



# NEIGHBORHOOD BUSINESS DISTRICT SUPPORT FUND (NBDSF) GUIDELINES

Funding Ordinances provided upon request

## **PROGRAM OVERVIEW**

The intent of the Neighborhood Business District Support Fund (NBDSF) is to support recognized Neighborhood Business District (NBDs) in Cincinnati's neighborhoods. The Program has three goals:

- To assist NBDs in recruiting new members and increasing community participation by promoting the NBDs at special community events and or other activities, including holiday festivals.
- To provide minimal funding for annual capital, streetscape, landscaping, safety-related, or other projects that generally improve the NBD.
- To foster cooperation between NBDs and area Community Councils.

*Eligibility is limited to the Neighborhood Business Districts currently recognized by the City. NBDSF's purpose is to identify and fund Neighborhood Business District (NBD) projects that enhance the vitality of Cincinnati's Neighborhood Business Districts, increase the leadership capacity of Business Associations and/or Community Councils, support efforts to recruit, train, and increase the productivity of neighborhood volunteers.*

The City of Cincinnati provides the funding for this program and the City Administration serves as the administrator of the program. An advisory group composed of representatives from the recognized business districts will assist the City in peer-reviewing NBDSF proposals and making recommendations. At the City's discretion, the City may choose to contract out the administration responsibilities of the program to an outside entity. When this happens, the City will primarily oversee the administering agency. More details can be found about each entity's roles below.

## **NBDSF PROGRAM QUALIFYING CRITERIA**

The maximum grant per neighborhood is established annually by City Council during the budget process. These funds can be used to support one or more of the community's NBDs. Each project must meet each of the following

qualifying criteria:

- Support the City Council approved goals for the Neighborhood Business District Support Fund (NBDSF);
- Be located in one of the currently recognized Neighborhood Business Districts;
- Have written documentation that the Neighborhood Business Association and/or Community Council reviewed and commented on the project; and,
- Have a completion schedule that does not extend past June 30 of the current fiscal year

## **ELIGIBILITY STANDARDS**

NBDSF projects must improve the quality of life, serve public needs within the Neighborhood Business District, and must be consistent with these Guidelines. Projects must meet one of the following eligibility standards:

- **Organizational Development** - The project must strengthen, improve, and develop the NBD through organizational development activities for its association aimed at increasing its membership. Examples include: business development analysis, leadership & membership training, and membership recruitment activities.
- **NBD Promotional Activities** - The project must increase community awareness of the NBD and its businesses. These projects are specific or general activities that seek to inform, educate, and publicize the businesses and services in the NBD to neighborhood residents, the Community Council and other neighborhood stakeholders. Examples include: brochures, newsletters, websites, advertisements, or other promotional events/activities.
- **Physical Improvements** - The project must focus on capital improvements, streetscape improvements or other amenities or activities in the NBD public right-of-way that are designed to improve safety, clean-up, beautify, enhance signage or lighting, and/or landscaping (including planters). Examples include: gateway signage, trash containers, public benches, and improvement or maintenance of the right-of-way.
- **Collaboration between the Neighborhood Business Associations and Community Councils** - The project activities must improve the communication and collaboration between the Neighborhood Business Association and Community Council. Such activities may include the joint sponsoring of a NBD or community event. Innovation is encouraged in this area. Examples include: fundraising events, consultant services, and neighborhood charities.

## **INELIGIBLE EXPENSES NBDSF PROGRAM**

The following are INELIGIBLE expenses and cannot be funded using the NBDSF Program.

- NO direct social services such as emergency food, housing assistance and distribution of products and gifts.
- NO routine operating expenses of the Business Association or Community Council such as rent, utilities, taxes, building maintenance, repair, and equipment rental.
- NO purchase of office equipment (including computers, phones, printer, fax machines, etc.) or office supplies (paper, writing utensils, staplers, etc.) to support the ongoing operations of the Business Association or Community Council.
- NO compensation for anyone performing routine office duties or conducting activities unrelated to those of the Business Association or Community Council.
- NO prizes or direct cash awards to individuals or groups, including gift cards and certificates.
- NO Business Association or Community Council using NBDSF funds to purchase advertising that appears in its own NBDSF Program subsidized publications.
- NO activities that duplicate government services currently available within the neighborhood.
- NO hiring of Business Association or Community Council officers or their immediate family members.
- NO promotion and endorsement of political candidates or their activities.
- NO activities that fail to serve any public purpose.
- NO legal fees.

- NO real estate options.
- NO improvement to private property.
- NO sales tax.
- Activities Prohibited by City, State, County and Federal Law.

## **PREPARATION AND SUBMISSION OF A NBDSF PROPOSAL**

In preparing a proposal, a Business Association or Community Council shall use the NBDSF Application forms as determined by the City. Please encourage and consider all ideas from Neighborhood Business Association membership or Community Council membership. Final decisions regarding the proposal must be made in regular open, well-publicized meetings with the required quorum (number noted in the respective organization's by-laws), where all Business Association or Community Council members, businesses located within the NBD and neighborhood residents have a vote. Documentation to finalize proposals must show that a democratic process was used.

Each proposal shall be accompanied by the following documentation, if not already on file with the Administrator:

- Current organization's By-Laws that meet the applicable requirements of **City Ordinance #249-2004** (Attachment I, City Ordinance).
- Proof of current nonprofit incorporation status within the State of Ohio (i.e., copy of a Certificate of Continuing Existence, Statement of Good Standing, or Certificate of Reinstatement) and the corporation's Articles of Incorporation and all amendments (a separate document from the By-Laws).
- A resolution passed by the Business Association or Community Council, as applicable, stating that no one is barred from Business Association or Community Council membership nor will be discriminated against in hiring by reason of race, sex, age, handicap, religion, or national origin.
- All proposal submissions and documentation materials shall be received by the Administering Agency in advance of or on published deadline dates.
- Minutes and Sign-In sheets from the Business Association or Community Council meeting at which the proposal was voted on must be submitted. If the meeting took place on a date other than the Business Association or Community Council regular monthly meeting, the Business Association or Community Council shall provide evidence that businesses and Neighborhood Business District residents were notified in advance of the opportunity to vote on the NBDSF Program proposal.
- Job descriptions for any non-staff position to be paid with NBDSF funds.
- An Organizational Plan shall be provided when a proposal budget seeks wages in excess of \$500 for any one worker. The Organizational Plan shall describe the connection between workers and the Business Association or Community Council and its volunteers, as well as define a set of goals and objectives for the contract term that are specific and measurable.

Once a proposal has been forwarded onto the NBDSF Advisory group for approval, the Business Association or Community Council shall ensure that at least one person knowledgeable about the proposal and previous year's Final Report is present at the NBDSF meeting to present the proposal. If no knowledgeable person is present, the proposal will not be considered and moved to the next Review Committee meeting.

## **ATTACHMENTS:**

### **I - Who May Participate/Business Boundaries**

**II - Examples of Successful NBDSF Projects**  
**III - Addition Program Information**

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## ATTACHMENT I

### **WHO MAY PARTICIPATE**

Each of the 34 Cincinnati neighborhoods listed below has at least one recognized Neighborhood Business District. The City-recognized business association (or the Community Council in the absence of a business association) in each of these neighborhoods is eligible to participate in the program, provided the conditions specified within the NBDSF Guidelines are met. Any additions or deletions to this list shall be pursuant to City of Cincinnati policy.

### **ELIGIBILITY OF NEIGHBORHOOD BUSINESS DISTRICTS**

The following information should be used to assist applicants in identifying Neighborhood Business Districts (NBDs) eligible for funding:

The City of Cincinnati defines an NBD as “the contiguous placement on primary streets in the neighborhood that are reliant upon neighborhood residents and also serve customers from other communities. Typically, NBDs are composed of retail stores, restaurants, personal services, and other similar ‘walk-in’ customer oriented businesses. NBDs help to define the unique character of their neighborhood and are critically important to the visual impact of the neighborhood and to the maintenance and revitalization of the neighborhood.”

Due to constant changes to boundaries of Neighborhood Business Districts, no boundaries will be defined in this Program. Please request a map of your NBD’s boundaries from the Program Administrator.

1. Avondale
2. Bond Hill
3. California
4. Camp Washington
5. Carthage
6. Clifton
7. Clifton Heights, University Heights and Fairview (C.U.F.)
8. College Hill
9. Columbia-Tusculum
10. Corryville
11. East Price Hill
12. East Walnut Hills
13. Evanston
14. Hartwell
15. Hyde Park
16. Kennedy Heights
17. Lower Price Hill
18. Madisonville
19. Mt. Adams
20. Mt. Airy
21. Mt. Lookout
22. Mt. Washington
23. North Avondale
24. Northside
25. Oakley
26. O’Byronville
27. Over-the-Rhine – Main Street
28. Over-the-Rhine – Vine Street
29. Pleasant Ridge
30. Roselawn
31. Walnut Hills
32. West End
33. West Price Hill
34. Westwood

## ATTACHMENT II

### EXAMPLES OF SUCCESSFUL ELIGIBLE STANDARD NBDSF PROJECTS

#### Organizational Development

Business development analysis  
Leadership and Membership training  
Membership recruitment activities

#### NBDSF Promotional Activities

Brochures  
Newsletters  
Code Enforcement of littering, zoning and health regulations  
Website  
Promotional or educational events or videos  
Advertisement

#### Physical Improvements

Streetscapes  
Historic preservation initiatives  
Landscaping of vacant public areas  
Painting of public structures  
Public benches  
Public signage  
Trash containers  
Gateway signs  
Clean-up of vacant lots and public areas

#### Collaboration between the Neighborhood Business Association and Community Council

Fundraising Events  
Law Enforcement/emergency response studies  
Expert and consultant services  
Neighborhood charettes  
Form based codes

## ATTACHMENT III

# Additional Information

## TERMS OF THE NBDSF CONTRACT BETWEEN ADMINISTERING AGENCY AND THE BUSINESS ASSOCIATION OR COMMUNITY COUNCIL

The program year begins each July 1 and ends June 30 of following calendar year. Business Associations or Community Councils must submit proposals according to the published calendar of deadlines established by the NBDSF Program Administrator.

- Business Association or Community Council can submit no more than one contract per calendar year with a maximum grant amount allowed by City Council, per calendar year.
- A Business Association or Community Council cannot request more than two formal Amendments for a single contract. Requests for Amendments must follow the same procedure outlined for proposals.
- Business Associations or Community Councils may combine proposals and share one contract as long as the benefits to the participating neighborhoods are evident and agreed coordination is submitted in writing.
- A Business Association or Community Council must submit a Final written performance report (summary of approved projects and budget) for the period of the contract. Final Reports may be submitted as soon as projects are completed, but no later than 30 days after the contract completion date.
- Grant funds can be distributed either through an advanced payment, or by reimbursement after project is complete.
  - Advanced Payment: The City shall make one advance payment to Grantee at a reasonable time after submission and approval of Grantee's project proposal. For any funds advanced, Grantee shall transmit at any time after receipt of payment up to, but no later than thirty days after expiration of this agreement, data satisfactory to the City to document application of the payment to the purpose for which it was intended.
    - Grantee must show documentation that the money was spent according to the activities approved in the Grantee's proposal within **thirty (30) days** after expiration or termination of the contract. Any funds that are not spent in accordance with the proposal or are ineligible according to these Guidelines will need to reimburse the City for that amount.
    - If Grantee is unable to produce documentation on how advanced payment funds were spent, Grantee must reimburse the City for the amount the amount that is undocumented. If Grantee cannot, the funds will be deducted from that neighborhood's allocated funds the following year. If undocumented funds are over \$1,000, Grantee will be ineligible of receiving any NBDSF funds the following program year.
  - Reimbursement: No later than thirty (30) days after the expiration or termination of this agreement, the Grantee shall submit to the City, in a form and manner acceptable to the City, vouchers for payments for all remaining payments or monies due under the terms of this agreement.
- The funding provided for by this agreement may only be disbursed for services rendered or expenses incurred after the date this agreement has been signed by both parties. No funds shall be spent for any service rendered or expense incurred prior to such date.
- Final Payments can be withheld until the Administering Agency has received Final Reports.

## ELIGIBILITY REQUIREMENTS

- Only those Business Associations or Community Councils with NBDs recognized and approved by the City of Cincinnati are eligible to participate in the Program.

- All NBDSF Program participants shall operate in accordance with City of Cincinnati Ordinance 220-1989. (provided upon request). It is the intent of this Program to give priority to Neighborhood Business Associations as program participants. In the event of conflict between a Neighborhood Business Association and a Community Council, the City reserves the right to make the final decision and determine which entity shall be the NBDSF Program participant.
- Each NBDSF Program participant accepts responsibility to fulfill all of the obligations according to their contract, adherence to the NBDSF Program Guidelines, and the open and democratic operation of its Business Association or Community Council.
- A participating Neighborhood Business Association or Community Council shall not discriminate in its membership recruitment.
- A participating Neighborhood Business Association or Community Council shall make all decisions regarding the Program in open meetings where all members and non-members are allowed to vote, as applicable (i.e. vote cannot be restricted to Board Members, but must be open to all attendees).

### **PROGRAM GENERAL LIMITATIONS AND CONDITIONS**

- All Program-funded publications shall strive for balanced coverage.
- Business Associations or Community Councils are required to avoid discriminatory or exclusionary practices.
- Fundraising in support of Program activities is allowed.
- The City will not fund communications or projects that disparage City Departments, officials, other neighborhoods or the City as a whole.
- Expenditures for communication projects and/or any items leading to the production of communication projects (i.e., graphic design, layouts, color separations, etc.) shall be limited to \$3,000 per contract year unless the Business Association or Community Council distributes at least one issue to every residence in its neighborhood, in which case the Business Association or Community Council is eligible for \$4,000 per contract year.
- General communication projects shall be defined as Newsletters, Brochures (non-project specific), Flyers (non-project specific), and/or Electronic Communication & websites. The funding cap on general communications does not include the following: membership recruitment projects, signage specifying community boundaries, or publicity or communication elements that are integral to a larger project and not simply a communication-focused project.
- Revenues obtained from Program projects shall be expended for activities that are beneficial to the neighborhood and compatible with NBDSF Program Guidelines.
- Organizational development projects specifically for Business Association membership recruitment shall be limited to \$1,000.
- Expenses for phone service and a post office box not to exceed \$1,000 per contract year.
- Property taxes are an eligible expense on community-owned properties only, and each specific property must be approved by Program Administrator in advance.
- Food expenses are only allowed for fundraising resale purposes, limited to \$1,500 per contract year.
- Entertainment expenses are only allowed for events widely promoted for general attendance by the Business Association or Community Council membership or residents of the community.
- Fixed assets in excess of \$500 per item shall be permanently installed in a public right-of-way, on public property, and requires prior City approval and cannot be prohibited by City and State Law.
- Capital assets (items having a useful life of three years or more) where cost exceeds \$200 and/or cleanup supplies, tools, etc., shall be made available to the community for NBDSF projects.
- Up to \$500 of Program funds may be used for the preparation of annual audits and /or financial reports.
- Equipment purchased with NBDSF funds shall be used primarily in the implementation of NBD allowable projects. Such equipment shall be kept in a publicly accessible location, not a private location (i.e. private residence). Licensing for the equipment needs to be obtained and notification of purchased equipment should be shown to the Administrator.



## **THE CITY OF CINCINNATI**

The City Administration will be the administrator of the Program. The City will be responsible to participants for content review of proposals and for administrative and fiscal processing. Additionally, the City will:

- Establish a process to ensure review and approval of proposals and amendments by the City's chosen program advisor group.
- Provide a timely review & approval of proposals made by NBD participants.
- Prepare and distribute administrative Guidelines
- Review and monitor all Program NBDs through Final Performance Reports, as well as site visits when necessary to assure compliance with the Program Guidelines.
- As needed, offer a training to adequately train new participant to the Program and Process.
- Communicate Program changes and enhancements to the NBD participants, as necessary.
- The City Manager, or Designee, has the right to amend NBDSF Guidelines as necessary to ensure the best interest of the City and/or neighborhoods.
- At the City's discretion, the City may choose to contract out the administration of the program to an outside entity. When this happens, the City's principal role shall be to monitor the performance of the contracted Administering Agency. However, the City retains the right to disallow projects deemed inappropriate or that fall outside of the spirit of the NBDSF Guidelines and the City will have final authority for determining whether projects and the expenditures of the projects fall within the parameters for NBDSF Guidelines.
  - The City will determine the Administering Agency's Scope of Services for the Neighborhood Business Districts, along with the budget and contract language between the Agency and neighborhoods for NBDSF administration.
  - The City will provide all required and binding policies, Guidelines, regulations, and compliance forms that could potentially impact the Program to the Administering Agency and CNBDU.
  - The City will approve all payments to Business Associations, Community Councils and the Administering Agency, in accordance with these Guidelines and all other applicable federal, state and local laws.

## **NBDSF PROGRAM ADVISOR**

An advisory group of NBD representatives will serve as a peer review group for all NBDSF Program proposals. The advisory group will review and vote "for" or "against" NBDSF proposals and Final Reports. Additionally, the advisory group provides input to the City relative to changes or enhancements that benefit NBDSF. Approval of proposals requires a majority vote of persons present at the advisory group meeting. Approval will be based on the following requirements:

- The NBDSF Program Guidelines have been met;
- Proposed projects are adequately defined in the Scope of Services;
- The proposed budget is reasonable and clearly itemized; and,
- There is evidence that the Business Association or Community Council submitting the proposal can manage the contract to a successful conclusion.

## **NBDSF PROGRAM ADMINISTRATOR**

The NBDSF Program Administrator, as designated by the City, shall administer all NBDSF contracts and approve all payments to Program participants. The NBDSF Program Administrator shall:

- Establish and publicize a schedule of meeting times and deadlines for proposal submissions and amendments for the coming fiscal year.
- Review all proposals to determine possible duplication of services or conflict of services, as well as for compliance with these Program Guidelines.
- Prepare all Program materials, including a schedule of program activities, for the NBDSF Program Review Committee's consideration, and execute contracts to approved Program participants.
- Approve adjustments to the project budget or Scope of Services within the existing contract without review by the Committee if all of the following criteria apply (Informal Amendment):
  - The proposed revision does not add to the total amount of the existing contract;
  - The total amount, not to exceed \$1,000, is an adjustment either within a project or between projects;
  - Proposed changes do not substantially alter the Scope of Services; and
  - All requests are made in writing to the NBDSF Program Administrator before the end of the contract.
- Terminate a NBDSF contract if the contract is not adhering to the NBDSF Guidelines, budget, or timeline. The NBDSF Administrator shall consult with the advisory group prior to any contract termination. The Program participant shall be notified of the possibility of contract termination and be afforded the opportunity to present its case before the advisory group. Final determination to terminate a contract is the sole responsibility of the City.
- Maintain copies of all submitted proposals pertaining to the proposals and contracts, for two years.
- Be responsible for interpreting the NBDSF Guidelines in consultation with the advisory group as needed and/or required.

## **NEIGHBORHOOD BUSINESS DISTRICT SUPPORT FUND (NBDSF) PROGRAM MANAGEMENT**

It is the responsibility of each Neighborhood to appoint a NBDSF Program Manager, who is a volunteer, to manage the project and serve as the liaison between the Business Association or Community Council and the Administrator to ensure effective participation in the Program. The Program Manager is also responsible for retention, organization, and completion of all required Program paperwork and financial support materials by stated deadlines, including Final Reports, reimbursement vouchers, financial bookkeeping system, and volunteer hours log.

While the specific duties assigned by each NBDSF Program participant to its NBDSF Program Manager may vary from neighborhood to neighborhood, the responsibilities listed below are suggested as a preferred model for Program purposes. This is not a mandated or required job description, but is a helpful checklist for Program participant as they may undertake recruitment for volunteers to aid in the development and implementation of projects.

A Program Manager should:

- Facilitate Program participation and eligibility in terms of encouraging an open and well-publicized process for deliberating proposal ideas, generating accurate Minutes and Sign-In Sheets from the meetings.
- Work with NBDSF Program participant committees to plan projects and budgets in order to maximize the NBDSF-funded award amount available each fiscal year to the neighborhood.
- Notify the NBDSF Program Administrator of any concerns, problems, or questions pertaining to the successful implementation of the Program contract and/or maintaining the neighborhood's eligibility for Program participation.

## **HIRING (Workers and Contractors)**

- Business Associations or Community Councils shall provide a free, open, and competitive process for each non-staff position for which they intend to contract. All non-staff **paid positions** shall be openly advertised to neighborhood residents prior to hiring, even if the Business Association or Community Council intends to retain current personnel. The NBDSF Program Director will provide consultation and written procedures to Business Associations or Community Councils on their hiring and procurement requirements. Business Associations or Community Councils shall document the selection process and the basis for payment. This documentation shall be in the form of a memo to the NBDSF Program Director and shall be submitted before or with the first claim invoice.
- In advance of selecting contractors, the Business Association or Community Council shall determine the job descriptions and skills needed for the job and appropriate payment rate. The basis for payment shall consider: job expectations, level of experience, and other criteria defined by the Business Association or Community Council. In submitting proposals, applicants should determine the type of work they want accomplished and base their proposal budget on a maximum amount they wish to spend. If they are able to obtain a worker for a lesser amount after negotiation with the candidate, then Business Association or Community Council may request an adjustment in the contract line item by writing the NBDSF Program Director.
- When deciding to hire non-staff workers, participating NBDSF Business Associations or Community Councils shall determine whether the worker is an employee or a services contractor. NBDSF Program Proposal Budgets shall show the specific details of the working relationship. If workers are employees, then appropriate withholding for federal, state, and local purposes and other applicable employer taxes shall be detailed and the sources of funds for payment identified (NBDSF Program or other source). The NBDSF Program Director will provide information on the differences between employee and worker relationships. However, the Business Association or Community Council and its workers are ultimately responsible for adherence to withholding requirements.