

# The City Record

Official Publication of the Council of the City of Cleveland



October the Twenty-Fourth, Two Thousand and Eighteen

**Frank G. Jackson**  
Mayor

**Kevin J. Kelley**  
President of Council

**Patricia J. Britt**  
City Clerk, Clerk of Council

**Ward Name**

- 1 Joseph T. Jones
- 2 Kevin L. Bishop
- 3 Kerry McCormack
- 4 Kenneth L. Johnson, Sr.
- 5 Phyllis E. Cleveland
- 6 Blaine A. Griffin
- 7 Basheer S. Jones
- 8 Michael D. Polensek
- 9 Kevin Conwell
- 10 Anthony T. Hairston
- 11 Dona Brady
- 12 Anthony Brancatelli
- 13 Kevin J. Kelley
- 14 Jasmin Santana
- 15 Matt Zone
- 16 Brian Kazy
- 17 Martin J. Keane

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[www.clevelandcitycouncil.org](http://www.clevelandcitycouncil.org)

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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL – LEGISLATIVE

President of Council – Kevin J. Kelley

Ward	Name	Residence	
1	Joseph T. Jones	4691 East 177th Street	44128
2	Kevin L. Bishop	11729 Miles Avenue, #5	44105
3	Kerry McCormack	1769 West 31st Place	44113
4	Kenneth L. Johnson, Sr.	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44115
6	Blaine A. Griffin	1810 Larchmere Boulevard	44120
7	Basheer S. Jones	1383 East 94th Street	44106
8	Michael D. Polensek	17855 Brian Avenue	44119
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Anthony T. Hairston	423 Arbor Road	44108
11	Dona Brady	1272 West Boulevard	44102
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Kevin J. Kelley	5904 Parkridge Avenue	44144
14	Jasmin Santana	3535 Marvin Avenue	44109
15	Matt Zone	1228 West 69th Street	44102
16	Brian Kazy	4300 West 143rd Street	44135
17	Martin J. Keane	15907 Colletta Lane	44111

City Clerk, Clerk of Council – Patricia J. Britt, 216 City Hall, 664–2840

### MAYOR – Frank G. Jackson

Sharon Dumas, Interim Chief of Staff

Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer  
 Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs  
 Monyka S. Price, Executive Assistant to the Mayor, Chief of Education  
 Matt Gray, Executive Assistant to the Mayor, Chief of Sustainability  
 Natoya J. Walker Minor, Executive Assistant to the Mayor, Chief of Public Affairs  
 Edward W. Rybka, Executive Assistant to the Mayor, Chief of Regional Development  
 Tracy Martin-Thompson, Executive Assistant to the Mayor, Chief of Prevention, Intervention and Opportunity for Youth and Young Adults

### OFFICE OF CAPITAL PROJECTS – Matthew L. Spronz, Director

DIVISIONS:  
 Architecture and Site Development – Carter Edman, Manager  
 Engineering and Construction – Richard J. Switalski, Manager  
 Real Estate – James DeRosa, Commissioner

### OFFICE OF EQUAL OPPORTUNITY – Melissa K. Burrows, Ph.D., Director

### OFFICE OF QUALITY CONTROL AND PERFORMANCE MANAGEMENT – Sabra T. Pierce-Scott, Director

**DEPT. OF LAW** – Barbara A. Langhenry, Director, Gary D. Singletary, Chief Counsel, Ronda G. Curtis, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel, Victor R. Perez, Chief Assistant Prosecutor, Room 106; Robin Wood, Law Librarian, Room 100

### DEPT. OF FINANCE – Sharon Dumas, Director, Room 104;

Natasha Brandt, Manager, Internal Audit  
 DIVISIONS:

Accounts – Lonya Moss Walker, Commissioner, Room 19  
 Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122  
 City Treasury – James Hartley, Treasurer, Room 115  
 Financial Reporting and Control – James Gentile, Controller, Room 18  
 Information Technology and Services – Kimberly Roy-Wilson, Commissioner, 205 W. St. Clair Avenue  
 Purchases and Supplies – Tiffany White, Commissioner, Room 128  
 Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue  
 Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

### DEPT. OF PUBLIC UTILITIES – Robert L. Davis, Director, 1201 Lakeside Avenue

DIVISIONS:  
 Cleveland Public Power – Ivan Henderson, Commissioner  
 Utilities Fiscal Control – Frank Badalamenti, Chief Financial Officer  
 Water – Alex Margevicius, Commissioner  
 Water Pollution Control – Rachid Zoghaib, Commissioner

### DEPT. OF PORT CONTROL – Robert Kennedy, Director, Cleveland Hopkins International Airport, 5300 Riverside Drive

DIVISIONS:  
 Burke Lakefront Airport – Khalid Bahhur, Commissioner  
 Cleveland Hopkins International Airport & Burke Lakefront Airport – Khalid Bahhur, Commissioner

### DEPT. OF PUBLIC WORKS – Michael Cox, Director

OFFICES:  
 Administration – John Laird, Manager  
 Special Events and Marketing – Tangee Johnson, Manager  
 DIVISIONS:

Motor Vehicle Maintenance – Jeffrey Brown, Commissioner  
 Park Maintenance and Properties – Richard L. Silva, Commissioner  
 Parking Facilities – Kim Johnson, Interim Commissioner  
 Property Management – Tom Nagle, Commissioner  
 Recreation – Samuel Gissentaner, Interim Commissioner  
 Streets – Frank D. Williams, Interim Commissioner  
 Traffic Engineering – Robert Mavec, Commissioner  
 Waste Collection and Disposal – Randell T. Scott, Interim Commissioner

### DEPT. OF PUBLIC HEALTH – Merle Gordon, Director, 75 Erieview Plaza

DIVISIONS:  
 Air Quality – David Heame, Interim Commissioner  
 Environment – Brian Kimball, Commissioner, 75 Erieview Plaza  
 Health – Persis Sosiak, Commissioner, 75 Erieview Plaza

### DEPT. OF PUBLIC SAFETY – Michael C. McGrath, Director, Room 230

DIVISIONS:  
 Animal Control Services – John Baird, Interim Chief Animal Control Officer, 2690 West 7th Street  
 Correction – David Carroll, Interim Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.  
 Emergency Medical Service – Nicole Carlton, Acting Commissioner, 1708 South Pointe Drive  
 Fire – Angelo Calvillo, Chief, 1645 Superior Avenue  
 Police – Calvin D. Williams, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

### DEPT. OF COMMUNITY DEVELOPMENT – Tania Menesse, Director

DIVISIONS:  
 Administrative Services – Joy Anderson, Commissioner  
 Fair Housing and Consumer Affairs Office – John Mahoney, Manager  
 Neighborhood Development – James Greene, Commissioner  
 Neighborhood Services – Louise V. Jackson, Commissioner

### DEPT. OF BUILDING AND HOUSING – Ayonna Blue Donald, Director, Room 500

DIVISIONS:  
 Code Enforcement – Thomas E. Vanover, Commissioner  
 Construction Permitting – Narid Hussain, Commissioner

### DEPT. OF HUMAN RESOURCES – Nycole West, Director, Room 121

### DEPT. OF ECONOMIC DEVELOPMENT – David Ebersole, Director, Room 210

### DEPT. OF AGING – Mary McNamara, Director, Room 122

**COMMUNITY RELATIONS BOARD** – Room 11, Grady Stevenson, Director, Mayor Frank G. Jackson, Chairman Ex-Officio; Rev. Dr. Charles P. Lucas, Jr., Vice-Chairman, Council Member Kevin L. Bishop, Roosevelt E. Coats, Jenice Contreras, Kathryn Hall, Yasir Hamdallah, Evangeline Hardaway, John O. Horton, Gary Johnson, Sr., Daniel McNea, Stephanie Morrison-Hrbek, Roland Muhammad, Gia Hoa Ryan, Council Member Jasmin Santana, Peter Whitt, Ted Wammes.

**CIVIL SERVICE COMMISSION** – Room 119, Rev. Gregory E. Jordan, President; Michael Flickinger, Vice-President; Barry A. Withers, Interim Secretary; Members: Daniel J. Brennan, India Pierce Lee.

**SINKING FUND COMMISSION** – Frank G. Jackson, President; Council President Kevin J. Kelley; Betsy Hruby, Asst. Sec’y.; Sharon Dumas, Director.

**BOARD OF ZONING APPEALS** – Room 516, Carol A. Johnson, Chairman; Members: Henry Bailey, Myrline Barnes, Kelley Britt, Tim Donovan, Elizabeth Kukla, Secretary.

**BOARD OF BUILDING STANDARDS AND BUILDING APPEALS** – Room 516, Joseph F. Denk, Chairman; Howard Bradley, Patrick M. Gallagher, Robert Maschke, Halim M. Saab, P.E., Alternate Members – D. Cox, P. Frank, E. P. O’Brien, Richard Pace, J.F. Sullivan.

**BOARD OF REVISION OF ASSESSMENTS** – Law Director Barbara A. Langhenry, President; Finance Director Sharon Dumas, Secretary; Council President Kevin J. Kelley.

**BOARD OF SIDEWALK APPEALS** – Capital Projects Director Matthew Spronz, Law Director Barbara A. Langhenry; Council Member Kenneth L. Johnson.

**BOARD OF REVIEW** – (Municipal Income Tax) – Law Director Barbara A. Langhenry; Public Utilities Director Robert L. Davis; Council President Kevin J. Kelley.

**CITY PLANNING COMMISSION** – Room 501 – Freddy L. Collier, Jr., Director; David H. Bowen, Lillian Kuri, Gloria Jean Pinkney, Council Member Kerry McCormack, Diane Downing, August Fluker, Charles Slife.

**FAIR HOUSING BOARD** – \_\_\_\_\_, Chair; Genesis O. Brown, Daniel Conway, Robert L. Render.

**HOUSING ADVISORY BOARD** – Room 310 – Keith Brown, Terri Hamilton Brown, Vickie Eaton-Johnson, Mike Foley, Eric Hodderson, Janet Lochr, Mark McDermott, Marcia Nolan, David Perkowski, Joan Shaver Washington, Keith Sutton.

**CLEVELAND BOXING AND WRESTLING COMMISSION** – Robert Jones, Chairman; Clint Martin, Mark Rivera.

**MORAL CLAIMS COMMISSION** – Law Director Barbara A. Langhenry; Chairman; Finance Director Sharon Dumas; Council President Kevin J. Kelley; Councilman Kevin Kelley.

**CLEVELAND LANDMARKS COMMISSION** – Room 519 – Julie Trott, Chair; Giancarlo Calicchia, Vice Chair; Laura M. Bala, Freddy L. Collier, Jr., Allan Dreyer, Robert Strickland, Donald Petit, Secretary, Council Member Basheer S. Jones, Matthew L. Spronz; Michele Anderson, Stephen Harrison, Raymond Tarasuck, Jr.

**AUDIT COMMITTEE** – Yvette M. Ittu, Chairman; Debra Janik, Bracy Lewis, Diane Downing, Donna Sciarappa, Council President Kevin J. Kelley; Law Director Barbara A. Langhenry.

## CLEVELAND MUNICIPAL COURT JUSTICE CENTER – 1200 ONTARIO STREET JUDGE COURTROOM ASSIGNMENTS

Judge	Courtroom
Presiding and Administrative Judge Michelle D. Earley	14-C
Judge Pinkey S. Carr	15-C
Judge Marilyn B. Cassidy	13-A
Judge Emanuella Groves	14-B
Judge Lauren C. Moore	15-A
Judge Michael L. Nelson, Sr.	12-A
Judge Ann Clare Oakar	14-A
Judge Ronald J.H. O’Leary (Housing Court Judge)	13-B
Judge Charles L. Patton, Jr.	13-D
Judge Suzan M. Sweeney	12-C
Judge Jazmin Torres-Lugo	13-C
Judge Shiela Turner McCall	12-B
Judge Joseph J. Zone	14-D

Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Timothy Lubbe – Housing Court Administrator, Robert J. Furda – Chief Bailiff; Dean Jenkins – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate.

# The City Record

71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 105

WEDNESDAY, OCTOBER 24, 2018

No. 5472

## CITY COUNCIL

MONDAY, OCTOBER 22, 2018

The City Record  
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[www.clevelandcitycouncil.org](http://www.clevelandcitycouncil.org)  
Address all communications to  
**PATRICIA J. BRITT**  
City Clerk, Clerk of Council  
216 City Hall

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2018-2021

#### MONDAY — Alternating

9:30 A.M. — **Health and Human Services Committee:** Griffin (CHAIR), McCormack (VICE-CHAIR), Conwell, B. Jones, Hairston, Santana, Zone.

9:30 A.M. — **Municipal Services and Properties Committee:** K. Johnson (CHAIR), Brady (VICE-CHAIR), Bishop, Brancatelli, Hairston, J. Jones, Kazy.

#### MONDAY

2:00 P.M. — **Finance Committee:** Kelley (CHAIR), Zone (VICE-CHAIR), Brady, Brancatelli, Cleveland, Conwell, Griffin, Keane, McCormack.

#### TUESDAY

9:30 A.M. — **Development, Planning and Sustainability Committee:** Brancatelli (CHAIR), Cleveland (VICE-CHAIR), Bishop, Hairston, B. Jones, Keane, McCormack.

#### TUESDAY — Alternating

1:30 P.M. — **Utilities Committee:** Keane (CHAIR), Kazy (VICE-CHAIR), Bishop, Hairston, McCormack, Polensek, Santana.

1:30 P.M. — **Workforce and Community Benefits Committee:** (CHAIR), Cleveland (VICE-CHAIR), Brady, Griffin, B. Jones, J. Jones, Kazy.

#### WEDNESDAY — Alternating

10:00 A.M. — **Safety Committee:** Zone (CHAIR), Polensek (VICE-CHAIR), Griffin, Kazy, B. Jones, J. Jones, Santana.

10:00 A.M. — **Transportation Committee:** Cleveland (CHAIR), Keane (VICE-CHAIR), Bishop, Conwell, Johnson, J. Jones, Santana.

### The following Committees meet at the Call of the Chair:

**Mayor's Appointments Committee:** Kazy (CHAIR), Brady, Brancatelli, Cleveland, Kelley.

**Operations Committee:** McCormack (CHAIR), Griffin, Keane, Kelley, Zone.

**Rules Committee:** Kelley (CHAIR), Cleveland, Hairston, Keane, Polensek.

### OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio  
October 22, 2018

The meeting of the Council was called to order at 7:01 p.m. with the President of Council, Kevin J. Kelley, in the Chair.

Council Members present: Kevin L. Bishop, Dona Brady, Anthony Brancatelli, Phyllis E. Cleveland, Kevin Conwell, Blaine A. Griffin, Anthony T. Hairston, Kenneth L. Johnson, Basheer S. Jones, Joseph T. Jones, Brian Kazy, Kevin J. Kelley, Martin J. Keane, Kerry McCormack, Michael D. Polensek, Jasmin Santana, and Matt Zone.

Also present were: Mayor Frank G. Jackson, Interim Chief of Staff/Director Sharon Dumas, Chief Operating Officer Darnell Brown, Chief of Government Affairs Valarie J. McCall, Chief of Regional Development Edward W. Rybka, Chief of Education Monyka S. Price, Media Relations Director Dan Williams, Chief of Sustainability Matt Gray, Chief of Public Affairs Natoya Walker-Minor, Chief of Prevention, Intervention and Opportunity for Youth and Young Adults Tracy Martin-Thompson, and Directors Langhenry, Davis, Spronz, Gordon, Cox, Menses, Blue Donald, West, Ebersole, Stevenson, Collier, McNamara, Withers, Burrows and Pierce Scott.

#### MOTION

Council Members, Administration, Staff, and those in the audience rose for a moment of silent reflection, and the Pledge of Allegiance, led by Scout Troop #268 from St. Mark's Parish (West Park).

#### MOTION

On the motion of Council Member Johnson, the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Council Member Brancatelli.

### CONDOLENCE RESOLUTIONS

The rules were suspended and the following Resolutions were adopted without objection:

**Res. No. 1301-18** — Elder Eddie Tyes Parker, Jr.

**Res. No. 1302-18** — Tierra East.

**Res. No. 1303-18** — Brian Andrew Alflen.

**Res. No. 1312-18** — Grace M. Glenn.

**Res. No. 1313-18** — James J. Barrett.

### CONGRATULATIONS RESOLUTION

The rules were suspended and the following Resolution was adopted without objection:

**Res. No. 1304-18** — Dr. Akram Boutros.

### RECOGNITION RESOLUTIONS

The rules were suspended and the following Resolutions were adopted without objection:

**Res. No. 1305-18** — Kristen Pataki, OTD, OTR/L.

**Res. No. 1306-18** — Susan Levy Wayne, M.Ed., OTR/L.

**Res. No. 1307-18** — Hayley Jenkins.

**Res. No. 1308-18** — Jessica Barth.

**Res. No. 1309-18** — Claire Horstman.

**Res. No. 1310-18** — Amber Grimes.

**Res. No. 1311-18** — Todd Eisinger.

### FIRST READING EMERGENCY ORDINANCES REFERRED

**Ord. No. 1285-18.**

**By Council Members Griffin and Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Cuyahoga County Board of Health for the 2019-2021 Get Vaccinated Ohio Program; authorizing the Director to charge and accept fees for this program; and authorizing one or more agreements with Medicaid and Medicaid HMOs for the City to receive payments.**

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

**Section 1.** That the Director of Public Health is authorized to apply for and accept a grant in the approximate annual amount of \$95,027.00 for each year of the grant, and any other funds as they become available during the grant term, from the Cuyahoga County Board of

Health, to conduct the 2019-2021 Get Vaccinated Ohio Program; that the Director of Public Health is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes in the summary and budget for the grant.

**Section 2.** That the summary for the grant, File No. 1285-18-A, made a part of this ordinance as if fully rewritten, is approved in all respects and shall not be changed without additional legislative authority, including the obligation to devote program income from third-party billings, estimated at \$1,000.

**Section 3.** That the Director of Public Health shall have the authority to extend the term of the grant during the grant term.

**Section 4.** That the Director of Public Health is authorized to enter into one or more agreements with Medicaid and Medicaid HMOs to receive payments under this ordinance.

**Section 5.** That the Director of Public Health is authorized to charge and accept fees from participants of this program and to deposit those fees into a revolving fund which will be used to provide additional materials equipment, supplies, and services under the program described in the file, and the funds are appropriated for that purpose.

**Section 6.** That the Director of Public Health shall deposit the grant accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the program as described in the file and appropriated for that purpose.

**Section 7.** That, unless expressly prohibited by the grant agreement, under Section 108(b) of the Charter, purchases made under the grant agreement may be made through cooperative arrangements with other governmental agencies. The Director of Public Health may sign all documents and do all things that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process. The contracts will be paid from the fund or funds to which are credited any grant funds and program income accepted under this ordinance.

**Section 8.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Public Health, Finance, Law; Committees on Health and Human Services, Finance.

**Ord. No. 1286-18.**  
**By Council Members Zone and Kelley (by departmental request).**  
**An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the United States Department of Justice's Bureau of Justice Assistance for the FY 2018 Byrne Justice Assistance Grant (JAG) Local**

**Solicitation; and authorizing one or more contracts with Cuyahoga County and the cities of East Cleveland, Euclid, Garfield Heights, and Cleveland Heights needed to implement the grant.**

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

**Section 1.** That the Director of Public Safety is authorized to apply for and accept a grant in the approximate amount of \$590,788, and any other funds that may become available during the grant term from the United States Department of Justice's Bureau of Justice Assistance to conduct the FY 2018 Byrne Justice Assistance Grant (JAG) Local Solicitation; that the director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the grant application for the grant contained in the file described below.

**Section 2.** That the grant application, File No. 1286-18-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

**Section 3.** That the Director of Public Safety shall have the authority to extend the term of the grant during the grant term.

**Section 4.** That the Director of Public Safety is authorized to enter into one or more contracts with Cuyahoga County and the cities of East Cleveland, Euclid, Garfield Heights, and Cleveland Heights needed to implement the grant as described in the file.

**Section 5.** That, unless expressly prohibited by the grant agreement, under Section 108(b) of the Charter, purchases made under the grant agreement may be made through cooperative arrangements with other governmental agencies. The Director of Public Safety may sign all documents and do all things that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

**Section 6.** That the costs of the contracts authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance.

**Section 7.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Public Safety, Finance, Law; Committees on Safety, Finance.

**Ord. No. 1287-18.**  
**By Council Members Zone and Kelley (by departmental request).**  
**An emergency ordinance authorizing the Director of Public Safety to**

**apply for and accept a grant from the Cleveland Police Foundation for the Fourth District Community Policing Project Program.**

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

**Section 1.** That the Director of Public Safety is authorized to apply for and accept a grant in the approximate amount of \$100,000, and any other funds that may become available during the grant term from the Cleveland Police Foundation to conduct the Fourth District Community Policing Project; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the application for the grant contained in the file described below.

**Section 2.** That the application for the grant, File No. 1287-18-A, made a part of this ordinance as if fully rewritten, is approved in all respects and shall not be changed without additional legislative authority.

**Section 3.** That the Director of Public Safety is authorized to extend the term of the grant.

**Section 4.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Public Safety, Finance, Law; Committees on Safety, Finance.

**Ord. No. 1288-18.**  
**By Council Members Zone and Kelley (by departmental request).**  
**An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the United States Department of Justice, Office for Victims of Crime, for the FY 18 LEV Law Enforcement Based Direct Victim Services Grant; and authorizing the Director to enter into one or more contracts with various agencies, entities, or individuals to implement the grant.**

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

**Section 1.** That the Director of Public Safety is authorized to apply for and accept a grant in the approximate amount of \$389,241, and any other funds that may become available during the grant term from the United States Department of Justice, Office for Victims of Crime, to conduct the FY 18 LEV Law Enforcement Based Direct Victim Services Grant; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the project narrative and budget for the grant contained in the file described below.

**Section 2.** That the project narrative and budget for the grant, File No. 1288-18-A, made a part of this ordinance as if fully rewritten, is approved in all respects and shall not be changed without additional legislative authority.

**Section 3.** That the Director of Public Safety is authorized to extend the term of the grant.

**Section 4.** That the Director of Public Safety is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements during the grant term of the necessary items of materials, equipment, supplies, and services, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Public Safety. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 5.** That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a delivery order against the contract or contracts certified by the Director of Finance.

**Section 6.** That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Safety may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

**Section 7.** That the Director of Public Health is authorized to enter into one or more contracts with various agencies, entities, or individuals to implement the grant as described in the file.

**Section 8.** That the costs of the contract or contracts authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance.

**Section 9.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Public Safety, Finance, Law; Committees on Safety, Finance.

**Ord. No. 1289-18.**  
By Council Members Zone and Kelley (by departmental request).

**An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Office of Criminal Justice**

**Services for the FY 18 State Byrne Memorial Justice Assistance Grant for the operation of the Northern Ohio Law Enforcement Task Force (NOLETF); and authorizing the Director to enter into agreements with various municipalities or governmental agencies needed to implement the grant.**

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

**Section 1.** That the Director of Public Safety is authorized to apply for and accept a grant in the approximate amount of \$150,000.00, and any other funds that may become available during the grant term from the Ohio Office of Criminal Justice Services to conduct the FY 18 State Byrne Memorial Justice Assistance Grant for the Northern Ohio Law Enforcement Task Force (NOLETF) Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the application for the grant contained in the file described below.

**Section 2.** That the application for the grant, File No. 1289-18-A, made a part of this ordinance as if fully rewritten, is approved in all respects and shall not be changed without additional legislative authority.

**Section 3.** That the Director of Public Safety is authorized to extend the term of the grant during the grant term.

**Section 4.** That the Director of Public Safety is authorized to enter into any agreements with various municipalities or governmental agencies necessary to implement the grant as described in the file.

**Section 5.** That, unless expressly prohibited by the grant agreement, under Section 108(B) of the Charter, purchases made under the grant agreement may be made through cooperative arrangements with other governmental agencies. The Director of Public Safety may sign all documents and do all things that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process. The contracts will be paid from the fund or funds to which are credited any grant funds accepted under this ordinance.

**Section 6.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Public Safety, Finance, Law; Committees on Safety, Finance.

**Ord. No. 1290-18.**  
By Council Members Zone and Kelley (by departmental request).

**An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Department of Public**

**Safety for the FY 2019 Impaired Driving Enforcement Program and Selective Traffic Enforcement Program (IDEP/STEP) Program.**

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

**Section 1.** That the Director of Public Safety is authorized to apply for and accept a grant in the approximate amount of \$76,918.76, and any other funds that may become available during the grant term from the Cleveland Police Foundation to conduct the FY 2019 Impaired Driving Enforcement Program and Selective Traffic Enforcement Program (IDEP/STEP) Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary and budget for the grant contained in the file described below.

**Section 2.** That the summary and budget for the grant, File No. 1290-18-A, made a part of this ordinance as if fully rewritten, is approved in all respects and shall not be changed without additional legislative authority.

**Section 3.** That the Director of Public Safety is authorized to extend the term of the grant.

**Section 4.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Public Safety, Finance, Law; Committees on Safety, Finance.

**Ord. No. 1291-18.**  
By Council Members Zone and Kelley (by departmental request).

**An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Cleveland Police Foundation for the Third District Community Policing Project Program.**

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

**Section 1.** That the Director of Public Safety is authorized to apply for and accept a grant in the approximate amount of \$30,000, and any other funds that may become available during the grant term from the Cleveland Police Foundation to conduct the Third District Community Policing Project; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the award for the grant contained in the file described below.

**Section 2.** That the award for the grant, File No. 1291-18-A, made a part of this ordinance as if fully

rewritten, is approved in all respects and shall not be changed without additional legislative authority.

**Section 3.** That the Director of Public Safety is authorized to extend the term of the grant.

**Section 4.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Public Safety, Finance, Law; Committees on Safety, Finance.

**Ord. No. 1292-18.**

**By Council Members Keane and Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Public Utilities to consent to the assignment of Contract No. CT 2002 PS 2017-026 from Cleveland Housing Network, Inc. to CHN Housing Partners to provide administration and other related services for the Division of Water's Discount Affordability Program; and to exercise the second option to renew.**

Whereas, under Ordinance No. 1349-16, passed November 28, 2016, the Director of Public Utilities entered into Contract No. CT 2002 PS 2017-026 with Cleveland Housing Network, Inc. to provide administration and other related services for the Division of Water's Discount Affordability Program for a period of one year, with two one-year options to renew, the first of which is exercisable by the Director of Public Utilities; and

Whereas, the first option was exercised by the Director of Public Utilities last year and the director wishes to exercise the second option to renew; and

Whereas, Cleveland Housing Network, Inc. has changed its name to CHN Housing Partners; and

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

**Section 1.** That this Council acknowledges the name change of Cleveland Housing Network, Inc. and consents to assignment of Contract No. CT 2002 PS 2017-026 from Cleveland Housing Network, Inc. to CHN Housing Partners. The Director of Public Utilities is authorized to execute all documents necessary to acknowledge the name change and consent to the assignment.

**Section 2.** That the Director of Public Utilities is authorized to exercise the second option to renew Contract No. CT 2002 PS 2017-026 with CHN Housing Partners for an additional year to provide administration and other related services for the Division of Water's Discount Affordability Program. This ordinance constitutes the additional legislative authority required by Ordinance No. 1349-16 to exercise this option.

**Section 3.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all

the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Public Utilities, Finance, Law; Committees on Utilities, Finance.

**Ord. No. 1293-18.**

**By Council Members Keane and Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts with Itron Inc. for professional services necessary to provide hardware and software maintenance for automated meter reading devices, for a period of two years.**

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

**Section 1.** That the Director of Public Utilities is authorized to enter into one or more contracts with Itron Inc. for professional services necessary to provide hardware and software maintenance for automated meter reading devices for a period of two years, in an amount not to exceed \$319,438.03, for the Department of Public Utilities. The contract or contracts shall be paid from Fund No. 52 SF 001, Request No. RQS 2002, RL 2018-102.

**Section 2.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Public Utilities, Finance, Law; Committees on Utilities, Finance.

**Ord. No. 1294-18.**

**By Council Members Keane and Kelley (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of demolishing the existing pump station on East 37th Street, constructing a new pump station, and replacing the force main between Trumbull Avenue and the pump station; authorizing the Director of Public Utilities to enter into one or more public improvement contracts to construct the improvement; and authorizing the director to apply for and accept any loans or grants from any public or private entity, including but not limited to, the Northeast Ohio Regional Sewer District for Community Cost Share Program funding.**

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

**Section 1.** That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of

demolishing the existing pump station on East 37th Street, constructing a new pump station, and replacing the force main between Trumbull Avenue and the pump station (the "Improvement"), for the Division of Water Pollution Control, Department of Public Utilities, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement.

**Section 2.** That the Director of Public Utilities is authorized to enter into one or more contracts for the making of the Improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

**Section 3.** That the Director of Public Utilities is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

**Section 4.** That the Director of Public Utilities is authorized to apply for and accept one or more grants from various public or private entities to make the Improvement; including but not limited to, the Northeast Ohio Regional Sewer District for Community Cost Share Program funding or other funding to implement the Improvement, that the Director is authorized to file all papers and execute all documents necessary to receive the funds under this ordinance; and that the funds are appropriated for the purposes described in this ordinance.

**Section 5.** That the Director of Public Utilities is authorized to apply for and accept loans to provide funding for the Improvement.

**Section 6.** That the Director of Public Utilities is authorized to enter into any loan agreements with various public entities, including but not limited to, the Ohio Environmental Protection Agency for the Improvement. The agreements shall contain terms and conditions that are acceptable to the Director of Law to protect the public interest. The Director of Public Utilities is further authorized to file all papers and execute all documents necessary to receive the loan funds; and appropriate the loan funds for the purposes described in this ordinance.

**Section 7.** That on execution of any loan agreement, the Director of Public Utilities is authorized to repay the loan funds in accordance with the terms and conditions of the Agreement, from funds approved by the Director of Finance.

**Section 8.** That the Director of Public Utilities is authorized to enter into any agreements necessary to implement this ordinance.

**Section 9.** That the cost of the contracts and other expenditures authorized shall be paid from Fund No. 54 SF 001, 54 SF 400, from the fund or funds to which are credited the proceeds of the sale of future bonds, if issued for this purpose, from the fund or funds to which are credited

the NEORS Community Cost Share Program funds, from the fund or funds to which are credited the proceeds from any grant or loan received for this purpose; and from any funds approved by the Director of Finance, Request No. RQS 2003, RLA 2018-50.

**Section 10.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Public Utilities, City Planning Commission, Finance, Law; Committees on Utilities, Finance.

**Ord. No. 1295-18.**

**By Council Members Keane and Kelley (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of constructing the Edgewater Drive, Buhner Avenue, East 97th Street, West 42nd Street and Apple Avenue, and East 39th Street area sewer replacement or rehabilitation projects, which may include but not be limited to installing manholes and catch basins; authorizing the Director of Public Utilities to enter into one or more public improvement contracts to construct the improvement; authorizing the director to employ one or more professional consultants necessary to design the improvement; and authorizing the director to apply for and accept any loans or grants from any public or private entity, including but not limited to, the Northeast Ohio Regional Sewer District for Community Cost Share Program funding.**

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

**Section 1.** That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of constructing Edgewater Drive, Buhner Avenue, East 97th Street, West 42nd Street and Apple Avenue, and East 39th Street area sewer replacement or rehabilitation projects, which may include but not be limited to installing manholes and catch basins (the "Improvement"), for the Division of Water Pollution Control, Department of Public Utilities, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement.

**Section 2.** That the Director of Public Utilities is authorized to enter into one or more contracts for the making of the Improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

**Section 3.** That the Director of Public Utilities is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

**Section 4.** That the Director of Public Utilities is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the Improvement.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Utilities from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Public Utilities for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Public Utilities, and certified by the Director of Finance.

**Section 5.** That the Director of Public Utilities is authorized to apply for and accept one or more grants from various public or private entities to make the Improvement; including but not limited to, the Northeast Ohio Regional Sewer District for Community Cost Share Program funding or other funding to implement the Improvement, that the Director is authorized to file all papers and execute all documents necessary to receive the funds under this ordinance; and that the funds are appropriated for the purposes described in this ordinance.

**Section 6.** That the Director of Public Utilities is authorized to apply for and accept loans to provide funding for the Improvement.

**Section 7.** That the Director of Public Utilities is authorized to enter into any loan agreements with various public entities, including but not limited to, the Ohio Environmental Protection Agency for the Improvement. The agreements shall contain terms and conditions that are acceptable to the Director of Law to protect the public interest. The Director of Public Utilities is further authorized to file all papers and execute all documents necessary to receive the loan funds; and appropriate the loan funds for the purposes described in this ordinance.

**Section 8.** That on execution of any loan agreement, the Director of Public Utilities is authorized to repay the loan funds in accordance with the terms and conditions of the Agreement, from funds approved by the Director of Finance.

**Section 9.** That the Director of Public Utilities is authorized to enter into any agreements necessary to implement this ordinance.

**Section 10.** That the cost of the contracts and other expenditures authorized shall be paid from Fund No. 54 SF 001, 54 SF 400, from the fund or funds to which are credited the proceeds of the sale of future bonds, if issued for this purpose,

from the fund or funds to which are credited the NEORS Community Cost Share Program funds, from the fund or funds to which are credited the proceeds from any grant or loan received for this purpose; and from any funds approved by the Director of Finance, Request No. RQS 2003, RLA 2018-50.

**Section 11.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Public Utilities, City Planning Commission, Finance, Law; Committees on Utilities, Finance.

**Ord. No. 1296-18.**

**By Council Members Keane and Kelley (by departmental request).**

**An emergency ordinance authorizing the purchase by one or more requirement contracts of water mains, fire hydrants, service connections, valves and appurtenances, for the Division of Water, and concrete repair, tree lawn restoration, pavement restoration, including but not limited to materials, labor and installation if necessary, for the Divisions of Water, Water Pollution Control and Cleveland Public Power, Department of Public Utilities, for a period up to two years.**

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

**Section 1.** That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period up to two years of the necessary items of water mains, fire hydrants, service connections, valves and appurtenances, including but not limited to, materials, labor and installation, as necessary, for the Division of Water, and concrete repair, tree lawn restoration, and pavement restoration including but not limited to, materials, labor and installation, as necessary, for the Divisions of Water, Water Pollution Control and Cleveland Public Power, Department of Public Utilities, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines.

**Section 2.** That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the

contract or contracts and certified by the Director of Finance. (RQN 2002, RL 2018-22)

**Section 3.** That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Utilities may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

**Section 4.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Public Utilities, Finance, Law; Committees on Utilities, Finance.

**FIRST READING EMERGENCY RESOLUTION REFERRED**

**Res. No. 1297-18.**

**By Council Members Zone, Brancatelli, and McCormack.**

**An emergency resolution supporting the establishment of the Cuyahoga River Water Trail as a designated water trail by the Ohio Department of Natural Resources.**

Whereas, the Cuyahoga River Water Trail Partners have proposed the establishment of the Cuyahoga River Water Trail as a means to encourage tourism, educational, historical, cultural, recreational, and eco-friendly activities on the Cuyahoga River; and

Whereas, said Water Trail designation must meet the criteria and guidelines for approval by the Ohio Department of Natural Resources; and

Whereas, the designation of the Cuyahoga River as a State Designated Water Trail is a notable step in the transformation recovery from "Burning River" to exciting "Recreational and Economic Asset"; and

Whereas, this Council recognizes that increased access to our rivers and to Lake Erie, for the recreation and enjoyment of our residents and those who visit, makes our community and region more vibrant and attracts new residents and businesses; and

Whereas, this Cuyahoga River Water Trail is another means of connecting people in Cleveland and northeast Ohio to our natural resources and ever improving green-spaces, systems of natural corridors, regional, state and national trail systems, scenic views and critical natural areas; and

Whereas, this Council supports the designation of the Cuyahoga River Water Trail as a strategy to enhance the quality of life for residents of our community and for water quality and ecological improvement of this river and its entire watershed; and

Whereas, this resolution constitutes an emergency measure for the immediate preservation of public peace, property, health or safety, now, therefore,

Be it resolved by the Council of the City of Cleveland:

**Section 1.** That this Council supports the establishment of the Cuyahoga River Water Trail as a designated water trail by the Ohio Department of Natural Resources.

**Section 2.** That the Clerk of Council is directed to transmit a copy of this resolution to Cuyahoga River Water Trail Partners, c/o Ms. Andrea Irland, National Park Service.

**Section 3.** That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Committee on Finance.

**FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED**

**Ord. No. 1298-18.**

**By Council Members McCormack, Johnson, Cleveland, Griffin, Polensek, Conwell, Hairston, Brady, Brancatelli, Santana, Zone, Kazy and Keane.**

**An emergency ordinance authorizing the Director of the Department of Public Works to enter into agreement with the International Community Council - Worldwide Intercultural Network for the Cleveland Intergroup Relations Project through the use of Wards 3, 4, 5, 6, 8, 9, 10, 11, 12, 14, 15, 16 and 17 Casino Revenue Funds.**

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

**Section 1.** That the Director of the Department of Public Works is hereby authorized to enter into agreement effective December 11, 2017 with the International Community Council - Worldwide Intercultural Network for the Cleveland Intergroup Relations Project for the public purpose of promoting and improving multi-cultural, multi-ethnic, and multi-racial intergroup relations among the diverse residents residing in the City of Cleveland through the use of Wards 3, 4, 5, 6, 8, 9, 10, 11, 12, 14, 15, 16 and 17 Casino Revenue Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$8,000 and shall be paid from Fund No. 10 SF 188.

**Section 3.** That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

**Section 4.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules, Charter, and statutory provisions and place on final passage.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

**Ord. No. 1299-18.**

**By Council Members Cleveland and Conwell.**

**An emergency ordinance authorizing the Director of the Department of Public Works to enter into agreement with Brick City Productions or with its fiscal agent Famicos Foundation, for the Grandparents Education & Resources Family Day through the use of Wards 5 and 9 Casino Revenue Funds.**

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

**Section 1.** That the Director of the Department of Public Works is hereby authorized to enter into agreement effective July 1, 2018 with Brick City Productions or with its fiscal agent Famicos Foundation for the Grandparents Education & Resources Family Day for the public purpose of providing educational programming and social support resources to grandparent households that have the responsibility of raising grandchildren in the city of Cleveland through the use of Wards 5 and 9 Casino Revenue Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$9,000 and shall be paid from Fund No. 10 SF 188.

**Section 3.** That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

**Section 4.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules, Charter, and statutory provisions and place on final passage.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

**Ord. No. 1300-18.**

**By Council Members McCormack and Zone.**

**An emergency ordinance authorizing the Director of the Department of Economic Development to enter into agreement with the LGBT Community Center of Greater Cleveland for the LGBT Center Building Project through the use of Wards 3 and 15 Neighborhood Capital Funds.**

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

**Section 1.** That the Director of Economic Development is hereby



authorized to enter into agreement with the LGBT Community Center of Greater Cleveland for the LGBT Center Building Project for the public purpose of creating new jobs and expanded services and programming through the use of Wards 3 and 15 Neighborhood Capital Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$35,000 and shall be paid from Fund No. 10 SF 177.

**Section 3.** That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

**Section 4.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules, Charter, and statutory provisions and place on final passage.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

**SECOND READING EMERGENCY ORDINANCES PASSED**

**Ord. No. 919-18.**

By Council Members Cleveland and Kelley (by departmental request).

An emergency ordinance determining the method of making the public improvement of designing and constructing an updated Ground Transportation Center, which includes; but not limited to, a new canopy system at Cleveland Hopkins International Airport; authorizing the Director of Port Control to enter into one or more contracts for the making of the improvement.

Approved by Directors of Port Control, City Planning Commission, Finance, Law; Passage recommended by Committees on Transportation, Finance, when amended, as follows:

1. Insert new Section 4 to read as follows:

**"Section 4. That after approximately thirty percent (30%) of the improvement has been completed, the Director of Port Control shall notify the Chair of the Finance Committee and the Chair may schedule a meeting at which the Director shall appear before the Finance Committee to update the committee on activities under the contract."**

2. Renumber existing Sections 4 and 5 to new "Section 5" and "Section 6".

Amendments agreed to.

The rules were suspended. Yeas 13. Nays 4. Read second time. Read third time in full. Passed. Yeas 13. Nays 4.

Those voting yea: Council Members Bishop, Brancatelli, Cleveland, Conwell, Griffin, Hairston, B. Jones, J. Jones, Johnson, Kelley, McCormack, Santana, Zone.

Those voting nay: Council Members Brady, Kazy, Keane, Polensek.

In compliance with Section 33 of the Charter a copy of the legislation was furnished to each member of Council before final passage.

**Ord. No. 1159-18.**

By Council Members Cleveland and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with Wargo Law, LLC, for the lease of space in the Terminal Building at Burke Lakefront Airport for operating a law firm, for the Department of Port Control, for a period of two years, with three one-year options to renew, the first of which is exercised by additional legislative authority.

Approved by Directors of Port Control, City Planning Commission, Finance, Law; Passage recommended by Committees on Transportation, Finance.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

**Ord. No. 1182-18.**

By Council Members Cleveland and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into one or more leases by way of concession with one or more entities for the operation of a valet parking service at Cleveland Hopkins International Airport, for the Department of Port Control, for a period of two years, with three one-year options to renew, the first of which shall require additional legislative authority.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Transportation, Finance.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

**Ord. No. 1220-18.**

By Council Members Cleveland and Kelley (by departmental request).

An emergency ordinance to amend the title, the first whereas clause, and Section 1 of Ordinance No. 196-17, passed March 27, 2017, relating to exercising the option to renew on contract with SP Plus Corporation fka Standard Parking Corporation for administration and maintenance of all public and employee parking facilities and shuttle services for the Department of Port Control.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Transportation, Finance.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

**MOTION**

The Council Meeting adjourned at 7:30 p.m. to meet on Monday, October 29, 2018, at 7:00 p.m. in the Council Chamber.



Patricia J. Britt  
City Clerk, Clerk of Council

**THE CALENDAR**

The following measure will be on its final passage at the next meeting:

**Ord. No. 571-18.**

By Council Members Cleveland and Kelley (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 571.91, relating to operation of commercial ground transportation vehicles at Cleveland Hopkins International Airport and Burke Lakefront Airport; and to amend Section 571.99 relating to penalties.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

**Section 1.** That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 571.91 to read as follows:

**Section 571.91 Commercial Ground Transportation Vehicles Operating at Cleveland Hopkins International Airport and Burke Lakefront Airport; Fee**

(a) For purposes of this section "commercial ground transportation vehicles" include:

(1) Taxis; except those operating as part of the Airport's Taxi Concession program

(2) Limousines;

(3) Shared-ride vans;

(4) Courtesy vehicles including those operated by hotels and motels, off-airport parking, and institutional shuttles, such as college shuttles, and corporate shuttles.

(b) No person or entity shall provide any commercial ground transportation services using commercial ground transportation vehicles, unless it has been approved by the Airport Management and subject to such terms and conditions as may be prescribed under the rules and regulations promulgated by the Director.

(c) The Director is authorized to charge and collect a per trip fee to be imposed a maximum of 100,000 trips in a calendar year beginning January 1st of each year, for any one company using its own vehicles for commercial ground transportation vehicle services to, from, or on the property of the airport. The fee shall be in an amount set by the Board of Control not to exceed \$4.00 unless approved by City Council.

(d) The Director is authorized to promulgate rules and regulations applicable to commercial ground transportation vehicle services. Such rules and regulations shall become effective ten (10) days after their publication in the City Record.

**Section 2.** That Section 571.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 957-72, passed June 26, 1972, is amended to read as follows:

**Section 571.99 Penalty**

(a) Whoever violates any provision of this chapter, for which no other penalty is provided, shall be fined not more than fifty dollars

~~(\$50.00), or imprisoned not more than thirty (30) days, or both, is guilty of a 4th degree misdemeanor.~~

~~(b) Whoever violates Section 571.06 shall be fined not more than five hundred dollars (\$500.00) and imprisoned not more than six (6) months, or both, is guilty of a 1st degree misdemeanor.~~

(c) Whoever violates Section 571.91 is guilty of a minor misdemeanor.

**Section 3.** That existing Section 571.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 957-72, passed June 26, 1972, is repealed.

**Section 4. That Section 571.91 of the Codified Ordinances of Cleveland, Ohio, 1976, shall take effect and be in force on January 1, 2019.**

**Section 5.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Port Control, Finance, Law; Committees on Transportation, Finance.

**BOARD OF CONTROL**

October 17, 2018

The meeting of the Board of Control convened in the Mayor's office on Wednesday, October 17, 2018 at 10:49 a.m. with Director Langhenry presiding.

Present: Director Langhenry, Acting Directors Wood, Szabo, Directors Cox, Gordon, Acting Director Gehlmann, Directors Menesse, West, Ebersole, Acting Director Cisler, and Director Donald.

Absent: Mayor Jackson and Director Dumas.

Others: Tiffany White Johnson, Commissioner, Purchases & Supplies.

Matthew Spronz, Director, Mayor's Office of Capital Projects.

Melissa Burrows, Director, Office of Equal Opportunity.

On motions, the resolutions attached were adopted, except as may be otherwise noted.

**Resolution No. 441-18.**

By Director Dumas.

Whereas, under the authority of Ordinance No. 565-18, passed by the Council of the City of Cleveland on May 21, 2018, and Resolution No. 234-18, adopted June 13, 2018, the City, through the Director of Finance ("Director") entered into City Contract No. CT-1511-PS2018\*0149 with Paladin Protective Systems, Inc. for equipment, professional services, installation, project management, support, and maintenance to implement Video Surveillance at Zelma George Watson Recreation Center, Luke Easter Park, Michael J. Zone Recreation Center and Park for remote viewing and recording, for an amount not exceeding \$165,895.71; and

Whereas, the City requires additional professional services to implement a turnkey video surveillance solution including equipment, pro-

fessional services, installation, project management, support and maintenance at Kerruish Park; and

Whereas, Paladin Protective Systems, Inc. has proposed by its August 6, 2018, proposal to perform the above described additional professional services for compensation of \$179,185.00; now therefore

Be it resolved by the Board of Control of the City of Cleveland, under the authority of Ordinance No. 565-18, passed by the Cleveland City Council on May 21, 2018, that the Director of Public Safety is authorized to enter into a first modification to Contract No. CT-1511-PS2018\*0149 with Paladin Protective Systems, Inc., based upon its proposal dated August 6, 2018, for additional professional services necessary to design and implement Video Surveillance at Kerruish Park, and increasing the total contract amount by \$179,185.00 to an amount not to exceed \$345,080.71, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Director Langhenry, Acting Directors Wood, Szabo, Directors Cox, Gordon, Acting Director Gehlmann, Directors Menesse, West, Ebersole, Acting Director Cisler, and Director Donald.

Nays: None.  
Absent: Mayor Jackson and Director Dumas.

**Resolution No. 442-18.**

By Director Spronz.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 651-18, passed by the Council of the City of Cleveland on June 4, 2018, Hill International, Inc. is selected upon the nomination of the Mayor's Office of Capital Projects from a list of qualified engineering consultants or firms of such consultants determined to be available after a full and complete canvass by the Director of Mayor's Office of Capital Projects as the firm to be employed by contract to supplement the regularly employed staff of the several departments of the City to obtain program management, construction management, construction inspection, permitting and arborist services necessary for the Dominion Energy Ohio Pipeline Infrastructure Replacement (PIR) Program.

Be it further resolved that the Director of the Mayor's Office of Capital Projects is authorized to enter into a written contract with Hill International, Inc. based on its proposal dated August 29, 2018, for one year with two one-year options to renew, exercisable by the Director of Capital Projects, for fees incurred on behalf of and reimbursed to the City by Dominion Energy Ohio for the above-mentioned services performed by Hill International for the PIR Program.

Be it further resolved that the employment of the following sub-consultants by Hill International, Inc. for the above-authorized contract is approved:

G. Stephens, Inc.  
(CSB/MBE) — \$25,000.00 — (10.00%)

Euthenics, Inc.  
(CSB) — \$5,000.00 — (2.00%)

Knowles Muni. Forestry, LLC  
Other — \$7,500.00 — N/A

Yeas: Director Langhenry, Acting Directors Wood, Szabo, Directors Cox, Gordon, Acting Director Gehlmann, Directors Menesse, West, Ebersole, Acting Director Cisler, and Director Donald.

Nays: None.  
Absent: Mayor Jackson and Director Dumas.

**Resolution No. 443-18.**

By Director Spronz.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 648-18, passed by the Council of the City of Cleveland on August 4, 2018, Tec Inc. Engineering & Design is selected from a list of firms determined after a full and complete canvass by the Director of Capital Projects as the firm to be employed by contract to supplement the regularly employed staff of the several departments of the City in order to perform professional architectural/engineering services necessary for the evaluation of and capital improvements for the 2018 recreation center warm, safe and dry program.

Be it further resolved that the Director of Capital Projects is authorized to enter into a written contract with Tec Inc., Engineering & Design based upon their proposal dated August 10, 2018 for a cost not to exceed \$116,800.00. The contract shall be prepared by the Director of Law and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following sub-consultants by Tec Inc. Engineering & Design for the service authorized above is approved:

<u>Sub-Consultant</u>	<u>Percentage Amount</u>
Richard L. Bowen & Associates CSB	6.4% \$ 7,500.00
I.A. Lewin & Associates CSB	8.6% \$10,000.00

Yeas: Director Langhenry, Acting Directors Wood, Szabo, Directors Cox, Gordon, Acting Director Gehlmann, Directors Menesse, West, Ebersole, Acting Director Cisler, and Director Donald.

Nays: None.  
Absent: Mayor Jackson and Director Dumas.

**Resolution No. 444-18.**

By Director Spronz.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 740-18 passed by the Council of the City of Cleveland on August 15, 2018, the Osborn Engineering Company is selected upon the nomination of the Director of Capital Projects as the firm to be employed by contract to supplement the regularly employed staff of the several departments of the City to provide the professional services necessary to provide specialized energy engineering, design and support services.

Be it further resolved that the Director of Capital Projects is authorized to enter into a written contract with the Osborn Engineering Company, based upon their proposal dated September 26, 2018 for a total cost not to exceed \$120,000.00, which contract shall be prepared by the Director of Law and shall provide for furnishing of professional services as stated in the proposal and shall contain such other terms and conditions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following sub-consultants by the Osborn Engineering Company is approved:

<u>Sub-Consultant</u>	<u>Percentage</u>	<u>Amount</u>
AGM Energy Services CSB	29%	\$34,800.00
Emory Built Environments, LLC CSB	4%	\$ 4,800.00
Kahoe Air Balance Company N/A	0%	\$ 2,400.00

Yeas: Director Langhenry, Acting Directors Wood, Szabo, Directors Cox, Gordon, Acting Director Gehlmann, Directors Menesse, West, Ebersole, Acting Director Cisler, and Director Donald.

Nays: None.  
Absent: Mayor Jackson and Director Dumas.

JEFFREY B. MARKS,  
Secretary

**CIVIL SERVICE NOTICES**

**General Information**

Application blanks and information, regarding minimum entrance qualifications, scope of examination, and suggested reference materials may be obtained at the office of the Civil Service Commission, Room 119, City Hall, East 6th Street, and Lakeside Avenue.

Application blanks must be properly filled out on the official form prescribed by the Civil Service Commission and filed at the office of the commission not later than the final closing date slated in the examination announcement.

**EXAMINATION RESULTS:** Each applicant whether passing or failing will be notified of the results of the examination as soon as the commission has graded the papers. Thereafter, eligible lists will be established which will consist of the names of those candidates who have been successful in all parts of the examination.

**PHYSICAL EXAMINATION:** All candidates for original entrance positions who are successful in other parts of the examinations must submit to a physical examination.

ROBERT BENNETT,  
President

**SCHEDULE OF THE BOARD OF ZONING APPEALS**

**MONDAY, NOVEMBER 5, 2018**

**9:30 A.M.**

**Calendar No. 18-225:** 13528 Miles Avenue (Ward 1)

Marvin Butler, owner, proposes to change use from poultry house to auto wrecking/junk yard in a C1 Semi-Industry District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 345.03 which states that Auto wrecking/junkyard is not permitted.

2. Section 345.04(a)(4) which states that the operation of wrecking or dismantling of motor vehicles, or the storage of motor vehicles, pending wrecking or dismantling, in areas with a minimum area of fifty thousand (50,000) square feet providing such premises is enclosed within a minimum seven (7) foot high solid masonry wall or slightly solid, nontransparent, well-maintained substantial fence. Such wall or fence may have one (1) opening not more than twenty (20) feet in width for street access and may have two (2) such openings if the wall or fence along the street is more than two hundred (200) feet in length. All walls or fences referred to in this chapter shall be neatly constructed, kept in good order and repair; no printing, lettering or advertisement shall be made part of or attached thereto or painted on the outside of the wall or fence, except that a sign located at the entrance to the yard may be provided to identify the yard.

3. Section 349.07(a) which states that accessory off-street parking spaces, driveways and maneuvering areas shall be properly graded for drainage so that all water is drained within the lot providing such parking spaces, surfaced with concrete, asphaltic concrete, asphalt or other surfacing materials approved by the Director of Building and Housing, maintained in good condition and free of debris and trash. The maximum width of driveway is 30' wide. (Filed October 10, 2018)

**Calendar No. 18-226:** 12514 Bellaire Road (Ward 11)

Gordon Baugh, owner, proposes to construct a new retail store (Dollar General) in a C1 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 357.07 which states that a 20 foot specific setback is required and a 7.4 foot setback is proposed; the new structure and parking spaces are within the setback along Kadel Avenue and Bellaire Road. (Filed October 11, 2018)

**Calendar No. 18-227:** 2215 West 11th Street (Ward 3)

Southside Holding Inc., owner, proposes to construct a parking lot with a modular storage container in a B1 Local Retail Business District. The owner appeals for relief from

the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 343.01 which states that a storage container and a dumpster are not permitted as a primary uses in a Local Retail Business District.

2. Section 352.10 which states that a 6' wide landscape strip is required along West 11th Street where the parking lot abuts street and a 5' wide landscape strip is proposed.

3. Sections 352.08 through 352.11 which state that a 6' wide transition strip is required at the rear where and NE corner of parking lot where parking lot abuts Multi-Family District and a 2' wide transition strip is proposed at the rear and 0' at NE corner.

4. Section 349.08 which states that where five (5) or more accessory off-street parking spaces are provided, and are located on a lot that is adjacent to a Residence District or that adjoins a building containing dwelling units, such parking spaces shall be screened from all adjoining lots in the Residence District or a building containing dwelling units, by an opaque wall, a uniformly painted fence of fire-resistant material or a strip of land at least four (4) feet wide and densely planted with shrubs that form a dense screen year round. Such wall, fence or shrubs shall be at least three (3) feet, but not more than six (6) feet six (6) inches in height. However, such wall, fence or shrubs located within twenty-five (25) feet of the intersection of two (2) or more streets or the intersection of an access driveway and a street, shall have a maximum height of three (3) feet and a minimum height of two (2) feet. The required screening shall be maintained in good condition at all times. (Filed October 11, 2018)

**POSTPONED FROM SEPTEMBER 17, 2018**

**Calendar No. 18-183:** 4445 State Road (Ward 13)

Fred Mason, owner, proposes to establish an 1,800 square foot café on the first floor in a C1 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 349.04(f) which states that parking is required at the rate of one space per employee, plus one space for each 100 square feet of floor area. 19 parking spaces required no code compliant parking is provided.

2. Section 347.07(a) which states that parking spaces and maneuvering area are required to be paved and drained so that all water is drained within the lot providing such parking spaces and no paving or drainage is proposed. (Filed August 22, 2018 - No Testimony)

First postponement made at the request of CDC to allow for time for further review.

**REINSTATED FROM OCTOBER 1, 2018**

**Calendar No. 18-195:** 16404 Highview Drive (Ward 1)

Gary Robinson, owner, proposes to change use from one family dwelling to Type 'A' day care in a

One-Family Residential District. The owner appeals for relief from the strict application of Section 337.02(g)(3)(c) which states that in a One Family district Child Care use requires approval from the Board of Zoning Appeals and is required to be 30' from any adjoining premises in residence district not used for a similar purpose. Proposed child care is surrounded by One Family district. (Filed August 31, 2018 - No Testimony)

Appellant missed hearing as she was in the hospital giving birth.

**REINSTATED FROM OCTOBER 8, 2018**

**Calendar No. 18-201:** 2825 York Avenue (Ward 3)

Lake City Dev. LLC., owner, proposes to erect a 1,600 square foot single family house with a detached garage on a 5,100 square foot lot in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1.) Section 357.09(b)(2)(B) which states that in a Two-Family district no interior side yard shall be less than five (5) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less one fourth (1/4) the height of the main building on the premises. The required side yard is 7' - 0" and a 2' - 0" side yard is proposed.

2.) Section 357.13(b)(4) which states that an open porch is permitted provided it does not project more than six (6) feet, does not extend within ten (10) feet of the street line and does not aggregate a vertical area in any story more than twenty percent (20%) of the area of the facade in the story. The proposed 16' x 5' - 6" porch is within 3' - 6" of the street line.

3.) Section 341.02(b) which states that City Planning approval is required prior to the issuance of a building permit. (Filed September 12, 2018 - No Testimony)

Appellant missed hearing on October 8 due to confusion regarding the Columbus Day holiday.

**POSTPONED FROM OCTOBER 8, 2018**

**Calendar No. 18-178:** 4219 Orchard Avenue (Ward 3)

Pango Real Estate, owner, proposes to erect two attached single family residences with attached garages on an existing lot of record in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that the minimum lot area for a single family dwelling in a "B" Area District is 6,000 square feet and the lot area is 5,340 square feet. This section also requires a minimum lot width of 50 feet and 30 feet are proposed. The maximum gross floor area shall not be greater than 50 percent of lot size or in this case 2,670 square feet and the appellant is proposing 4,303 square feet.

2. Section 357.09(b)(2)(B) which states that no interior side yard shall be less than ¼ the height or in this case 8.3 feet as the height of the building is approximately 34' - 7" and 5' - 0" are proposed.

3. Section 357.08 which states that the depth of required rear yard shall be not less than the height of the main building and a 30 foot rear yard is proposed.

4. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from a main building on an adjoining lot and a zero foot side yard is proposed.

5. Section 349.07(c) which states that driveway used to provide accessibility to accessory off street parking spaces shall be arranged to minimize traffic congestion. Requires Traffic Engineering approval.

6. Section 341.02(b) which states that City Planning approval is required prior to the issuance of a building permit. (Filed August 14, 2018 - No Testimony)

Second postponement made at the request of the City to allow for time for design review. First postponement made at the request of the Development Corporation to allow for time for community review.

Secretary

**REPORT OF THE BOARD OF ZONING APPEALS**

**MONDAY, OCTOBER 22, 2018**

At the meeting of the Board of Zoning Appeals on Monday, October 22, 2018 the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED:**

**Calendar No. 18-211:** 16501 Marquis Avenue

Chris and Tami Marinella, owner, proposes to erect a 14' - 6" x 29' - 6" 1 story frame family room addition and 16' x 20' wolmanized wooden deck in an A1 One-Family Residential District.

**Calendar No. 18-212:** 1484 East 105th Street

Famicos Foundation, owner, proposes to establish use as administrative offices, afterschool child educational programming, meeting/assembly space (indoor spaces for 93 occupants) and outdoor event performances for a non-profit community arts organization in an A1 One-Family Residential District.

**Calendar No. 18-214:** 2165 West 25th Street

Josh Harrell, owner, proposes to erect a 20' x 20' reverse gable garage with an 8' x 20' roof covered concrete patio in an A1 One Family Residential District.

**Calendar No. 18-215:** 12727 Buckeye Road

Blossom 24 Hour We Care Center, Inc., owner, proposes to establish use as assisted living for the aged in a C2 Residence-Office District.

**Calendar No. 18-216:** 4419 Train Avenue

Train 4411, LLC., owner, proposes to install an 8 foot tall fence in the

front, side and rear yard of a parcel located in a B1 Semi-Industry District.

**Calendar No. 18-217:** 3017 West 46th Street

Worldwide Painting, owner, proposes to install an 8 foot tall fence in the front, side and rear yard of a parcel located in a B1 Semi-Industry District.

**Calendar No. 18-218:** 3021 West 46th Street

Train 4411, LLC., owner, proposes to install an 8 foot tall fence in the front, side and rear yard of a parcel located in a B1 Semi-Industry District.

The following appeal was **DENIED:**

**Calendar No. 18-219:** 4754 Broadview Road

Joniko Enterprises, owner, proposes to establish use as a residential recovery facility for six residents in a C1 Local Retail Business District.

The following appeals were **WITHDRAWN:**

None.

The following appeals were **DISMISSED:**

None.

The following case was **POSTPONED:**

**Calendar No. 18-213:** Dorothy Rieman 3205 Denison Avenue. Postponed to December 3, 2018.

The following cases were heard by the Board of Zoning Appeals on Monday, October 8, 2018 & Monday, October 15, 2018 and the decisions were adopted and approved on Monday, October 22, 2018:

The following appeals were **APPROVED:**

**Calendar No. 18-192:** 1322 West 65th Street

Peter & Heather McLaughlin, owners, propose to erect a 20' x 49' two story single family residence with a 20' x 20' detached frame garage in a B1 Two-Family Residential District.

**Calendar No. 18-194:** 6708 Wakefield Avenue

Kristina Reisz proposes to erect a new 2.5 story, 1,800 square foot single family house with a detached three car garage on a 4,881 square foot City of Cleveland Land Bank Lot in a B1 Two-Family Residential District.

**Calendar No. 18-200:** 3229 East 118th Street

Brian McAfee, owner, proposes to change use of a 2 dwelling unit house to a 3 dwelling unit in a B1 Two-Family Residential District.

**Calendar No. 18-202:** 2030 West 19th Street

D.I. Rental LLC., owner, proposes to expand use to include a residential unit in a C3 Semi-Industry District.

**Calendar No. 18-203:** 2062 West 17th Street

Berges, owner, proposes to erect a 3 story 4,728 square foot single family residence with attached garage on a 6,135 square foot irregular shaped lot in a B1 Two-Family Residential District.

**Calendar No. 18-206:** 4403 Superior Avenue

Hansen Realty, owner, proposes to install a new 228 linear feet of 6' high aluminum commercial fence in the front yard of a parcel located in a C3 Semi-Industry District.

**Calendar No. 18-207:** 4474 West 14th Street

CHN Housing Partners, owner, propose to construct an addition in a B1 Two-Family Residential District.

**Calendar No. 18-210:** 4900 Lakeside Avenue

DAMIJU, owner, proposes to install a fence in a B3 General Retail Business.

Secretary

**REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS**

Re: Report of the Meeting of October 17, 2018

As required by the provisions of Section 3103.20(2) of the Codified Ordinances of the City of Cleveland, Ohio 1976, the following brief of action of the subject meeting is given for publication in the City Record:

\* \* \*

**Docket A-168-18.**

RE: Appeal of George F. Dixon, Owner of the MXD Mixed Uses — Multiple Uses In One Building Two Story Frame Property, located on the premises known as 9308 Hough Avenue from a NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated March 19, 2013 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until December 1, 2018 to submit plans to the Building Department to obtain all required permits, and to grant the Appellant until January 15, 2019 to abate the hazardous conditions on the property, noting that failure to meet these dates will result in the property being Remanded immediately; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Saab, Bradley, Maschke. Nays: None. Absent: Mr. Gallagher.

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**Docket A-176-18.**

RE: Appeal of Birnbaum Family Limited, Owner of the Property, located on the premises known as

4059 St. Clair Avenue (Aka 4115 St. Clair Avenue) from an ADJUDICATION ORDER, dated July 5, 2018 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

No action this date, the docket is rescheduled for January 9, 2019.

\* \* \*

**Docket A-183-18.**

RE: Appeal of Mohammad Sohrahi, Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property, located on the premises known as 14321 Tuckahoe Avenue from a NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated July 23, 2018 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until November 15, 2018 to complete abatement of the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

Yeas: Messrs. Denk, Saab, Bradley, Maschke. Nays: None. Absent: Mr. Gallagher.

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**Docket A-186-18.**

RE: Appeal of Entry Point Development, LLC, Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property, located on the premises known as 1295 Holmden Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE & GARAGE, dated August 1, 2018 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-186-18 has been WITHDRAWN at the request of the Appellant.

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**Docket A-187-18.**

RE: Appeal of Entry Point Development, LLC, Owner of the R-3 Residential — Non-transient; Townhomes (Independent Egress) Two Story Frame Property, located on the premises known as 1295 Holmden Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated August 1, 2018 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-187-18 has been WITHDRAWN at the request of the Appellant.

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**Docket A-188-18.**

RE: Appeal of Entry Point Development, LLC, Owner of the M Mercantile — Retail Shops, Carry-out

Food Shops One Story Wood Frame/Siding/Masonry Veneer Property, located on the premises known as 1295 Holmden Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated August 1, 2018 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-188-18 has been WITHDRAWN at the request of the Appellant.

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**Docket A-189-18.**

RE: Appeal of Dimitrios Ginis, Owner of the One Dwelling Unit single-Family Residence One & One/half Story Frame Property, located on the premises known as 3310 Silverdale Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated July 26, 2018 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until January 15, 2018 to complete abatement of the violations by removing the car; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Saab, Bradley, Maschke. Nays: None. Absent: Mr. Gallagher.

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**Docket A-190-18.**

RE: Appeal of Derrick Batson, Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Wood Frame/Siding/Masonry Veneer Property, located on the premises known as 11912 Silmor Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated July 17, 2018 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until March 1, 2019 to complete abatement of the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

Yeas: Messrs. Denk, Saab, Bradley, Maschke. Nays: None. Absent: Mr. Gallagher.

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**Docket A-191-18.**

RE: Appeal of Hedgewood Limited, Owner of the Property, located on the premises known as 13204 Puritas Avenue from an ABATEMENT ORDER — FIRE CODE, dated July 26, 2018 of the Chief of the Division of Fire, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-191-81 has been POSTPONED; to be rescheduled for November 14, 2018.

\* \* \*

**Docket A-192-18.**

RE: Appeal of Hedgewood Limited, Owner of the Property, located on the premises known as 4440 West 131st Street from an ABATEMENT ORDER — FIRE CODE, dated July 26, 2018 of the Chief of the Division of Fire, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-192-81 has been POSTPONED; to be rescheduled for November 14, 2018.

\* \* \*

**Docket A-193-18.**

RE: Appeal of Maria A. Ortiz C/O Annette Ortiz, P.O.A., Owner of the One Dwelling Unit single-Family Residence One & One-half Two Story Frame Property, located on the premises known as 3301 Wade Avenue from a CONDEMNATORY ORDER — MAIN STRUCTURE, dated August 1, 2018 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until December 1, 2018 to obtain all required permits and continue until June 1, 2019 with abatement of the violations, noting that additional time may be granted by the inspector upon satisfactory progress; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

Yeas: Messrs. Denk, Saab, Bradley, Maschke. Nays: None. Absent: Mr. Gallagher.

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**Docket A-194-18.**

RE: Appeal of VINO VERITAS Little Italy, LLC, Owner of the U Utility — Towers, Tanks, Sheds, Fences Over 8' Residence-Office Property, located on the premises known as 4103 Memphis Avenue from a NOTICE OF VIOLATION — NO PERMIT, dated June 11, 2018 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until February 1, 2019 to complete abatement of the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

Yeas: Messrs. Denk, Saab, Bradley, Maschke. Nays: None. Absent: Mr. Gallagher.

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**Docket A-195-18.**

RE: Appeal of Broadway D&R C/O Dion Robinson, Owner of the

business, located on various addresses from an AIR POLLUTION CODE ORDER TO ABATE FOR FAILURE TO PAY BUILDING ASBESTOS DEMOLITION/RENOVATION FEE, dated June 27, 2018 of the Department of Public Health/Division of Air Quality, requiring compliance with the Codified Ordinances of the City of Cleveland.

Docket A-195-18 has been POSTPONED; to be rescheduled for January 23, 2019.

\* \* \*

**Docket A-196-18.**

RE: Appeal of Cherokee Demolition C/O Dave Nemec, Owner of the business, located at various addresses from an AIR POLLUTION CODE ORDER TO ABATE FOR FAILURE TO PAY BUILDING ASBESTOS DEMOLITION/RENOVATION FEE, dated June 27, 2018 of the Department of Public Health/Division of Air Quality, requiring compliance with the Codified Ordinances of the City of Cleveland.

Docket A-196-18 has been POSTPONED; to be rescheduled for January 23, 2019.

\* \* \*

**Docket A-217-18.**

RE: Appeal of Urban Recycling C/O Consuelo Brown, Owner of the business, located at various addresses from an AIR POLLUTION CODE ORDER TO ABATE FOR FAILURE TO PAY BUILDING ASBESTOS DEMOLITION/RENOVATION FEE, dated June 27, 2018 of the Department of Public Health/Division of Air Quality, requiring compliance with the Codified Ordinances of the City of Cleveland.

Docket A-217-18 has been POSTPONED; to be rescheduled for January 23, 2019.

\* \* \*

**EXTENSION OF TIME:**

**Docket A-250-17.**

Halloran West LLC — 2075 West 104th Street:

A motion is in order at this time to DENY the Appellant appeal request for additional time, noting that the apparent hazard of the structure and to REMAND the property to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

Yeas: Messrs. Denk, Saab, Bradley, Maschke. Nays: None. Absent: Mr. Gallagher.

\* \* \*

**Docket A-54-18.**

Patricia Jackson — 8206 Crumb Avenue:

A motion is in order at this time to grant the Appellant until December 15, 2018 to complete abatement of the violations; the property is REMANDED to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

Yeas: Messrs. Denk, Saab, Bradley, Maschke. Nays: None. Absent: Mr. Gallagher.

**APPROVAL OF RESOLUTIONS:**

Separate motions were entered by Mr. Bradley and seconded by Mr. Saab for Approval and Adoption of the Resolutions as presented by the Secretary for the following Dockets respectively, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

- A-162-18 — Donna M. Sindyla
- A-164-18 — Mario Lamar Woodruff
- A-173-18 — Nelly Kelley
- A-174-18 — Hamza Ahmad Abuhamden
- A-175-18 — Elite Crane & Equipment Services, Inc.
- A-177-18 — John A. Marinucci
- A-178-18 — Earl M. Foster
- A-180-18 — RSN Holdings I, LLC
- A-181-18 — Patricia Jones-Elder
- A-182-18 — James W. Corbett Jr.
- A-184-18 — Maurice K. Smith
- A-185-18 — Lee A. Martin

Yeas: Messrs. Denk, Saab, Bradley, Maschke. Nays: None. Absent: Mr. Gallagher.

\* \* \*

**APPROVAL OF MINUTES:**

Separate motions were entered by Mr. Saab and seconded by Mr. Bradley for Approval and Adoption of the Minutes as presented by the Secretary, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

October 3, 2018

Yeas: Messrs. Denk, Saab, Bradley, Maschke. Nays: None. Absent: Mr. Gallagher.

\* \* \*

JOSEPH F. DENK  
Chairman

**PUBLIC NOTICE**

NONE

**NOTICE OF PUBLIC HEARING**

**Notice of Public Hearing  
By the Council Committee  
On Development, Planning  
and Sustainability**

**Mercedes Cotner  
Committee Room 217  
City Hall, Cleveland, Ohio  
On Tuesday, October 30, 2018  
9:30 a.m.**

Notice is hereby given to all interested property owners that the Council Committee on Development, Planning and Sustainability will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Tuesday, October 30, 2018, at 9:30 a.m., to consider the following ordinances and resolutions now pending in the Council:

**Ord. No. 813-17.**

By Council Member Zone.  
An ordinance changing the Use, Area and Height Districts of parcels

along Madison Avenue, Franklin Boulevard and West 65th Street between West 65th Street and West 91st Street as identified on the attached map (Map Change No. 2567).

Anthony Brancatelli, Chair  
Committee on Development,  
Planning and Sustainability

October 17, 2018 and October 24, 2018

**CITY of CLEVELAND BIDS**

**For All Departments**

**Sealed bids will be received at the office of the Commissioner of Purchases and Supplies, Room 128, City Hall, in accordance with the appended schedule, and will be opened and read in Room 128, City Hall, immediately thereafter.**

**Each bid must be made in accordance with the specifications and must be submitted on the blanks supplied for the purpose, all of which may be obtained at the office of the said Commissioner of Purchases and Supplies, but no bid will be considered unless delivered to the office of the said commissioner previous to 12:00 noon (Eastern Standard Time) on the date specified in the schedule.**

**187.10 Negotiated contracts; Notice required in Advertisement for Bids.**

**Where invitations for bids are advertised, the following notice shall be included in the advertisement: "Pursuant to the MBE/FBE Code, each prime bidder, each minority business enterprise ("MBE") and each female business enterprise ("FBE") must be certified before doing business with the City. Therefore, any prime contractor wishing to receive credit for using an MBE or FBE should ensure that applications for certification as to MBE or FBE status compliance with the Code, affirmative action in employment and, if applicable, joint venture status, are submitted to the office of Equal Opportunity ("OEO") prior to the date of bid opening or submission of proposals or as specified by the Director. Failure to comply with the business enterprise code or with representations made on these forms may result in cancellation of the contract or other civil or criminal penalties."**

**FRIDAY, NOVEMBER 16, 2018**

**File No. 123-18 — Halloran Park ice Skating Rink - Phase 2 - Architectural, Mechanical, and Electrical Improvements, outdoor ice skating rink demolition and replacement, for the Division of Architecture and Site Development, Office of Capital Projects, as authorized by Ordinance No. 549-17, passed by the Council of the City of Cleveland, June 5, 2017.**

**THERE WILL BE A NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF SEVENTY-FIVE DOLLARS (\$75.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR MONEY ORDER (NO COMPANY CHECKS, NO CASH, AND**

**NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS. ALL PLANS AND SPECIFICATIONS MUST BE PURCHASED DIRECTLY FROM THE DIVISION OF PURCHASES AND SUPPLIES.**

**BIDDERS MUST BE ON THE PLANNERS LIST TO SUBMIT A BID OR RECEIVE ANY ADDENDA.) OUT-OF-AREA BIDDERS MAY SEND THEIR NON-REFUNDABLE FEE FOR PLANS VIA FED EX DELIVERY TO: CITY OF CLEVELAND, DIVISION OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114. INCLUDE IN YOUR REQUEST YOUR COMPANY'S FED EX ACCOUNT NUMBER, FULL COMPANY NAME AND ADDRESS, COMPANY CONTACT /REPRESENTATIVE FULL NAME, CONTACT TELEPHONE NUMBER, FACSIMILE TELEPHONE NUMBER AND EMAIL ADDRESS. THE FED EX DELIVERY CHARGES FOR THE PLANS AND SPECIFICATIONS WILL BE BILLED TO THE BIDDER'S COMPANY FED EX ACCOUNT NUMBER PROVIDED. THERE WILL BE A NON-MANDATORY PRE-BID MEETING, THURSDAY, OCTOBER 25, 2018 AT 10:00 A.M. CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM. 517A, CLEVELAND, OHIO 44114.**

**QUESTIONS REGARDING THE PURCHASE OF PLANS AND SPECIFICATIONS CAN BE DIRECTED TO ROYCE GRIFFIN AT (216) 664-2628.**

**NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).**

October 17, 2018 and October 24, 2018

**ADOPTED RESOLUTIONS AND ORDINANCES**

**Res. No. 1130-18.**

**By Council Members McCormack, Johnson and Brancatelli (by departmental request).**

**An emergency resolution declaring the intent to vacate a portion of the Detroit Superior Viaduct.**

Whereas, this Council is satisfied that there is good cause to vacate a portion of the Detroit Superior Viaduct, as described; and

Whereas, this resolution constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it resolved by the Council of the City of Cleveland:

**Section 1.** That this Council declares its intent to vacate a portion of the following described real property:

**Legal description for the vacation of a portion of the Detroit Superior viaduct**

Situated in the City of Cleveland, County of Cuyahoga and State of

Ohio and being part of Original Brooklyn Township Lot No. 70, bounded and described as follows:

Beginning at an Iron Pin Monument found at the intersection of West 25th Street, 60 feet wide, and Detroit Avenue, 66 feet wide.

Thence North 30°28'45" West, along the centerline of said West 25th Street, a distance of 142.70 feet to a point;

Thence North 59°31'15" East a distance of 30.00 feet to the easterly line of said West 25th Street;

Thence North 39°48'36" East, along the northwesterly line of the Detroit Superior Viaduct, (80.00 feet wide), a distance of 25.40 feet to the proposed easterly line of said West 25th Street and the Principal Place of Beginning of land herein described:

Thence North 39°48'36" East, along the northwesterly line of the Detroit Superior Viaduct, a distance of 183.67 feet to a point;

Thence North 59°26'52" East a distance of 164.17 feet;

Thence South 30°33'08" East a distance of 26.36 feet;

Thence South 39°48'36" West, along the southeasterly line of said Detroit Superior Viaduct, a distance of 341.76 feet to the proposed northwesterly line of said West 25th Street;

Thence, along the proposed northwesterly line of said West 25th Street along a curve deflecting to the right, an arc distance of 25.09 feet to a point. Said curve having delta of 35°56'33", a radius of 40.00 feet and a chord that bears North 52°12'12" West, 24.68 feet;

Thence, continuing along the proposed northeasterly line of said West 25th Street along a curve deflecting to the left, an arc distance of 56.90 feet to a point. Said curve having delta of 5°5'39", a radius of 640.00 feet and a chord that bears North 36°46'45" West, 56.88 feet to the principal place of beginning and containing 23,376 square feet (0.5366 acres) of land, be the same more or less but subject to all legal highways;

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section.

**Section 2.** That this resolution is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Adopted October 15, 2018.  
Effective October 17, 2018.

**Res. No. 1267-18.**

**By Council Member McCormack. An emergency resolution objecting to the transfer of stock of a D1, D2, D3, D3A and D6 Liquor Permit to 1299 West 9th Street and patios.**

Whereas, Council has been notified by the Division of Liquor Control of an application for a transfer of stock of a D1, D2, D3, D3A and D6 Liquor Permit at Midwest Entertainment Venture, LLC, DBA Anatomy, 1299 West 9th Street and patios, Cleveland, Ohio 44113, Permit Number 5930856; and

Whereas, the granting of this application for a liquor permit to this high crime area, which is already saturated with other liquor outlets, is contrary to the best interests of the entire community; and

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard of the laws, regulations or local ordinances of this state or any other state; and

Whereas, the place for which the permit is sought has not conformed to the building, safety or health requirements of the governing body of this County or City; and

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement officers or agents of the Division of Liquor Control are prevented reasonable access to the establishment; and

Whereas, the place for which the permit is sought is so located with respect to the neighborhood that it substantially interferes with public decency, sobriety, peace or good order; and

Whereas, this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, prosperity, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Superintendent of Liquor Control within 30 days of notification; now, therefore,

Be it resolved by the Council of the City of Cleveland:

**Section 1.** That Council does hereby record its objection to a transfer of stock of a D1, D2, D3, D3A and D6 Liquor Permit at Midwest Entertainment Venture, LLC, DBA Anatomy, 1299 West 9th Street and patios, Cleveland, Ohio 44113, Permit Number 5930856, and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

**Section 2.** That the Clerk of Council be and she is hereby directed to

transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

**Section 3.** That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Adopted October 15, 2018.  
Effective October 17, 2018.

**Res. No. 1268-18.**  
**By Council Member Kelley.**  
**An emergency resolution objecting to the transfer of ownership of a C2, C2X and D6 Liquor Permit to 4398-4400 State Road.**

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C2, C2X and D6 Liquor Permit from West Side Beverage & Deli, Inc., 4398-4400 State Road, Cleveland, Ohio 44109, Permit Number 9555691 to Abboud Enterprises, LLC, DBA West Side Beverage & Deli, 4398-4400 State Road, Cleveland, Ohio 44109, Permit Number 0018677; and

Whereas, the granting of this application for a liquor permit to this high crime area, which is already saturated with other liquor outlets, is contrary to the best interests of the entire community; and

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard of the laws, regulations or local ordinances of this state or any other state; and

Whereas, the place for which the permit is sought has not conformed to the building, safety or health requirements of the governing body of this County or City; and

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement officers or agents of the Division of

Liquor Control are prevented reasonable access to the establishment; and

Whereas, the place for which the permit is sought is so located with respect to the neighborhood that it substantially interferes with public decency, sobriety, peace or good order; and

Whereas, this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, prosperity, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Superintendent of Liquor Control within 30 days of notification; now, therefore,

Be it resolved by the Council of the City of Cleveland:

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C2, C2X and D6 Liquor Permit from West Side Beverage & Deli, Inc., 4398-4400 State Road, Cleveland, Ohio 44109, Permit Number 9555691 to Abboud Enterprises, LLC, DBA West Side Beverage & Deli, 4398-4400 State Road, Cleveland, Ohio 44109, Permit Number 0018677; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

**Section 2.** That the Clerk of Council be and she is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

**Section 3.** That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Adopted October 15, 2018.  
Effective October 17, 2018.

**Ord. No. 1026-18.**

**By Council Member McCormack.**

**An ordinance changing the Use, Area, and Height Districts of lands in the Duck Island Neighborhood, northwest of the Flats Industrial Railroad Line east of West 25th Street and south of Lorain Avenue (Map Change 2586).**

Be it ordained by the Council of the City of Cleveland:

**Section 1.** That the Use District of lands bounded and described as follows:

Beginning at the intersection of the centerline of Lorain Avenue and the centerline of West 17th Street (formerly Bradford Street);

Thence, southeasterly along the centerline of West 17th Street and its southerly prolongation to its intersection with the westerly line of a parcel of land conveyed to Robert H. Eggers on June 21, 1996 and also known as Sub Lot No. 87 in Averell & Bradford Grove's Allotment of the Original Brooklyn Township Lot No. 70, as recorded in Volume 6 of Maps, Page 4 of Cuyahoga County Map Records;

Thence, easterly along the northerly line of said parcel to its intersection with the easterly line of the parcel thereof;

Thence, southerly along said easterly line to its intersection with the southerly line of said parcel;

Thence, westerly along said southerly line and its westerly prolongation to its intersection with the easterly line of Parcel C of the Plat of Lot Split & Consolidation for West 18th Street Townhome as part of the Original Brooklyn Township Lot No. 70 and conveyed to E. Borawski & Richard Clark on November 23, 2016 as recorded in Plat Book 382, Page 54 of Cuyahoga County Records;

Thence, southerly along the easterly line of said parcel and its southerly prolongation to its intersection with the northerly line of a parcel of land owned by the City of Cleveland and known as being Sub Lot No. 83 in



Averell & Bradford Grove's Allotment of the Original Brooklyn Township Lot No. 70, as recorded in Volume 6, Page 4 of Cuyahoga County Map Records;

Thence, westerly along the northerly line of said parcel and its westerly prolongation to its intersection with the centerline of West 18th Street;

Thence, southerly along the centerline of West 18th Street to its intersection with the centerline of Smith Court;

Thence, westerly along the centerline of Smith Court to intersection with the centerline of West 20th Place;

Thence, northwesterly and northerly along the centerline of West 20th Place to its intersection with the southerly line of a parcel of land conveyed to DI Rentals, LLC on December 17, 2013 and known as being parts of Sub Lots No. 55 to 59 both inclusive and part of the vacated portion of West 20th Place in Averell & Bradford Grove's Allotment of part of the Original Brooklyn Township Lot No. 70 as shown by the recorded plat in Volume 4 of Maps, Page 3 of Cuyahoga County Map Records;

Thence, northeasterly along said southerly line to its intersection with the northerly line of a parcel of land conveyed to Joseph E. Schoeppe on March 23, 2000 and also known as Cuyahoga County Permanent Parcel Number (PPN) 004-01-0631;

Thence, easterly along said northerly line and its prolongation to its intersection with the centerline of West 19th Street;

Thence, northerly along the centerline of West 19th Street to its intersection with the centerline of the Lorain Avenue;

Thence, northeasterly along the centerline of Lorain Avenue to its intersection with the centerline of West 17th Street and the point of origin;

And;

Beginning at the intersection of the centerline of West 19th Street and the easterly prolongation of the northerly line of a parcel of land conveyed to Amler Limited Partnership on November 14, 1995 also known as being a part of Sub Lot No. 295 of the Original Brooklyn Township Lot No. 69 and recorded in Cuyahoga County Records as Permanent Parcel Number 004-03-076;

Thence, southerly along the centerline of West 19th Street to its intersection with the easterly prolongation of the southerly line of a parcel of land conveyed to Marri Horvet on March 9, 2012 and known as being part of Sub Lot No. 17 & 18 of the S.L. Severance Subdivisions of the Original Brooklyn Township Lot No. 69 as shown by recorded Plat in Volume U of Deeds, Page 1 of Cuyahoga County Map Records;

Thence, westerly along said southerly line and its westerly prolongation to its intersection with the centerline of West 20th Street;

Thence, northerly along the centerline of West 20th Street to its intersection with the southerly line of a parcel of land conveyed to Sarafina Latarres on December 29, 2011 and known as being part of Sub Lot No 465 in the S.L. Severance Subdivision of the Original Brooklyn Township Lot No. 69 or as Cuyahoga County Permanent Parcel Number 0045-03-019 as recorded in Volume U of Maps, Page 1 of Cuyahoga County Records;

Thence, westerly along the southerly line of the parcel thereof to its intersection with the westerly line of a parcel of land conveyed to Leslie Vicario as recorded as Cuyahoga County Auditor's File Number (AFN) 201703100502 and known as Cuyahoga County PPN 004-03-016 as recorded in Cuyahoga County Map Records;

Thence, northerly along the westerly line of said parcel to its intersection with the northerly line of the parcel thereof;

Thence, easterly along said northerly line to its intersection with the westerly line of a parcel of land known as being part of Sub Lot No. 4 in the S and S.K. Follett Re-allotment of part of the Original Brooklyn Township Lot No. 69, and Cuyahoga County PPN 004-03-105 as recorded in Volume 7, Page 10 of Cuyahoga County Map Records;

Thence, northerly along said westerly line to its intersection with the southerly line of a parcel of land conveyed to Molly S. Murray on September 22, 2009 and also known as Permanent Parcel Number 004-03-009 in Cuyahoga County Map Records;

Thence, easterly along said southerly line to its intersection with the easterly line of said parcel;

Thence, northerly along said easterly line and its northerly prolongation to its intersection with the centerline of West 21st Street;

Thence, northerly along the centerline of West 21st Street to its intersection with the westerly prolongation of the northerly line of the parcel of land conveyed to Amler Limited Partnership and known as being Cuyahoga County Permanent Parcel Number 004-03-076;

Thence, easterly along said westerly prolongation to its intersection with the centerline of West 19th Street and the point of origin;

And as identified on the attached map shall be changed to a 'Two Family Residential' District, a 'D' Area District and a 'I' Height District;

**Section 2.** That the Use District of lands bounded and described as follows:

Beginning at the intersection of the centerline of the Lorain Avenue and the centerline of West 19th Street (formerly Smith Street);

Thence, southerly along West 19th Street to its intersection with the easterly prolongation of the southerly line of a parcel of land conveyed to Joseph Schoepe on November 25, 2013 and also known as being Cuyahoga County Permanent Parcel Number (PPN) 004-01-065 as recorded in Cuyahoga County Map Records;

Thence, westerly along said southerly line to its intersection with the southerly line of a parcel of land conveyed to DI Rentals, LLC and also known as Permanent Parcel Number 004-01-073 as recorded in Cuyahoga County Map Records;

Thence, southwestwardly along the southerly line to its intersection with the centerline of West 20th Place;

Thence, southerly and southeasterly along the centerline of West 20th Place to its intersection with the centerline of Smith Court;

Thence, westerly along the centerline of Smith Court to its intersection with the centerline of West 20th Street;

Thence, northerly along the centerline of West 20th Street to its intersection with the centerline of the Lorain Avenue;

Thence, northeasterly along the centerline of Lorain Avenue to its intersection with the centerline of West 19th Street and the point of origin;

And as identified on the attached map shall be changed to an 'Multi-Family Residential', a 'F' Area District and a 'I' Height District;

**Section 3.** That the Use District of lands bounded and described as follows:

Beginning at the intersection of the centerline of Lorain Avenue and the centerline of Columbus Road;  
 Thence, southerly along Columbus Road to its intersection with the centerline of the West 25th Street Ramp;  
 Thence, southwesterly along a curve to its intersection with the centerline of West 25th Street;  
 Thence, northwesterly along the centerline of West 25th Street to its intersection with the southerly prolongation of the westerly line of Cuyahoga County Permanent Parcel Number 003-23-076;  
 Thence, northerly along said prolongation to its intersection with the centerline of the Lorain Avenue;  
 Thence, northeasterly along the centerline of the Lorain Avenue to its intersection with the centerline of Columbus Road and the point of origin;  
 And as identified on the attached map shall be changed to a 'Multi-Family Residential' District, a 'G' Area District, and a '1' Height District;

**Section 4.** That the Use District of lands bounded and described as follows:

Beginning at the intersection of the centerline of Abbey Road and the centerline of West 19th Street;  
 Thence, southerly along the centerline of West 19th Street to its intersection with the northerly line of Cuyahoga County Permanent Parcel Number 004-03-076;  
 Thence, westerly along said northerly line and its westerly prolongation to its intersection with the centerline of West 21st Street;

Thence, northerly along the centerline of West 21st Street to its intersection with the centerline of Abbey Avenue;

Thence, easterly along the centerline of Abbey Avenue to its intersection with the centerline of West 19th Street and the point of origin;

And as identified on the attached map shall be changed to a 'Local Retail Business' District, a 'G' Area District, and a '1' Height District;

**Section 5.** That the Use District of lands bounded and described as follows:

Beginning at the intersection of the centerline of West 19th Street and the centerline of Smith Court;  
 Thence, southerly along West 19th Street to its intersection with the centerline of Abbey Avenue;  
 Thence, westerly along the centerline of Abbey Avenue to its intersection with the centerline of West 20th Street;

Thence, northerly along the centerline of West 20th Street to its intersection with the centerline of Smith Court;  
 Thence, easterly along the centerline of Smith Court to its intersection with the centerline of West 19th Street and the point of origin;

And as identified on the attached map shall be changed to a 'Local Retail Business' District, a 'G' Area District, and a '2' Height District;

**Section 6.** That the Use District of lands bounded and described as follows:

Beginning at the intersection of the centerline of Abbey Avenue and the centerline of Columbus Road;  
 Thence, easterly along the centerline of Abbey Avenue to its intersection with the centerline of West 21st Street;  
 Thence, southerly along the centerline of West 21st Street and its prolongation to its intersection with the easterly line of a parcel of land conveyed to CBGC, LLC by deed dated December 22, 2015 and is also known as Cuyahoga County Permanent Parcel Number 004-03-100;

Thence, southerly along said easterly line and its southerly prolongation to its intersection with the southerly line of a parcel of land conveyed to Molly S. Murray on September 22, 2009 and also known as being the southerly 29 feet of the westerly 165 feet of Sub Lot No. 314 in the Willeyville Allotment, of part of the Original Brooklyn Township Lot Nos. 69 & 70, or Cuyahoga County Permanent Parcel Number 004-03-009 as shown by recorded plat in Volume 2 of Maps, Page 16 of Cuyahoga County Records;

Thence, westerly along said southerly line to its intersection with the easterly line of a parcel of land conveyed to Richard and Kathy Lehmann in a deed dated January 9, 2017 and as recorded as Permanent Parcel Number 004-03-010 in Cuyahoga County Map Records;

Thence, southerly along said easterly line and its prolongation to its intersection with the northerly line of a parcel of land (PPN 004-03-017) conveyed to Leslie Vicario on January 20, 2003 and also known as being part of Sub Lot No. 3 in S.L. Severance's Re-Allotment of part of the Original Brooklyn Township Lot No. 69 as shown by the recorded plat in Volume "U" of Deeds, Page 1 of Cuyahoga County Records;

Thence, westerly along said northerly line to its intersection with the westerly line of the parcel thereof;

Thence, southerly along said westerly line and its prolongation to its intersection with the centerline of Wiley Avenue;

Thence, westerly along the centerline of Wiley Avenue to its intersection with the centerline of Columbus Road;

Thence, northerly along the centerline of Columbus Road to its intersection with the centerline of Abbey Avenue;

Thence, easterly along the centerline of Abbey Avenue to its intersection with the centerline of West 20th Street and the point of origin;

And as identified on the attached map shall be changed to a 'Limited Retail Business' District, a 'G' Area District, and a '2' Height District;

**Section 7.** That the Use District of lands bounded and described as follows:

Beginning at the intersection of the centerline of Lorain Avenue and the centerline of West 20th Street;  
 Thence, southerly along the centerline of West 20th Street to its intersection with the centerline of Abbey Avenue;

Thence, westerly along the centerline of Abbey Avenue to its intersection with the centerline of Columbus Road;

Thence, northerly along the centerline of Columbus Road to its intersection with the centerline of Lorain Avenue;

Thence, northeasterly along said centerline to its intersection with the centerline of West 20th Street and the point of origin;

And as identified on the attached map shall be changed to a 'Semi-Industry' District, a 'F' Area District, and a '2' Height District;

**Section 8.** That the street frontages described as follows:

The west side of Columbus Road between Lorain Avenue and West 25th Street;

And;

The east side of Columbus Road between Willey Avenue and Lorain Avenue;

And;

The north and south side of Abbey Avenue between Columbus Road and West 19th Street;

And;

The west side of West 20th Street between Lorain Avenue and Abbey Avenue;

And;

The east side of West 20th Street between Abbey Avenue and Smith Court;

And;

The south side of Lorain Avenue between the westerly line of a parcel of land conveyed to TLC Properties Inc. by deed dated November 15, 2016 also known as Cuyahoga County PPN 004-01-074 and West 20th Street;

And;

The west side of West 19th Street between Abbey Avenue and Smith Court;

And as identified on the attached map shall be established as 'Urban Form Overlay Districts'

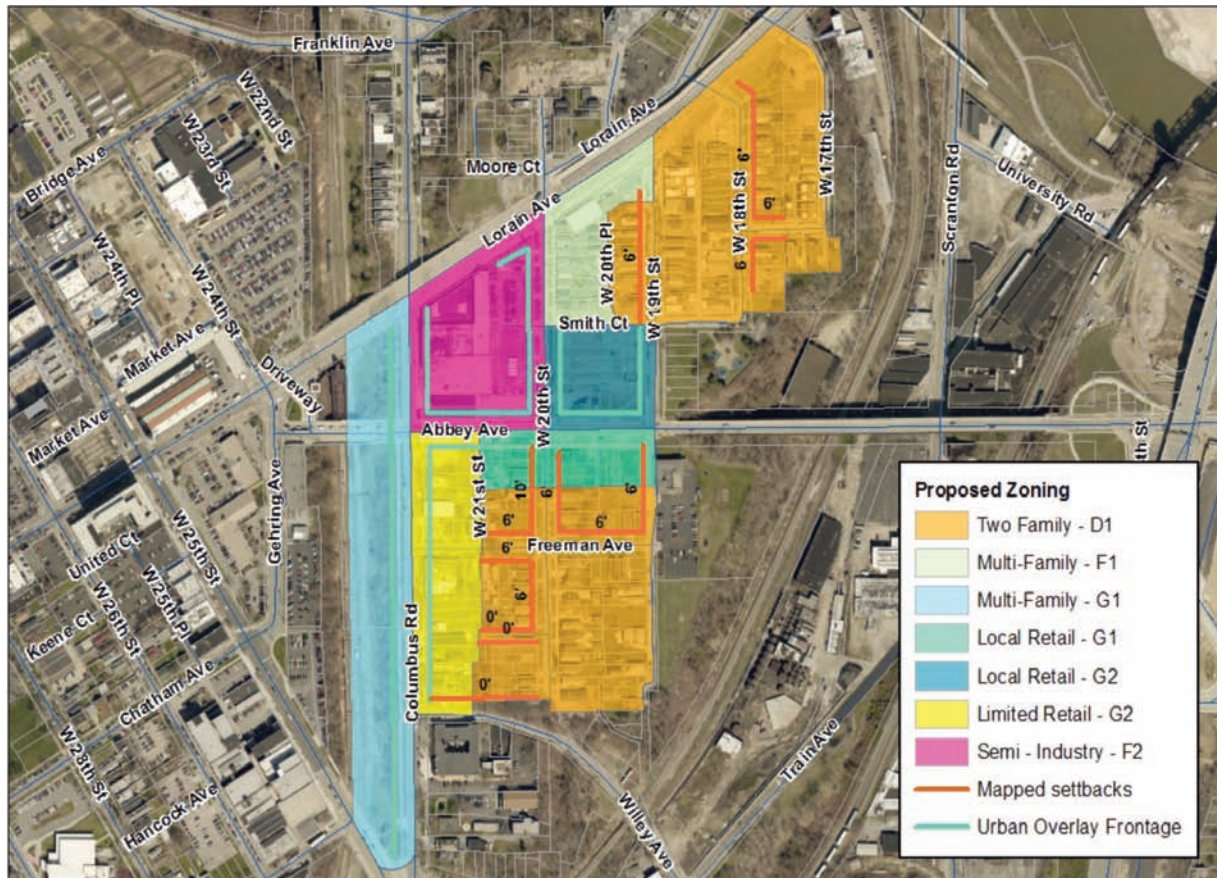
**Section 9.** That a Mapped Building Setback of zero (0) feet shall be established along the north and south sides of Follett Court between the southerly prolongation of West 21st Street and West 20th Street; and on the north side of Willey Avenue between West 20th Street and Columbus Road as shown on the attached map.

**Section 10.** That a Mapped Building Setback of six (6) feet shall be established along the easterly side of West 18th Street between Bradford Avenue and Lorain Avenue, on the west side of West 20th Street between Freeman Avenue and Follett Court, on the north side of Freeman Avenue between West 21st Street and West 19th Street; on the east side of West 20th Street between Freeman Avenue and the northerly line of Cuyahoga Permanent Parcel Number 004-03-044, on the west side of West 19th Street between Smith Court and the northerly line of Cuyahoga County Permanent Parcel Number 004-01-065, and on the north and south side of Bradford Avenue between West 18th Street and the westerly line and southerly prolongation of Cuyahoga County Permanent Parcel Number 004-02-078 as shown on the attached map.

**Section 11.** That a Mapped Building Setback of ten (10) feet shall be established on the east side of West 20th Street between Freeman Avenue and Abbey Avenue as shown on the attached map.

**Section 12.** That the change of zoning of lands described in Section 1 through 11 shall be identified as Map Change No. 2586, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

**Section 13.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.



# Duck Island Rezoning

Map Change 2586



Date: 8/7/2018

Passed October 15, 2018.  
Effective November 14, 2018.

**Ord. No. 1103-18.**

**By Council Members McCormack, Johnson and Brancatelli (by departmental request).**

**An emergency ordinance authorizing the Director of Capital Projects to issue a permit to the United States of America to encroach into the public right of way of Lakeside Avenue and East 9th Street by installing, using, and maintaining 52 bollards and 2 retaining walls.**

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

**Section 1.** That the Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to the United States of America, 1240 East Ninth Street Cleveland OH 44199 ("Permittee"), to encroach into the public rights-of-way of Lakeside Avenue and East 9th Street by installing, using, and maintaining 52 bollards and 2 retaining walls at the following locations:

Plaza retaining wall 1 along the south rights-of-way of Lakeside Avenue is located 28.00 feet easterly from the intersection of the easterly right of way of East 6th Street (99.00 feet wide) and the southerly right of way of Lakeside Avenue (99.00 feet wide) and extends northerly approximately 3'9" into the rights-of-way of Lakeside Avenue and easterly 183.00 feet.

Plaza retaining wall 2 along the south rights-of-way of Lakeside Avenue is located at the intersection of the westerly rights-of-way of East 9th Street (99.00 feet wide) and the southerly right of way of Lakeside Avenue (99.00 feet wide) and extends northerly approximately 3'9" into the rights-of-way of Lakeside Avenue and westerly 70.00 feet.

The 46 bollards along Lakeside Avenue are located 211.00 feet easterly from the intersection of the easterly rights-of-way of East 6th Street (99.00 feet wide) and the southerly right of way of Lakeside Avenue (99.00 feet wide) and extends northerly approximately 19'8" into the rights-of-way of Lakeside Avenue and easterly 175.00 feet.

The 6 bollards along the westerly rights-of-way of East 9th Street are located 267.00 feet southerly from the intersection of the westerly rights-of-way of East 9th Street (99.00 feet wide) and the southerly rights-of-way of Lakeside Avenue (99.00 feet wide) and extend easterly approximately 5'8" into the rights-of-way of East 9th Street and southerly 30.00 feet.

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section.

**Section 2.** That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the Director of Law determines necessary to protect and benefit the public interest. The permit shall be issued only when, in the opinion of the Director of Law, the prospective Permittee has properly

indemnified the City against any loss that may result from the encroachment(s) permitted.

**Section 3.** That Permittee may assign the permit only with the prior written consent of the Director of Capital Projects. That the encroaching structure(s) permitted by this ordinance shall conform to plans and specifications first approved by the Manager of the City's Division of Engineering and Construction. That Permittee shall obtain all other required permits, including but not limited to Building Permits, before installing the encroachment(s).

**Section 4.** That the permits shall reserve to the City reasonable right of entry to the encroachment location(s).

**Section 5.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed October 15, 2018.

Effective October 17, 2018.

**Ord. No. 1104-18.**

**By Council Members J. Jones, Bishop, McCormack, Johnson, Conwell, Brancatelli and Kelley (by departmental request).**

**An emergency ordinance authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding for the rehabilitation East 105th Street, Fulton Road/West 28th Street; and East 131st Street; to apply for and accept grants from various entities for the improvements; authorizing the Director of Capital Projects to enter into contracts and agreements to design and construct the improvements and other agreements needed for the improvements; and authorizing the Commissioner of Purchases and Supplies to acquire, accept, and record for right-of-way purposes real property and easements necessary to make the improvement.**

Whereas, under Article VIII, Section 2k of the Ohio Constitution, the State of Ohio is authorized to issue bonds and other obligations of the State for the purpose of financing public infrastructure capital improvements of political subdivisions as designated by law; and

Whereas, under Section 164.03 of the Revised Code, the District One Public Work Integrating Committee has been created to evaluate applications for state financing of capital improvement projects of local subdivisions in Cuyahoga County; and

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

**Section 1.** That the Mayor is authorized to apply to the District

One Public Works Integrating Committee for state funding for the following infrastructure capital improvements:

1. East 105th Street rehabilitation from East Boulevard to Greenlawn Avenue;

2. Fulton Road/West 28th Street rehabilitation from Lorain Avenue to Detroit Avenue; and

3. East 131st Street rehabilitation from Miles Avenue to Union Avenue.

**Section 2.** That the Mayor is authorized to apply to the District One Public Works Integrating Committee for state funding to obtain credit enhancements and loan assistance in support of the city's bonds issued for bridge and road improvements.

**Section 3.** That the Mayor is authorized to accept one or more grants from the Ohio Public Works Commission, acting by and through its Director, and to apply for and accept grants or other funding from other public or private entities, to finance the public improvements of rehabilitation of East 105th Street, Fulton Road/West 28th Street; and East 131st Street, more fully described in Section 1 of this ordinance (the "Improvement"); that the Mayor is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in this ordinance.

**Section 4.** That, provided the City sells bonds in 2019 authorized for the purposes of this ordinance, the City of Cleveland is obligated to provide cash matching funds in the amount of the local share.

**Section 5.** That, provided the City sells bonds in 2019 authorized for the purposes of this ordinance, the Director of Capital Projects is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional design, engineering and construction services necessary for the Improvement.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Capital Projects from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Capital Projects for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts shall be prepared by the Director of Law, approved by the Director of Capital Projects and certified by the Director of Finance.

**Section 6.** That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement as described in this ordinance, for the Office of Capital Projects, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement.

**Section 7.** That, provided the City sells bonds in 2019 authorized for

the purposes of this ordinance, the Director of Capital Projects is authorized to enter into one or more contracts for the making of the Improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

**Section 8.** That the Director of Capital Projects is authorized to accept cash contributions from public or private entities, NEORS, and GCRTA for infrastructure restoration costs associated with relocating, rehabilitating or reconstructing utility infrastructure for the Improvement and costs associated with implementing green infrastructure features to address combined sewer overflows. That the Director of Capital Projects is authorized to enter into agreements with the entities for this purpose.

**Section 9.** That the Director of Capital Projects is authorized to enter into one or more agreements with private utility companies to pay charges for the installation of underground lines in connection with the Improvement.

**Section 10.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is authorized to acquire, accept, and record all land necessary in making of the public improvement, including but not limited to fee simple acquisitions, temporary easements, permanent easements, and work agreements necessary to make the Improvement. The consideration to be paid for the property and easements shall not exceed fair market value to be determined by the Board of Control.

**Section 11.** That the Director of Capital Projects is authorized to execute, on behalf of the City, all documents necessary to acquire, accept, and record the property and easements and to employ and pay all fees for title companies, surveys, escrows, appraisers, and all other costs necessary for the acquisition of the property and easements.

**Section 12.** That the Mayor or Director of Capital Projects is authorized to file all papers and execute all documents necessary to receive the funds under this ordinance; and that the funds are appropriated for the purposes described in the ordinance.

**Section 13.** That the cost of the contracts, payments, property acquisition, cash matches, and other expenditures authorized shall be paid from the fund or funds to which are credited any grant proceeds authorized under this ordinance, the fund or funds to which are credited any proceeds from the sale of 2019 and/or future bonds if authorized by this Council and sold for this purpose, including both general obligation and utility bonds, from cash contributions accepted and appropriated under this ordinance, Fund Nos. 20 SF 520, 20 SF

528, 20 SF 534, 20 SF 540, 20 SF 546, 20 SF 554, 20 SF 563, 20 SF 568, 20 SF 574, 20 SF 579, 20 SF 586 and from any other funds approved by the Director of Finance for this purpose.

**Section 14.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed October 15, 2018.

Effective October 17, 2018.

**Ord. No. 1115-18.**  
**By Council Members Zone and Kelley (by departmental request).**  
**An emergency ordinance to amend Sections 135.01, 181.101 and 615.14, of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances; and to repeal various sections of Chapter 135, of the codified ordinances, including 135.57 for the discontinuance of the Division of Corrections, relating to cessation of jail operations by the City of Cleveland.**

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

**Section 1.** That, upon the concurrence of the Board of Control, as required by Sections 77 and 79 of the Charter of the City of Cleveland, the duties of the Director of Public Safety are amended, and for such purpose Section 135.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 171-06, passed December 11, 2006, are amended as follows:

**Section 135.01 Establishment; Duties of Director**

There is established a Department of Public Safety, to be controlled and administered by a Director of Public Safety, subject to the provisions of the Charter and ordinances of the City, and to the direction of the Mayor. The Director shall be the executive head of the police and fire forces of the City under the direction of the Mayor and shall be the appointing authority. The Director may appoint and employ officers and employees as may be necessary for the operation of this office and the several divisions and activities comprising the Department, except officers and employees appointed by division heads other than the Chiefs of Police and Fire under the provisions of Charter Section 79.

**Section 2.** That, upon the concurrence of the Board of Control, as required by Sections 77 and 79 of the Charter of the City of Cleveland, the duties of the Director of Public Safety are amended, and for such purpose existing Section 135.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1871-06, passed December 11, 2006, is repealed.

**Section 3.** That, upon the concurrence of the Board of Control, as required by Sections 77 and 79 of the Charter of the City of Cleveland, the Division of Corrections is discontinued and Section 135.57 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1871-06, passed December 11, 2006, is repealed.

**Section 4.** That Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 497-08, passed June 2, 2008, and Section 615.14 of the codified ordinances, as amended by Ordinance No. 90-96, passed March 18, 1996, are amended to read as follows:

**Section 181.101 Purchase or Rental of Commodities, Goods, and Services**

(a) The Director of Finance, or other appropriate director, is authorized to enter into one (1) or more standard or requirement contracts for purchase or rental agreements or leases with or without an option to purchase, when the Director of Finance determines they are financially advantageous, duly let to the lowest and best bidder following the procedures stated in Section 181.10, for the following commodities, goods, or services that are required for the usual daily operation of the various departments of the City, provided that the estimated amount per contract year on any individual contract shall not exceed two hundred fifty thousand dollars (\$250,000.00):

(1) Except when a public improvement, building construction materials including, but not limited to, bricks, ready-mix concrete, dry wall, lumber, paint, and roofing;

(2) Except when a public improvement, building maintenance and repair including, but not limited to, parts and services for doors, elevators, HVAC, mechanical systems, roofs, and windows;

(3) Except when a public improvement, road, sidewalk, and sewer repair and replacement materials, supplies, and services, including but not limited to, tack coat, manhole risers, crack sealing material, emulsion, cold mix, guard rail supplies, liquid de-icer, salt inserts, traffic control devices, quicklime, and disposal of materials;

(4) Construction equipment, without operators, including, but not limited to, earth, snow, and debris moving and removal, and materials, supplies, parts, and repair and maintenance services for them;

(5) Cleaning and janitorial maintenance equipment, services, and supplies including, but not limited to, chemicals including pool chemicals, odor control, paper products, and pest control;

(6) Educational and photographic equipment, supplies, parts, and maintenance and repair services for them;

(7) Electrical supplies including, but not limited to, batteries, fixtures, lighting, and wiring;

(8) Fuels and lubricants including, but not limited to, diesel, gasoline, natural gas, grease, and oil, and delivery of them;

(9) Food and beverages for facility-user consumption at Camp

Forbes, and for resale at Highland and Seneca Golf Courses;

(10) Hardware including, but not limited to, handheld tools and fasteners;

(11) Industrial gases including, but not limited to, acetylene, argon, nitrogen, and oxygen;

(12) Laboratory and testing equipment and lab supplies and services;

(13) Except when a public improvement, landscaping equipment, materials, supplies, parts, and repair and maintenance services, and supplies including, but not limited to, indoor and outdoor plants, grounds, and trees materials and maintenance and repair of any of them, and plant rentals;

(14) Medical equipment, materials, and supplies including, but not limited to, first-responder/first-aid supplies, and pharmaceuticals;

(15) Mail, messenger, and moving services;

(16) Office supplies, furniture, and equipment including, but not limited to, computers, computer peripherals and appurtenances, office machines, copiers, printers, and printing and mailing equipment, and materials, supplies, parts, and repair and maintenance services for any of them;

(17) Paper products including, but not limited to, fine papers, printing media, envelopes, and printed forms;

(18) Plumbing equipment, materials, supplies, and parts including, but not limited to, pipe, fittings, and fixtures;

(19) Power tools, portable powered machines, electric motors, pumps, powered appliances, and milling and tapping machines, including materials, supplies, parts, and maintenance and repair services for any of them;

(20) Program promotional items including, but not limited to, advertising specialties, caps, and printed T-shirts;

(21) Property protection equipment, materials, supplies, parts, and repair and maintenance services, including, but not limited to, fire extinguisher and fire suppression equipment and testing, locksmith services and supplies, property and casualty insurance covering City property and buildings, and security services;

(22) Records management systems and services including, but not limited to, microfilm, microfiche, and compact disc (CD) copying, file storage, data entry, and shredding;

(23) Recreation and sports equipment;

(24) Snow and ice removal services;

(25) Uniforms, work clothing, laundry, towel, and linen service, and supplies; and

(26) Vehicle maintenance and repair equipment, materials, supplies, parts, and services.

Any purchase under this section shall be made by the Commissioner of Purchases and Supplies and paid from the annual appropriations made for such purpose.

(b) That under Section 108(b) of the Charter, the purchases authorized by this section may be made through cooperative agreements with other governmental agencies.

The Director of Finance may sign all documents that are necessary to make the purchases, and may enter into one (1) or more contracts with the vendors selected through that cooperative process.

**Section 615.14 Copying Police and Fire Uniforms**

(a) No person not a member of the Police or Fire Division shall wear a uniform, cap, badge or buttons similar to, or in imitation of the official uniform, cap, badge or buttons at the time in use by members of the Police and Fire Divisions.

(b) No person, firm or corporation desiring to provide special police, watchmen, or detective service, either for itself or for hire to others, shall use a distinctive uniform cap, badge or buttons, to be worn by such person or any employees engaged for such purpose, until the form, design and color thereof have first been submitted to and approved by the Director of Public Safety, and a record sufficient to identify the users thereof has been made by the Director.

(c) Whoever violates this section is guilty of copying official uniforms, a minor misdemeanor.

**Section 5.** That existing Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 497-08, passed June 2, 2008, and existing Section 615.14 of the codified ordinances, as amended by Ordinance No. 90-96, passed March 18, 1996, are repealed.

**Section 6.** That the following sections:

Section 135.48, as amended by Ordinance No. 1016-91, passed June 17, 1991,

Section 135.55, as amended by Ordinance No. 370-96, passed June 10, 1996, and renumbered from Section 135.47 by Ordinance No. 1285-96, passed October 21, 1996,

Section 135.58, as amended by Ordinance No. 1871-06, passed December 11, 2006,

Section 135.59, as amended by Ordinance No. 1280-16, passed November 21, 2016, and

Sections 135.60 through and including 125.70, as amended by Ordinance No. 1871-06, passed December 11, 2006 are repealed.

**Section 7.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed October 15, 2018.

Effective October 17, 2018.

**Ord. No. 1184-18,  
By Council Members McCormack,  
Brancatelli and Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with Downtown Cleveland Alliance, or its designee, to provide**

**economic development assistance to partially finance the costs associated with bringing the Tall Ships Festival to Cleveland in 2019.**

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

**Section 1.** That the Director of Economic Development is authorized to enter into a grant agreement with Downtown Cleveland Alliance, or its designee, to provide economic development assistance to partially finance the costs associated with bringing the Tall Ships Festival to Cleveland in 2019.

**Section 2.** That the agreement and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

**Section 3.** That the contract authorized in this legislation will require the recipient of financial assistance to work with, and/or cause their Tenants to work with, The Workforce Investment Board for Workforce Area No. 3 to identify and solicit qualified candidates for job opportunities related to the City's contracts, and place special emphasis on the hard to employ, including but not limited to the disabled and persons who have been convicted of or have pled guilty to a criminal offense, unless the criminal conviction or circumstances relate to the duties for the particular job sought.

**Section 4.** That the costs of the grant shall not exceed an amount of \$20,000 and shall be paid from Fund No. 17 SF 652, Request No. RQS 9501, RL 2018-100.

**Section 5.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed October 15, 2018.

Effective October 17, 2018.

**COUNCIL COMMITTEE MEETINGS**

**Monday, October 22, 2018  
2:00 p.m.**

**Finance Committee:** Present: Kelley, Chair; Zone, Vice Chair; Brady, Brancatelli, Cleveland, Conwell, Griffin, Keane, McCormack.

**Tuesday, October 23, 2018  
1:30 p.m.**

**Utilities Committee:** Present: Keane, Chair; Kazy, Vice Chair; Bishop, Hairston, McCormack, Polensek, Santana.

**Wednesday, October 24, 2018  
10:00 a.m.**

**Safety Committee:** Present: Zone, Chair; Polensek, Vice Chair; Kazy, B. Jones, J. Jones, Santana. *Authorized Absence:* Griffin.

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O—Ordinance; R—Resolution; F—File  
 Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;  
 Bold type in sections indicates amendments

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Denison Avenue, 3205 (Ward 12) — Dorothy Rieman, owner — appeal postponed to 12/3/18 on 10/22/18 (Cal. 18-213) .....	1800
East 105th Street, 1484 (Ward 9) — Famicos Foundation, owner — appeal heard on 10/22/18 (Cal. 18-212) .....	1800
East 118th Street, 3229 (Ward 4) — Brian McAfee, owner — appeal granted and adopted on 10/22/18 (Cal. 18-200) .....	1800
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**Burke Lakefront Airport**

Authorizing the Director of Port Control to enter into a Lease Agreement with Wargo Law, LLC, for the lease of space in the Terminal Building at Burke Lakefront Airport for operating a law firm, for the Department of Port Control, for a period of two years, with three one-year options to renew, the first of which is exercised by additional legislative authority. (O 1159-18) .....1797

To amend the title, the first whereas clause, and Section 1 of Ordinance No. 196-17, passed March 27, 2017, relating to exercising the option to renew on contract with SP Plus Corporation fka Standard Parking Corporation for administration and maintenance of all public and employee parking facilities and shuttle services for the Department of Port Control. (O 1220-18) .....1797

**Capital Projects**

Authorizing the Director of Capital Projects to issue a permit to the United States of America to encroach into the public right of way of Lakeside Avenue and East 9th Street by installing, using, and maintaining 52 bollards and 2 retaining walls. (O 1103-18) .....1808

Authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding for the rehabilitation East 105th Street, Fulton Road/West 28th Street; and East 131st Street; to apply for and accept grants from various entities for the improvements; authorizing the Director of Capital Projects to enter into contracts and agreements to design and construct the improvements and other agreements needed for the improvements; and authorizing the Commissioner of Purchases and Supplies to acquire, accept, and record for right of way purposes real property and easements necessary to make the improvement. (O 1104-18) .....1808

Declaring the intent to vacate a portion of the Detroit Superior Viaduct. (R 1130-18) .....1803

**Casino Revenue Funds**

Authorizing the Director of the Department of Public Works to enter into agreement with the International Community Council Worldwide Intercultural Network for the Cleveland Intergroup Relations Project through the use of Wards 3, 4, 5, 6, 8, 9, 10, 11, 12, 14, 15, 16 and 17 Casino Revenue Funds. (O 1298-18) .....1796

**City of Cleveland Bids**

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**City Planning Commission**

Changing the Use, Area and Height Districts of parcels along Madison Avenue, Franklin Boulevard and West 65th Street between West 65th Street and West 91st Street as identified on the attached map (Map Change No. 2567). (O 813-17) .....1802

Changing the Use, Area, and Height Districts of lands in the Duck Island Neighborhood, northwest of the Flats Industrial Railroad Line east of West 25th Street and south of Lorain Avenue (Map Change 2586). (O 1026-18) .....1804

Declaring the intent to vacate a portion of the Detroit Superior Viaduct. (R 1130-18) .....1803

**Cleveland Hopkins International Airport ( CHIA )**

Authorizing the Director of Port Control to enter into one or more leases by way of concession with one or more entities for the operation of a valet parking service at Cleveland Hopkins International Airport, for the Department of Port Control, for a period of two years, with three one-year options to renew, the first of which shall require additional legislative authority. (O 1182-18) .....1797

Determining the method of making the public improvement of designing and constructing an updated Ground Transportation Center, which includes; but not limited to, a new canopy system at Cleveland Hopkins International Airport; authorizing the Director of Port Control to enter into one or more contracts for the making of the improvement. (O 919-18) .....1797

To amend the title, the first whereas clause, and Section 1 of Ordinance No. 196-17, passed March 27, 2017, relating to exercising the option to renew on contract with SP Plus Corporation fka Standard Parking Corporation for administration and maintenance of all public and employee parking facilities and shuttle services for the Department of Port Control. (O 1220-18) .....1797

**Cleveland Housing Network ( CHN )**

Authorizing the Director of Public Utilities to consent to the assignment of Contract No. CT 2002 PS 2017-026 from Cleveland Housing Network, Inc. to CHN Housing Partners to provide administration and other related services for the Division of Water's Discount Affordability Program; and to exercise the second option to renew. (O 1292-18) .....1794

**Cleveland Police Foundation**

Authorizing the Director of Public Safety to apply for and accept a grant from the Cleveland Police Foundation for the Fourth District Community Policing Project Program. (O 1287-18) .....1792

**Cleveland Public Power ( CPP )**

Authorizing the purchase by one or more requirement contracts of water mains, fire hydrants, service connections, valves and appurtenances, for the Division of Water, and concrete repair, tree lawn restoration, pavement restoration, including but not limited to materials, labor and installation if necessary, for the Divisions of Water, Water Pollution Control and Cleveland Public Power, Department of Public Utilities, for a period up to two years. (O 1296-18) .....1795

**Codified Ordinances**

To amend Sections 135.01, 181.101 and 615.14, of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances; and to repeal various sections of Chapter 135, of the codified ordinances, including 135.57 for the discontinuance of the Division of Corrections, relating to cessation of jail operations by the City of Cleveland. (O 1115-18) .....1809

**Condolences**

Condolence Resolution for Brian Andrew Alflen. (R 1303-18) .....1791

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Congratulations Resolution for Dr. Akram Boutros. (R 1304-18) .....1791

**Contracts**

Authorizing the Director of Public Safety to apply for and accept a grant from the United States Department of Justice's Bureau of Justice Assistance for the FY 2018 Byrne Justice Assistance Grant (JAG) Local Solicitation; and authorizing one or more contracts with Cuyahoga County and the cities of East Cleveland, Euclid, Garfield Heights, and Cleveland Heights needed to implement the grant. (O 1286-18) .....1792

Authorizing the Director of Public Utilities to consent to the assignment of Contract No. CT 2002 PS 2017-026 from Cleveland Housing Network, Inc. to CHN Housing Partners to provide administration and other related services for the Division of Water's Discount Affordability Program; and to exercise the second option to renew. (O 1292-18) .....1794

Authorizing the purchase by one or more requirement contracts of water mains, fire hydrants, service connections, valves and appurtenances, for the Division of Water, and concrete repair, tree lawn restoration, pavement restoration, including but not limited to materials, labor and installation if necessary, for the Divisions of Water, Water Pollution Control and Cleveland Public Power, Department of Public Utilities, for a period up to two years. (O 1296-18) .....1795

Determining the method of making the public improvement of designing and constructing an updated Ground Transportation Center, which includes; but not limited to, a new canopy system at Cleveland Hopkins International Airport; authorizing the Director of Port Control to enter into one or more contracts for the making of the improvement. (O 919-18) .....1797

**Correction Division**

To amend Sections 135.01, 181.101 and 615.14, of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances; and to repeal various sections of Chapter 135, of the codified ordinances, including 135.57 for the discontinuance of the Division of Corrections, relating to cessation of jail operations by the City of Cleveland. (O 1115-18) .....1809

**Cuyahoga County**

Authorizing the Director of Public Safety to apply for and accept a grant from the United States Department of Justice's Bureau of Justice Assistance for the FY 2018 Byrne Justice Assistance Grant (JAG) Local Solicitation; and authorizing one or more contracts with Cuyahoga County and the cities of East Cleveland, Euclid, Garfield Heights, and Cleveland Heights needed to implement the grant. (O 1286-18) .....1792

**Cuyahoga County Board of Health**

Authorizing the Director of Public Health to apply for and accept a grant from the Cuyahoga County Board of Health for the 2019-2021 Get Vaccinated Ohio Program; authorizing the Director to charge and accept fees for this program; and authorizing one or more agreements with Medicaid and Medicaid HMOs for the City to receive payments. (O 1285-18) .....1791

**Economic Development Department**

Authorizing the Director of Economic Development to enter into a grant agreement with Downtown Cleveland Alliance, or its designee, to provide economic development assistance to partially finance the costs associated with bringing the Tall Ships Festival to Cleveland in 2019. (O 1184-18) .....1810  
Authorizing the Director of the Department of Economic Development to enter into agreement with the LGBT Community Center of Greater Cleveland for the LGBT Center Building Project through the use of Wards 3 and 15 Neighborhood Capital Funds. (O 1300-18) .....1796

**Encroachments**

Authorizing the Director of Capital Projects to issue a permit to the United States of America to encroach into the public right of way of Lakeside Avenue and East 9th Street by installing, using, and maintaining 52 bollards and 2 retaining walls. (O 1103-18) .....1808

**Famicos Foundation**

Authorizing the Director of the Department of Public Works to enter into agreement with Brick City Productions or with its fiscal agent Famicos Foundation, for the Grandparents Education & Resources Family Day through the use of Wards 5 and 9 Casino Revenue Funds. (O 1299-18) .....1796

**Grant Agreement**

Authorizing the Director of Economic Development to enter into a grant agreement with Downtown Cleveland Alliance, or its designee, to provide economic development assistance to partially finance the costs associated with bringing the Tall Ships Festival to Cleveland in 2019. (O 1184-18) .....1810

**Grants**

Authorizing the Director of Public Health to apply for and accept a grant from the Cuyahoga County Board of Health for the 2019-2021 Get Vaccinated Ohio Program; authorizing the Director to charge and accept fees for this program; and authorizing one or more agreements with Medicaid and Medicaid HMOs for the City to receive payments. (O 1285-18) .....1791  
Authorizing the Director of Public Safety to apply for and accept a grant from the United States Department of Justice's Bureau of Justice Assistance for the FY 2018 Byrne Justice Assistance Grant (JAG) Local Solicitation; and authorizing one or more contracts with Cuyahoga County and the cities of East Cleveland, Euclid, Garfield Heights, and Cleveland Heights needed to implement the grant. (O 1286-18) .....1792  
Authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding for the rehabilitation East 105th Street, Fulton Road/West 28th Street; and East 131st Street; to apply for and accept grants from various entities for the improvements; authorizing the Director of Capital Projects to enter into contracts and agreements to design and construct the improvements and other agreements needed for the improvements; and authorizing the Commissioner of Purchases and Supplies to acquire, accept, and record for right of way purposes real property and easements necessary to make the improvement. (O 1104-18) .....1808

**Health Department**

Authorizing the Director of Public Health to apply for and accept a grant from the Cuyahoga County Board of Health for the 2019-2021 Get Vaccinated Ohio Program; authorizing the Director to charge and accept fees for this program; and authorizing one or more agreements with Medicaid and Medicaid HMOs for the City to receive payments. (O 1285-18) .....1791

**Lease Agreement**

Authorizing the Director of Port Control to enter into a Lease Agreement with Wargo Law, LLC, for the lease of space in the Terminal Building at Burke Lakefront Airport for operating a law firm, for the Department of Port Control, for a period of two years, with three one-year options to renew, the first of which is exercised by additional legislative authority. (O 1159-18) .....1797

**Lease By Way of Concession**

Authorizing the Director of Port Control to enter into one or more leases by way of concession with one or more entities for the operation of a valet parking service at Cleveland Hopkins International Airport, for the Department of Port Control, for a period of two years, with three one-year options to renew, the first of which shall require additional legislative authority. (O 1182-18) .....1797

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Objecting to the transfer of ownership of a C2, C2X and D6 Liquor Permit to 4398-4400 State Road. (R 1268-18) .....1804  
Objecting to the transfer of stock of a D1, D2, D3, D3A and D6 Liquor Permit to 1299 West 9th Street and patios. (R 1267-18) .....1803

**Neighborhood Capital Funds**

Authorizing the Director of the Department of Economic Development to enter into agreement with the LGBT Community Center of Greater Cleveland for the LGBT Center Building Project through the use of Wards 3 and 15 Neighborhood Capital Funds. (O 1300-18) .....1796

**Northeast Ohio Regional Sewer District ( NEORSD )**

Determining the method of making the public improvement of demolishing the existing pump station on East 37th Street, constructing a new pump station, and replacing the force main between Trumbull Avenue and the pump station; authorizing the Director of Public Utilities to enter into one or more public improvement contracts to construct the improvement; and authorizing the director to apply for and accept any loans or grants from any public or private entity, including but not limited to, the Northeast Ohio Regional Sewer District for Community Cost Share Program funding. (O 1294-18) .....1794

**Office of Criminal Justice Services**

Authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Office of Criminal Justice Services for the FY 18 State Byrne Memorial Justice Assistance Grant for the operation of the Northern Ohio Law Enforcement Task Force (NOLETF); and authorizing the Director to enter into agreements with various municipalities or governmental agencies needed to implement the grant. (O 1289-18) .....1793

**Ohio Department of Natural Resources**

Supporting the establishment of the Cuyahoga River Water Trail as a designated water trail by the Ohio Department of Natural Resources. (R 1297-18) .....1796

**Ohio Department of Public Safety**

Authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Department of Public Safety for the FY 2019 Impaired Driving Enforcement Program and Selective Traffic Enforcement Program (IDEP/STEP) Program. (O 1290-18) .....1793

**Parking**

Authorizing the Director of Port Control to enter into one or more leases by way of concession with one or more entities for the operation of a valet parking service at Cleveland Hopkins International Airport, for the Department of Port Control, for a period of two years, with three one-year options to renew, the first of which shall require additional legislative authority. (O 1182-18) .....1797

**Permits**

Authorizing the Director of Capital Projects to issue a permit to the United States of America to encroach into the public right of way of Lakeside Avenue and East 9th Street by installing, using, and maintaining 52 bollards and 2 retaining walls. (O 1103-18) .....1808

**Port Control Department**

Authorizing the Director of Port Control to enter into a Lease Agreement with Wargo Law, LLC, for the lease of space in the Terminal Building at Burke Lakefront Airport for operating a law firm, for the Department of Port Control, for a period of two years, with three one-year options to renew, the first of which is exercised by additional legislative authority. (O 1159-18) .....1797

Authorizing the Director of Port Control to enter into one or more leases by way of concession with one or more entities for the operation of a valet parking service at Cleveland Hopkins International Airport, for the Department of Port Control, for a period of two years, with three one-year options to renew, the first of which shall require additional legislative authority. (O 1182-18) .....1797

Determining the method of making the public improvement of designing and constructing an updated Ground Transportation Center, which includes; but not limited to, a new canopy system at Cleveland Hopkins International Airport; authorizing the Director of Port C control to enter into one or more contracts for the making of the improvement. (O 919-18) .....1797

To amend the title, the first whereas clause, and Section 1 of Ordinance No. 196-17, passed March 27, 2017, relating to exercising the option to renew on contract with SP Plus Corporation fka Standard Parking Corporation for administration and maintenance of all public and employee parking facilities and shuttle services for the Department of Port Control. (O 1220-18) .....1797

**Professional Services**

Determining the method of making the public improvement of constructing the Edgewater Drive, Buhrer Avenue, East 97th Street, West 42nd Street and Apple Avenue, and East 39th Street area sewer replacement or rehabilitation projects, which may include but not be limited to installing manholes and catch basins; authorizing the Director of Public Utilities to enter into one or more public improvement contracts to construct the improvement; authorizing the director to employ one or more professional consultants necessary to design the improvement; and authorizing the director to apply for and accept any loans or grants from any public or private entity, including but not limited to, the Northeast Ohio Regional Sewer District for Community Cost Share Program funding. (O 1295-18) .....1795

**Professional Services Contracts**

Authorizing the Director of Public Utilities to enter into one or more contracts with Itron Inc. for professional services necessary to provide hardware and software maintenance for automated meter reading devices, for a period of two years. (O 1293-18) .....1794

To amend the title, the first whereas clause, and Section 1 of Ordinance No. 196-17, passed March 27, 2017, relating to exercising the option to renew on contract with SP Plus Corporation fka Standard Parking Corporation for administration and maintenance of all public and employee parking facilities and shuttle services for the Department of Port Control. (O 1220-18) .....1797

**Public Hearings ( Notices )**

Changing the Use, Area and Height Districts of parcels along Madison Avenue, Franklin Boulevard and West 65th Street between West 65th Street and West 91st Street as identified on the attached map (Map Change No. 2567). (O 813-17) .....1802

**Public Improvement Contracts**

Authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding for the rehabilitation East 105th Street, Fulton Road/West 28th Street; and East 131st Street; to apply for and accept grants from various entities for the improvements; authorizing the Director of Capital Projects to enter into contracts and agreements to design and construct the improvements and other agreements needed for the improvements; and authorizing the Commissioner of Purchases and Supplies to acquire, accept, and record for right of way purposes real property and easements necessary to make the improvement. (O 1104-18) .....1808

Determining the method of making the public improvement of constructing the Edgewater Drive, Buhrer Avenue, East 97th Street, West 42nd Street and Apple Avenue, and East 39th Street area sewer replacement or rehabilitation projects, which may include but not be limited to installing manholes and catch basins; authorizing the Director of Public Utilities to enter into one or more public improvement contracts to construct the improvement; authorizing the director to employ one or more professional consultants necessary to design the improvement; and authorizing the director to apply for and accept any loans or grants from any public or private entity, including but not limited to, the Northeast Ohio Regional Sewer District for Community Cost Share Program funding. (O 1295-18) .....1795

Determining the method of making the public improvement of demolishing the existing pump station on East 37th Street, constructing a new pump station, and replacing the force main between Trumbull Avenue and the pump station; authorizing the Director of Public Utilities to enter into one or more public improvement contracts to construct the improvement; and authorizing the director to apply for and accept any loans or grants from any public or private entity, including but not limited to, the Northeast Ohio Regional Sewer District for Community Cost Share Program funding. (O 1294-18) .....1794

**Public Improvements**

Determining the method of making the public improvement of designing and constructing an updated Ground Transportation Center, which includes; but not limited to, a new canopy system at Cleveland Hopkins International Airport; authorizing the Director of Port Control to enter into one or more contracts for the making of the improvement. (O 919-18) .....1797

**Public Works**

Authorizing the Director of the Department of Public Works to enter into agreement with the International Community Council Worldwide Intercultural Network for the Cleveland Intergroup Relations Project through the use of Wards 3, 4, 5, 6, 8, 9, 10, 11, 12, 14, 15, 16 and 17 Casino Revenue Funds. (O 1298-18) .....1796

**Recognition**

Recognition Resolution for Amber Grimes. (R 1310-18) .....1791  
 Recognition Resolution for Claire Horstman. (R 1309-18) .....1791  
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**Resolution of Support**

Supporting the establishment of the Cuyahoga River Water Trail as a designated water trail by the Ohio Department of Natural Resources. (R 1297-18) .....1796

**Safety Department**

Authorizing the Director of Public Safety to apply for and accept a grant from the United States Department of Justice's Bureau of Justice Assistance for the FY 2018 Byrne Justice Assistance Grant (JAG) Local Solicitation; and authorizing one or more contracts with Cuyahoga County and the cities of East Cleveland, Euclid, Garfield Heights, and Cleveland Heights needed to implement the grant. (O 1286-18) .....1792  
 To amend Sections 135.01, 181.101 and 615.14, of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances; and to repeal various sections of Chapter 135, of the codified ordinances, including 135.57 for the discontinuance of the Division of Corrections, relating to cessation of jail operations by the City of Cleveland. (O 1115-18) .....1809

**Sewers**

Determining the method of making the public improvement of constructing the Edgewater Drive, Buhner Avenue, East 97th Street, West 42nd Street and Apple Avenue, and East 39th Street area sewer replacement or rehabilitation projects, which may include but not be limited to installing manholes and catch basins; authorizing the Director of Public Utilities to enter into one or more public improvement contracts to construct the improvement; authorizing the director to employ one or more professional consultants necessary to design the improvement; and authorizing the director to apply for and accept any loans or grants from any public or private entity, including but not limited to, the Northeast Ohio Regional Sewer District for Community Cost Share Program funding. (O 1295-18) .....1795

**Street Vacation**

Declaring the intent to vacate a portion of the Detroit Superior Viaduct. (R 1130-18) .....1803

**US Department of Justice**

Authorizing the Director of Public Safety to apply for and accept a grant from the United States Department of Justice's Bureau of Justice Assistance for the FY 2018 Byrne Justice Assistance Grant (JAG) Local Solicitation; and authorizing one or more contracts with Cuyahoga County and the cities of East Cleveland, Euclid, Garfield Heights, and Cleveland Heights needed to implement the grant. (O 1286-18) .....1792

**Utilities Department**

Authorizing the Director of Public Utilities to consent to the assignment of Contract No. CT 2002 PS 2017-026 from Cleveland Housing Network, Inc. to CHN Housing Partners to provide administration and other related services for the Division of Water's Discount Affordability Program; and to exercise the second option to renew. (O 1292-18) .....1794

Authorizing the Director of Public Utilities to enter into one or more contracts with Itron Inc. for professional services necessary to provide hardware and software maintenance for automated meter reading devices, for a period of two years. (O 1293-18) .....1794

Authorizing the purchase by one or more requirement contracts of water mains, fire hydrants, service connections, valves and appurtenances, for the Division of Water, and concrete repair, tree lawn restoration, pavement restoration, including but not limited to materials, labor and installation if necessary, for the Divisions of Water, Water Pollution Control and Cleveland Public Power, Department of Public Utilities, for a period up to two years. (O 1296-18) .....1795

Determining the method of making the public improvement of constructing the Edgewater Drive, Buhner Avenue, East 97th Street, West 42nd Street and Apple Avenue, and East 39th Street area sewer replacement or rehabilitation projects, which may include but not be limited to installing manholes and catch basins; authorizing the Director of Public Utilities to enter into one or more public improvement contracts to construct the improvement; authorizing the director to employ one or more professional consultants necessary to design the improvement; and authorizing the director to apply for and accept any loans or grants from any public or private entity, including but not limited to, the Northeast Ohio Regional Sewer District for Community Cost Share Program funding. (O 1295-18) .....1795

Determining the method of making the public improvement of demolishing the existing pump station on East 37th Street, constructing a new pump station, and replacing the force main between Trumbull Avenue and the pump station; authorizing the Director of Public Utilities to enter into one or more public improvement contracts to construct the improvement; and authorizing the director to apply for and accept any loans or grants from any public or private entity, including but not limited to, the Northeast Ohio Regional Sewer District for Community Cost Share Program funding. (O 1294-18) .....1794

**Ward 03**

Authorizing the Director of Capital Projects to issue a permit to the United States of America to encroach into the public right of way of Lakeside Avenue and East 9th Street by installing, using, and maintaining 52 bollards and 2 retaining walls. (O 1103-18) .....1808

Authorizing the Director of the Department of Economic Development to enter into agreement with the LGBT Community Center of Greater Cleveland for the LGBT Center Building Project through the use of Wards 3 and 15 Neighborhood Capital Funds. (O 1300-18) .....1796

Authorizing the Director of the Department of Public Works to enter into agreement with the International Community Council Worldwide Intercultural Network for the Cleveland Intergroup Relations Project through the use of Wards 3, 4, 5, 6, 8, 9, 10, 11, 12, 14, 15, 16 and 17 Casino Revenue Funds. (O 1298-18) .....1796

Changing the Use, Area, and Height Districts of lands in the Duck Island Neighborhood, northwest of the Flats Industrial Railroad Line east of West 25th Street and south of Lorain Avenue (Map Change 2586). (O 1026-18) .....1804

Declaring the intent to vacate a portion of the Detroit Superior Viaduct. (R 1130-18) .....1803

Objecting to the transfer of stock of a D1, D2, D3, D3A and D6 Liquor Permit to 1299 West 9th Street and patios. (R 1267-18) .....1803

**Ward 04**

Authorizing the Director of the Department of Public Works to enter into agreement with the International Community Council Worldwide Intercultural Network for the Cleveland Intergroup Relations Project through the use of Wards 3, 4, 5, 6, 8, 9, 10, 11, 12, 14, 15, 16 and 17 Casino Revenue Funds. (O 1298-18) .....1796

**Ward 05**

Authorizing the Director of the Department of Public Works to enter into agreement with the International Community Council Worldwide Intercultural Network for the Cleveland Intergroup Relations Project through the use of Wards 3, 4, 5, 6, 8, 9, 10, 11, 12, 14, 15, 16 and 17 Casino Revenue Funds. (O 1298-18) .....1796

**Ward 06**

Authorizing the Director of the Department of Public Works to enter into agreement with the International Community Council Worldwide Intercultural Network for the Cleveland Intergroup Relations Project through the use of Wards 3, 4, 5, 6, 8, 9, 10, 11, 12, 14, 15, 16 and 17 Casino Revenue Funds. (O 1298-18) .....1796

Condolence Resolution for Elder Eddie Tyes Parker, Jr. (R 1301-18) .....1791

**Ward 08**

Authorizing the Director of the Department of Public Works to enter into agreement with the International Community Council Worldwide Intercultural Network for the Cleveland Intergroup Relations Project through the use of Wards 3, 4, 5, 6, 8, 9, 10, 11, 12, 14, 15, 16 and 17 Casino Revenue Funds. (O 1298-18) .....1796

**Ward 09**

Authorizing the Director of the Department of Public Works to enter into agreement with the International Community Council Worldwide Intercultural Network for the Cleveland Intergroup Relations Project through the use of Wards 3, 4, 5, 6, 8, 9, 10, 11, 12, 14, 15, 16 and 17 Casino Revenue Funds. (O 1298-18) .....1796

**Ward 10**

Authorizing the Director of the Department of Public Works to enter into agreement with the International Community Council Worldwide Intercultural Network for the Cleveland Intergroup Relations Project through the use of Wards 3, 4, 5, 6, 8, 9, 10, 11, 12, 14, 15, 16 and 17 Casino Revenue Funds. (O 1298-18) .....1796  
 Condolence Resolution for Grace M. Glenn. (R 1312-18) .....1791  
 Condolence Resolution for Tierra East. (R 1302-18) .....1791

**Ward 11**

Authorizing the Director of the Department of Public Works to enter into agreement with the International Community Council Worldwide Intercultural Network for the Cleveland Intergroup Relations Project through the use of Wards 3, 4, 5, 6, 8, 9, 10, 11, 12, 14, 15, 16 and 17 Casino Revenue Funds. (O 1298-18) .....1796

**Ward 12**

Authorizing the Director of the Department of Public Works to enter into agreement with the International Community Council Worldwide Intercultural Network for the Cleveland Intergroup Relations Project through the use of Wards 3, 4, 5, 6, 8, 9, 10, 11, 12, 14, 15, 16 and 17 Casino Revenue Funds. (O 1298-18) .....1796

**Ward 13**

Condolence Resolution for Brian Andrew Alflen. (R 1303-18) .....1791  
 Congratulations Resolution for Dr. Akram Boutros. (R 1304-18) .....1791  
 Objecting to the transfer of ownership of a C2, C2X and D6 Liquor Permit to 4398-4400 State Road. (R 1268-18) .....1804

**Ward 14**

Authorizing the Director of the Department of Public Works to enter into agreement with the International Community Council Worldwide Intercultural Network for the Cleveland Intergroup Relations Project through the use of Wards 3, 4, 5, 6, 8, 9, 10, 11, 12, 14, 15, 16 and 17 Casino Revenue Funds. (O 1298-18) .....1796

**Ward 15**

Authorizing the Director of the Department of Economic Development to enter into agreement with the LGBT Community Center of Greater Cleveland for the LGBT Center Building Project through the use of Wards 3 and 15 Neighborhood Capital Funds. (O 1300-18) .....1796  
 Authorizing the Director of the Department of Public Works to enter into agreement with the International Community Council Worldwide Intercultural Network for the Cleveland Intergroup Relations Project through the use of Wards 3, 4, 5, 6, 8, 9, 10, 11, 12, 14, 15, 16 and 17 Casino Revenue Funds. (O 1298-18) .....1796  
 Changing the Use, Area and Height Districts of parcels along Madison Avenue, Franklin Boulevard and West 65th Street between West 65th Street and West 91st Street as identified on the attached map (Map Change No. 2567). (O 813-17) .....1802

**Ward 16**

Authorizing the Director of the Department of Public Works to enter into agreement with the International Community Council Worldwide Intercultural Network for the Cleveland Intergroup Relations Project through the use of Wards 3, 4, 5, 6, 8, 9, 10, 11, 12, 14, 15, 16 and 17 Casino Revenue Funds. (O 1298-18) .....1796  
 Recognition Resolution for Amber Grimes. (R 1310-18) .....1791  
 Recognition Resolution for Claire Horstman. (R 1309-18) .....1791  
 Recognition Resolution for Hayley Jenkins. (R 1307-18) .....1791  
 Recognition Resolution for Jessica Barth. (R 1308-18) .....1791



Recognition Resolution for Kirsten Pataki, OTD, OTR/L. (R 1305-18) .....1791  
 Recognition Resolution for Susan Levy Wayne, M.Ed., OTR/L. (R 1306-18) .....1791  
 Recognition Resolution for Todd Eisinger. (R 1311-18) .....1791

**Ward 17**

Authorizing the Director of the Department of Public Works to enter into agreement with the International Community Council Worldwide Intercultural Network for the Cleveland Intergroup Relations Project through the use of Wards 3, 4, 5, 6, 8, 9, 10, 11, 12, 14, 15, 16 and 17 Casino Revenue Funds. (O 1298-18) .....1796  
 Condolence Resolution for James J. Barrett. (R 1313-18) .....1791

**Water Division**

Authorizing the Director of Public Utilities to consent to the assignment of Contract No. CT 2002 PS 2017-026 from Cleveland Housing Network, Inc. to CHN Housing Partners to provide administration and other related services for the Division of Water's Discount Affordability Program; and to exercise the second option to renew. (O 1292-18) .....1794  
 Authorizing the purchase by one or more requirement contracts of water mains, fire hydrants, service connections, valves and appurtenances, for the Division of Water, and concrete repair, tree lawn restoration, pavement restoration, including but not limited to materials, labor and installation if necessary, for the Divisions of Water, Water Pollution Control and Cleveland Public Power, Department of Public Utilities, for a period up to two years. (O 1296-18) .....1795

**Water Pollution Control Division ( WPC Division )**

Authorizing the purchase by one or more requirement contracts of water mains, fire hydrants, service connections, valves and appurtenances, for the Division of Water, and concrete repair, tree lawn restoration, pavement restoration, including but not limited to materials, labor and installation if necessary, for the Divisions of Water, Water Pollution Control and Cleveland Public Power, Department of Public Utilities, for a period up to two years. (O 1296-18) .....1795

**Zoning**

Changing the Use, Area and Height Districts of parcels along Madison Avenue, Franklin Boulevard and West 65th Street between West 65th Street and West 91st Street as identified on the attached map (Map Change No. 2567). (O 813-17) .....1802  
 Changing the Use, Area, and Height Districts of lands in the Duck Island Neighborhood, northwest of the Flats Industrial Railroad Line east of West 25th Street and south of Lorain Avenue (Map Change 2586). (O 1026-18) .....1804