

PROCEEDINGS/MINUTES OF CITY COUNCIL

...November 18, 2015...

Council convened at 2:03 p.m., Mayor John Cranley Presiding. Present were Councilmembers Flynn, Murray, Seelbach, Simpson, Sittenfeld, Smitherman, Winburn (In at 2:07 p.m.) and Young.

Also in attendance were City Manager Harry Black, City Solicitor Paula Boggs Muething and Clerk of Council Melissa Autry.

Council observed a moment of silent prayer and recited the Pledge of Allegiance to the Flag.

There being no objection, Minutes of the previous session of Council were ordered Filed.

Items on the Council Calendar and items presented By-Leave were disposed of as follows:

Vice Mayor David Mann was excused.

MAYOR CRANLEY

Item #: 201501491

APPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, I hereby recommend the appointment of William E. Moller to the Cincinnati Retirement System Board of Trustees.

Status/Recommendations:

CONFIRM

*** CONFIRMED

MS. MURRAY Y

MR. SEELBACH Y

MS. SIMPSON Y

MR. SITTENFELD Y

MR. SMITHERMAN Y

MR. WINBURN A

MR. YOUNG Y

MR. FLYNN Y

MR. MANN A

Item #: 201501522

APPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, I hereby recommend the appointment of Shree Kulkarni to the Board of the Zoological Society of Cincinnati.

Status/Recommendations:

HELD ONE WEEK PURSUANT TO RULE OF COUNCIL

Item #: 201501520

ORDINANCE, submitted by Mayor John Cranley, from Paula Boggs Muething, City Solicitor on November 18, 2015, AUTHORIZING the City Manager to apply for State of Ohio Capital Budget Grants in an amount up to \$14.5 million for the purpose of providing funds for two major capital projects in the City of Cincinnati, the Wasson Way Trail and the final phases of Smale Riverfront Park. (B Version)

Status/Recommendations:

PASSED

*** PASSED 0358-2015

| | |
|----------------|---|
| MS. MURRAY | Y |
| MR. SEELBACH | Y |
| MS. SIMPSON | Y |
| MR. SITTENFELD | Y |
| MR. SMITHERMAN | Y |
| MR. WINBURN | Y |
| MR. YOUNG | Y |
| MR. FLYNN | N |
| MR. MANN | A |

CITY MANAGER

Item #: 201501494

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 11/18/2015, providing for the issuance, sale and delivery of not to exceed \$10,000,000 of Economic Development Bonds and/or Parks and Recreation bonds or notes in anticipation thereof, of the City of Cincinnati, County of Hamilton, State of Ohio, for the purpose of financing certain improvements; authorizing a pledge of the City's faith and credit or a pledge of and lien on certain revenues and other City resources, as appropriate, to secure such bonds or notes; and authorizing necessary documents to secure such bonds or notes.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201501495

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 11/18/2015, modifying the provisions of Chapter 321, "Procurement and Disposal of Supplies, Services and Construction," by ORDAINING new Sections 321-1-E6, "Emerging Local Business Enterprise; ELBE," 321-1-M1, "Minority Business Enterprise; MBE," 321-1-P3, "Principal," 321-1-S3, "Small Local Business Enterprise; SLBE," 321-1-W, "Women Business Enterprise; WBE," 321-6, "Rules and Regulations," and 321-86, "Contract; Single Available Source," by AMENDING Sections 321-1-A1, "Announcement," 321-1-A2, "Award," 321-1-C, "City Purchasing Agent," 321-1-C3, "Construction," 321-1-C4, "Contract," 321-1-L, "Local Business," 321-1-L1, "Local SBE," 321-1-T, "Taxpayer in Good Standing," 321-5, "Procurement and Disposal Procedure Manual," 321-11, "Procurement; \$5,000 or Less," Sections 321-13, "Procurement; Supplies, Services and Construction in Excess of \$5,000.00 But Not Greater Than \$50,000.00," 321-15, "Procurement; Supplies, Services and Construction in Excess of \$50,000.00 But Not Greater Than \$250,000.00," 321-17, "Procurement; Supplies, Services and Construction in Excess of \$250,000.00," 321-21, "Bid; Competitive," 321-22, "Bid; Specifications," 321-23, "Bid; Form of Invitation to Bids," 321-25, "Bid; Surety," 321-37, "Bid; Award to Lowest and Best," 321-38, "Bid; Award to Local

Business or Local SBE," 321-39, "Bid; Award on Equal Bids," 321-45, "Bid; Waiver of Bid Surety," 321-51, "Proposal; Competitive," 321-65, "Proposal; Award to Most Advantageous," 321-69, "Proposal; Surety," 321-81, "Contracts; Types," 321-83, "Contract; Multi-Term," 321-85, "Contract; Sole Source," 321-87, "Contract; Direct Award," 321-95, "Contract; Ohio Department of Administrative Service," 321-97, "Contracts; Ohio Departments, Divisions, Agencies, or Other Political Subdivisions," 321-98, "Contract; U.S. Communities Government Purchasing Alliance," 321-101, "Contract; General Services Administration," 321-111, "Construction; Labor and Materials," 321-113, "Construction; Separate Trade," 321-119, "Construction; Debarment for Violation of Prevailing Wage and Related Laws," 321-131, "Surety; Waiver of Bid and Performance Surety," 321-133, "Surety; Bid," 321-135, "Surety; Securing Performance of Contract," 321-137, "Surety; Amount," 321-141, "Disposal and Sale of Personal Property Under \$20,000," 321-143, "Disposal and Sale of Personal Property in Excess of \$20,000," 321-153, "Default; Further Bids or Proposals Refused," 321-159, "Non-Discrimination in Purchasing and Contracting," and 321-161, "Construction Employment Demographics" to conform with the provisions of recently enacted Chapter 324 and revised Chapter 323.

Status/Recommendations:

EDUCATION & ENTREPRENEURSHIP COMMITTEE

Item #: 201501500

ORDINANCE submitted by Harry Black, City Manager, on 11/18/2015, authorizing the establishment of a new capital improvement program project account no. 980x164x161621, "Auburn Triangle Park Improvements"; and further AUTHORIZING the transfer and appropriation of \$100,000 from the unappropriated surplus of Corryville TIF District #9 Fund 488 to the newly created capital improvement program project account no. 980x164x161621, "Auburn Triangle Park Improvements," for expenses incurred as part of the green space park improvements.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201501501

ORDINANCE submitted by Harry Black, City Manager, on 11/18/2015, authorizing the City Manager to apply for a Recycle Cart Fleet Replacement grant for an amount up to \$50,000 for Ohio Environmental Protection Agency to support curbside and City facility recycling programs.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201501503

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 11/18/2015, authorizing the transfer and appropriation of the sum of \$173,000 from the Energy Conservation Improvement Bond Fund 817 to the capital improvement program project account no. 980x239x142384, entitled "Street Lighting"; and further AUTHORIZING the transfer and appropriation of the sum of \$3,000 from

Energy Conservation Improvement Bond Fund 817 to capital improvement program project account no. 980x981x142521, entitled "Fleet ? Performance Contracting," for the purpose of paying retainage to Honeywell International, Inc. related to energy improvements which needed to be implemented on various City projects, which is not reflected in the funds available within the designated capital projects.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201501505

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 11/18/2015, declaring the improvements to the real property located at 937 Windsor Street in the Walnut Hills neighborhood of Cincinnati, to be constructed pursuant to a certain Funding and Development Agreement among the City of Cincinnati, Windsor Renaissance, LLC, and New Windsor, LLC, to be a public purpose and exempt from real property taxation for a period of time.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201501506

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 11/18/2015, authorizing the City Manager to make a direct award and enter into a contract with Motorola, Inc. in the amount of \$5,401,005.00 for the purpose of purchasing 1,546 APX radios and accessories for use by the Cincinnati Police Department.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201501507

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 11/18/2015, authorizing the transfer of \$150,000 from the unappropriated surplus of Special Events Fund 314 to the unappropriated surplus of the General Fund 050; and further appropriating \$150,000 from the unappropriated surplus of the General Fund 050 to the Department of Economic Inclusion's non-personnel operating account no. 050x281x7200 for the purpose of providing resources to procure consultant services to assist the Department of Economic Inclusion with the implementation of certain recommendations of the Economic Inclusion Advisory Council.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201501508

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 11/18/2015,

authorizing the transfer of the sum of \$250,000 from the unappropriated surplus of Special Events Fund 314 to the unappropriated surplus of the General Fund 050; and further APPROPRIATING the sum of \$250,000 from the unappropriated surplus of the General Fund 050 to the Fire Department non-personnel operating account no. 050x271x7200; and further AUTHORIZING the transfer and appropriation of the sum of \$210,000 from the balance sheet reserve account 050x2580 of the General Fund 050, "Reserve for Weather Events, Other Emergency and One-Time Needs," to the Fire Department non-personnel operating account no. 050x271x7200; and further AUTHORIZING the transfer and appropriation of the sum of \$740,000 from the balance sheet reserve account 050x2580 of the General Fund 050, "Reserve for Weather Events, Other Emergency and One-Time Needs," to the Fire Department personnel operating account no. 050x271x7100; for the purpose of funding a recruit class during Fiscal Year 2016.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201501519

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 11/18/2015, authorizing the City Manager to execute a Development and Funding Agreement with Cincinnati Center City Development Corporation (commonly known as 3CDC) pertaining to the redevelopment and expansion of Ziegler Park in the Over-the-Rhine neighborhood in Cincinnati.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201501496

REPORT, dated 11/18/2015, submitted by Harry Black, City Manager, regarding Department of Finance reports for the month ended October 31, 2015.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201501498

REPORT, dated 11/18/2015, submitted by Harry Black, City Manager, regarding Duke Energy Convention Center booking guidelines. (SEE DOCUMENT #201501376 FOR MEMO)

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

BUDGET AND FINANCE COMMITTEE

Item #: 201501474

ORDINANCE submitted by Harry Black, City Manager, on 11/9/2015, AUTHORIZING the

City Manager to apply for State of Ohio Capital Budget Grants in an amount up to \$24.05 million for the purpose of providing funds for five major capital projects in the City of Cincinnati.

Status/Recommendations:

PASS

*** INDEFINITELY POSTPONED

| | |
|----------------|---|
| MS. MURRAY | Y |
| MR. SEELBACH | Y |
| MS. SIMPSON | Y |
| MR. SITTENFELD | Y |
| MR. SMITHERMAN | Y |
| MR. WINBURN | Y |
| MR. YOUNG | Y |
| MR. FLYNN | Y |
| MR. MANN | A |

EDUCATION & ENTREPRENEURSHIP COMMITTEE

Item #: 201501428

MOTION, dated 10/21/2015 submitted by Councilmembers Seelbach, Sittenfeld, Simpson, Young and Vice Mayor Mann, WE MOVE that the Administration present to council a set of criteria by which future City energy bids will be evaluated that places a value on the source of the electricity at its generation with a preference for renewable-backed energy. (STATEMENT ATTACHED)

Status/Recommendations:

ADOPT

*** FAILED OF ADOPTION

| | |
|----------------|---|
| MS. MURRAY | N |
| MR. SEELBACH | Y |
| MS. SIMPSON | Y |
| MR. SITTENFELD | Y |
| MR. SMITHERMAN | N |
| MR. WINBURN | N |
| MR. YOUNG | Y |
| MR. FLYNN | N |
| MR. MANN | A |

NEIGHBORHOODS COMMITTEE

Item #: 201501349

ORDINANCE submitted by Harry Black, City Manager, on 10/14/2015, amending the official zoning map of the City of Cincinnati to rezone certain real property owned by the Cincinnati Zoo & Botanical Garden and located in the Avondale and Corryville neighborhoods from RMX, "Residential Mixed," zoning district to PR, "Park and Recreation," zoning district.

Status/Recommendations:

PASS

*** PASSED 0359-2015

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|--------------|---|
| MS. MURRAY | Y |
| MR. SEELBACH | Y |

| | |
|----------------|---|
| MS. SIMPSON | Y |
| MR. SITTFELD | Y |
| MR. SMITHERMAN | Y |
| MR. WINBURN | Y |
| MR. YOUNG | Y |
| MR. FLYNN | Y |
| MR. MANN | A |