ordinance captioned:

**AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant in the amount of up to \$80,000 from the National Association of County and City Health Officials for the purpose of strengthening the Cincinnati Health Department’s capacity for healthcare-associated infections and antimicrobial resistance prevention and response related to the Local Health Department Healthcare-Associated Infections and Antimicrobial Resistance project; and **AUTHORIZING** the Finance Director to deposit the grant funds into Public Health Research Fund revenue account no. 350x8571.

This Ordinance authorizes the City Manager to apply for, accept, and appropriate a grant of up to \$80,000 from the National Association of County and City Health Officials (NACCHO) for the purpose of strengthening the Cincinnati Health Department’s capacity for healthcare-associated infections and antimicrobial resistance prevention and response related to the Healthcare-Associated Infections and Antimicrobial Resistance project. This Ordinance also authorizes the Finance Director to deposit the grant funds into Public Health Research Fund revenue account no. 350x8571.

The objectives of the Healthcare-Associated Infections (HAI) and Antimicrobial Resistance (AR) project include supporting local health department capacity for HAI prevention and response, advancing local health department engagement in AR-related initiatives and activities, enhancing coordination and connection with the State Health Department HAI/AR programs, developing and identifying resources and best practices for other LHDs, and building strategic approaches to HAI/AR to address health equity.

There are no new FTEs associated with this grant and no local match is required.

The Cincinnati Health Department applied for the grant on December 13, 2022, and was notified of receipt of the award on December 22, 2022. However, the grant will not be accepted without City Council approval.

Acceptance of the NACCHO grant is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” as described on pages 181-192 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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

Attachment



-2023

**AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant in the amount of up to \$80,000 from the National Association of County and City Health Officials for the purpose of strengthening the Cincinnati Health Department’s capacity for healthcare-associated infections and antimicrobial resistance prevention and response related to the Local Health Department Healthcare-Associated Infections and Antimicrobial Resistance project; and **AUTHORIZING** the Finance Director to deposit the grant funds into Public Health Research Fund revenue account no. 350x8571.

WHEREAS, a grant is available from the National Association of County and City Health Officials (“NACCHO”) to strengthen the Cincinnati Health Department’s capacity for healthcare-associated infections (“HAI”) and antimicrobial resistance (“AR”) prevention and response related to the Local Health Department (“LHD”) Healthcare-Associated Infections and Antimicrobial Resistance Project (the “HAI/AR Project”); and

WHEREAS, the goal of the HAI/AR Project is to pilot and implement the Centers for Disease Control and Prevention Local Health Department strategy for HAI and AR; and

WHEREAS, the objectives of the HAI/AR Project include supporting LHD capacity for HAI prevention and response, advancing LHD engagement in AR-related initiatives and activities, enhancing coordination and connection with the State Health Department HAI/AR programs, developing and identifying resources and best practices for other LHDs, and building strategic approaches to HAI/AR to address health equity; and

WHEREAS, no local matching funds or additional FTEs are associated with the NACCHO grant; and

WHEREAS, the Cincinnati Health Department applied for the NACCHO grant on December 13, 2022 and was notified of receiving the \$80,000 award on December 22, 2022; and

WHEREAS, no grant funds will be accepted without Council approval; and

WHEREAS, acceptance of the NACCHO grant is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” as described on pages 181-192 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 hereby authorized to apply for, accept, and appropriate a grant of up to \$80,000 from the National Association of County and City Health Officials for the purpose of strengthening the Cincinnati Health Department's capacity for healthcare-associated infections and antimicrobial resistance prevention and response related to the Local Health Department Healthcare-Associated Infections and Antimicrobial Resistance project.

Section 2. That the Finance Director is authorized to deposit the grant funds into Public Health Research Fund revenue account no. 350x8571.

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 hereof.

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

Passed: \_\_\_\_\_, 2023

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

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

February 1, 2023

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

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

202300458

**Subject: Emergency Ordinance – DCED: Medpace Way and Red Bank Expressway Infrastructure Improvements Grant**

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Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the establishment of capital improvement program project account nos. 980x164x231638, “Medpace ODOD 629 Roadwork Program – Grant,” and 980x164x231639, “Medpace ODOD 629 Roadwork Program – Match,” for the purpose of providing resources for infrastructure improvements at the intersection of Red Bank Expressway and Medpace Way; **AUTHORIZING** the City Manager to apply for, accept, and appropriate grant resources in an amount up to \$200,000 from the State of Ohio Department of Development 629 Roadwork Program to newly established capital improvement program project account no. 980x164x231638, “Medpace ODOD 629 Roadwork Program – Grant,” for the purpose of providing resources for infrastructure improvements at the intersection of Red Bank Expressway and Medpace Way; **AUTHORIZING** the transfer and return to source General Fund 050 of the sum of \$200,000 from existing capital improvement program project account no. 980x164x231600, “Economic Development Initiatives - GF,” for the purpose of realigning resources with program needs; **AUTHORIZING** the transfer and appropriation of \$200,000 from the unappropriated surplus of General Fund 050 to newly established capital improvement program project account no. 980x164x231639, “Medpace ODOD 629 Roadwork Program – Match,” for the purpose of providing resources for infrastructure improvements at the intersection of Red Bank Expressway and Medpace Way; **AUTHORIZING** the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources; and further **AUTHORIZING** the Finance Director to deposit the grant resources in an amount up to \$200,000 into newly established capital improvement program project account no. 980x164x231638, “Medpace ODOD 629 Roadwork Program – Grant.”

Approval of this Emergency Ordinance will authorize the establishment of new capital improvement program project account nos. 980x164x231638, “Medpace ODOD 629 Roadwork Program – Grant,” and 980x164x231639, “Medpace ODOD 629 Roadwork Program – Match,” for the purpose of providing resources for infrastructure improvements at the intersection of Red Bank Expressway and Medpace Way. This Emergency Ordinance also authorizes the City Manager to apply for, accept, and appropriate \$200,000 from the State of Ohio Department of Development (ODOD) 629 Roadwork Program to newly established capital

improvement program project account no. 980x164x231638, “Medpace ODOT 629 Roadwork Program – Grant,” for the purpose of providing resources for infrastructure improvements at the intersection of Red Bank Expressway and Medpace Way. This Emergency Ordinance authorizes the transfer and return to source, General Fund 050, the sum of \$200,000 from existing capital improvement program project account no. 980x164x231600, “Economic Development Initiatives - GF” for the purpose of realigning resources with program needs. Furthermore, this Emergency Ordinance authorizes the transfer and appropriation of \$200,000 from the unappropriated surplus of the General Fund to newly established capital improvement program project account no. 980x164x231639, “Medpace ODOT 629 Roadwork Program – Match,” for the purpose of providing resources for infrastructure improvements at the intersection of Red Bank Expressway and Medpace Way.

The improvements planned at the intersection of Red Bank Expressway and Medpace Way are needed for the safety of the users who access the campus from Red Bank Expressway. The improvements will also improve traffic flow resulting from the anticipated addition of 1,500 new jobs at the campus.

The improvements for the intersection include a new traffic signal, signal heads, poles, control cabinet, wiring, and other related improvements. The roadway improvements include new pavement markings, adjustment of the existing elevated medians to allow for proper vehicle movement, and miscellaneous items such as new traffic-related street signage.

The Ohio Department of Development 629 Roadwork Program grant requires local matching resources in an amount totaling \$200,000, which will be available in newly established capital improvement program project account no. 980x164x231639, “Medpace ODOT 629 Roadwork Program – Match.” There are no new FTE requirements associated with this grant.

Infrastructure improvements at the intersection of Red Bank Expressway and Medpace Way are in accordance with the “Compete” goal to “[f]oster a climate conducive to growth, investment, stability, and opportunity,” as described on pages 103-113 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to ensure that necessary funding is in place to meet deadlines required by the grant for infrastructure improvements at the intersection of Red Bank Expressway and Medpace Way.

The Administration recommends passage of this Emergency Ordinance.

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

Attachments



## **EMERGENCY**

LES

- 2023

**AUTHORIZING** the establishment of capital improvement program project account nos. 980x164x231638, “Medpace ODOD 629 Roadwork Program – Grant,” and 980x164x231639, “Medpace ODOD 629 Roadwork Program – Match,” for the purpose of providing resources for infrastructure improvements at the intersection of Red Bank Expressway and Medpace Way; **AUTHORIZING** the City Manager to apply for, accept, and appropriate grant resources in an amount up to \$200,000 from the State of Ohio Department of Development 629 Roadwork Program to newly established capital improvement program project account no. 980x164x231638, “Medpace ODOD 629 Roadwork Program – Grant,” for the purpose of providing resources for infrastructure improvements at the intersection of Red Bank Expressway and Medpace Way; **AUTHORIZING** the transfer and return to source General Fund 050 of the sum of \$200,000 from existing capital improvement program project account no. 980x164x231600, “Economic Development Initiatives - GF,” for the purpose of realigning resources with program needs; **AUTHORIZING** the transfer and appropriation of \$200,000 from the unappropriated surplus of General Fund 050 to newly established capital improvement program project account no. 980x164x231639, “Medpace ODOD 629 Roadwork Program – Match,” for the purpose of providing resources for infrastructure improvements at the intersection of Red Bank Expressway and Medpace Way; **AUTHORIZING** the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources; and further **AUTHORIZING** the Finance Director to deposit the grant resources in an amount up to \$200,000 into newly established capital improvement program project account no. 980x164x231638, “Medpace ODOD 629 Roadwork Program – Grant.”

WHEREAS, infrastructure improvements at the intersection of Red Bank Expressway and Medpace Way are needed for the safety of users accessing the campus from Red Bank Expressway and to improve the traffic flow resulting from the anticipated addition of 1,500 new jobs at the Medpace Campus; and

WHEREAS, the improvements for the intersection, which include a new traffic signal, signal heads, poles, control cabinet, wiring, and related improvements, fit within the existing roadway cross section and therefore require limited roadwork; and

WHEREAS, the roadway improvements include new pavement markings, adjustment of the existing elevated medians to allow for proper vehicle movement, and additional improvements such as new traffic-related street signage; and

WHEREAS, a grant in an amount up to \$200,000 is available from the State of Ohio Department of Development (“ODOD”) 629 Roadwork Program for the purpose of providing resources for infrastructure improvements at the intersection of Red Bank Expressway and Medpace Way; and

WHEREAS, acceptance of the grant requires local matching resources in an amount totaling \$200,000, and these local matching funds are available from existing capital improvement program project account no. 980x164x231600, “Economic Development Initiatives - GF,” from which funds will be returned to source and then transferred and appropriated to a new capital improvement program project account with a specific scope of work for infrastructure improvements at the intersection of Red Bank Expressway and Medpace Way; and

WHEREAS, there are no new FTEs associated with the ODOD 629 Roadwork Program grant; and

WHEREAS, the infrastructure improvements at the intersection of Red Bank Expressway and Medpace Way are in accordance with the “Compete” goal to “[f]oster a climate conducive to growth, investment, stability, and opportunity,” as described on pages 103-113 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the establishment of capital improvement program project account nos. 980x164x231638, “Medpace ODOD 629 Roadwork Program – Grant,” and 980x164x231639, “Medpace ODOD 629 Roadwork Program – Match,” is hereby authorized for the purpose of providing resources for infrastructure improvements at the intersection of Red Bank Expressway and Medpace Way.

Section 2. That the City Manager is hereby authorized to apply for, accept, and appropriate grant resources in an amount up to \$200,000 from the State of Ohio Department of Development 629 Roadwork Program to newly established capital improvement program project account no. 980x164x231638, “Medpace ODOD 629 Roadwork Program – Grant,” for the purpose of providing resources for infrastructure improvements at the intersection of Red Bank Expressway and Medpace Way.

Section 3. That the Director of Finance is hereby authorized to deposit the grant resources in an amount up to \$200,000 into newly established capital improvement program project account no. 980x164x231638, “Medpace ODOD 629 Roadwork Program – Grant.”

Section 4. That the transfer and return to source General Fund 050 of the sum \$200,000 from existing capital improvement program project account no. 980x164x231600, “Economic Development Initiatives - GF,” is hereby authorized for the purpose of realigning resources with program needs.

Section 5. That the transfer and appropriation of \$200,000 from the unappropriated surplus of General Fund 050 to newly established capital improvement program project account no. 980x164x231639, “Medpace ODOD 629 Roadwork Program – Match,” is hereby authorized for the purpose of providing resources for infrastructure improvements at the intersection of Red Bank Expressway and Medpace Way.

Section 6. That the City Manager is authorized to enter into any agreements necessary for the receipt and administration of these grant resources.

Section 7. 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 6 hereof.

Section 8. 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 that necessary funding is in place to meet deadlines required by the

grant for infrastructure improvements at the intersection of Red Bank Expressway and Medpace Way.

Passed: \_\_\_\_\_, 2023

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

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

February 1, 2023

**To:** Mayor and Members of City Council 202300455

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

**Subject:** **Ordinance – Cincinnati Recreation Commission (CRC): Tri-State Trails Donation**

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Attached is an Ordinance captioned:

**AUTHORIZING** the City Manager to accept and appropriate a donation in the amount of \$1,200 from Tri-State Trails for the purpose of planting trees along the Cincinnati Riding or Walking Network (CROWN) shared-use path at the Salway Recreation Complex; and **AUTHORIZING** the Finance Director to deposit the donated funds into Contributions for Recreation Purposes Fund 319 revenue account no. 319x8571.

Approval of this Ordinance would authorize the City Manager to accept and appropriate a donation in the amount of \$1,200 from Tri-State Trails for the purpose of planting trees along the Cincinnati Riding or Walking Network (CROWN) shared-use path at the Salway Recreation Complex. This Ordinance further authorizes the Finance Director to deposit the donated funds into Contributions for Recreation Purposes Fund 319 revenue account no. 319x8571.

The Salway Recreation Complex is part of the Mill Creek Greenway and the CROWN regional biking and walking path network. Tri-State Trails has offered a donation to cover the cost of planting the trees along the shared use path to promote personal and environmental health in the Spring Grove Village neighborhood.

There are no new FTEs or matching funds associated with this donation.

The installation of trees at Salway Recreation Complex is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” as described on pages 181-192 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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



Attachment

**AUTHORIZING** the City Manager to accept and appropriate a donation in the amount of \$1,200 from Tri-State Trails for the purpose of planting trees along the Cincinnati Riding or Walking Network (CROWN) shared-use path at the Salway Recreation Complex; and **AUTHORIZING** the Finance Director to deposit the donated funds into Contributions for Recreation Purposes Fund 319 revenue account no. 319x8571.

WHEREAS, Tri-State Trails has generously offered a donation in the amount of \$1,200 to the Cincinnati Recreation Commission for the purpose of planting trees along the Cincinnati Riding or Walking Network (CROWN) shared-use path at the Salway Recreation Complex; and

WHEREAS, acceptance of the donation requires no matching funds, and there are no FTEs associated with the donation; and

WHEREAS, the installation of trees at Salway Recreation Complex is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” as described on pages 181 – 192 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 hereby authorized to accept and appropriate a donation in the amount of \$1,200 from Tri-State Trails for the purpose of planting trees along the Cincinnati Riding or Walking Network (CROWN) shared-use path at the Salway Recreation Complex.

Section 2. That the Director of Finance is hereby authorized to deposit the donated funds into Contributions for Recreation Purposes Fund 319 revenue account no. 319x8571.

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

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

Passed: \_\_\_\_\_, 2023

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

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

Date: February 1, 2023

202300464

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

Subject: ORDINANCE – PORT OF GREATER CINCINNATI DEVELOPMENT AUTHORITY  
SALE AGREEMENT

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Attached is an ordinance captioned as follows:

**AUTHORIZING** the City Manager to execute a Property Sale Agreement with the Port of Greater Cincinnati Development Authority, pursuant to which the City will sell certain real property generally located at the southwest corner of East Pete Rose Way and Butler Street in the Central Business District.

The City of Cincinnati owns an approximately 0.0075-acre tract of real property in the Central Business District, located at the southwest corner of East Pete Rose Way and Butler Street (“Property”), which is under the management and control of the City’s Department of Transportation and Engineering (“DOTE”).

The Port of Greater Cincinnati Development Authority (“Petitioner”) desires to purchase the Property from the City for consolidation with Petitioner’s adjoining real property.

The City Manager, upon consultation with DOTE, has determined that the Property is not needed for transportation or any other municipal purpose, that there is good cause to sell the Property, and that such sale will not be detrimental to the general interest.

The approximate fair market value of the Property is \$5,500, which Petitioner has agreed to pay.

The City Planning Commission approved the sale of the Property at its meeting on January 20, 2023.

The Administration recommends passage of the attached ordinance.

Attachment I – Property Sale Agreement

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

**AUTHORIZING** the City Manager to execute a *Property Sale Agreement* with the Port of Greater Cincinnati Development Authority, pursuant to which the City will sell certain real property generally located at the southwest corner of East Pete Rose Way and Butler Street in the Central Business District.

WHEREAS, the City holds title to an approximately 0.0075-acre tract of real property in the Central Business District located at the southwest corner of East Pete Rose Way and Butler Street and identified as Hamilton County, Ohio Auditor's Parcel ID Nos. 084-0005-0159-00 and 084-0005-0160-00, and more particularly described in the *Property Sale Agreement* attached to this ordinance as Attachment A and incorporated herein by reference ("Property"), which Property is under the management of the City's Department of Transportation and Engineering ("DOTE"); and

WHEREAS, the Port of Greater Cincinnati Development Authority, an Ohio port authority and body corporate and politic organized and existing under Ohio law ("Petitioner"), holds title to certain real property abutting the Property at 601 East Pete Rose Way, identified as Hamilton County, Ohio Auditor's Parcel ID No. 084-0005-0311-00, and more particularly depicted on Attachment A ("Petitioner's Property"); and

WHEREAS, Petitioner has petitioned the City to sell the Property for consolidation with Petitioner's Property; and

WHEREAS, pursuant to Cincinnati Municipal Code Section 331-1, the City may sell real property that is not needed for municipal purposes; and

WHEREAS, the City Manager, being the officer having custody and control of the Property, and upon consultation with DOTE, has determined that the City does not need the Property for transportation or any other municipal purpose; and

WHEREAS, the City's Real Estate Services Division has determined, by a professional appraisal, that the approximate fair market value of the Property is \$5,500, which Petitioner has agreed to pay; and

WHEREAS, pursuant to Cincinnati Municipal Code Section 331-5, Council may authorize the sale of City-owned real property without competitive bidding in those cases in which it determines that it is in the best interest of the City and eliminating competitive bidding in connection with the City's sale of the Property is appropriate because, as a practical matter, no

one other than an abutting property owner would have any use for it and Petitioner holds title to all non-City-controlled real property adjoining the Property; and

WHEREAS, the City Planning Commission, having the authority to approve the change in the use of City-owned property, approved the sale of the Property at its regularly scheduled meeting on January 20, 2023; now, therefore,

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

Section 1. That the City Manager is hereby authorized to execute a *Property Sale Agreement* with the Port of Greater Cincinnati Development Authority, an Ohio port authority and body corporate and politic organized and existing under Ohio law (“Petitioner”), in substantially the form attached to this ordinance as Attachment A and incorporated herein by reference (“Agreement”), pursuant to which the City of Cincinnati will sell to Petitioner an approximately 0.0075-acre tract of real property in the Central Business District located at the southwest corner of East Pete Rose Way and Butler Street and identified as Hamilton County, Ohio Auditor’s Parcel ID Nos. 084-0005-0159-00 and 084-0005-0160-00, as more particularly described in the Agreement (“Property”).

Section 2. That the Property is not needed for transportation or other municipal purposes.

Section 3. That the City’s Real Estate Services Division has determined, by a professional appraisal, that the fair market value of the Property is approximately \$5,500.00, which Petitioner has agreed to pay.

Section 4. That eliminating competitive bidding in connection with the City’s sale of the Property is in the best interest of the City because, as a practical matter, no one other than an abutting property owner would have any use for it and Petitioner holds title to all non-City-controlled real property adjoining the Property.

Section 5. That the proceeds from the sale of the Property, if any, shall be deposited into Property Management Fund 209 to pay the fees for services provided by the City's Real Estate Services Division in connection with the sale, and that the City's Finance Director is hereby authorized to deposit amounts in excess thereof into Miscellaneous Permanent Improvement Fund 757.

Section 6. That the City's Finance Director is authorized to transfer and appropriate such excess funds from Miscellaneous Permanent Improvement Fund 757 into Capital Improvement Program Project Account No. 980x233xYY2306, "Street Improvements," in which "YY" represents the last two digits of the fiscal year in which the closing occurs and the proceeds are received, referencing the latter fiscal year if the events occur in different fiscal years.

Section 7. That the City Manager and other City officials are hereby authorized to take all necessary and proper actions to carry out the provisions of this ordinance and the Agreement, including, without limitation, executing any and all ancillary agreements, deeds, plats, or other documents described in or contemplated by the Agreement, to create new encumbrances or release existing encumbrances associated with title of the Property, as deemed necessary or appropriate by the City Manager.

Section 8. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_, 2023

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

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

Contract No. \_\_\_\_\_

Property: Surplus of undedicated East Pete Rose Way  
and Butler Street right-of-way

## PROPERTY SALE AGREEMENT

This Property Sale Agreement (this “**Agreement**”) is made and entered into on the Effective Date (as defined on the signature page hereof) by and between the **CITY OF CINCINNATI**, an Ohio municipal corporation, the address of which for purposes of this Agreement is 801 Plum Street, Cincinnati, OH 45202 (the “**City**”) and **PORT OF GREATER CINCINNATI DEVELOPMENT AUTHORITY**, an Ohio port authority and body corporate and politic organized and existing under Ohio law, the address of which is 3 East Fourth Street, Suite 300, Cincinnati, Ohio 45202 (the “**Port**”).

### Recitals:

A. The City owns certain real property identified as Hamilton County, Ohio Auditor's Parcel Nos. 084-0005-0159-00 and 084-0005-0160-00, comprising approximately 0.0075 acres in the Central Business District of Cincinnati, Ohio, as more particularly described on Exhibit A (Legal Description- the Sale Property) hereto (the “**Sale Property**”), which Sale Property is under the management of the City's Department of Transportation and Engineering (“**DOT**”).

B. The Port owns certain real property adjoining the Sale Property, as depicted on Exhibit B (Site Survey) hereto (the “**Port Property**”), and desires to purchase from the City the Sale Property to consolidate said Sale Property with the Port's Property.

C. The City has determined that the Sale Property is not needed for transportation or other municipal purpose and that the sale of the Sale Property will not be detrimental to the public interest.

D. The City's Real Estate Services Division has determined, by a professional appraisal, that the fair market value of the Sale Property is \$5,500.00, which the Port has agreed to pay.

E. The City has determined that eliminating competitive bidding in connection with the City's sale of the Sale Property is justified because the Port's Property abuts the Sale Property, and as a practical matter no one other than an abutting property owner would have any use for it.

F. Section 13 of Article VIII of the Ohio Constitution provides that, to create or preserve jobs and employment opportunities and to improve the economic welfare of the people of the State, it is a public interest and proper public purpose for the State or its political subdivisions to sell, lease, exchange, or otherwise dispose of property within the State of Ohio for industry, commerce, distribution, and research.

G. City Planning Commission, having the authority to approve the change in the use of City-owned property, approved the sale of the Sale Property to the Port at its meeting on January 20, 2023.

H. Execution of this Agreement was authorized by Cincinnati City Council by Ordinance No. [ ]-2023, passed on [ ], 2023.

NOW, THEREFORE, the parties agree as follows:

1. **Purchase Price.** Subject to the terms and conditions set forth herein, the City hereby agrees to sell the Sale Property to the Port, and the Port hereby agrees to purchase the Sale Property from the City for \$5,500.00 (the “**Purchase Price**”). The Port acknowledges that it is familiar with the condition of the Sale Property, and, at Closing (as defined below), the City shall convey the Sale Property to the Port in “as is” condition. The City makes no representations or warranties to the Port with respect to the condition of the Sale Property and, from and after the Closing, the City shall have no liability of any kind to the Port for any defects, adverse environmental condition, or any other matters affecting the Sale Property.

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## 2. Closing.

(A) Conditions. The closing on the City's sale of the Sale Property to the Port (the "**Closing**") shall not occur unless and until the following conditions have been satisfied (the "**Conditions**"); *provided however*, that if the City, in its sole discretion, determines that one or more of the Conditions would be more appropriately handled at Closing or post-Closing, the City may, if appropriate, include such Conditions in the City's Quitclaim Deed to the Port or handle such Conditions post-Closing. The Port shall perform all work and investigations and shall obtain and prepare all necessary documents pertaining to the satisfaction of the Conditions, at no cost to the City.

- (i) Title & Survey: The Port's approval of title to the Sale Property and, if obtained by the Port, an ALTA property survey of the Sale Property;
- (ii) Inspections, Utilities & Zoning/Building Code Requirements: The Port's approval of inspections of the Sale Property, including without limitation environmental assessments and soil assessments, all matters pertaining to utility service for the Sale Property, and all zoning and building code requirements that are applicable to the Sale Property;
- (iii) Plats, Legal Descriptions and Deed: The Port shall have provided the City with all plats and legal descriptions as required by DOTE, the Department of City Planning and Engagement, and the Hamilton County Auditor and Recorder in connection with the City's sale of the Sale Property, including, but not limited to: [x] an acceptable deed of record evidencing the Port as the vested legal owner as to the Port's Property; and [y] an acceptable survey plat and legal description with closure of the Sale Property to accompany the transfer and recording of the Quitclaim Deed in substantially the form attached as Exhibit C – (Form of Quitclaim Deed – Sale Property).
- (iv) Coordinated Report Conditions (CR #43-2022):
  - (a) DOTE:
    - 1. Any and all existing utilities must be granted easements or relocated at the Port's expense.
    - 2. No Auditor's parcels shall be landlocked by this sale. Landlocked parcels shall be consolidated with parcels having legal street frontage.
    - 3. The Port is required, at own expense, to provide the City with an acceptable legal description for the Sale Property that meets the recordable standards of the Hamilton County Recorder's Office.
    - 4. The Port is required at own expense to survey any portion of the Sale Property that contains the public sidewalk to be retained as right-of-way.
    - 5. A DOTE street opening permit, obtained by a DOTE licensed street contractor, is required for all private improvements in the public right-of-way. All improvements in the public right-of-way must be built to City standards, policies and guidelines. Application for permits may be made at Room 425, City Hall, 801 Plum Street. Please note that plan drawings (2 sets), to be reviewed by DOTE, must be attached to the permit application.
  - (b) Duke Energy: Duke Energy has gas facilities in the area running on the southernmost edge of the E. Pete Rose Way right-of-way. If the gas main is located across any portion of the Sale Property, Duke will need to acquire an easement for said gas facilities prior to sale.

{00377575-1}

- (c) altafiber: Altafiber has existing underground telephone facilities in the area. Such facilities must remain in place, in service and able to be accessed. Any damage done to the facilities, or any work done to relocate the facilities as a result of this request will be handled entirely at the Port's expense.

(d) Buildings & Inspections:

1. The Sale Property shall be consolidated with the Port's Property immediately upon sale.

(B) Right to Terminate. If either party determines, after exercising good faith efforts, that any of the Conditions are not or cannot be satisfied within a reasonable period, such party shall have the right to terminate this Agreement by giving written notice thereof to the other party, whereupon this Agreement and all rights and obligations of the parties hereunder shall terminate. If all the Conditions have not been satisfied to the satisfaction of both parties or waived in writing and for that reason the Closing has not occurred within **90 days** after the Effective Date, this Agreement and all rights and obligations of the parties hereunder shall automatically terminate.

(C) Closing Date. Provided the Conditions have been satisfied, the Closing shall take place **30 days** after the Effective Date, or on such earlier or later date as the parties may agree upon.

(D) Closing Costs and Closing Documents. At the Closing, (i) City shall confirm that the Port has paid the Purchase Price in full, and (ii) the City shall convey all its right, title and interest in and to the Sale Property to the Port by *Quitclaim Deed* in the form of Exhibit C. The Port shall pay all Hamilton County, Ohio recording fees, transfer tax, and any and all other customary closing costs associated with the Closing. There shall be no proration of real estate taxes and assessments at Closing, and from and after the Closing, the Port shall pay all real estate taxes and assessments thereafter becoming due. At Closing, the parties shall execute a settlement statement and all other customary closing documents that are necessary for the Closing, in such forms as are approved by the City. The City shall not however be required to execute a title affidavit at Closing or other similar documents pertaining to title, it being acknowledged by the Port that the City is selling the Property "as is." Pursuant to Section 301-20, Cincinnati Municipal Code, at Closing, the Port shall pay to the City all unpaid related and unrelated fines, penalties, judgments, water or other utility charges, and any and all other outstanding amounts owed by the Port to the City. The provisions of this Agreement shall survive the City's execution and delivery of the *Quitclaim Deed* and shall not be deemed to have been merged therein.

**3. Notices**. All notices given by the parties hereunder shall be deemed given if personally delivered, delivered by Federal Express, UPS, or other recognized overnight courier, or mailed by U.S. regular or certified mail, addressed to the parties at their respective addresses set forth in the introductory paragraph of this Agreement. If the Port sends a notice to the City alleging that the City is in default under this Agreement, the Port shall simultaneously send a copy of such notice by U.S. certified mail to: City Solicitor, 801 Plum Street, Suite 214, Cincinnati, OH 45202. Notices shall be deemed given on the date of receipt.

**4. Representations, Warranties, and Covenants of the Port**. The Port makes the following representations, warranties and covenants to induce the City to enter into this Agreement:

(i) The Port is a body corporate and politic, duly created and organized and validly existing under the laws of the State of Ohio and is not in violation of any laws of the State of Ohio relevant to the transactions contemplated by this Agreement.

(ii) The Port has the full power and authority to execute and deliver this Agreement and to carry out the transactions provided for herein. This Agreement has by proper action been duly authorized, executed, and delivered by the Port, and all actions necessary have been taken to constitute this Agreement, when executed and delivered, valid and binding obligations of the Port.

{00377575-1}

(iii) The Port's execution, delivery, and performance of this Agreement and the transaction contemplated hereby will not violate any applicable laws, or any writ or decree of any court or governmental instrumentality, or any mortgage, contract, agreement or other undertaking to which the Port is a party or which purports to be binding upon the Port or upon any of its assets, nor is the Port in violation or default of any of the foregoing.

(iv) There are no actions, suits, proceedings, or governmental investigations pending, or to the knowledge of the Port, threatened against or affecting the Port, at law or in equity or before or by any governmental authority that could reasonably be expected to substantially interfere with its ability to fulfill its obligations under this Agreement.

(v) The Port shall give prompt notice in writing to the City of the occurrence or existence of any litigation, labor dispute or governmental proceedings or investigation affecting the Port that could reasonably be expected to interfere substantially or materially and adversely affect its financial condition or its purchase of the Sale Property.

(vi) The statements made in the documentation provided by the Port to the City have been reviewed by the Port and do not contain any untrue statement of a material fact or omit to state any material fact necessary in order to make such statements, in light of the circumstances under which they were made, not misleading.

(vii) Neither the Port, nor any of its affiliates, owe any outstanding fines, penalties, judgments, water or other utility charges or other amounts to the City.

## **5. General Provisions.**

(A) Entire Agreement. This Agreement (including the exhibits hereto) contains the entire agreement between the parties with respect to the subject matter hereof and supersedes any and all prior discussions, negotiations, representations or agreements, written or oral, between them respecting the subject matter hereof.

(B) Amendments. This Agreement may be amended only by a written amendment signed by both parties.

(C) Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the City of Cincinnati and the State of Ohio. All actions regarding this Agreement shall be brought in the Hamilton County Court of Common Pleas, and the Port agrees that venue in such court is proper. The Port hereby waives trial by jury with respect to any and all disputes arising under this Agreement.

(D) Binding Effect. This Agreement shall be binding upon and shall inure to the benefit of and be enforceable by and against the parties and their respective successors and assigns. The Port shall not assign its rights or obligations under this Agreement without the prior written consent of the City, which may be withheld in the City's sole discretion, and any attempt to do so without the City's consent shall, at the City's option, render this Agreement null and void.

(E) Captions. The captions of the various sections and paragraphs of this Agreement are not part of the context hereof and are only guides to assist in locating such sections and paragraphs and shall be ignored in construing this Agreement.

(F) Severability. If any part of this Agreement is held by a court of law to be void, illegal or unenforceable, such part shall be deemed severed from this Agreement, and the balance of this Agreement shall remain in full force and effect.

{00377575-1}

(G) No Third-Party Beneficiaries. The parties hereby agree that no third-party beneficiary rights are intended to be created by this Agreement.

(H) Brokers. The Port represents to the City that the Port has not dealt with any real estate brokers and agents in connection with its purchase of the Sale Property.

(I) Official Capacity. All representations, warranties, covenants, agreements, and obligations of the City under this Agreement shall be effective to the extent authorized and permitted by applicable law. None of those representations, warranties, covenants, agreements, or obligations shall be deemed to be a representation, warranty, covenant, agreement, or obligation of any present or future officer, agent, employee or attorney of the City in other than his or her official capacity.

(J) Conflict of Interest. No officer, employee, or agent of the City who exercises any functions or responsibilities in connection with the planning or carrying out of the property sale shall have any personal financial interest, direct or indirect, in the property sale, and the Port shall take appropriate steps to assure compliance.

(K) Administrative Actions. To the extent permitted by applicable laws, and unless otherwise expressly provided in this Agreement, all actions taken or to be taken by the City under this Agreement may be taken by administrative action and shall not require legislative action of the City beyond the legislative action authorizing the execution of this Agreement.

(L) Counterparts; E-Signature. This Agreement may be executed via electronic signature and in one or more counterparts, each of which shall be deemed an original and all of which taken together shall constitute but one and the same instrument.

6. Exhibits. The following exhibits are attached hereto and made a part hereof:

Exhibit A – *Legal Description -the Sale Property*  
Exhibit B – *Site Survey*  
Exhibit C – *Form of Quit Claim Deed*

Executed by the parties on the dates indicated below their respective signatures, effective as of the latest of such dates (the “**Effective Date**”).

**PORT OF GREATER CINCINNATI  
DEVELOPMENT AUTHORITY,**  
an Ohio port authority

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_, 2023

[City signatures on the following page]

{00377575-1}

**CITY OF CINCINNATI**

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_, 2023

Recommended by:

\_\_\_\_\_  
John Brazina, Director  
Department of Transportation and  
Engineering

Approved as to Form:

\_\_\_\_\_  
Assistant City Solicitor

Certified Date: \_\_\_\_\_

Fund/Code: \_\_\_\_\_

Amount: \_\_\_\_\_

By: \_\_\_\_\_  
Karen Alder, City Finance Director

{00377575-1}

**EXHIBIT A**  
to Property Sale Agreement

*Legal Description - the Sale Property*

**Auditor's Parcel Nos.:** 084-0005-0159-00 and 084-0005-0160-00  
**Property Address:** None

Situated in City of Cincinnati, Hamilton County, Ohio, and being more particularly described as follows:

**BEGINNING** at a set cross notch at the intersection of the new south line of Pete Rose Way and the new west line of Butler Street as shown on a dedication plat recorded in Plat Book \_\_\_\_\_, Page \_\_\_\_\_ of the Hamilton County Recorder's Office;

Thence with the new west line of said Butler Street, South 43°12'16" East, 21.05 feet to a set cross notch in the existing west line of Butler Street;

Thence with the existing west line of said Butler Street, South 37°39'53" East, 9.16 feet to a set cross notch at a corner of a tract conveyed to Port of Greater Cincinnati Development Authority in Official Record 13997, Page 999;

Thence with the north line of said Port of Greater Cincinnati Development Authority, along a curve deflecting to the left, having a radius of 85.00 feet, an arc length of 41.38 feet, a delta angle of 27°53'35", and being subtended by a chord bearing North 80°16'27" West, 40.97 feet to a set cross notch in the new south line of said Pete Rose Way;

Thence with the new south line of said Pete Rose Way, North 52°26'26" East, 25.71 feet to the **POINT OF BEGINNING**.

**Containing 0.0075 Acres** and being subject to all legal easements and highways of record.

The above described parcel being all of Hamilton County Auditor's Parcels 084-0005-0159 & 084-0005-0160 as conveyed to the City of Cincinnati in Deed Book 3605, Page 177 of the Hamilton County Recorder's Office.

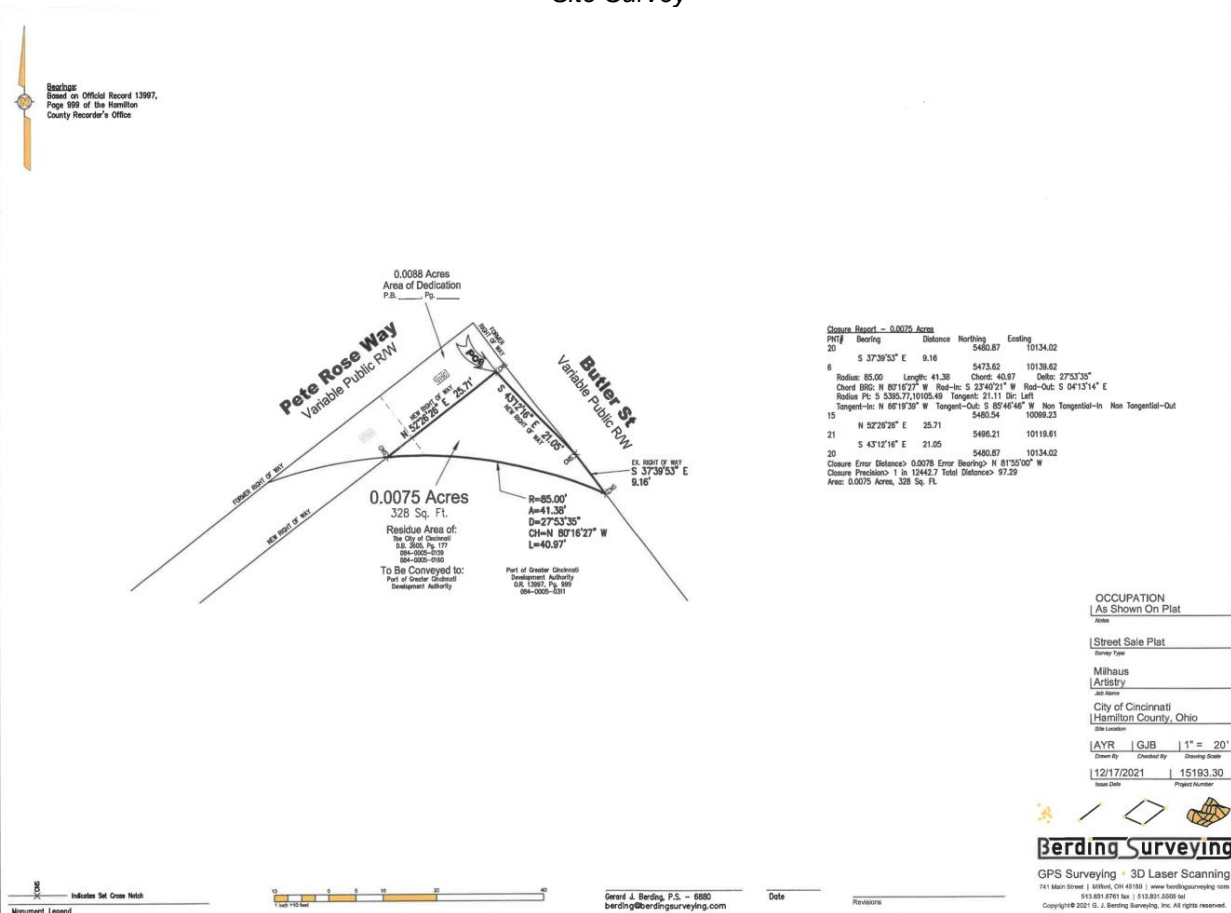
Bearings of Bearings are based on Official Record 13997, Page 999 of the Hamilton County Recorder's Office.

All iron pins set are 5/8" X 30" rebar with cap stamped "G.J. BERDING SURVEYING, INC".

Prepared by G.J. BERDING SURVEYING, INC. on December 17, 2021. Based on a Street Sale Plat prepared by G.J. BERDING SURVEYING, INC. on December 17, 2021.

{00377575-1}

# **EXHIBIT B** to Property Sale Agreement Site Survey



{00377575-1}

**EXHIBIT C**  
to Property Sale Agreement  
*Form of Quitclaim Deed*

[SEE ATTACHED]

---

[SPACE ABOVE RESERVED FOR RECORDER]

### QUITCLAIM DEED

The **CITY OF CINCINNATI**, an Ohio municipal corporation (the “**City**”), for valuable consideration paid, hereby grants and conveys to the **PORT OF GREATER CINCINNATI DEVELOPMENT AUTHORITY**, an Ohio port authority and body corporate and politic organized and existing under Ohio law, the address of which is 3 East Fourth Street, Suite 300, Cincinnati, Ohio 45202 (“**Grantee**”), all of the City’s right, title and interest in and to the real property depicted on Exhibit A (Survey Plat) and described on Exhibit B (Legal Description) hereto (the “**Property**”).

Property Address:	None
Auditor’s Parcel ID No.:	084-0005-0159-00 and 084-0005-0160-00
Prior instrument reference:	D.B. 3605, Pg. 177, Hamilton County, Ohio Records.

This conveyance is subject to the restriction set forth below. Grantee, its successors, and assigns shall forever hold, develop, encumber, lease, occupy, improve, build upon, use, and convey the Property subject to such restriction, which shall “run with the land” and be binding upon Grantee and its successors-in-interest with respect to the Property.

(A) Consolidation. This conveyance shall not create an additional building site. Upon transfer of the Property to Grantee, Grantee shall consolidate the Property with Grantee’s adjoining property. Grantee may not convey the Property separately from Grantee’s adjoining parcel without the prior approval of the authority having jurisdiction of plats.

This conveyance was authorized by Ordinance No. \_\_-2023, passed by Cincinnati City Council on \_\_\_\_, 2023.

The following exhibits are attached hereto and made a part hereof:

Exhibit A – *Survey Plat*  
Exhibit B – *Legal Description*

[ SIGNATURE PAGE FOLLOWS ]

{00377575-1}

Executed on \_\_\_\_\_, 2023.

**CITY OF CINCINNATI**

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF OHIO                    )  
  ) SS:  
COUNTY OF HAMILTON        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2023 by \_\_\_\_\_, the \_\_\_\_\_ of the **CITY OF CINCINNATI**, an Ohio municipal corporation, on behalf of the municipal corporation. The notarial act certified hereby is an acknowledgment. No oath or affirmation was administered to the signer with regard to the notarial act certified to hereby.

\_\_\_\_\_  
Notary Public:  
My commission expires: \_\_\_\_\_

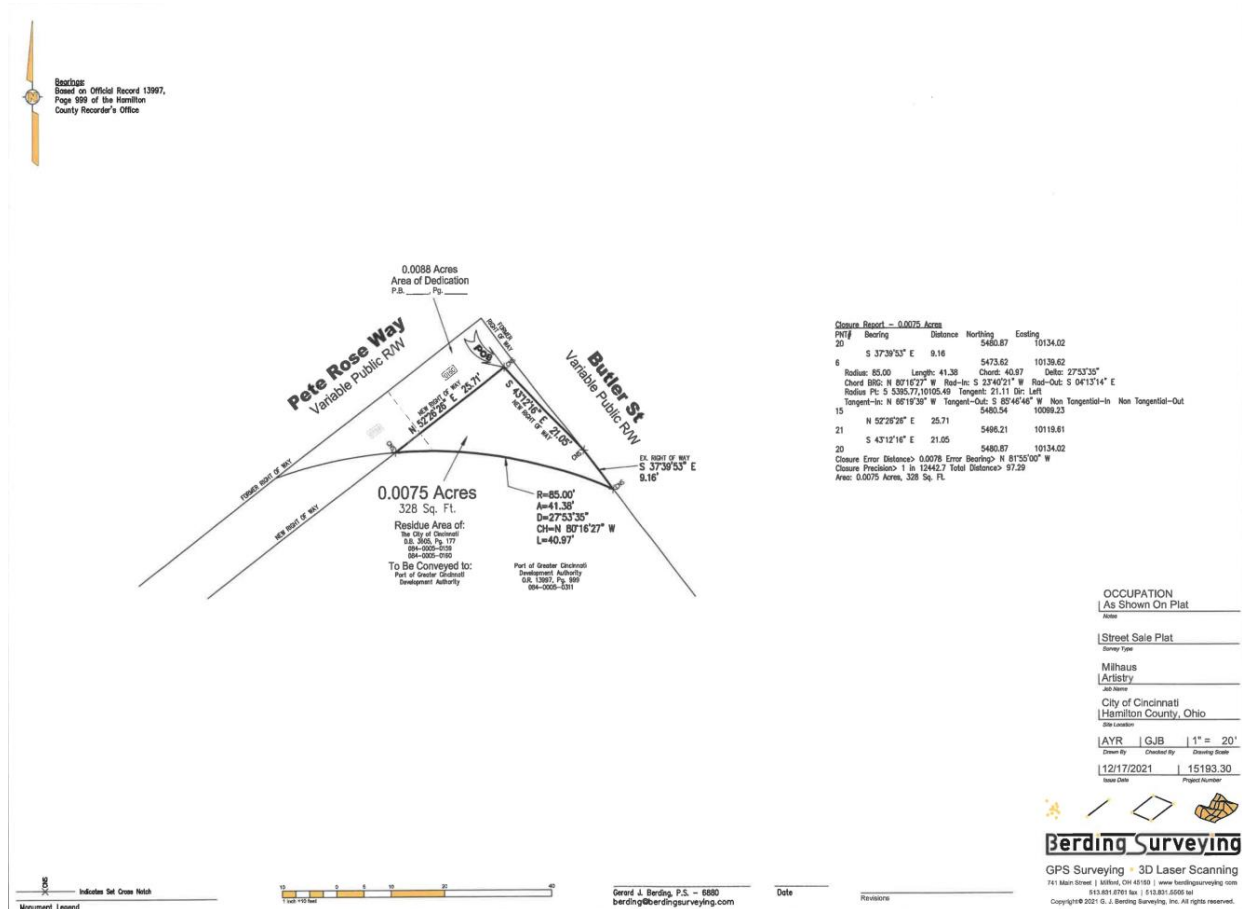
Approved as to Form:

\_\_\_\_\_  
Assistant City Solicitor

This instrument prepared by:

City of Cincinnati Law Department,  
801 Plum Street, Suite 214,  
Cincinnati, Ohio 45202

# **EXHIBIT A** to Quitclaim Deed Survey Plat



{00377575-1}

**EXHIBIT B**  
to Quitclaim Deed  
*Legal Description*

Situated in City of Cincinnati, Hamilton County, Ohio, and being more particularly described as follows:

**BEGINNING** at a set cross notch at the intersection of the new south line of Pete Rose Way and the new west line of Butler Street as shown on a dedication plat recorded in Plat Book \_\_\_\_\_, Page \_\_\_\_\_ of the Hamilton County Recorder's Office;

Thence with the new west line of said Butler Street, South 43°12'16" East, 21.05 feet to a set cross notch in the existing west line of Butler Street;

Thence with the existing west line of said Butler Street, South 37°39'53" East, 9.16 feet to a set cross notch at a corner of a tract conveyed to Port of Greater Cincinnati Development Authority in Official Record 13997, Page 999;

Thence with the north line of said Port of Greater Cincinnati Development Authority, along a curve deflecting to the left, having a radius of 85.00 feet, an arc length of 41.38 feet, a delta angle of 27°53'35", and being subtended by a chord bearing North 80°16'27" West, 40.97 feet to a set cross notch in the new south line of said Pete Rose Way;

Thence with the new south line of said Pete Rose Way, North 52°26'26" East, 25.71 feet to the **POINT OF BEGINNING**.

**Containing 0.0075 Acres** and being subject to all legal easements and highways of record.

The above described parcel being all of Hamilton County Auditor's Parcels 084-0005-0159 & 084-0005-0160 as conveyed to the City of Cincinnati in Deed Book 3605, Page 177 of the Hamilton County Recorder's Office.

Bearings of Bearings are based on Official Record 13997, Page 999 of the Hamilton County Recorder's Office.

All iron pins set are 5/8" X 30" rebar with cap stamped "G.J. BERDING SURVEYING, INC".

Prepared by G.J. BERDING SURVEYING, INC. on December 17, 2021. Based on a Street Sale Plat prepared by G.J. BERDING SURVEYING, INC. on December 17, 2021.

{00377575-1}

Date: February 1, 2023

To: Mayor and Members of City Council 202300467

From: Sheryl M. M. Long, City Manager

Subject: EMERGENCY ORDINANCE – AMENDING ORDINANCE NO. 174-2021 TO CORRECT FUND

---

Attached is an emergency ordinance captioned as follows:

**AMENDING** Ordinance No. 0174-2021 to correct the designated fund in which the Director of Finance is authorized to deposit proceeds received in connection with the sale of real property authorized by said ordinance.

On May 19, 2021, City Council approved Ordinance No. 0174-2021 authorizing the City to sell certain real property adjacent to Interstate 75 in the Central Business District and West End neighborhoods to ODOT in furtherance of ODOT's HAM 75 – 00.22 project.

Section 6 of Ordinance No. 0174-2021 authorized the proceeds from the property sale to be deposited into an incorrect fund.

The reason for the emergency is the immediate need to deposit the proceeds from the sale of real property authorized by Ordinance No. 0174-2021 into the correct fund.

The Administration recommends passage of the attached ordinance.

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

## **EMERGENCY**

**CHM**

**- 2023**

**AMENDING** Ordinance No. 0174-2021 to correct the designated fund in which the Director of Finance is authorized to deposit proceeds received in connection with the sale of real property authorized by said ordinance.

WHEREAS, Council passed Ordinance No. 0174-2021 on May 19, 2021, authorizing the City to convey certain interests in City-owned real property in furtherance of Ohio Department of Transportation (“ODOT”) HAM 75 – 00.22 Project, as amended by Ordinance No. 0023-2022 passed by Council on February 2, 2022, to accept additional compensation offered by ODOT for residual damage to certain property interests retained by the City arising from the project; and

WHEREAS, Section 6 of Ordinance No. 0174-2021 authorized the Finance Director to deposit the proceeds from the property sale in an incorrect fund; and

WHEREAS, Council hereby amends Ordinance No. 0174-2021 to authorize the Finance Director to deposit the proceeds from the property sale in the correct fund; now, therefore,

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

Section 1. That Section 6 of Ordinance No. 0174-2021, passed by Council on May 19, 2021 is hereby amended as follows:

Section 6. That the proceeds from the sale of the Property, if any, shall be deposited into Property Management Fund 209 to pay the fees for services provided by the City's Real Estate Services Division in connection with the sale, and that the City's Finance Director is hereby authorized to deposit amounts in excess thereof into ~~Miscellaneous Permanent Improvement Fund 757~~ Expressways/Gateways Permanent Improvement Fund 753.

Section 2. That existing Section 6 of Ordinance No. 0174-2021 is hereby repealed.

Section 3. That existing Section 7 of Ordinance No. 0174-2021 is hereby repealed in its entirety.

Section 4. That all terms of Ordinance No. 0174-2021 neither amended by Ordinance No. 0023-2022 nor this ordinance remain in full force and effect.

Section 5. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to deposit the proceeds from the sale of real property authorized by Ordinance No. 0174-2021, as amended by Ordinance No. 0023-2022, into the correct fund.

Passed: \_\_\_\_\_, 2023

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

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

\_\_\_\_\_  
Deletions are struck through. Additions are underlined.

**February 1, 2023**

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

202300456

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

**Subject: Emergency Ordinance – ATM Lease Smale Park**

---

Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the City Manager to execute a Lease Agreement with Fifth Third Bank pursuant to which the City will lease for a term of up to 10 years a portion of City- owned property known as Smale Riverfront Park in the Central Business District for the purpose of Operating an ATM thereon.

The Board of Park Commissioners at their **January 19, 2023**, meeting approved the lease renewal.

The Administration recommends passage of this Ordinance.

cc: Jason Barron, Director of Parks

## EMERGENCY

CHM

- 2023

**AUTHORIZING** the City Manager to execute a *Lease Agreement* with Fifth Third Bank pursuant to which the City will lease for a term of up to 10 years a portion of City-owned property known as Smale Riverfront Park in the Central Business District for the purpose of operating an ATM thereon.

WHEREAS, the City of Cincinnati owns certain real property commonly known as Smale Riverfront Park located in the Central Business District (“Park”), which is under the management and control of the Board of Park Commissioners for the City of Cincinnati (“Park Board”); and

WHEREAS, pursuant to a *Lease Agreement* authorized by Ordinance No. 500-2012, passed by Council on December 19, 2012, Fifth Third Bank, a National Association (“Lessee”), leases a portion of the Park for the purpose of operating an ATM thereon, as shown on the *Lease Agreement* attached to this ordinance as Attachment A and incorporated herein by reference (“Leased Premises”), and Lessee desires to enter a new lease on the terms and conditions, as more particularly detailed on Attachment A; and

WHEREAS, the City Manager, in consultation with the Park Board, has determined that (i) the Leased Premises is not needed for municipal purposes for the duration of the lease, and (ii) leasing the Leased Premises to Lessee is not adverse to the City’s retained interest in the Leased Premises or the Park; and

WHEREAS, the City’s Real Estate Services Division has determined by appraisal that the fair market rental value of the Leased Premises is approximately \$10,000 per year, which Lessee has agreed to pay; and

WHEREAS, pursuant to Section 331-5, Cincinnati Municipal Code, Council may authorize the lease of City-owned property without competitive bidding in those cases in which it determines that it is in the best interest of the City; and

WHEREAS, the Park Board approved the *Lease Agreement* at its meeting on January 19, 2023; and

WHEREAS, the City Planning Commission, having the authority to approve the change in the use of City-owned property, approved the lease of the Leased Premises at its meeting on October 7, 2022; now, therefore,

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

Section 1. That the City Manager is hereby authorized to execute a *Lease Agreement* with Fifth Third Bank, a National Association (“Lessee”), in substantially the form attached as Attachment A to this ordinance and incorporated herein by reference, pursuant to which the City of Cincinnati will lease for a term of up to 10 years a portion of Smale Riverfront Park, as more particularly depicted in the *Lease Agreement* (“Leased Premises”) for purposes of operating an ATM thereon.

Section 2. That the Leased Premises is not needed for municipal purposes for the duration of the lease.

Section 3. That leasing the Leased Premises to Lessee is not adverse to the City’s retained interest in the Leased Premises.

Section 4. That eliminating competitive bidding in connection with the City’s lease of the Leased Premises is in the best interest of the City because Lessee presently leases the Leased Premises from the City and has been a good and responsible tenant, and the City desires to retain Lessee as a tenant.

Section 5. That the fair market value of the lease, as determined by appraisal by the City’s Real Estate Services Division, is approximately \$10,000 per year, which Lessee has agreed to pay.

Section 6. That the proper City officials are hereby authorized to take all necessary and proper actions to carry out the provisions and intent of this ordinance and the *Lease Agreement*, including executing any and all ancillary documents associated with the *Lease Agreement*, such as amendments or supplements to the *Lease Agreement* deemed by the City Manager to be in the vital and best interests of the City.

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 execute the *Lease Agreement* so that the City of Cincinnati may receive the economic and noneconomic benefits of the *Lease Agreement* at the earliest time.

Passed: \_\_\_\_\_, 2023

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

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

## **Attachment A**

Contract no.: \_\_\_\_\_

**LEASE AGREEMENT**  
(Fifth Third Bank ATM near Moerlein Lager House)

This Lease Agreement ("**Lease**") is made and entered into on the Effective Date (as defined on the signature page hereof) by and between the **CITY OF CINCINNATI**, an Ohio municipal corporation, the address of which is 801 Plum Street, Cincinnati, OH 45202 (the "**City**"), and **FIFTH THIRD BANK, NATIONAL ASSOCIATION**, the address of which is Fifth Third Center, 38 Fountain Square Plaza, Cincinnati, OH 45263 (the "**Lessee**").

Recitals:

A. The City is the owner of property located in downtown Cincinnati as shown on Exhibit A (Site Plan) hereto (the "**Property**"), which is under the control and management of the Cincinnati Park Board.

B. Pursuant to a *Lease Agreement* dated February 4, 2013, by and between the City and the Lessee (the "**Existing Lease**"), the Lessee currently leases a portion of the Property to maintain and operate a remotely-controlled ATM machine (the ATM machine, together with any and all Installations, as such term is defined herein, being hereinafter referred to as the "**ATM**"), as shown on Exhibit A (the "**Leased Premises**").

C. The Existing Lease expires on February 3, 2023, and the Lessee desires to continue to occupy the Leased Premises for an additional term of up to five years.

D. The City has determined that the Leased Premises are currently not needed for any municipal purpose during the term of this Lease that leasing the Leased Premises to the Lessee is not adverse to the City's retained interest in the Leased Premises.

E. That the City conducted a competitive bidding process for the Existing Lease under which the City determined that the Lessee's proposal was the most advantageous to an in the best interests of the City. The City has determined that eliminating competitive bidding in connection with the City's renewed lease of the Leased Premises is in the best interest of the City because the Lessee has been a good and responsible tenant, and the City desires to retain Lessee as a tenant.

F. The rent set forth in this Lease reflects the current fair market rental value of the Leased Premises, as determined by appraisal by the City's Real Estate Services Division.

G. City Planning Commission, having the authority to approve the change in use of City-owned property, approved of the City's lease of the Leased Premises to the Lessee at its meeting on October 7, 2022.

H. The execution of this Lease was authorized by Ordinance No. \_\_\_\_-2023, passed by City Council on \_\_\_\_\_, 2023.

NOW THEREFORE, the parties hereby agree as follows:

1. **Grant.** The City does hereby lease the Leased Premises to the Lessee, and the Lessee does hereby lease the Leased Premises from the City, on the terms and conditions set forth herein. The rights herein granted to the Lessee are subject and subordinate to any and all existing covenants, easements, restrictions and other matters of record affecting the Leased Premises. The City makes no representations or warranties to the Lessee concerning the physical condition of the Leased Premises or the Property or the condition of the City's title to the Leased Premises or the Property, and, on the Commencement Date (as defined below), the Lessee shall accept the Leased Premises in "as is" condition.

**2. Term.**

(A) **Initial Term.** The term ("**Term**") of this Lease shall commence on February 4, 2023 (also referred to herein as the "**Commencement Date**") and, unless extended or sooner terminated as herein provided, shall expire on the day immediately preceding the fifth (5<sup>th</sup>) anniversary of the Commencement Date.

(B) **Renewal Option.** Provided the Lessee is not in default under this Lease at the time it delivers its notice of renewal to the City, the Lessee shall have one (1) option to renew the initial Term of this Lease for a renewal period of five (5) years by giving the City written notice thereof no less than sixty (60) days prior to the end of the initial Term. As used in this Lease, the "**Term**" of this Lease means the initial Term and, if applicable, the renewal period.

(C) **Lessee's Right to Terminate on 30 Days Notice.** The Lessee shall have the right to terminate this Lease, by giving the City no less than thirty (30) days prior written notice thereof, if (i) the Lessee determines that the operation of the ATM is not profitable, or (ii) the ATM is damaged by vandalism, fire or otherwise and the Lessee elects not to repair or replace it. All obligations of the Lessee under this Lease that have accrued but have not been fully performed as of the effective date of termination shall survive such termination until fully performed.

**3. Rent.** Beginning on the Commencement Date and continuing thereafter throughout the Term of this Lease, the Lessee shall pay rent to the City in the amount of \$10,000 per year, payable in advance on the first day of each quarter in equal quarterly installments of \$2,500 each, without notice, demand, or setoff. Any payment that remains outstanding for longer than thirty days past the due date shall bear interest at the rate of fifteen percent per annum until paid. The Lessee shall send all rent payments, payable to the "City of Cincinnati-Treasurer", to: City of Cincinnati, 801 Plum Street, Cincinnati, Ohio 45202 or to such other address as the City may from time to time designate in writing.

**4. Permitted Use.** The Lessee shall use the Leased Premises solely for the operation of the ATM and for no other purpose. The Lessee shall install, operate, and maintain the ATM in compliance with all applicable federal, state and local laws, codes, regulations and other governmental requirements.

**5. Lighting, Signage, and Theft Deterrent Devices.** The City hereby grants its consent to the Lessee's installation of the following items within the perimeter of the Leased Premises: (i) lighting for the ATM, including electrical wiring and associated electrical installations, (ii) identification signage, and (iii) theft deterrent devices (e.g., dye packs, audible alarms, smoke packs, and visual alarms) (collectively, and together with any and all other installations, attachments or alterations that the Park Board may from time to time approve in writing, the "**Installations**"). If any of the Lessee's proposed Installations will be located *outside* the perimeter of the Leased Premises, the Lessee may install such Installations only with the prior written consent of the Park Board, such approval not to be unreasonably withheld. Once the Park Board initially approves of the Lessee's proposed Installations, the Lessee may thereafter make minor modifications thereto without the consent of the Park Board (provided that the Lessee shall not be permitted to use a larger area or different area outside the perimeter of the Leased Premises without the Park Board's consent). *All Installations shall be installed, operated, and maintained by the Lessee at no expense to the City.*

**6. Utilities & Other Expenses.** (i) During the Term of this Lease, the Lessee shall pay (i) all utility expenses associated with the ATM, and (ii) all other expenses associated with the ATM and Leased Premises, including without limitation costs associated with the installation, operation, maintenance, repair, replacement, and removal of the ATM. *During the Term of this Lease, the City shall not be liable for any expenses associated with the ATM or Leased Premises.*

**7. Maintenance and Repairs.** The Lessee shall, at its sole expense, keep and maintain the ATM and Leased Premises in good, safe, orderly, sanitary, and clean condition and repair, ordinary wear and tear excepted. The Lessee shall not permit garbage or other unsightly or odorous materials to accumulate within the Leased Premises. In the event of damage to the ATM or Leased Premises caused by fire or other casualty, and unless the Lessee exercises its right to terminate this Lease under paragraph 2(C) above, the Lessee shall promptly repair such damage at its sole expense. *During the Term of this Lease, the City shall have no maintenance or repair obligations with respect to the ATM or the Leased Premises.*

8. **Access.** The Lessee shall ensure continuous access to the Leased Premises (24 hours/day, 7 days/week, 52 weeks/year) by the Park Board, the City's Police and Fire Departments, and any and all other utility companies that have utility lines or other utility installations within or near the Leased Premises for the inspection, maintenance, repair, modification and replacement thereof. The Lessee shall not construct any structures or other improvements above any existing utility lines within the Leased Premises that would interfere with the operation or maintenance thereof. If the Lessee constructs any improvements within the Leased Premises or undertakes any other action that interfere with the access rights reserved to the City and third parties herein, the same shall constitute an immediate default of the Lessee under this Lease, whereupon the City shall be permitted to take all actions reasonably necessary to eliminate such interference. The City shall not be responsible for any damage to the ATM or the Leased Premises resulting from the entry by utility companies and others having the right to enter upon the Leased Premises. If the Lessee or others under its control cause damage to utility lines or other utility installations located within or near the Leased Premises, Lessee shall immediately notify the appropriate utility provider. All costs of repairing such damage caused by the Lessee (and not utility providers), including without limitation, all costs of replacing any damaged utility facilities that are not capable of being properly repaired as determined by the applicable utility provider in its sole discretion, shall be borne by the Lessee and shall be payable by the Lessee within thirty (30) days after the Lessee receives documentation substantiating such costs. If any utility provider damages or must remove any improvements installed by the Lessee within the Leased Premises in connection with its inspection, operation, maintenance, repair, or replacement of its existing utility facilities in the area, the Lessee shall be solely responsible for all costs associated with the repair, replacement, or relocation of such improvements.

9. **Insurance; Indemnification.**

(A) **Insurance.** Throughout the Term, the Lessee shall maintain (i) Commercial General Liability insurance with respect to the Leased Premises in an amount not less than One Million Dollars (\$1,000,000) per occurrence, combined single limit, Two Million Dollars (\$2,000,000) aggregate, naming the City as an additional insured, (ii) special form property insurance on the ATM in the amount of the full replacement cost thereof, and (iii) such additional insurance as the City's Division of Risk Management may from time to time reasonably require. All insurance shall be issued by insurance companies reasonably acceptable to the City. Prior to the Commencement Date and promptly after the insurance policies renew annually, the Lessee shall furnish to the City a certificate of insurance evidencing the insurance required hereunder, which certificate shall evidence that such insurance shall not be cancelled, nor coverage reduced, without at least thirty (30) days prior written notice to the City.

(B) **Waiver of Subrogation.** The ATM and all equipment and other personal property of every kind that may at any time be on the Leased Premises shall be on the Leased Premises at the Lessee's sole risk, and under no circumstances shall the City be liable for any loss or damage thereto, no matter how such loss or damage is caused. The Lessee hereby waives, as against the City, its employees, agents and contractors, all claims and liability, and on behalf of the Lessee's insurers, the rights of subrogation, with respect to property damaged or destroyed by fire or other casualty or any other cause, it being the agreement of the parties that the Lessee shall at all times protect itself against such loss or damage by carrying adequate insurance.

(C) **Indemnification.** The Lessee shall defend (with counsel reasonably acceptable to the City), indemnify and hold the City harmless from and against any and all claims, causes of action, losses, costs, judgments, fines, liability and damages relating to the ATM or the Leased Premises and accruing during or with respect to the Term of this Lease, including without limitation any of the foregoing that may occur or be claimed with respect to any death, personal injury or loss of or damage to property on or about the Leased Premises; excluding, however, any of the foregoing caused by the negligence or willful misconduct of the City, its employees, agents or contractors.

10. **Default.** Should the Lessee fail to pay the rent or to perform any other obligation under this Lease within ten (10) days after receiving written notice thereof from the City (herein, a "default"), the City, at its option, immediately or at any time during the continuance of the default, may terminate this Lease by delivering a written notice of termination to the Lessee. The Lessee shall pay to the City, upon demand, all costs and damages suffered or incurred by the City in connection with the Lessee's default or the City's termination or enforcement of this Lease. Without limitation of the City's other rights and remedies hereunder, upon the occurrence of a default, the City may, but shall not be obligated to, cure or attempt to cure such default at the Lessee's sole expense and

may, if necessary, enter upon the Leased Premises to undertake such cure. The Lessee shall pay the City within ten (10) days after the City's written demand an amount equal to all costs paid or incurred by the City in effecting compliance with the Lessee's obligations under this Lease, together with interest thereon from the date that the City incurs such costs at an annual rate of fifteen percent. The rights and remedies of the City under this Lease are cumulative and are not intended to be exclusive of, and the City shall be entitled to, any and all other rights and remedies to which the City may be entitled hereunder, at law or in equity. The City's failure to insist in any one or more cases on strict performance of any provision of this Lease or to exercise any right herein contained shall not constitute a waiver in the future of such right.

**11. Notices.** All notices required to be given hereunder by either party shall be in writing and personally delivered, sent by UPS, Federal Express or other recognized overnight courier that in the ordinary course of business maintains a record of each delivery, or mailed by U.S. certified mail, postage prepaid, return receipt requested, addressed to the parties at the following addresses or such other address as either party may from time to time specify by notice to the other. Notices shall be deemed to have been given on the date of receipt if personally delivered, on the following business day if sent by an overnight courier, and on the date noted on the return receipt if mailed by U.S. certified mail.

To the Lessee: Fifth Third Bank, Fifth Third Center, 38 Fountain Square Plaza,  
MD 10903K, Cincinnati, OH 45263, Attention: SVP Corporate Facilities

with a copy to: Fifth Third Bank, Fifth Third Center, 38 Fountain Square Plaza,  
MD 10903K, Cincinnati, OH 45263, Attention: ATM Administrator

To the City: Cincinnati Park Board, 950 Eden Park Drive, Cincinnati, OH 45202

If the Lessee sends a notice to the City alleging that the City is in default under this Lease, the Lessee shall simultaneously send a copy of such notice by U.S. certified mail to: City Solicitor, 801 Plum Street, Suite 214, Cincinnati, OH 45202.

**12. Surrender; Holdover.**

(A) **Surrender; Holdover.** At the end of the Term, the Lessee shall surrender the Leased Premises to the City in the condition in which the Lessee is required to maintain the Leased Premises under the terms of this Lease. If the Lessee remains in possession of the Leased Premises after the end of the Term, then, at the City's option, such holdover shall create a tenancy from month-to-month on the same terms and conditions as set forth in this Lease, except that rent payable during such month-to-month tenancy shall be equal to one hundred twenty-five percent (125%) of the rent that was in effect under this Lease immediately prior to the commencement of the month-to-month tenancy. Regardless of whether the City elects to extend the Term of this Lease on a month-to-month basis, the Lessee shall be liable to the City for all costs and damages suffered or incurred by the City as a result of the Lessee's failure to surrender possession of the Leased Premises upon the expiration or termination of the initial Term (or, if applicable, the renewal Term).

(B) **Removal of ATM.** Throughout the Term, the ATM shall be deemed to be the property of the Lessee. At the end of the Term, the Lessee shall remove the ATM and repair any and all damage to the Leased Premises and the Property caused by the installation or removal thereof and generally restore the affected areas to a condition that is satisfactory to the Park Board. If the Lessee fails to timely remove the ATM, it shall be deemed abandoned by the Lessee, whereupon the City may remove, store, keep, sell, discard, or otherwise dispose of it, and the Lessee shall pay all costs incurred by the City in so doing within ten (10) days after the City's written demand.

**13. Successors and Assigns.** The Lessee shall not assign its interests under this Lease or sublet any portion of the Leased Premises without the prior written consent of the City, which consent may be withheld in the City's sole discretion. The City hereby consents to the Lessee's assignment of its interests under this Lease to (i) a subsidiary entity, parent entity, or "sister" entity, or (ii) the surviving entity in a merger or consolidation involving the Lessee or to an entity to which the Lessee sells all or substantially all of its stock or business assets; provided that, in each instance, the Lessee shall notify the City in writing prior to the effective date of such assignment and shall provide the City with documentation substantiating that the assignment was permitted

hereunder.

14. **Official Capacity.** All representations, warranties, covenants, agreements, and obligations of the City under this Lease shall be effective to the extent authorized and permitted by applicable law. None of those representations, warranties, covenants, agreements, or obligations shall be deemed to be a representation, warranty, covenant, agreement or obligation of any present or future member, officer, agent or employee of the City in other than his or her official capacity. No official executing or approving the City's participation in this Lease shall be personally liable under this Lease.

15. **Authority of the Park Board.** The Lessee acknowledges the legal authority of the Park Board to act on behalf of the City with respect to matters affecting the Property and agrees that, in instances under this Lease when the Lessee is required to obtain the City's consent, or the City is required to act, the Lessee shall accept the decisions and actions of the Park Board.

16. **General Provisions.**

(A) **Entire Agreement.** This Lease (including the exhibits hereto) contains the entire agreement between the parties with respect to the subject matter hereof and supersedes any and all prior discussions, negotiations, representations or agreements, written or oral, between them respecting the subject matter hereof.

(B) **Amendments.** This Lease may be amended only by a written amendment signed by both parties.

(C) **Governing Law.** This Lease shall be governed by and construed in accordance with the laws of the City of Cincinnati and the State of Ohio. All actions regarding this Lease shall be brought in the Hamilton County Court of Common Pleas, and Lessee agrees that venue in such court is proper. Lessee hereby waives trial by jury with respect to any and all disputes arising under this Lease.

(D) **Binding Effect.** This Lease shall be binding upon and shall inure to the benefit of and be enforceable by and against the parties and their respective successors and permitted assigns.

(E) **Captions.** The captions of the various sections and paragraphs of this Lease are not part of the context hereof and are only guides to assist in locating such sections and paragraphs and shall be ignored in construing this Lease.

(F) **Severability.** If any part of this Lease is held to be void, illegal or unenforceable by a court of law, such part shall be deemed severed from this Lease, and the balance of this Lease shall remain in full force and effect.

(G) **No Recording.** This Lease shall not be recorded in the Hamilton County Recorder's office.

(H) **Time.** Time is of the essence with respect to the performance by Lessee of its obligations under this Lease.

(I) **No Third-Party Beneficiaries.** The parties hereby agree that no third-party beneficiary rights are intended to be created by this Lease.

(J) **No Brokers.** Lessee represents that it has not dealt with a real estate broker, salesperson or other person who might claim entitlement to a fee or other compensation as a result of the parties' execution of this Lease.

(K) **Official Capacity.** All representations, warranties, covenants, agreements, and obligations of the City under this Lease shall be effective to the extent authorized and permitted by applicable law. None of those representations, warranties, covenants, agreements, or obligations shall be deemed to be a representation, warranty, covenant, agreement, or obligation of any present or future member, officer, agent or employee of the City in other than his or her official capacity. No official executing or approving the City's participation in this Lease shall be personally liable under this Lease.

(L) Representation as to Authority. Lessee represents that it has the power and authority to enter into and perform its obligations under this Lease without the consent of anyone who is not a party to this Lease and that the execution and performance of this Lease has been duly authorized by all necessary actions on Lessee's part.

(M) Counterparts and Electronic Signatures. This Lease may be executed by the parties hereto in two or more counterparts and each executed counterpart shall be considered an original. This Lease may be executed and delivered by electronic signature.

17. Exhibits. The following exhibit is attached hereto and made a part hereof:  
Exhibit A – *Site Plan*

[ *Remainder of Page Intentionally Blank; Signature Pages Follow* ]



**CITY OF CINCINNATI**

By: \_\_\_\_\_

Printed name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_, 2023

STATE OF OHIO                    )  
  ) ss:  
COUNTY OF HAMILTON        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2023 by \_\_\_\_\_, the \_\_\_\_\_ of the **CITY OF CINCINNATI**, an Ohio municipal corporation, on behalf of the municipal corporation. The notarial act certified hereby is an acknowledgement. No oath or affirmation was administered to the signer with regard to the notarial act certified to hereby.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

Recommended by:

\_\_\_\_\_  
Jason Barron,  
Director, Cincinnati Park Board

Approved as to Form:

\_\_\_\_\_  
Assistant City Solicitor

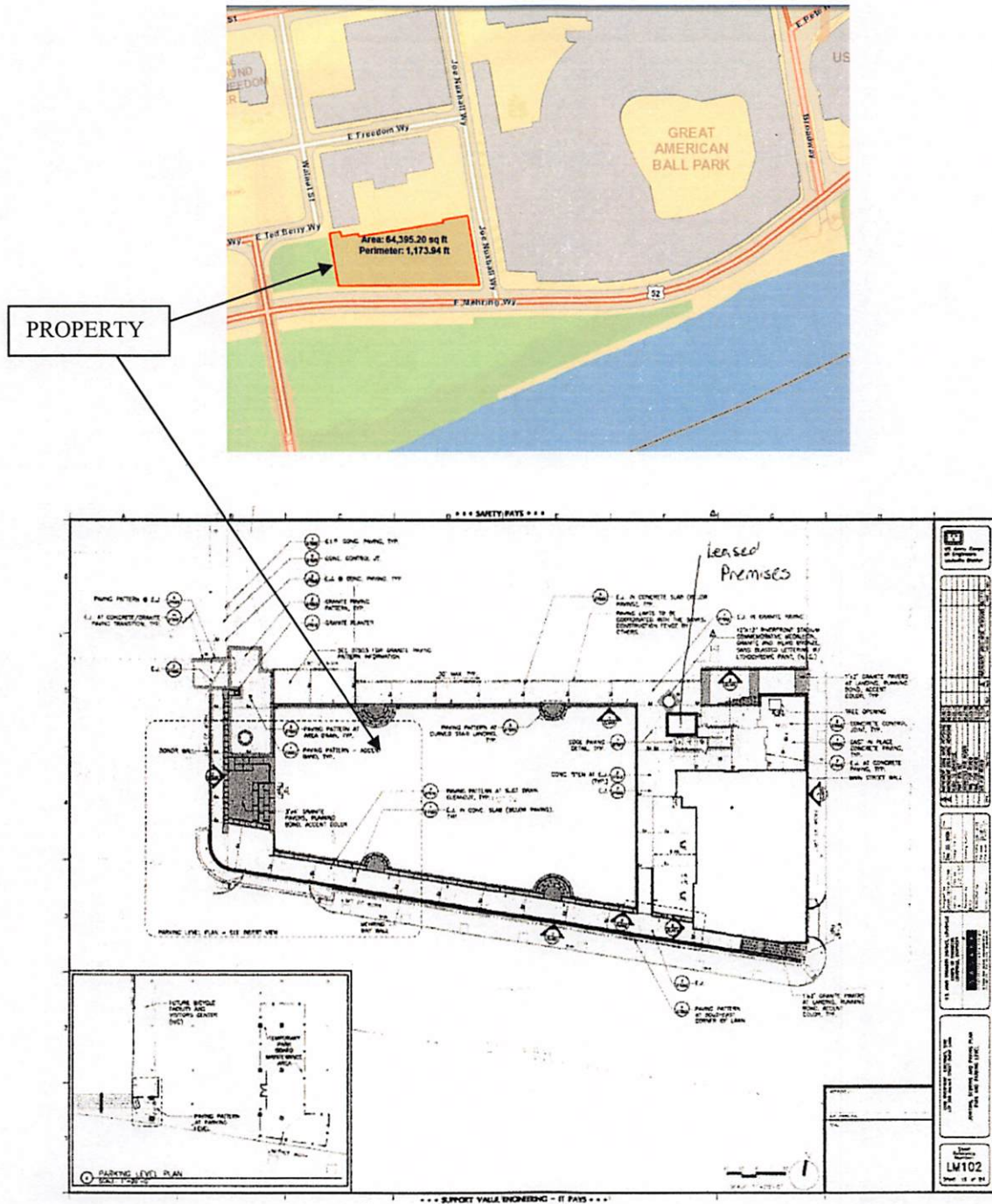
Certified Date: \_\_\_\_\_

Fund/Code: \_\_\_\_\_

Amount: \_\_\_\_\_

By: \_\_\_\_\_  
Karen Alder, City Finance Director

## SITE PLAN



Date: February 1, 2023

To: Mayor and Members of City Council

202300457

From: Sheryl M. M. Long, City Manager

Subject: **Legislative Resolution – 2024 Urban Forestry Assessment Procedure**

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Attached is a Legislative Resolution captioned as follows:

DECLARING the necessity of assessing for the control of blight and disease of shade trees, and for the planting, care, maintenance, trimming, and removal of public trees, in and along the streets and the public right-of-way within the City of Cincinnati's Urban Forestry Maintenance District for the year 2024.

The Board of Park Commissioners at their **December 15, 2022**, meeting recommended an assessment rate of \$0.31 per front foot to continue funding of street tree maintenance and planting services in 2024.

It was determined that this rate of funding is sufficient to continue current service levels and various program activities.

The Administration recommends the adoption of this Legislative Resolution.

cc: Jason Barron, Director of Parks  
Robin O. Hunt, Supervisor of Urban Forestry  
Emily Smart Woerner, City Solicitor

# Legislative Resolution

KKF

RESOLUTION NO. \_\_\_\_\_ - 2023

**DECLARING** the necessity of assessing for the control of blight and disease of shade trees, and for the planting, care, maintenance, trimming, and removal of public trees, in and along the streets and the public right-of-way within the City of Cincinnati's Urban Forestry Maintenance District for the year 2024.

WHEREAS, the City of Cincinnati created an Urban Forestry Maintenance District for the purpose of controlling the blight and disease of shade trees within the public right-of-way, and for the planting, care, and maintenance of shade trees as authorized by Ohio Revised Code Section 727.011, including without limitation the estimated cost of capital improvements, equipment, personnel, and maintenance to support the Urban Forestry Maintenance District; and

WHEREAS, the Board of Park Commissioners operates the Urban Forestry Program by maintaining and creating a healthy and equitably distributed urban tree canopy to foster the mental and physical health benefits that trees provide for all Cincinnati residents through the reduction of neighborhood heat islands, combined sewer overflow events, and poor air quality attributed to the concentration of fine particulate matter which poses the greatest health risks to the residents of Cincinnati; and

WHEREAS, the Board of Park Commissioners, by motion on December 15, 2022, urged the continuation of the Urban Forestry Program in accordance with the plans, estimates, and schedules currently filed with the Clerk of Council; and

WHEREAS, the Board of Park Commissioners recommends levying an assessment of \$0.31 per front foot to fund the 2024 Urban Forestry Program, which is the same rate as the prior year, which is to be assessed on the property tax rolls in calendar year 2024 and collected for use in the Urban Forestry Program's Fiscal Year 2025 budget; now, therefore,

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

Section 1. That it is hereby declared necessary and conducive to public health, convenience, safety, and welfare to continue the Urban Forestry Program for the control of blight and disease of shade trees, and for the planting, care, maintenance, trimming, and removing of shade trees, in and along the streets and the public right-of-way within the City of Cincinnati's Urban Forestry Maintenance District, including without limitation the estimated cost of capital

improvements, equipment, personnel, and maintenance to support the Urban Forestry Maintenance District, which includes all territory within, and coextensive with, the City's boundaries, for the calendar year 2024.

Section 2. That the plans and estimates of costs to fund the Urban Forestry Program, now on file with the Clerk of Council, are hereby approved.

Section 3. That the City of Cincinnati shall pay at least two percent of the total cost and expense of the Urban Forestry Program and assume the costs for intersections and uncollectible assessments against state and federally owned property. The assessment shall be by the front foot method, at the rate of \$0.31 per front foot, upon all lots and lands bounding and abutting public right-of-way in the Urban Forestry Maintenance District.

Section 4. That the assessment shall be paid in cash to the City Treasurer within thirty days after the passage of the assessing ordinance. Assessments not paid in cash within the period shall be certified by the proper City of Cincinnati official to the Hamilton County Auditor for collection and shall be paid in one annual installment, at the same time and in the same manner as real property taxes due and payable in December 2024.

Section 5. That the City of Cincinnati does not intend to issue securities in anticipation of the levy or collection of the assessment.

Section 6. That the City Administration shall prepare, in accordance with the method of assessment set forth in Section 3 hereof, an estimate of the amount of the assessment against each lot or parcel to be assessed and shall file it in the Office of the Clerk of Council.

Section 7. That notice of the passage of this resolution shall be given pursuant to Sections 727.13 and 727.14 of the Ohio Revised Code.

Section 8. That this legislative resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_, 2023

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

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

## Recommended 2024 ASSESSMENT BUDGET

### Urban Forestry Street Tree Program

Cincinnati Park Board Division of Natural Resources

Assessment rate: \$0.31/ft

EXPENSES		Proposed FY 2025 Budget
<b>Personnel</b>		\$1,301,400.00
<b>Capital Equipment</b>		\$450,000.00
<b>Contractual Maintenance</b>		
Emergency		\$238,000.00
Preventive		\$661,320.00
Stump Grinding		\$50,000.00
Planting		\$500,000.00
Young Tree Maintenance		\$88,800.00
<b>Materials &amp; Supplies</b>		\$74,500.00
Training + Travel	\$3,000.00	
Tuition Reimbursement	\$13,000.00	
*Fleet (Repair + Fuel)	\$37,000.00	
*Utilities	\$6,000.00	
Advertisement	\$2,000.00	
Office Supplies	\$3,000.00	
Hort. + Small Power Equip	\$2,500.00	
CAGIS Annual Licenses	\$8,000.00	
<b>\$74,500.00</b>		
<b>TOTAL</b>		<b>\$3,364,020.00</b>
REVENUE @\$0.31/FF		<b>\$3,547,194.00</b>
Anticipated Delinquencies		<b>(\$100,000.00)</b>
Fund 792 assessment revenue		<b>\$3,447,194.00</b>
Reserve		\$83,174.00

## **2024 Street Tree Program Recommended Budget Report**

### **Expense Descriptions:**

#### **Personnel – \$1,301,400**

Salary and fringes for 50% Division Manager of Natural Resources, 25% Senior GIS Analyst, Urban Forestry Supervisor, four Urban Forestry Specialists, two Florists, one Administrative Technician, one seasonal Recreational Specialist for GIS and Street Tree Inventory, one seasonal Recreational Specialist dedicated to young tree maintenance. New Urban Forestry tree crew: One Tree Crew Leader, and three Tree Crew Maintenance Worker

#### **Capital Equipment – \$450,000**

Capital equipment – In anticipation of steadily increasing contractual costs for tree maintenance, purchase new vehicles and equipment required to outfit an in-house tree crew - 50' aerial lift, chipper, contractor dump, and stump grinder with trailer.

#### **Maintenance – \$949,320**

Emergency – Emergency response and routine street tree maintenance between pruning cycles. Removals and prunes less than 20” diameter will be completed by in-house tree crew.

Preventive – Conduct routine pruning cycle for Downtown, East Price Hill, Lower Price Hill, Over-the-Rhine, Pendleton, Queensgate, Riverside, Sedamsville, Salyer Park, West End and West Price Hill neighborhoods. Removals and prunes less than 20” diameter will be completed by in-house tree crew.

Stump Grinding – Continue contractual stump grinding greater than 30” circumference. The remainder will be completed by Forestry in-house tree crew.

#### **Planting & Young Tree Maintenance – \$588,800**

Comprehensive Planting – replace trees removed in all communities and conduct targeted plantings in communities of need as determined by the 2020 Urban Tree Canopy Analysis (2,000 plantings est.).

Young Tree Maintenance – procure water trailer and contractual services to water and fertilize young trees

#### **Miscellaneous Non-Personnel – \$74,500**

Municipal Garage costs, fuel, utilities, training, office, and field supplies, etc.

Date: February 1, 2023

To: Mayor and Members of City Council 202300468  
From: Sheryl M. M. Long, City Manager  
Subject: ORDINANCE – 2022 SIDEWALK SAFETY PROGRAM ASSESSMENT - NORTHSIDE

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Attached is an ordinance captioned as follows:

**LEVYING** assessments to recover the unpaid costs for necessary sidewalk, sidewalk areas, curb, and gutter repairs conducted by the City of Cincinnati in the Northside neighborhood, in accordance with Cincinnati Municipal Code Chapter 721 and Ohio Revised Code Chapter 729.

As required by state and local laws, this ordinance declares the necessity of levying assessments to reimburse the City for the cost and expense of repairing, reconstructing, and constructing concrete sidewalk and driveways on certain properties, (Exhibit-A), abutting the following streets within the City of Cincinnati: Hamilton Avenue for a total amount of \$11,779.86.

We have notified the abutting property owners of the need for these repairs. After providing time for property owners to arrange for repairs, the City directed its contractor to complete the remainder. Abutting property owners were then billed the cost of the repairs performed by the City's contractor.

With passage of this ordinance, bills not paid within thirty days will be assessed as provided by the Ohio Revised Code and the Cincinnati Municipal Code. These amounts are scheduled to be paid over a three-year, five-year, or ten-year term, as indicated on the attached Exhibit.

The Administration recommends passage of the attached ordinance.

Attachment I – Exhibit A

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

**LEVYING** assessments to recover the unpaid costs for necessary sidewalk, sidewalk areas, curb, and gutter repairs conducted by the City of Cincinnati in the Northside neighborhood, in accordance with Cincinnati Municipal Code Chapter 721 and Ohio Revised Code Chapter 729.

WHEREAS, Cincinnati Municipal Code Chapter 721 requires property owners to keep the sidewalks, sidewalk areas, curbs, and gutters abutting their properties safe and in good repair; and

WHEREAS, Cincinnati Municipal Code Chapter 721 and Ohio Revised Code Chapter 729 authorize the City to perform repairs to sidewalks, sidewalk areas, curbs, and gutters when abutting property owners fail to do so, to bill the abutting property owners for the resulting costs, and to levy assessments against the abutting properties if those costs go unpaid; and

WHEREAS, City inspectors documented the need for sidewalk repairs adjacent to each of the properties listing in the attached Exhibit A (the “Properties”); and

WHEREAS, the City Council passed Resolution 5-2022 declaring the need to perform the identified sidewalk repairs and further declaring the need to assess the abutting property owners for repair and administrative costs incurred by the City in making the repairs should the abutting property owners fail to make the necessary repairs; and

WHEREAS, the abutting property owners were notified of the need to make the repairs and that they would be assessed for any costs incurred by the City in performing the repairs, and the Clerk of Council has not received any objections to the assessments after providing such notice; and

WHEREAS, the City made repairs to sidewalks, sidewalk areas, curbs, and gutters abutting the Properties after the abutting property owners failed to do so; and

WHEREAS, in accordance with Cincinnati Municipal Code Chapter 721 and Ohio Revised Code Section 729-09, the Council hereby levies assessments on the Properties for which repair and administrative costs remain outstanding following the abutting property owners’ failure to pay such amounts within thirty days of being billed, which assessments shall be certified to the Hamilton County Auditor and shall be collected in the same manner as real estate taxes; now, therefore,

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

Section 1. That the City Council hereby assesses those properties identified on the attached Exhibit A (the “Assessed Properties”), incorporated herein by reference, for outstanding repair and administrative costs incurred by the City in making repairs to the sidewalks, sidewalk areas, curbs, and gutters abutting the Assessed Properties.

Section 2. That each of the Assessed Properties is listed in Exhibit A together with the amount of the assessment, the length of the assessment period, and reference to the resolution earlier passed by Council giving notice of the City's intent to assess each property.

Section 3. That the assessments shall be payable in cash to the City Treasurer within thirty days after the passage of this ordinance or, at the option of each property owner, in semi-annual installments for the assessment period.

Section 4. That the assessments not paid in cash within thirty days are to be certified to the Hamilton County Auditor by the City Treasurer with interest at the rate of 7.18% for 3-year assessments, 6.94% for 5-year assessments, and 6.79% for 10-year assessments.

Section 5. That notes and bonds of the City of Cincinnati may be issued in anticipation of the collection of the assessments.

Section 6. That any amount received as a result of the assessments levied herein shall be deposited into the Sidewalk Special Assessment Fund No. 791.

Section 7. That a property owner's right under Section 721-159 of the Cincinnati Municipal Code to file a protest against an assessment shall expire 180 days following the date of the first tax bill containing a sidewalk assessment for the protested work.

Section 8. That the Clerk of Council is hereby directed to cause notice to be published once in a newspaper of general circulation within the City of Cincinnati, in accordance with Ohio Revised Code Section 729.10 and Article II, Section 6 of the Charter of the City of Cincinnati,

which notice shall state the assessments have been made, that they are on file with the Clerk of Council, and that they are available for public inspection and examination by person interested therein.

Section 9. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_, 2023

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

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

**Resolution No. 5-2022**

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Total Assessment Amount                      \$11,779.86

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Term Years:    **3**

Term Assessment Amount:                      \$6,855.57

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Location #	Billing Parcel	Location	Collection Amount
1	019600260068	4221 HAMILTON Av	\$2,540.18
2	019600260073	4239 HAMILTON Av	\$1,838.93
3	019700370011	4304 HAMILTON Av	\$853.73
4	019700370128	4348 HAMILTON Av	\$1,622.74

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Term Years:    **5**

Term Assessment Amount:                      \$2,055.11

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Location #	Billing Parcel	Location	Collection Amount
5	019700370006	4330 HAMILTON Av	\$2,055.11

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Term Years:    **10**

Term Assessment Amount:                      \$2,869.18

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Location #	Billing Parcel	Location	Collection Amount
6	019600260072	4235 HAMILTON Av	\$1,185.43
7	019700370010	4308 HAMILTON Av	\$1,683.75

EMERGENCY

City of Cincinnati

CMZ

EESW

An Ordinance No. \_\_\_\_\_ - 2023

**MODIFYING** Title IX, “Misdemeanors,” by enacting new Chapter 915, “Weapons Offenses,” of the Cincinnati Municipal Code to implement common sense gun reform and take necessary action to stem the death and injuries resulting from the use and accessibility of guns.

WHEREAS, more Ohioans died from firearms in 2021 than almost any year on record, according to Ohio Department of Health data; and

WHEREAS, the Ohio legislature has steadily relaxed state gun laws; and

WHEREAS, gun violence has continually plagued our city and has robbed us of our most valuable assets, our people; and

WHEREAS, on February 2, 2022, Council passed Resolution No. 0011-2022, expressing Council’s “commitment to reducing the prevalence of gun violence in our City and protecting citizens from gun violence” and Council’s belief that gun violence is a public health crisis in the City of Cincinnati; and

WHEREAS, the Centers for Disease Control and Prevention (“CDC”) released mortality data in 2022 that showed 45,222 firearm-related deaths occurred in the United States, which is a new high in deaths related to guns; and

WHEREAS, according to the Eunice Kennedy Shriver National Institute of Child Health and Human Development of the National Institutes of Health (“NIH”), in 2020, “firearm-related injuries surpassed motor vehicle crashes to become the leading cause of death among people ages 1 to 19 years in the United States”; and

WHEREAS, according to an analysis of the CDC data by University of Michigan researchers and as reported by the NIH, “firearm deaths among children and adolescents jumped nearly thirty percent between 2019 and 2020 — more than double the 13.5 percent increase seen in the general population”; and

WHEREAS, thirteen percent of the juveniles who were arrested for guns in 2022 brought the firearm with them to school; and

WHEREAS, in October 2022, a six-year-old child shot and killed his three-year-old brother in Cincinnati after finding a loaded gun in their house, and in May 2020, an eight-year-old child shot and killed himself after accessing a loaded gun in his house; and

WHEREAS, access to loaded guns and improperly stored guns poses a significant and unacceptable risk of injury and death to occupants of and visitors to homes, especially to children; and

WHEREAS, the safety of residents is of paramount importance; now, therefore,

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

Section 1. That new Chapter 915, "Weapons Offenses," of the Cincinnati Municipal Code is hereby enacted as follows:

Section 915-1. – Definitions.

For purposes of this chapter, the words and phrases defined in this chapter shall have the meanings ascribed to them unless a different meaning is clearly indicated by the context.

Sec. 915-1-C. Child.

"Child" means a child under eighteen years of age or a mentally or a physically handicapped child under twenty-one years of age.

Sec. 915-1-D. – Dangerous Ordnance.

(a) "Dangerous ordnance" means any of the following, except as provided in subsection (b) of this section:

- (1) Any automatic or sawed-off firearm, zip-gun, or ballistic knife;
- (2) Any explosive device or incendiary device;
- (3) Nitroglycerin, nitrocellulose, nitrostarch, PETN, cyclonite, TNT, picric acid, and other high explosives; amatol, tritonal, tetrytol, pentolite, peccretol, cyclotol, and other high explosive compositions; plastic explosives; dynamite, blasting gelatin, gelatin dynamite, sensitized ammonium nitrate, liquid-oxygen blasting explosives, blasting powder, and other blasting agents; and any other explosive substance having sufficient brisance or power to be particularly suitable for use as a military explosive, or for use in mining, quarrying, excavating, or demolitions;
- (4) Any firearm, rocket launcher, mortar, artillery piece, grenade, mine, bomb, torpedo, or similar weapon, designed and manufactured for military purposes, and the ammunition for that weapon;
- (5) Any firearm muffler or suppressor;

- (6) Any combination of parts that is intended by the owner for use in converting any firearm or other device into a dangerous ordnance.
- (b) “Dangerous ordnance” does not include any of the following:
- (1) Any firearm, including a military weapon and the ammunition for that weapon, and regardless of its actual age, that employs a percussion cap or other obsolete ignition system, or that is designed and safe for use only with black powder;
  - (2) Any pistol, rifle, or shotgun, designed or suitable for sporting purposes, including a military weapon as issued or as modified, and the ammunition for that weapon, unless the firearm is an automatic or sawed-off firearm;
  - (3) Any cannon or other artillery piece that, regardless of its actual age, is of a type in accepted use prior to 1887, has no mechanical, hydraulic, pneumatic, or other system for absorbing recoil and returning the tube into battery without displacing the carriage, and is designed and safe for use only with black powder;
  - (4) Black powder, priming quills, and percussion caps possessed and lawfully used to fire a cannon of a type defined in division (b)(3) of this section during displays, celebrations, organized matches or shoots, and target practice, and smokeless and black powder, primers, and percussion caps possessed and lawfully used as a propellant or ignition device in small-arms or small-arms ammunition;
  - (5) Dangerous ordnance that is inoperable or inert and cannot readily be rendered operable or activated, and that is kept as a trophy, souvenir, curio, or museum piece;
  - (6) Any device that is expressly excepted from the definition of a destructive device pursuant to the “Gun Control Act of 1968,” 82 Stat. 1213, 18 U.S.C. 921(a)(4), as amended, and regulations issued under that act; or
  - (7) Any firearm with an overall length of at least twenty-six inches that is approved for sale by the federal Bureau of Alcohol, Tobacco, Firearms, and explosives under the “Gun Control Act of 1968,” 82 Stat. 1213, 18 U.S.C. 921(a)(3), but that is found by the bureau not to be regulated under the “National Firearms Act,” 68A Stat. 725 (1934), 26 U.S.C. 5845(a).

Sec. 915-1-F. – Firearm.

(a) “Firearm” means:

- (1) any deadly weapon capable of expelling or propelling one or more projectiles by the action of an explosive or combustible propellant; or
- (2) the frame or receiver of any such weapon as defined in 27 CFR 478.12.

- (b) “Firearm” includes an unloaded firearm, and any firearm that is inoperable but that can readily be rendered operable.
- (c) The trier of fact may rely upon circumstantial evidence, including, but not limited to, the representations and actions of the individual exercising control over the firearm when determining whether a firearm is capable of expelling or propelling one or more projectiles by the action of an explosive or combustible propellant.

**Sec. 915-1-I. – Intimate Partner.**

“Intimate partner” means, with respect to a person, the spouse of the person, a former spouse of the person, an individual who is a parent of a child of the person, an individual who cohabitates or has cohabited with the person, and an individual who, at the time of the conduct in question, is in a dating relationship with the person who also is an adult or who, within the twelve months preceding the conduct in question, has had a dating relationship with the person who also is an adult.

**Sec. 915-1-M. – Misdemeanor Crime of Domestic Violence.**

“Misdemeanor crime of domestic violence” shall have the same meaning as used in 18 U.S.C. § 921(a).

**Sec. 915-1-N. – Negligent or Negligently.**

“Negligent” or “negligently” means when, because of a substantial lapse from due care, a person fails to perceive a risk that the person’s conduct may cause a certain result or may be of a certain nature or fails to avoid a risk that the person’s conduct may cause a certain result or may be of a certain nature. A person is negligent with respect to circumstances when, because of a substantial lapse from due care, the person fails to perceive or avoid a risk that such circumstances may exist.

**Sec. 915-1-S. – Safe Storage.**

“Safe storage” means:

- (a) a device that, when installed on a firearm, is designed to prevent the firearm from being operated without first deactivating the device;
- (b) a device incorporated into the design of the firearm that is designed to prevent the operation of the firearm by anyone not having access to the device; or
- (c) a safe, gun safe, gun case, lock box, or other device that is designed to be or can be used to store a firearm and that is designed to be unlocked only by means of a key, a combination, or other similar means.

Sec. 915-1-U. – Under Operation of Law or Legal Process.

“Under operation of law or legal process” shall not mean mere completion, termination, or expiration of a sentence imposed as a result of a criminal conviction.

Sec. 915-3. – Child Endangering.

- (a) No person who is the parent, guardian, custodian, person having custody or control, or person in loco parentis of a child shall create a substantial risk to the health or safety of the child by violating a duty of care, protection, or support.
- (b) It shall be a substantial risk to the health or safety of a child for a person who is the parent, guardian, custodian, person having custody or control, or person in loco parentis of a child to negligently store or leave a firearm in a manner or location in the person’s residence or vehicle where the person knows or reasonably should know a child is able to gain access to the firearm.
- (c) This section does not apply to a person who does either of the following:
  - (1) Stores or leaves a firearm in the person’s residence or vehicle if the firearm is kept in safe storage; or
  - (2) Stores or leaves a firearm in the person’s residence or vehicle if a child gains access to the firearm as a result of any other person’s unlawful entry into a person’s residence or vehicle.
- (d) Penalties.

Whoever violates this section is guilty of a first degree misdemeanor.

- (e) Nothing in this section prohibits a person who is in the person’s residence or vehicle from carrying a firearm on the person’s body or placing a firearm in a location that is under the person’s immediate control.
- (f) This section shall not apply if the circumstances indicate that the firearm was unlawfully furnished to the child, violation of which would be prosecuted under applicable state law.
- (g) Any instrumentality that has been used in a violation of this section shall be seized and is subject to forfeiture pursuant to Chapter 2981 of the Ohio Revised Code.

Sec. 915-5. – Having weapons while under disability.

- (a) Unless relieved from disability under operation of law or legal process, no person shall knowingly acquire, have, carry, or use any firearm or dangerous ordnance, if either of the following apply:

(1) The person is subject to a court order that:

- (A) Was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate;
- (B) Restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and
- (C) Provides one of the following:
  - (i) Includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or
  - (ii) By its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury.

(2) The person has been convicted of a misdemeanor offense of domestic violence.

- (b) Whoever violates this section is guilty of misdemeanor having weapons while under disability, a misdemeanor punishable by up to one year in jail.
- (c) Any instrumentality that has been used in a violation of this section shall be seized and is subject to forfeiture pursuant to Chapter 2981 of the Ohio Revised Code.

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

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 take action to mitigate the impacts of gun violence on the health and safety of the residents of and visitors to Cincinnati.

Passed: \_\_\_\_\_, 2023

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

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

**Date:** February 1, 2023

**To:** Mayor Aftab Pureval, Vice Mayor Jan-Michele Kearney, Councilmembers Scotty Johnson, Liz Keating, and Meeka Owens

**From:** Emily Smart Woerner, City Solicitor *EESW*

**Subject:** **Emergency Ordinance – Modifying Title IX of the Cincinnati Municipal Code by Enacting New Chapter 915 “Weapons Offenses”**

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Transmitted herewith is an emergency ordinance captioned as follows:

**MODIFYING** Title IX, “Misdemeanors,” by enacting new Chapter 915, “Weapons Offenses,” of the Cincinnati Municipal Code to implement common sense gun reform and take necessary action to stem the death and injuries resulting from the use and accessibility of guns.

EESW/CMS(lnk)  
Attachment  
376149

# City of Cincinnati



Interdepartmental  
Correspondence Sheet

February 1, 2023

To: Mayor and Members of City Council

202300463

From: Sheryl M.M. Long, City Manager

Subject: Emergency Ordinance – Authorizing the City Manager to establish an aquatics series of job classifications

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Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the City Manager to establish an aquatics series of job classifications for the purpose of recruiting and retaining qualified employees within the Cincinnati Recreation Commission's aquatics program; **ESTABLISHING** four new classifications and salary range schedules in new Sections 936, 937, 938, and 989 in Division 4, Chapter 307 of the Cincinnati Municipal Code; and **MODIFYING** the salary range schedule for existing Section 908 of Division 4, Chapter 307 of the Cincinnati Municipal Code in order to establish new classifications and a new salary range schedule for said classifications.

The Administration recommends approval of this Emergency Ordinance.

cc: Edward G. Ramsey, Human Resources Director

## **EMERGENCY**

**KKF**

**2023**

**AUTHORIZING** the City Manager to establish an aquatics series of job classifications for the purpose of recruiting and retaining qualified employees within the Cincinnati Recreation Commission's aquatics program; **ESTABLISHING** four new classifications and salary range schedules in new Sections 936, 937, 938, and 939 in Division 4, Chapter 307 of the Cincinnati Municipal Code; and **MODIFYING** the salary range schedule for existing Section 908 of Division 4, Chapter 307 of the Cincinnati Municipal Code in order to establish new classifications and a new salary range schedule for said classifications.

WHEREAS, in order to recruit and retain quality unclassified, unrepresented, seasonal employees in the Division 4 job classifications and salary schedule and to staff an increased number of pools that can be opened during the summer, the Cincinnati Recreation Commission ("CRC") has determined the need for the aquatics series of job classifications; and

WHEREAS, the aquatic series of job classifications and compensation plan also is necessary to ensure consistencies in the knowledge, skills, and abilities required to carry out the duties and tasks prescribed to the positions; and

WHEREAS, the aquatic series of job classifications and compensation plan provide opportunities to increase operational efficiencies while maintaining a standard of excellence and a clear pathway for continued growth and career progression for unclassified, unrepresented, seasonal employees; and

WHEREAS, sufficient resources are currently available from CRC's FY 2023 operating budget for the aquatic series of job classifications and compensation plan; and

WHEREAS, resources will be provided in future fiscal years, subject to appropriations from Council, for the aquatic series of job classifications and compensation plan; and

WHEREAS, the Human Resources Department has reviewed the current proposed salary ranges for the classifications of the aquatic series; and

WHEREAS, CRC conducted a market analysis to assess the classification and compensation range of the aquatic series classifications against local industry trends, and the research determined that the City was below market as it relates to the aquatics positions and confirmed the need for adjustment of the salary range to ensure competitiveness within the industry; and

WHEREAS, the aquatics series of job classifications and compensation plan are in accordance with the “Live” goal to “[c]reate a more livable community,” as described on pages 147-156 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the aquatics series of job classifications to be established is hereby authorized for the purpose of recruiting, hiring, and retaining qualified unclassified, unrepresented, seasonal employees in the Division 4 salary schedule within the Cincinnati Recreation Commission aquatics program.

Section 2. That new Sections 936, 937, 938, and 939 of Division 4 of the Cincinnati Municipal Code are hereby enacted, and that Section 908 of Division 4, Chapter 307 of the Cincinnati Municipal Code is hereby amended, as shown below:

<b>Section</b>	<b>Classification</b>	<b>Minimum Hourly Rate</b>	<b>Maximum Hourly Rate</b>
908	Pool Manager	\$11.53\$22	\$14.50
<u>936</u>	<u>Pool Supervisor</u>	<u>\$25</u>	
<u>937</u>	<u>Head Guard</u>	<u>\$19</u>	
<u>938</u>	<u>Pool Monitor</u>	<u>\$16</u>	
<u>939</u>	<u>Aquatic Specialist</u>	<u>\$12</u>	<u>\$15.30</u>

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

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 recruit qualified employees so that the Cincinnati Recreation Commission can open and operate an increased number of pools in the coming season.

Passed: \_\_\_\_\_, 2023

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

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

\_\_\_\_\_  
New language underscored. Deleted language indicated by strikethrough.

# City of Cincinnati



Interdepartmental  
Correspondence Sheet

February 1, 2023

To: Mayor and Members of City Council

202300465

From: Sheryl M.M. Long, City Manager

Subject: Emergency Ordinance – Authorizing the City Manager to establish a Building  
Inspector career ladder

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Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the City Manager to establish a Building Inspector career ladder for the purpose of recruiting and retaining qualified employees within the City's Department of Buildings and Inspections; and **ENACTING** Sections 425, 426, 427, and 428 of Division 1, Chapter 307 of the Cincinnati Municipal Code to establish the new job titles and salary range schedules for Building Inspector 1, Building Inspector 2, Building Inspector 3, and Building Inspector 4.

The Administration recommends approval of this Emergency Ordinance.

cc: Edward G. Ramsey, Human Resources Director

## **EMERGENCY**

**CFG**

**-2023**

**AUTHORIZING** the City Manager to establish a Building Inspector career ladder for the purpose of recruiting and retaining qualified employees within the City's Department of Buildings and Inspections; and **ENACTING** Sections 425, 426, 427, and 428 of Division 1, Chapter 307 of the Cincinnati Municipal Code to establish the new job titles and salary range schedules for Building Inspector 1, Building Inspector 2, Building Inspector 3, and Building Inspector 4.

WHEREAS, the Department of Buildings and Inspections (the "Department") has demonstrated a need to recruit and retain quality employees to enforce building and property maintenance codes to better serve Cincinnati residents; and

WHEREAS, the Department has received approval from the Ohio Board of Building Standards to create an internal training academy for enforcement of building and property maintenance codes; and

WHEREAS, a career ladder within the Department will allow for a smooth and efficient progression of new employees in pay scale and job duties commensurate with the acquisition of qualifications and accumulated experience; and

WHEREAS, the City's Department of Human Resources has engaged with the applicable union officials to review the current salary ranges; and, after the establishment of the salary ranges, may engage in the contractual process for non-binding arbitration upon impasse of negotiations; now, therefore,

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

Section 1. That a Building Inspector career ladder is hereby authorized according to the Schedule in Section 2 of this ordinance for the purpose of recruiting, hiring, and retaining qualified employees in the Division 1 salary schedule.

Section 2. That new Sections 425, 426, 427, and 428 of Division 1, Chapter 307 of the Cincinnati Municipal Code are hereby enacted in accordance with the table shown below:

Section	Classification	Step	Hourly	Bi-weekly	Annual
425	Building Inspector 1	1	\$29.06	\$2,325.18	\$60,454.74
425	Building Inspector 1	2	\$29.50	\$2,360.06	\$61,361.56
426	Building Inspector 2	1	\$32.21	\$2,577.19	\$67,006.82
426	Building Inspector 2	2	\$32.70	\$2,615.84	\$68,011.92
426	Building Inspector 2	3	\$33.19	\$2,655.08	\$69,032.10
426	Building Inspector 2	4	\$33.69	\$2,694.91	\$70,067.59
427	Building Inspector 3	1	\$35.37	\$2,829.65	\$73,570.96
427	Building Inspector 3	2	\$35.90	\$2,872.10	\$74,674.53
427	Building Inspector 3	3	\$36.44	\$2,915.18	\$75,794.65
428	Building Inspector 4	1	\$38.26	\$3,060.94	\$79,584.38
428	Building Inspector 4	2	\$38.84	\$3,106.85	\$80,778.15
428	Building Inspector 4	3	\$39.42	\$3,153.45	\$81,989.82
428	Building Inspector 4	4	\$40.01	\$3,200.76	\$83,219.60

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

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 recruit qualified employees so that the Department of Buildings and Inspections may recruit, hire, and train new employees in the new career ladder.

Passed: \_\_\_\_\_, 2023

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

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

City of Cincinnati  
Council




Melissa Autry, CMC  
Clerk of Council

Office of the Clerk

601 Plum Street, Suite 308  
Cincinnati, Ohio 45202  
Phone (513) 352-3246  
Fax (513) 352-2578

January 9, 2023

WE MOVE that the City Administration support Mayor Aftab Pureval's recommendation to give the honorary, secondary street name of "Dr. O'dell Owens Way" to Central Parkway at the corner of Ezzard Charles Drive.

  
Councilmember Scotty Johnson

  
Vice Mayor Jan-Michele Lemon Kearney

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## STATEMENT

The City of Cincinnati mourned the loss of an icon, city leader, fighter for justice, friend to all, and a great man, when Dr. O'dell Moreno Owens, passed on November 23, 2022.

Dr. Owens grew up in Cincinnati's West End, graduated from Woodward High School, and Antioch College in Yellow Springs, Ohio, and earned an MD at the Yale Medical School, followed by a Masters Degree in Public Health. He was an Instructor in Obstetrics and Gynecology at both Harvard and Yale Medical Schools, and was the first African American physician to receive a Harvard Fellowship in Reproductive Endocrinology. Dr. Owens returned to Cincinnati in 1982 to teach at the University of Cincinnati College of Medicine and achieved Cincinnati's first successful *in vitro* fertilization while serving as a Professor of Obstetrics and Gynecology, and Director of Reproductive Endocrinology at Christ Hospital while maintaining a successful private practice

Dr. Owens was elected Hamilton County Coroner in 2004, and re-elected in 2008, and used that position to visit schools and inspire young people to make healthy, life-affirming decisions. He served as President of Cincinnati State and Technical College from 2010-2015 and is renowned for increasing the number of high school students attending college classes at Cincinnati State.

Dr. Owens served as the Interim City of Cincinnati Health Commissioner of the Cincinnati Health Department which serves over 40,000 patients annually through its seven primary care health centers, a free-standing dental center, a free-standing vision and dental center, and 13 school-based health centers. He then served as the CEO of Interact for Health, promoting community health and fighting health disparities.

He remained a tireless volunteer in Cincinnati, the city he loved. Dr. Owens was known as a bridgebuilder as he connected communities and diverse populations in Cincinnati through his elected, appointed, and volunteer work. Because of his years of fundraising for CET public television, CET dedicated a mural to Dr. Owens at its headquarters on Central Parkway last year.

Therefore, giving Central Parkway the honorary name of "Dr. O'dell Owens Way," not far from the West End community where he grew up, serves as a reminder of the importance of connecting communities and people across our great city, and providing opportunities for Cincinnatians to live their best lives.

CAL → healthy neighborhoods  
J-MCK