

ISSUES FILED FOR THE NOVEMBER 3, 2009 GENERAL ELECTION

The *Who and What of Elections*, with candidate and issue information, will be available at all branches of the Hamilton County Public Library by mid-October. A copy is mailed to League members. Candidate information is also available online at: www.lwvcincinnati.org. Enter required information in Smart Voter box located on the home page.

STATE ISSUE 1 - PROPOSED CONSTITUTIONAL AMENDMENT - TO AUTHORIZE THE STATE TO ISSUE BONDS TO PROVIDE COMPENSATION TO VETERANS OF THE PERSIAN GULF, AFGHANISTAN AND IRAQ CONFLICTS

(Proposed by Joint Resolution of the General Assembly of Ohio)

To adopt Section 2r of Article VIII of the Constitution of the State of Ohio

On the November ballot, State Issue 1 will ask: Shall the proposed amendment be approved?

Voting YES means that you want Issue 1 to become law. Voting NO means that you do not want Issue 1 to become law. A majority YES vote is required for the amendment to be adopted. If adopted, this proposed amendment shall take effect immediately.

LWVO Explanation of Issue 1: This ballot issue proposes a constitutional amendment that would provide compensation to veterans serving during the Persian Gulf, Afghanistan, and Iraq conflicts. The amendment is similar to the bond issues passed by the voters to compensate veterans of World War I, World War II, the Korean War, and the Vietnam conflict. It will provide the state with the authority to issue up to \$200 million of bonds. The Ohio treasurer has estimated that only \$106 million of the bond proceeds might actually be needed. All bonds must be issued by December 31, 2013. Repayment of these bonds would be a general obligation of the state backed by the taxing power of the state. Revenue from these bonds would be used to provide additional compensation as follows:

- Payment may be made to Ohio residents who have served on active duty in the United States armed forces between August 2, 1990 and March 3, 1991, which was the duration of the Persian Gulf conflict; between October 7, 2001 and the end of the United States' involvement in Afghanistan; and between March 19, 2003 and the end of the United States' involvement in Iraq.
- Veterans who served domestically or in foreign service in locations other than the Persian Gulf, Afghanistan, or Iraq may receive \$50 for each month served up to a maximum of \$500.
- Veterans who served in the Persian Gulf, Afghanistan, or Iraq may receive \$100 for each month served up to a maximum of \$1000, or may receive \$1000 if medically discharged due to combat-related disabilities.
- If a person died as a result of injuries sustained in Persian Gulf, Afghanistan, or Iraq service, that person's family may receive \$5000.
- If a person is missing in action or held in enemy captivity, that person's family may receive \$5000.

The Legislative Services Commission estimates that issuing \$200 million of obligations could increase the state's annual debt service expense by up to \$18 million. The voters must approve this bonding authority because the Ohio constitution does not permit an appropriation being made for a period longer than two years.

Proponents of the proposed amendment argue that:

1. Passing the amendment by vote of the people shows that Ohioans appreciate Ohio veterans.
2. The payments will ease veterans' transition back into civilian life.

Opponents of the proposed amendment argue that:

1. Tax monies will be diverted to paying principle and interest, and this may limit the availability of state revenue for other state programs during a period of financial crisis.
2. Future taxpayers will be responsible for the debt incurred for these payments. The payments should be paid for by revenues available in the current biennium.

Websites: Websites not available for proponents and opponents.

**STATE ISSUE 2 - PROPOSED CONSTITUTIONAL AMENDMENT
TO CREATE THE OHIO LIVESTOCK CARE STANDARDS BOARD TO
ESTABLISH AND IMPLEMENT STANDARDS OF CARE FOR LIVESTOCK
AND POULTRY**

(Proposed by Joint Resolution of the General Assembly of Ohio)
To adopt Section 1 of Article XIV of the Constitution of the State of Ohio

On the November ballot, State Issue 2 will ask: Shall the proposed amendment be approved?

Voting YES means that you want Issue 2 to become law. Voting NO means that you do not want Issue 2 to become law. A majority YES vote is required for the amendment to be adopted. If adopted, this proposed amendment shall take effect immediately.

LWVO Explanation of Issue 2: This proposed constitutional amendment would create the Ohio Livestock Care Standards Board for the purpose of establishing standards governing the care and well-being of livestock and poultry in Ohio. The bipartisan board would consist of thirteen members:

The director of the state department that regulates agriculture

Ten members appointed by the Governor with the advice and consent of the Senate, including:

One member representing family farms

One member knowledgeable about food safety

Two members representing statewide organizations that represent farmers

One member who is a veterinarian

The State Veterinarian in the state department that regulates agriculture

The dean of the agriculture department of a college or university in Ohio

Two members of the public representing Ohio consumers

One member representing a county humane society

One member appointed by the Speaker of the House who shall be a family farmer

One member appointed by the President of the Senate who shall be a family farmer

The Board would have authority to establish standards governing the care and well-being of livestock and poultry in Ohio, subject only to the authority of the General Assembly.

Proponents of the proposed amendment argue that:

1. The board represents a balance of interests.
2. The board would establish standards governing the care and well being of livestock and poultry in Ohio.
3. Ohioans can have greater confidence in the safety of locally produced food.

Opponents of the proposed amendment argue that:

1. The board should be created by statute rather than by amendment to the Ohio Constitution.
2. Creating another regulatory board utilizes revenues best spent on basic services to Ohioans.
3. The amendment could prevent certain animal care reform proposed by national animal rights organizations.

Websites: Websites are not available for both the proponents and opponents.

**STATE ISSUE 3 - PROPOSED CONSTITUTIONAL AMENDMENT
TO AMEND THE CONSTITUTION TO ALLOW FOR ONE CASINO EACH IN
CINCINNATI, CLEVELAND, COLUMBUS, AND TOLEDO AND DISTRIBUTE
TO ALL OHIO COUNTIES A TAX ON THE CASINOS**

(Proposed by Initiative Petition)

To adopt Section 6 to Article XV of the Constitution of the State of Ohio

On the November ballot, State Issue 2 will ask: Shall the proposed amendment be approved?

Voting YES means you approve of amending the Ohio Constitution to permit one casino each in Cincinnati, Cleveland, Columbus, and Toledo. Voting NO means you disapprove of amending the Ohio Constitution to permit one casino each in Cincinnati, Cleveland, Columbus, and Toledo. A majority YES vote is required for the amendment to be adopted.

LWVO Explanation of Issue 3: This amendment would authorize four casinos, one each in Cincinnati, Cleveland, Columbus, and Toledo, located on particular parcels of land owned by private individuals.

The operator would be required to pay a tax of 33% annually on gross casino receipts. "Gross casino receipts" excludes payments to winners. The tax revenue would be allocated in the following ways:

- 51% to the 88 counties on a pro rata basis, with 50% of the county's distribution going to the county's most populated city if it had a population of greater than 80,000 as of the 2000 United States census.
- 34% to public school districts in proportion to their public school district populations.
- 5% to the host city where the casino that generated the revenue is located.
- 3% to fund the Ohio Casino Control Commission.
- 3% to a fund supporting purses, breeding programs and operations at existing horse racetracks.
- 2% to fund a state law enforcement training program.
- 2% to fund treatment of problem gambling and substance abuse.

The Ohio Casino Control Commission would license and regulate casino operators, management companies, key employees and all gaming. The commission would have 7 members appointed by the Governor with the advice and consent of the Senate.

Each casino operator must make a minimum initial investment of \$250 million. The initial license fee of \$50 million for each casino will fund state economic development programs. Each casino could operate 24 hours a day. Each casino may have a maximum of 5000 slot machines. Each casino may conduct any type of card or table games, slot machines or electronic gaming devices permitted by states adjacent to Ohio, except bingo, and horse racing where the pari-mutuel system of wagering is conducted.

Proponents of the proposed amendment argue that:

1. Thirty-eight states — including Kentucky, Indiana, Michigan, and Pennsylvania — have casino gambling.
2. By authorizing casinos in Ohio, the profits could benefit our state rather than other states.
3. Counties, public school districts, and many cities will receive tax revenue generated by the casinos, and each can decide how to best spend its money.
4. The casinos will create 34,000 new jobs in Cincinnati, Cleveland, Columbus, and Toledo.
5. The casinos will stimulate the economy by adding restaurants, hotels and ancillary businesses.

Opponents of the proposed amendment argue that:

1. The Ohio general revenue fund, which supports basic services for Ohioans, will get \$0 from the gross casino receipts tax.
2. Ohio lottery profits, currently dedicated to education, may decrease because people will gamble at the casinos instead of playing the lottery.
3. Ohioans may spend money at the casinos they would have spent at other existing Ohio businesses such as restaurants, movies, or sports events, adversely impacting those businesses.
4. The number of gambling addicts in Ohio would increase, and the tax receipts dedicated to providing treatment for addicts could be insufficient.
5. The proposed amendment could be construed to mean that all games allowed at the casinos can be played only at the casinos, eliminating church-festival poker games and casino nights sponsored by charitable groups.

Websites

In support of the proposed amendment:

Cops for Casinos <http://copsforcasinos.com/>

In opposition to the proposed amendment:

Vote NO Casinos Committee, TruthPAC www.truthpac.org/

HAMILTON COUNTY ISSUES

ISSUE 4 - HAMILTON COUNTY TAX LEVY - FAMILY HEALTH AND HOSPITALIZATION SERVICES & TREATMENT PROGRAMS

An additional tax for the benefit of Hamilton County, Ohio, for the purpose of **SUPPLEMENTING THE GENERAL FUND TO PROVIDE FAMILY HEALTH AND HOSPITALIZATION SERVICES AND TREATMENT PROGRAMS INCLUDING, BUT NOT LIMITED TO, THOSE PROVIDED BY AGREEMENT WITH TALBERT HOUSE** at a rate not exceeding thirty-four hundredths (0.34) mill for each one dollar of valuation, which amounts to three and four-tenths cents (\$0.034) for each one hundred dollars of valuation, for five (5) years, commencing in 2009, first due in calendar year 2010.

A majority affirmative vote is necessary for passage.

Explanation: This is a new levy of 0.34 mills on residential and commercial property in Hamilton County to fund services and treatment programs that were previously covered by the Health and Hospitalization – Drake levy (2004-2009) and several new programs. This levy will bring in approximately \$7.5 million per year and \$37.3 million over the 5 year term. The owner of \$100,000 property will pay \$10.06 per year, a reduction from \$20.73 per year under the former levy which is expiring.

The levy was requested by the Hamilton County Commissioners and reviewed by the Tax Levy Review Committee.

What the levy will do: This levy will fund alternatives to incarceration that will educate, rehabilitate and re-train offenders who have alcohol and drug addiction and mental illness associated with criminal behaviors under the county policy to reduce recidivism and preserve limited jail space for the most serious offenders. Community-based anti-drug education programs are also included.

Specifically the levy will fund the following services and programs that are conducted by Talbert House, a drug treatment and rehabilitation agency:

- Residential and out patient drug rehabilitation located at 1617 Reading Road;
- ADAPT for Men (Alcohol and Drug Addiction Partnership in Treatment), a residential and outpatient program for offenders referred through the Hamilton County Drug Court;
- Turning Point , a rehabilitation program for multiple DUI offenders;
- Transitional Housing.

In addition, the levy will fund officers from the Sheriff's Department for facility security, support for the Coalition for a Drug -Free Community, supervised re-entry into the community operated in conjunction with the Probation and Pre-Trial Services Departments, rehabilitative assistance for court-referred and self-referred participants in prostitution ("Off the Streets" program) and treatment staff for Substance Abuse Mental Illness (SAMI) Court , a new specialized court for felony-level offenders with mental illness.

Background: This Family Services and Treatment levy is a new levy title to voters but in fact continues funding for programs that have been tied to the Health and Hospitalization – Drake levy of 2004-2009. It also includes some services that have been ongoing in the community but are new to levy funding.

The levy to fund the operation of the former Drake Hospital began in 1966. In 1994, 16% of levy expenditures were on Drug Court and Sheriff's programs which had previously been covered in the Hamilton County General Fund. In 2006, the County Commissioners, under a "Reorganization Agreement of Drake Center, Inc.", transferred Drake Hospital and its internal programs to a private entity with the understanding that the levy would expire after December 2009. In order to continue funding the Drug Court and Sheriff's programs this new levy was proposed.

Tax Levy Review Committee (TLRC) Recommendations: The TLRC recommended two options to the Commissioners.

Option 1: All programs formerly covered in the Drake levy continue to be funded at 97% of their former level with no inflationary increase.

Option 2: Funding for all former programs and one additional proposal, "Off the Streets ."

The TLRC recommendation was for a total of \$37,238,000 over 5 years. The Hamilton County Commissioners agreed with this total, but included all former programs and new program proposals in the levy.

ISSUE 5 - HAMILTON COUNTY TAX LEVY

MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

A renewal of 3.62 mills and an increase of 0.51 mill to constitute a tax for the benefit of Hamilton County, Ohio, for the purpose of **PROVIDING FUNDS FOR COMMUNITY MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES PROGRAMS, INCLUDING THE OPERATION AND MAINTENANCE OF SCHOOLS, WORKSHOPS, CLINICS, RESIDENTIAL FACILITIES AND SUCH OTHER SERVICES AS PROVIDED IN CHAPTER 5126, OHIO REVISED CODE** at a rate not exceeding four and thirteen-hundredths (4.13) mills for each one dollar of valuation, which amounts to forty-one and three-tenths cents (\$0.413) for each one hundred dollars of valuation, for five (5) years, commencing in 2009, first due in calendar year 2010.

A majority affirmative vote is necessary for passage.

Explanation: This levy proposes a tax of 4.13 mills on residential and commercial property in Hamilton County to provide funds for services to mentally retarded and developmentally disabled persons and their families. Of this millage, 3.62 mills is a replacement levy and 0.51 mills is an increase. It will raise the property tax for the owner of a \$100,000 home to approximately \$104.46 per year, an increase of \$15.00 over the 2009 amount.

The levy will produce \$388.3 million over a five-year term beginning in fiscal 2010. More than 73% of the agency's funding is currently generated by the existing levy. The remaining revenue comes from federal and state sources.

At the request of the Hamilton County Board of Mental Retardation and Developmental Disabilities (MR/DD), the Board of County Commissioners placed this levy on the ballot after a review by the Tax Levy Review Committee.

What the levy will do: Levy monies are used by the MR/DD Board to fund programs, some of which are mandated and regulated by State Law. The MR/DD Board determines the scope and planning of service delivery. Together, the programs serve almost 8,000 children and adults including, 530 residential clients. Programs cover three major areas: Children's Services from infancy through school age children up to age 22; Adult Services for individuals 16 years of age and older and Residential Services for individuals of all ages. In addition to managing and providing its own direct programs and services, MR/DD contracts with more than 300 Community Agencies. This represents 57 percent of the budget. Programs directly run by the Board include 2 special schools, 4 satellite classrooms and 4 adult centers, which provide work training and paid work experiences.

Background: In 1967, an Ohio State Law was passed which mandated establishment of County Boards of Mental Retardation. Currently, property owners of a \$100,000 market value home pay \$89.32 per year on the levy passed in 2004.

The Hamilton County Board of Mental Retardation and Developmental Disabilities, which has the responsibility for carrying out the services, is made up of seven Hamilton County residents, five appointed by the Board of County Commissioners and two by the Probate Court Judge. A Board appointed superintendent heads a staff of 550 full time (equivalent) employees.

At the end of the proposed five-year levy, the Board estimates there will be an additional 3,000 service recipients due to increased autism rates, longer life span of the MR/DD population, and improved medical technologies. The Board conducts an outreach program to promote community awareness of the services available to developmentally disabled residents.

Tax Levy Review Committee (TLRC) Recommendations: The TLRC recommended a 5-year levy of \$400.2 million and \$11.6 million from the current levy carryover to meet program needs. An \$8.7 million loss of State Subsidies would be offset by these funds.

The TLRC agreed with the consultant that MR/DD is a well-functioning organization, one of the few programs in the State to receive re-certification for a full five years.

Principal recommendations of the consultant suggested that MR/DD:

- should aggressively pursue Medicaid waivers as a means of providing a broader range of services to its participants;
- needs to increase service facilitator staff in order to meet growing service demands while keeping average case loads stable;
- should continue to pursue a Council of Governments with neighboring counties to provide for improved service support and to achieve greater financial efficiencies in administrative areas and
- should continue to foster and use early retirement incentives.

ISSUE 6 HAMILTON COUNTY TAX LEVY - MUSEUM CENTER

A renewal of part of an existing levy, being a reduction of 0.02 mill to constitute a tax for the benefit of Hamilton County, Ohio, for the purpose of **SUPPLEMENTING THE GENERAL FUND TO PROVIDE FOR MAINTENANCE, OPERATION, AND REPAIR OF A PUBLIC BUILDING, THE CINCINNATI UNION TERMINAL, OCCUPIED BY THE CINCINNATI MUSEUM CENTER** at a rate not exceeding eighteen-hundredths (0.18) mill for each one dollar of valuation, which amounts to one and eight-tenths cents (\$0.018) for each one hundred dollars of valuation, for five (5) years, commencing in 2009, first due in calendar year 2010.

A majority affirmative vote is necessary for passage.

Explanation: This proposed tax levy of 0.18 mills on residential and commercial property in Hamilton County is a renewal of a 2004 levy with a decrease of 0.02 mills to provide for maintenance, operation and repair of Cincinnati Union Terminal, a public building, occupied by Cincinnati Museum Center. The levy renewal would provide approximately \$3.2 million per year or \$16.2 million over 5 years. This is a reduction for a homeowner in property tax support for the Museum Center. At the request of the Museum Center the levy was placed on the ballot by the Hamilton County Commissioners after a review by the Tax Levy Review Committee.

What the levy will do: The proposed 0.18 mill levy would renew the 2004 Museum Center levy without an inflation factor and with a 0.02 mill reduction. The reduced millage equals a \$2 million reduction from current funding. The levy would cost the owner of a \$100,000 home approximately \$4.43 a year. The same homeowner now pays \$4.93 for the Museum Center levy. The proposed 5 year levy would provide support for operations costs associated with insurance, utilities and maintenance and capital repair of Union Terminal, a public building, occupied by the Cincinnati Museum Center.

Background: Currently the Cincinnati Museum Center receives funding from two Hamilton County property tax levies: a 2004 levy for operations, maintenance and repair of Union Terminal and a 1986 levy to fund bonds for renovation of Union Terminal. The current five year 0.2 mill operating levy provides funds for the operation and repair of Union Terminal. The levy is due to expire in 2009 and is proposed for renewal. Its objectives were to provide assistance for operations costs and maintenance and capital repair while the Museum Center increased its financial resources for the repair, preservation and maintenance of the historic structure. While the Museum Center has progressed in increasing its endowment, it has not raised enough funds to be financially independent from the funds provided by the current operation levy. The Museum Center also receives operating revenue from government, private, earned and investment sources.

Built as a train station in 1933, Union Terminal was renovated and reopened as a Museum Center in 1990. Building improvements were funded in part by a \$45.7 million Hamilton County Bond levy approved by voters in 1986. The owner of a \$100,000 home currently pays approximately \$4.16 a year to fund the bonds. The bond levy expires in 2009 and will not be renewed.

A 2007 comprehensive Cincinnati Museum Center Master Plan Study indicated the need for significant repair and renovation for preservation of Union Terminal. Earlier this year the Museum Center requested a levy to fund building operations and maintenance, and capital expenditures for repairs and renovations as described in the Master Plan. The renewal of the 2004 levy does not act on the Museum Center's new capital expenditures request. The County Commissioners have resolved that the

County Administration work with the Museum Center to develop a capital plan for the long term capital needs of the Museum Center.

Located at Union Terminal, the Cincinnati Museum Center is a non-profit cultural organization including the Cincinnati Natural History Museum, Cincinnati History Museum and Library, Children's Museum and the Omnimax Theatre. Education, scientific research and entertainment are offered. In addition the Museum Center maintains collections and provides exhibits and programming for the general public.

Tax Levy Review Committee (TLRC) Recommendations: The TLRC reviewed the Museum Center request, engaged consultants for an operational review and a review of the Master Plan study, analyzed the Museum Center operations, and toured the facility. The TLRC found the Museum Center to be efficiently managed and the Master Plan to have merit. It recommended the operating levy be renewed at the current funding level, that the County work with Museum Center in helping develop a long term financing plan for the necessary capital improvements and that other sources such as private funds and federal, state and city sources be utilized before considering a new levy for capital renovation purposes.

ISSUE 7 HAMILTON COUNTY TAX LEVY - PUBLIC LIBRARY

An additional tax for the benefit of the Public Library of Cincinnati and Hamilton County, County of Hamilton, Ohio, for the purpose of **PROVIDING OPERATING EXPENSES AND CAPITAL IMPROVEMENTS** at a rate not exceeding one (1) mill for each one dollar of valuation, which amounts to ten cents (\$0.10) for each one hundred dollars of valuation, for five (5) years, commencing in 2009, first due in calendar year 2010.

A majority affirmative vote is necessary for passage.

Explanation: This new levy proposes a tax of 1 mill on residential and commercial property in Hamilton County for a five year term. The purpose of the levy is to provide funding for the Public Library of Cincinnati and Hamilton County, including staffing, operating costs, and facilities maintenance.

The levy would produce \$100.2 million over five years beginning in fiscal year 2010 or approximately \$20.2 million per year. The cost of the levy for the owner of a \$100,000 property would be approximately \$30 a year.

Under Ohio law, the Hamilton County Commissioners were required to place this issue on the ballot after the governing board of the Public Library of Cincinnati and Hamilton County voted to place this five-year levy before voters November 2009.

What the levy will do: If the levy passes, the Public Library of Cincinnati and Hamilton County will use the levy funds to help fund basic operating expenses and maintenance of Library facilities and to replace some of the lost state revenues.

Background: The Public Library of Cincinnati and Hamilton County, organized in 1853, was the nation's first metropolitan, county-wide library. It is governed by a 7-member Board of Trustees appointed by the Board of County Commissioners and the Common Pleas judges. The Library Board is responsible for all budgetary and operational decisions, overseeing establishment of all library branches and disposing of special funds such as endowments and grants. The Public Library of Cincinnati and Hamilton County consists of the Main Library in downtown Cincinnati and 40 branch libraries.

The Library's primary source of funding is state taxes, making up about 90% of its annual budget. Other sources of revenue to the Library include contributions, fines & fees, restricted grants, and investment return from endowments.

Currently the Public Library of Cincinnati and Hamilton County does not receive any local tax support. It is the only metropolitan library in Ohio without a local source of funding.

Ohio public libraries are funded by the Public Library Fund (PLF) which receives 2.22% of the State's General Revenue Fund tax collections. This amount of money has been gradually decreasing over the past few years due to the financial crisis and lower state tax revenue receipts. The 2010-2011 state budget bill reduces Ohio's Public Library Fund (PLF) from 2.22% to 1.97% of the tax collections included in the State's General Revenue Fund.

State support for the Public Library of Cincinnati and Hamilton County has declined from \$53.1 million in 2000 to an estimated \$38.4 million in 2009, a 25% reduction in state funding. In response, the Library has reduced hours of operation, staff, and budget. In addition capital projects have been canceled and renovations have been postponed.

Tax Levy Review Committee (TLRC) Comments: At the request of the Board of County Commissioners, the TLRC conducted an informal review of the Public Library of Cincinnati and Hamilton County's request for a 1 mill levy on the November 2009 ballot. Because of time constraints, the review waived the usual process for analyzing the levy request and served only as an opportunity for the residents of Hamilton County to understand why the Library requested a levy, their financial history and plan and what levy dollars would support. An outside consultant was not obtained by the Library or the County to provide a detailed analysis of the Library's operating structure or capital needs. The TLRC recommends the Library hire a consultant to review their operations and develop a 5-year plan.

CINCINNATI CITY ISSUES

ISSUE 8 - PROPOSED CHARTER AMENDMENT CITY OF CINCINNATI

Shall the Charter of the City of Cincinnati be amended to prohibit the city, and its various boards and commissions, from transferring or selling any assets of the City of Cincinnati, or any of its boards or commissions, to any regional water district, or any regional water and sewer district, formed pursuant to Ohio Revised Code Chapter 6119, without first submitting the question of the approval of such transfer or sale of assets to a vote of the electorate of the City and receiving a majority affirmative vote for the same, by enacting new Article XV?

A majority affirmative vote is necessary for passage

Explanation: The proposal if approved would amend the Charter of the City of Cincinnati by adding a new article. The proposed article would require the approval of City voters before the sale or transfer of any assets of the City of Cincinnati or its Boards or Commissions to any regional water district, or any regional water or sewer district, formed under Ohio Revised Code Chapter 6119.

This proposed Charter amendment was placed on the ballot through an initiative petition process that gathered sufficient qualified signatures requiring City Council to place the issue on the November 2009 ballot.

What the amendment would do: If passed, the new Charter article would require the City to hold an election for the purpose of asking voter approval before the sale or transfer of any City assets to a newly created greater Cincinnati regional water or regional water or sewer district formed under Ohio Revised Code 6119. This proposed amendment seeking voter approval would be a new requirement in addition to provisions of ORC 6119. Petitioners view the water works as a major public asset which should necessitate voter approval before the sale of assets to a regional water district. This Charter amendment is the effective means to require a vote before a sale of assets to a newly formed regional water district.

Background: The proposed amendment to the City Charter is in response to a report to City Council by the City Manager. The report recommended transition of the Greater Cincinnati Water Works to a Regional Water District based on the recommendations of a 14 month Water District Study Group. The water district would pay the City for the assets of the water works over 75 years. According to Ohio law, the funds could be applied only to "permanent improvements," that is, infrastructure in the City. City Council has not authorized a petition process to the Court of Common Pleas which would initiate proceedings for the organization of a regional water district; the proceedings would last about 18 months and would include several public hearings.

Under Ohio Law, ORC 6119, proceedings for the organization of a regional water district are initiated only by a petition to the County Court of Common Pleas authorized by the municipality or legislative authority. The Court reviews the petition and initiates proceedings which include public hearings before issuing a preliminary order declaring the district to be organized for the purpose of electing and appointing personnel and filing a plan for the operation of the district within 6 months or

a time determined by the court. After the plan is filed and reviewed, a final hearing is held to hear objections to the final organization of the district or the plan for the operation of the district. The court determines if the proposed district and the plan for its operation are conducive to the public health, safety, convenience, and welfare and is economical, feasible, fair and reasonable. Then the court deals with any objections and may modify the petition. The court also may require additional studies and a review of findings. The court declares the district finally organized.

Greater Cincinnati Water Works (GCWW), a municipally owned and operated utility, was purchased by the City of Cincinnati from a private owner in 1839. GCWW provides water service to the City of Cincinnati, most of Hamilton County, and areas in Butler and Warren Counties. GCWW also sells water to Boone County and the City of Florence in Northern Kentucky, via a pipeline installed under the Ohio River.

The GCWW is a City Department under the Office of the City Manager. Fees customers pay for water service are deposited into the water works fund, an enterprise fund. By law revenues must remain in that fund and may not be used for general City operations such as salaries.

Proponents Say:

- Adding a requirement in the City Charter will ensure that voters will be asked for their approval before the sale of a major asset such as the Water Works.
- The City of Cincinnati should retain direct control of the Water Works including authority to set water rates and assure delivery of high quality water.
- The loss of water works employee contributions to the City's retirement system may destabilize the system and require increased contributions by the City in the future.
- This Charter Amendment petition process that successfully gathered sufficient signatures of City voters is democracy at work.

Opponents Say:

- A charter amendment is unnecessary since Ohio law already provides for citizen comment and involvement in the establishment of a regional water district by requiring public hearings and the satisfactory resolution of any objections.
- Requiring a vote of the electorate before sale or transfer of assets is micro management of government and an interference with the Council Manager form of government where a city manager manages and makes recommendations for council action.
- The City Charter should not be cluttered with specific provisions prohibiting narrowly specified areas of City Council legislative authority and responsibility.
- This Charter Amendment would halt and prevent a full and vigorous public discussion about maintenance of the water system and delivery of water services.

ISSUE 9 - PROPOSED CHARTER AMENDMENT CITY OF CINCINNATI

Shall the Charter of the City of Cincinnati be amended to prohibit the city, and its various boards and commissions, from spending any monies for right-of-way acquisition or construction of improvements for passenger rail transportation (e.g. a trolley or streetcar) within the city limits without first submitting the question of approval of such expenditure to a vote of the electorate of the city and receiving a majority affirmative vote for the same, by enacting new Article XIV?

A majority affirmative vote is necessary for passage

Explanation: The proposed ballot issue would amend the Charter of the City of Cincinnati by adding Article XIV. The new article would require the approval of City voters before the City or any of its Boards and Commissions could spend money for right-of-way acquisition or construction of improvements for any passenger rail transportation, including but not limited to streetcars.

This proposed Charter amendment was placed on the ballot through an initiative petition process that gathered sufficient qualified signatures requiring City Council to place the issue on the November 2009 ballot.

What the amendment would do: The new Charter article would require the City to hold an election for the purpose of asking voter approval before the City could spend any monies on acquisition of right-of-ways or construction of improvements for any passenger rail transportation projects within the City of

Cincinnati. "Trolley or streetcar" is provided in the amendment as an example of passenger rail transportation. The amendment would affect all current and future passenger rail transportation including proposals for rail transit in the Eastern Corridor and passenger rail service connecting major Ohio and mid-west cities and any other passenger rail projects planned for the future which involve any city spending.

Background: The amendment is on the ballot because sufficient signatures were collected in a petition effort in response to a Cincinnati Streetcar Proposal now being considered by the City. According to petitioners, a Charter Amendment is an effective means to require a vote of the electorate before money is spent on such projects.

The proposed Charter Amendment requiring a vote of approval for purchase of right of way or construction of improvements would apply to any passenger rail transportation within the City (streetcar or trolley used as an example). This requirement would affect current planning for and eventual construction for passenger rail service connecting Cincinnati, Columbus and Cleveland, and Cincinnati and eastern suburb.

Supporters Say:

- This Charter Amendment would assure a public vote on passenger rail transportation including a streetcar before City funds are spent for right of way or construction.
- Voters should have a say about passenger rail projects which are usually expensive and long-term investments.
- A charter amendment is an appropriate means for citizens to exercise their right to petition their government.
- Voting on rail transit projects would force city government to be transparent in its funding and long range planning.
- The proposed streetcar route under discussion is the wrong plan.

Opponents Say:

- This amendment should not be in the charter because it is too specific and restricts a particular aspect of City Council's legislative authority and responsibility related to passenger rail service in the city.
- This amendment would effectively prohibit the City from planning rail transit projects because the project may be denied by a vote of the electorate and the expenditures in planning could not be recovered.
- This amendment will delay the City from accessing state and federal transportation dollars if every passenger rail project has to wait for voter approval.
- This amendment would restrict passenger rail transit as an option for our City unless voters approve each project.
- Requiring voters' approval before spending money on passenger rail transit would result in excessive delays in the development and implementation of an adequate transportation system for our City and limit transportation options that are part of local, state and national long range plans.

CITY ISSUES

Issue 10. Cincinnati 20-D - Local Option - Sunday Sales at Kroger - Wine and Mixed Beverages
10am - Midnight

Issue 11. Cincinnati 25-J - Local Option - Sunday Sales at Wal Mart - Wine and Mixed Beverages
10am - Midnight

Issue 12. Forest Park G - Local Option - Sunday Sales at Wal Mart - Wine and Mixed Beverages
10am - Midnight

Issue 13. Harrison C - Local Option - Sunday Sales At Kroger - Wine And Mixed Beverages
10am - Midnight

Issue 14. Milford - Tax levy - Renewal - 5.3 mills, 5 yr - Fire Protection Services

Issue 15. North College Hill - Tax Levy - Replacement - 0.5 mill, 5 yr - Senior Services

- Issue 16. Norwood 2-A - Local Option - Sunday Sales At Kroger - Wine And Mixed Beverages 10am - Midnight
- Issue 17. Norwood 2-B - Local Option - Sunday Sales at Donna's Carryout - Wine, Mixed Beverages and Spirituous Liquor 10am - Midnight
- Issue 18. St. Bernard - Charter Amendment - 4 yr Terms for President nd Members of Council
- Issue 19. Silverton - Charter Amendment - Civil Service
- Issue 20. Silverton - Charter Amendment - 4 yr Terms for Mayor and Council
- Issue 21. Silverton - Charter Amendment - Non-Partisan Elections for Mayor and Council
- Issue 22. Springdale - Charter Amendment - Section F-Contracts and Expenditures, Paragraph 3
- Issue 23. Springdale - Charter Amendment - Section F-Contracts and Expenditures, Paragraph 4
- Issue 24. Springdale - Charter Amendment - Section D-General, Paragraph 2
- Issue 25. Springdale - Charter Amendment - Section B-Council Candidates Nomination, Paragraph 6
- Issue 26. Springdale - Charter Amendment - Section D-Budget, Paragraph 3
- Issue 27. Springdale - Charter Amendment - Section E-Establish Department of Public Works
- Issue 28. Springdale - Charter Amendment - Section G-Clerk of Council/ Finance Director, Paragraph 6
- Issue 29. Springdale E - Local Option - Sunday Sales at Sam's Club - Wine and Mixed Beverages 10am - Midnight

VILLAGE/TOWNSHIP ISSUES

- Issue 30. Village of Addyston - Tax Levy - Renewal - 2 mills, 5 yr - Fire Protection & EMS
- Issue 31. Village of Addyston A - Local Option - Sunday Sales at Interesting Investments LLC - Wine, Mixed Beverages and Spirituous Liquor 10am - Midnight
- Issue 32. Village of Glendale - Proposed Electric Aggregation
- Issue 33. Village of Glendale - Proposed Natural Gas Aggregation
- Issue 34. Village of Golf Manor - Tax Levy - Renewal - 7 mills, 5 yr - COE
- Issue 35. Village of Golf Manor - Charter Amendment - Eliminate Residency Requirement
- Issue 36. Village of Greenhills - Tax Levy - Renewal - 1.5 mills, 5 yr - Roads
- Issue 37. Vill of Lincoln Hgts - Charter Amendment - Article II Section 2.10 Removal and Vacancies
- Issue 38. Vill of Lincoln Hgts - Charter Amendment - Article III Section 3.08 Interference By Council
- Issue 39. Vill of Lincoln Hgts - Charter Amendment - Article VI Section 6.01 Recall
- Issue 40. Village of Lockland - Proposed Electric Aggregation
- Issue 41. Village of Mariemont - Tax Levy - Addition - 4.75 mills, 5 yr - COE
- Issue 42. Village of Mariemont - Proposed Ordinance - Zoning
- Issue 43. Village of Woodlawn - Income Tax - 0.1% Increase
- Issue 44. Colerain Twp I - Local Option - Sunday Sales at Wal Mart - Wine and Mixed Beverages
- Issue 45. Colerain Twp V - Local Option - Sunday Sales at Wal Mart - Wine and Mixed Beverages 10am - Midnight
- Issue 46. Green Twp M - Local Option - Sunday Sales at Don Hattings Super Market - Beer, Wine and Mixed Beverages 10am - Midnight
- Issue 47. Miami Twp - Tax Levy - Replacement - 1.6 mills, CPT - Police Protection
- Issue 48. Miami Twp - Tax Levy - Replacement - 3.29 mills, CPT - Fire Protection & EMS
- Issue 49. Symmes Twp - Tax Levy-Replacement & Decrease - 1 mill, 3 yr - Parks and Recreation
- Issue 50. Symmes Twp - Proposed Electric Aggregation
- Issue 51. Symmes Twp - Proposed Natural Gas Aggregation

SCHOOL ISSUES

- Issue 52. Cincinnati School -Tax Levy - Renewal - 9.11 mills, 5 yr - Emergency Requirements
- Issue 53. Mt. Healthy School - Tax Levy - Renewal - 1.39 mills, 5 yr - Emergency Requirements
- Issue 54. Reading School - Tax Levy - Addition - 5.71 mills, 3 yr - Avoiding Operating Deficit
- Issue 55. Winton Woods School - Tax Levy - Addition - 7.9 mills, 10 yr - Emergency Requirements

OTHER DISTRICTS

- Issue 56. Harrison Twp Fire Dist - Tax Levy - Addition - 1.5 mills, CPT - Ambulance & EMS
- Issue 57. Little Miami Joint Fire & Rescue District - Tax Levy - Addition - 2.3 mills, CPT - Fire & EMS
- Issue 58. Columbia Twp Waste Dist - Tax Levy-Renewal - 3.5 mills, 3 yr - Waste Collection

DEFINITIONS OF BALLOT TERMS

Initiative - An initiative is the right the Ohio Constitution reserves for Ohioans to PROPOSE LEGISLATION OR AMENDMENTS TO THE STATE CONSTITUTION.

1. Constitutional Amendments may be initiated directly by the people, bypassing the legislature.

Procedure - A summary of the proposed amendment must be certified by the attorney general. The full text of the amendment and the summary are then filed with the secretary of state. The citizens who initiated the amendment must circulate petitions to collect enough signatures to equal ten percent of the electors voting for governor in the last gubernatorial election. Signatures must come from at least half of Ohio's 88 counties and represent five percent of the total vote cast for governor in that county in the last gubernatorial election. Signatures must be received by the secretary of state no later than 90 days prior to the general election, so that the secretary of state, with the assistance of the local boards of elections, can verify the validity of the signatures. The ballot wording, prepared by the Ohio Ballot Board, along with arguments for the amendment prepared by the initiating committee and arguments against it by persons named by the legislature, is published once a week for three weeks in a newspaper or general circulation in each county. If a majority of the voters approve the amendment it becomes part of the constitution.

(Reference: LWVO Education Fund. *Know Your Ohio Government, 9th Edition.* pg. 142. 2004)

COE - Current Operating Expenses

CPT - Continuing Period of Time

Mill - The property tax is measured in mills; a mill is one tenth of a penny. A mill produces \$1 in tax revenue for every \$1,000 of taxable value of the property. The taxable value is 35% of the fair market value, which is determined by the County Auditor's Office. By state law, counties must revalue all real property every three years. The next reappraisal will be done in 2011.

Renewal Levy - A renewal levy is the CONTINUANCE OF AN EXISTING LEVY with the collection rate at the same dollar amount as when the levy was originally approved.

Replacement Levy - A replacement levy is a NEW LEVY FOR THE SAME PURPOSE AS THE EXISTING LEVY but with a different collection rate than the levy it replaces. The collection rate uses the assessed value of the property at the time of the replacement.

Electric/Gas Aggregation - Aggregation is the process in which energy is sold to consumers who have joined together as a group to buy a product, electric or natural gas. Local governments may aggregate the energy used by their residents and arrange for the purchase of electricity or natural gas as "governmental aggregators." Ohio law gives local governments the option to choose either an opt-in or opt-out form of aggregation. The "Opt-in" form requires that each consumer agrees to participate in the program before being included in the aggregation pool. It does not require voter approval at an election. The "Opt-out" form automatically includes each consumer in the aggregated pool unless the individual affirmatively decides not to participate. It requires approval by a majority of the voters at an election.

Gas aggregation issues typically read: "Shall the (name of local government) have the authority to aggregate the retail natural gas loads located in the (name of local government), and enter into service agreements to facilitate for those loads the sale and purchase of natural gas, such aggregation to occur automatically except where any person elects to opt out?"

HAMILTON COUNTY TAX LEVY REVIEW COMMITTEE

The County appointed, 9 member, Tax Levy Review Committee (TLRC) serves in an advisory capacity to the Hamilton County Commissioners. Prior to the placement of each levy on the ballot, the TLRC hears agency requests for funding, engages a consultant to review agency financial and spending practices and considers the mid-term review of agency budget targets and contractual requirements. After studying all the information gathered, the Committee works to balance the public need for services with the ability of Hamilton County citizens to bear the tax burden to fund these services. At the completion of their review, the TLRC sends a written report of findings and recommendations to the Board of County Commissioners. The Commissioners make the final decision regarding the levy that is placed before the voters.