

February 26, 2021

FOR YOUR INFORMATION

To: Mayor and Members of City Council

From: Paula Boggs Muething, City Manager 

Subject: Community Engagement on Community and Economic Development Projects

This memorandum provides an overview of the City Administration's current community engagement activities, describes a new policy for community engagement by the City Administration for City-driven community and economic development projects, and provides an updated City Administration policy for timing and staffing for apprising Council of legislative items related to community and economic development projects.

Background and Summary

Over the past year, the Council has passed an ordinance and a motion related to transparency around tax increment financing district expenditures and directing the City Administration to engage community councils and provide information on community and economic development projects that are proposed within the neighborhood boundaries.

At present, there are not community engagement specific positions or functions in the City Administration devoted specifically to regularly conducting community engagement for community and economic development projects, outside of administrative board approval processes. Accordingly, community engagement activities are conducted by individuals in multiple departments and the level of engagement varies. The Department of City Planning (Planning) currently conducts a variety of engagement activities in its current operations, primarily related to City Planning Commission approvals. Planning staff are trained in this area.

Council has also raised concerns regarding the review period afforded by current legislative practices. The summarized concerns are inadequate time to: (1) review materials, (2) ask questions of the Administration, and (3) hear feedback from constituents on proposed community and economic development projects.

In order to address these Council priorities and concerns, I am updating and clarifying the City Administration's policies relating to community engagement for community and economic

development projects and establishing the criteria to trigger City staff involvement. Planning will become the primary department responsible for engagement activities, pursuant to the process outlined below. Further, and with the caveat that circumstances may necessitate exceptions to the proposed timelines, I am outlining new procedures for timing and staffing protocols for economic and community development projects.

Existing Administrative Code Structure

Under Article XXIV of the City’s Administrative Code, a primary requirement of the Department of Community and Economic Development (DCED) is to advocate for economic development in the City. The DCED’s programmatic structure and the skills of development staff are targeted to meet this mission.

Under Article XXV, Planning is intended, among other functions, to “serve as the City’s liaison to community councils, citizens, and businesses on all city planning and land use related matters...” Planning staff are trained in facilitating community engagement with the goal of soliciting, distilling, and reporting community feedback on public proposals.

The Administrative Code does not specifically address community engagement for community and economic development projects and there is no department or division identified to provide such community support. However, given Planning’s operational role and skillset, it is best positioned to absorb these new responsibilities.

Current Engagement Practices

I. Current Community Engagement on Projects

At present, neither DCED, Planning, nor any other City department has sufficient resources to perform widespread community engagement on a project-by-project basis for all community and economic development projects in the City. Frequently, City employees performing community engagement for these projects are doing so above and beyond their primary assigned job requirements, which are performed during business hours. These individuals are then typically asked to attend long community council meetings after hours, during which they often are required to wait until the community council completes other business. Despite these challenges, City employees continue to undertake a wide variety of community engagement for community and economic development projects.

DCED has staff assigned to each neighborhood; staff regularly attend community council meetings and neighborhood business association meetings. This attendance occurs both regularly and for specific projects. For specific projects, the role of staff can vary depending on the level and nature of City involvement. For example, if the City is playing an active role, staff provides community members with detailed information and status updates. If the project is primarily developer driven, staff may simply act as a conduit to connect developers with the community council and participate as an active listener in engagement between the private parties.

Planning engages in a wealth of formal and informal community engagement activities—primarily arising from their role in managing approvals for the City Planning Commission and in producing neighborhood and city-wide plans, both of which are described in more detail below. In addition to these regular engagement activities, Planning frequently provides services to facilitate community engagement for other City development projects. Recently, this work included facilitating engagement activities for the closure of portions of streets in Over-The-Rhine and Pendleton, relocation and design of Police Districts 3 and 5, and work for planned improvements to Rapid Run Park and Dunham Recreation Center.

II. Community Engagement Through Approval Processes

The approval processes for administrative boards provides a robust opportunity for community feedback and input. Many community and economic development projects must be approved by the City Planning Commission, the Historic Conservation Board, or the Zoning Hearing Examiner. At times, projects must be approved by multiple boards or commissions. Each public hearing presents an opportunity for the public to voice their feedback to the Board or Commission and the City Administration. City staff, including DCED and Planning, are critical to these approval processes and provide support and answer questions to all interested parties over the course of preparation, presentation, and approval. For example, when warranted by a project, Planning will host a public staff conference which provides an opportunity for the public to voice direct feedback to an applicant prior to introduction to City Planning Commission.

Approval by Council and review in committee meetings presents another opportunity for community input and feedback on projects. Councilmembers hear constituent concerns and perspectives directly and the City Administration is present to provide Councilmembers with information or answer project specific questions.

III. Other Community Engagement Activities

In addition to the above described activities, City staff also coordinate a broad array of community engagement activities that are not directly related to specific community or economic development projects, but do inform overall engagement activities or provide an opportunity for public input on other City projects or operational areas.

The City Manager's Office currently facilitates the operation of Engage Cincy Action Team (ECAT), which is comprised of volunteer neighborhood representatives and City staff. ECAT arose from feedback received through completion of Plan Cincinnati and provides opportunities for meaningful and proactive participation by residents in the City's decision-making processes. Neighborhood representatives on ECAT both assess and recommend engagement efforts and work collaboratively with City staff to complete annual projects aimed at strengthening the culture of community engagement in Cincinnati.

The Office of Performance and Data Analytics (OPDA) also facilitates community engagement activities on an as-needed basis. For example, OPDA recently has

facilitated engagement activities as part of the important work of the City Manager's Advisory Group (MAG) and will conduct sessions as part of ShiftCincy.

IV. Plan Cincinnati and Neighborhood Plans

In addition to project-specific engagement, Planning is involved in near continuous community engagement through the development of neighborhood plans and city-wide comprehensive plans. Development of neighborhood and city-wide plans occurs over the course of many months or even years where Planning staff work directly with community leadership, property owners, residents, and other stakeholders to create goals and action steps to help reach a community's shared vision for its future.

Neighborhood plans have been developed for nearly every City neighborhood and are periodically updated on a rotating basis. Presently, the planning process is underway in Mt. Airy, Clifton, West Price Hill, Columbia Tusculum, Kennedy Heights, the Mohawk Area of Over-The-Rhine, Mt. Auburn, Hyde Park, Saylor Park, Spring Grove Village, South Cumminsville, and the West End. Upcoming planning activities are scheduled for North Avondale, Mt. Adams, and Mt. Washington. Additional information about existing neighborhood plans and ongoing planning processes is available on the City's website: <https://www.cincinnati-oh.gov/planning/neighborhood-plans/> .

A City-wide comprehensive planning process was last completed in 2012 with Plan Cincinnati, which is the product of a three-year community engagement process. The City won several awards at the County, State, and National level for Plan Cincinnati, in part for its robust community engagement practices. Information about Plan Cincinnati and the process for completing it can be found on the City's website: <https://www.cincinnati-oh.gov/planning/plan-cincinnati/> .

Neighborhood and comprehensive plans have the added benefit of allowing a broader segment of the community to participate than may be possible on a project-by-project basis since the engagement and outreach process for community plans is more intensive and spread out over a longer time period. The result is a more actionable and clear community message on development goals and priorities.

City Administration Policy Changes

Clear roles, processes, and timelines will provide members of the community with information on their opportunity to offer input on projects; will provide operational efficiencies for City staff; and will provide Councilmembers with information on the opportunity, timing, and method by which its constituents are engaged by the City Administration. Given the expanded timeline for community and economic development projects, in addition to public comment at committee and council meetings, the Council can enact its guidelines for soliciting and receiving constituent feedback. Below is an overview of the City Administration's new policies for community engagement.

I. Criteria for Engagement

Community and economic development projects cover a broad range of initiatives, proposals, and developments with varying levels of City involvement—from simply administering the zoning code or issuing building permits to providing incentives, direct subsidy, or even real estate for a project.

Most development that occurs in the City is driven by the private market and private market actors. Private developers are generally responsible for any community engagement needed for their own projects and, as described below, the City will continue to rely on private developers to engage and inform communities about their projects. However, the City cannot and does not rely on the private market to drive all development activities. Some community and economic development projects are primarily City-driven and other projects may be a true public-private partnership in which the City is engaged and providing resources to facilitate a private project because of the positive public benefit that will flow to our citizens and City.

While it is not feasible for the City Administration to conduct direct community engagement activities for every community and economic development project, the City Administration will undertake engagement when material City resources are being utilized for a project in order to ensure that the public and community members are properly informed about the project and have ample opportunity to voice their opinions. Accordingly, the City Administration will become directly involved in community engagement for a project in the following circumstances:

- (1) When the City Administration will propose to Council an appropriation for a loan or grant of public funds of \$50,000 or more to support a specific private development project; or
- (2) When the City will sell or provide a long-term ground lease of City-owned land or buildings with a fair market value of \$50,000 or more to support a specific private development project.

This does not include solely granting a tax exemption or the sale of minor real estate interests such as easements, short-term leases, etc. For projects that do not meet the above criteria and that are driven by private developers, DCED will make available information on best practices for community engagement, created in collaboration with Planning, to encourage appropriate community engagement by these private parties.

II. Engagement Activities

The systematic engagement process outlined below will provide a mechanism for ensuring that all members of impacted communities are informed and afforded an opportunity to provide feedback and gather information.

Project Community Engagement Sessions

For community and economic development projects that meet the criteria outlined above, the City Administration will begin hosting community engagement sessions that will be conducted by Planning staff. The goal of these sessions will be to present information about the proposed project to inform community members and then collect public input and feedback on the preliminary proposal; these comments will be incorporated into the final proposal presented to Council for approval.

Sessions will be focused on reaching a broad array of public voices and perspectives—including those residents who live in close proximity to a proposed project and those involved in the relevant community council. Sessions will be held at an accessible meeting space within the community and scheduled at a time to maximize opportunity for the public to participate.

Planning will aggregate questions in advance of the presentation so that these questions can be proactively addressed in the presentation. To put the project in context, the Planning presentation will include information about the applicable neighborhood plan and the City's city-wide plan-Plan Cincinnati. Questions in response to the presentation that require follow up will be provided to the community council and posted on the City's webpage. Accommodations will be made for any individuals without access to the internet.

Following the presentation, Planning staff will summarize feedback and common questions regarding the proposal and produce a report for the City Administration, which will be shared with City Council upon project submission.

Notice of Projects

To provide notice of the engagement activities described above, the City Administration will utilize and expand upon the notice system used in the administrative board's process. This process involves multiple forms of notice in order to ensure the equitable distribution of information to all members of a community, even those who are unaffiliated with the community councils. Such notice will be provided by Planning and will take the following forms:

- (1) Mailed Notice - Notice will be mailed to all property owners within four hundred (400) feet of the subject project site, consistent with the requirements for notice associated with a zoning code change.
- (2) Direct Community Council Notice - Notice will be provided by e-mail to the applicable community council.
- (3) Posted Notice On-Site - To ensure notice to those residents living in proximity to the project site, a notice of the community engagement session will be posted on-site or immediately proximate to where the proposed project will occur.

- (4) Website and Social Media Notice - Planning will provide notice of the community engagement session and details of the proposed project on its website and through social media, such as Facebook, NextDoor, etc.

Notice will include information regarding the nature of the proposed project and the time, date, and location of the planned community engagement session.

Due to the complexity of community and economic development projects, timing is frequently a challenge. The City Administration will provide project notice as soon as possible once there is a clearly viable project that will require City involvement triggering the eligibility requirements set forth above.

As described above, the City Administration will provide direct notice to the community council where the project is geographically located. However, for appropriations from tax increment financing districts, in the event that (i) the source tax increment financing district covers multiple neighborhoods and (ii) the subject appropriation is in excess of \$1,000,000 or will otherwise support a debt issuance, City Administration will notify all community councils covered by the applicable tax increment financing district and will conduct the engagement session in an accessible and proximate location.

Forthcoming Legislative Proposals

As set forth above, current staff resources are insufficient to conduct extensive community engagement services or provide the associated notice on a project-by-project basis. In order to implement the new community engagement policies, I will seek City Council approval of legislation to provide additional resources to Planning.

III. Reporting to Council

Periodically, the City Administration will assemble information on community engagement activities and provide that information to Council in the form of an FYI memorandum. Additionally, the City Administration will incorporate details and information on engagement activities and community feedback into project transmittals.

IV. Introduction of Legislation and Legislative Teams

On projects where the City Administration will be conducting community engagement activities, the City Administration will be updating its legislative practices in order to provide the public with an opportunity to provide feedback directly to Councilmembers on the proposed legislative items associated with a project and to provide ample opportunity for Councilmembers to engage and ask their own questions about legislative items. Moving forward, legislation presented to Council to approve community and economic development projects meeting the criteria outlined above will be introduced in sufficient time to allow for two committee meetings to consider a project before passage. While circumstances may require exceptions, the Administration is committed to complying with this timeframe. Community notice and engagement will occur in

advance of the introduction of legislative items to the Council. This practice will also be implemented in appropriate circumstances on a case-by-case basis for projects where the City Administration is not conducting community engagement activities.

Upon the introduction of legislative items, legislative teams will be identified as a resource to provide project-specific information. These individuals will be available to Councilmembers as the legislative process unfolds and questions or concerns arise. These individuals will also attend committee meetings to present the project to the committee and answer questions as needed.

Conclusion

The City Administration is proposing new community engagement policies and processes to standardize and clarify the actions that the City Administration will take in regard to community and economic development projects. The herein described policies are designed to provide broad public notice of public projects, to provide an opportunity for the public to acquire information and offer feedback on proposed projects to the City Administration, and to allow Councilmembers adequate time to consider and hear constituent feedback on proposed projects.