

The City Record

Official Publication of the Council of the City of Cleveland



March the Twelfth, Two Thousand and Fourteen

Frank G. Jackson
Mayor

Kevin J. Kelley
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

- 1 Terrell H. Pruitt
- 2 Zachary Reed
- 3 Joe Cimperman
- 4 Kenneth L. Johnson
- 5 Phyllis E. Cleveland
- 6 Mamie J. Mitchell
- 7 TJ Dow
- 8 Michael D. Polensek
- 9 Kevin Conwell
- 10 Jeffrey D. Johnson
- 11 Dona Brady
- 12 Anthony Brancatelli
- 13 Kevin J. Kelley
- 14 Brian J. Cummins
- 15 Matthew Zone
- 16 Martin J. Sweeney
- 17 Martin J. Keane

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www.clevelandcitycouncil.org

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Kevin J. Kelley

Ward	Name	Residence	
1	Terrell H. Pruitt	16920 Throckley Avenue	44128
2	Zack Reed	3734 East 149th Street	44120
3	Joe Cimperman	P.O. Box 91688	44101
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44105
6	Mamie J. Mitchell	12701 Shaker Boulevard, #712	44120
7	TJ Dow	7715 Decker Avenue	44103
8	Michael D. Polensek	17855 Brian Avenue	44119
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Jeffrey D. Johnson	9024 Parkgate Avenue	44108
11	Dona Brady	1272 West Boulevard	44102
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Kevin J. Kelley	5904 Parkridge Avenue	44144
14	Brian J. Cummins	3104 Mapledale Avenue	44109
15	Matthew Zone	1228 West 69th Street	44102
16	Martin J. Sweeney	3632 West 133rd Street	44111
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

Ken Silliman, Secretary to the Mayor, 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
 Martin J. Flask, Executive Assistant to the Mayor of Special Projects
 Monyka S. Price, Executive Assistant to the Mayor, Chief of Education
 Maureen Harper, Executive Assistant to the Mayor, Chief of Communications
 Jenita McGowan, Executive Assistant to the Mayor, Chief of Sustainability
 Natoya J. Walker Minor, Chief of Public Affairs – Interim Director of Equal Opportunity.

OFFICE OF CAPITAL PROJECTS – Matthew L. Spronz, Director

DIVISIONS:

Architecture and Site Development – Robert Vilkas, Chief Architect, Manager
 Engineering and Construction – Richard J. Switalski, Manager
 Real Estate – James DeRosa, Commissioner

DEPT. OF LAW – Barbara A. Langhenry, Director, _____, Chief Counsel,
 Richard F. Horvath, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel,
 Room 106: John Skrtic, 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, Interim Treasurer, Room 115
 Financial Reporting and Control – James Gentile, Controller, Room 18
 Information Technology and Services – Douglas Divish, 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 – Paul Bender, Director, 1201 Lakeside Avenue

DIVISIONS:

Cleveland Public Power – Ivan Henderson, Commissioner
 Street Lighting Bureau – _____, Acting Chief
 Utilities Fiscal Control – Frank Badalamenti, Chief Financial Officer
 Water – Alex Margevicius, Interim Commissioner
 Water Pollution Control – Rachid Zoghaib, Commissioner

DEPT. OF PORT CONTROL – Ricky D. Smith, Director, Cleveland Hopkins International Airport, 5300 Riverside Drive

DIVISIONS:

Burke Lakefront Airport – Khalid Bahhur, Commissioner
 Cleveland Hopkins International Airport – Fred Szabo, Commissioner

DEPT. OF PUBLIC WORKS – Michael Cox, Director

OFFICES:

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

DIVISIONS:

Motor Vehicle Maintenance – Daniel A. Novak, Commissioner
 Park Maintenance and Properties – Richard L. Silva, Commissioner
 Parking Facilities – Antonette Thompson, Interim Commissioner
 Property Management – Tom Nagle, Commissioner
 Recreation – Samuel Gissentaner, Interim Commissioner
 Streets – Randell T. Scott, Interim Commissioner
 Traffic Engineering – Robert Mavec, Commissioner
 Waste Collection and Disposal – Randell T. Scott, Interim Commissioner

DEPT. OF PUBLIC HEALTH – Karen Butler, Director, Mural Building, 75 Erieview Plaza

DIVISIONS:

Air Quality – George Baker, Commissioner
 Environment – Pamela Cross, Commissioner, Mural Building, 75 Erieview Plaza
 Health – Karen K. Butler, Commissioner, Mural Building, 75 Erieview Plaza

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

DIVISIONS:

Animal Control Services – John Baird, Chief Dog Warden, 2690 West 7th Street
 Correction – Robert Tasky, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.
 Emergency Medical Service – Nicole Carlton, Acting Commissioner, 1708 South Pointe Drive
 Fire – Patrick Kelly, Chief, 1645 Superior Avenue
 Police – Calvin D. Williams, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

DIVISIONS:

Administrative Services – Jesus Rodriguez, Commissioner
 Fair Housing and Consumer Affairs Office – John Mahoney, Manager
 Neighborhood Development – Chris Garland, Commissioner
 Neighborhood Services – Louise V. Jackson, Commissioner

DEPT. OF BUILDING AND HOUSING – Edward W. Rybka, Director, Room 500

DIVISIONS:

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

DEPT. OF HUMAN RESOURCES – Deborah Southerington, Director, Room 121

DEPT. OF ECONOMIC DEVELOPMENT – Tracey A. Nichols, Director, Room 210

DEPT. OF AGING – Jane Fumich, Director, Room 122

COMMUNITY RELATIONS BOARD – Room 11, Blaine Griffin, Director, Mayor Frank G. Jackson, Chairman Ex-Officio; Rev. Dr. Charles P. Lucas, Jr., Vice-Chairman, Council Member Brian Cummins, Eugene R. Miller, (Board Lawyer), 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, Peter Whitt.

CIVIL SERVICE COMMISSION – Room 119, Robert Bennett, President; Michael L. Nelson, Sr., Vice-President; Lucille Ambroz, Secretary; Members: Pastor Gregory Jordan, Michael Flickinger.

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: Mary Haas McGraw, Ozell Dobbins, Joan Shaver Washington, Tim Donovan, Jan Huber, 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 Jomarie Wasik, Law Director Barbara A. Langhenry; Council Member _____.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Barbara A. Langhenry; Utilities Director Paul Bender; Council President Kevin J. Kelley.

CITY PLANNING COMMISSION – Room 501 – Robert N. Brown, Director; Anthony J. Coyne, Chairman; David H. Bowen, Lillian Kuri, Lawrence A. Lumpkin, Gloria Jean Pinkney, Norman Krumholz, Council Member Phyllis E. Cleveland.

FAIR HOUSING BOARD – Charles See, Chair; Lisa Camacho, Daniel Conway, Robert L. Render, Genesis O. Brown.

HOUSING ADVISORY BOARD – Room 310 – Keith Brown, Terri Hamilton Brown, Vickie Eaton-Johnson, Mike Foley, Eric Hodderson, Janet Loehr, 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.

POLICE REVIEW BOARD – Thomas Jones, Board Chair Person; Vernon Collier, Vermel Whalen, Nancy Cronin, Elvin Vauss.

CLEVELAND LANDMARKS COMMISSION – Room 519 – Jennifer Coleman, Chair; Laura M. Bala, Council Member Anthony Brancatelli, Robert N. Brown, Thomas Coffey, Allan Dreyer, William Mason, Giancarlo Calicchia, John Torres, Robert Vilkas, Robert Keiser, Secretary.

AUDIT COMMITTEE – Yvette M. Itu, 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 Ronald B. Adrine – Courtroom 15A
 Judge Pinkey S. Carr – Courtroom 12B
 Judge Marilyn B. Cassidy – Courtroom 13A
 Judge Michelle Denise Earley – Courtroom 12C
 Judge Emanuella Groves – Courtroom 14B
 Judge Anita Laster Mays – Courtroom 14C
 Judge Lauren C. Moore – Courtroom 14A
 Judge Charles L. Patton, Jr. – Courtroom 13D
 Judge Raymond L. Pianka (Housing Court Judge) – Courtroom 13B
 Judge Angela R. Stokes – Courtroom 15C
 Judge Pauline H. Tarver – Courtroom 13C
 Judge Ed Wade – Courtroom 12A
 Judge Joseph J. Zone – Courtroom 14D

Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Gregory A. Sims – Chief Bailiff; Jerome M. Krakowski – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate, Victor Perez – City Prosecutor

The City Record

71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 101

WEDNESDAY, MARCH 12, 2014

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CITY COUNCIL

MONDAY, MARCH 10, 2014

The City Record
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City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2014-2017

MONDAY — Alternating

9:30 A.M. — **Health and Human Services Committee:** Cimperman (CHAIR), Mitchell (VICE-CHAIR), Brady, Cleveland, Conwell, Cummins, J. Johnson.

9:30 A.M. — **Municipal Services and Property Committee:** K. Johnson (CHAIR), Sweeney (VICE-CHAIR), Brancatelli, Cummins, Dow, J. Johnson, Reed.

MONDAY

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

TUESDAY.

9:30 A.M. — **Development, Planning and Sustainability Committee:** Brancatelli (CHAIR), Cleveland (VICE-CHAIR), Cimperman, Cummins, Dow, Pruitt, Zone.

TUESDAY — Alternating

1:30 P.M. — **Utilities Committee:** Pruitt (CHAIR), Brady (VICE-CHAIR), Brancatelli, Cummins, Keane, Mitchell, Polensek.

1:30 P.M. — **Workforce and Community Benefits Committee:** Cleveland (CHAIR), Zone (VICE-CHAIR), J. Johnson, Polensek, Pruitt, Reed, Sweeney.

WEDNESDAY — Alternating

10:00 A.M. — **Safety Committee:** Zone (CHAIR), Conwell (VICE-CHAIR), Cimperman, Dow, K. Johnson, Keane, Polensek.

10:00 A.M. — **Transportation Committee:** Keane (CHAIR), Dow (VICE-CHAIR), Conwell, J. Johnson, K. Johnson, Reed, Sweeney.

The following Committees meet at the Call of the Chair:

Mayor's Appointments Committee: Sweeney (CHAIR), Brady, Cleveland, Dow, Kelley.

Operations Committee: Pruitt (CHAIR), Kelley, Keane, Mitchell, Zone.

Rules Committee: Kelley (CHAIR), Cleveland, Cummins, Keane, Pruitt.

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio
Monday, March 10, 2014

The meeting of the Council was called to order with the President of Council, Kevin J. Kelley, in the Chair.

Council Members present: Dona Brady, Anthony Brancatelli, Joe Cimperman, Brian J. Cummins, Jeffrey D. Johnson, Kenneth L. Johnson, Martin J. Keane, Kevin J. Kelley, Michael D. Polensek and Martin J. Sweeney.

Also present were: Mayor Frank G. Jackson, Chief Operating Officer Darnell Brown, and Directors Langhenry, Dumas, Bender, Spronz, Butler, Cox, Rybka, Southerington, Nichols, Brown, and Ambroz.

Council Members, Administration, Staff, and those in the audience rose for a moment of silent reflection, and the Pledge of Allegiance.

MOTION

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

COMMUNICATIONS

File No. 343-14.

March 7, 2014

Allan Dreyer, Deputy Clerk
Cleveland City Council
601 Lakeside Avenue, Room 220
Cleveland, Ohio

Dear Mr. Dreyer:

You are requested, without objection of Cleveland City Council, to serve as Clerk of Council Pro Tem

for the purposes of the March 10, 2014, Council Meeting and for all matters requiring the Clerk's signature between March 10 and March 14, 2014.

Your assistance is appreciated.

Sincerely,
Kevin J. Kelley
Council President

File No. 342-14.

From Cuyahoga County Board of Elections. Issue Filing Receipt for Proposed Charter Amendment (Ord. No. 280-14). Received.

OATHS OF OFFICE

File No. 339-14.

Patricia Chism, Sergeant of Police. Received.

File No. 340-14.

Monroe Goins, Lieutenant of Police. Received.

File No. 341-14.

Timothy Hennessey, Assistant Director of Public Safety. Received.

FROM OHIO DIVISION OF LIQUOR CONTROL

File No. 345-14.

RE: #41488190025. New License Application, D5A. Interstate MC, LLC, 527 Prospect Avenue (Ward 3). Received.

File No. 346-14.

RE: #41488190045. Transfer of Ownership Application, D5A, D6. Interstate MC, LLC, 527 Prospect Avenue (Ward 3). Received.

CONDOLENCE RESOLUTIONS

The rules were suspended and the following Resolutions were adopted by a rising vote:

Res. No. 347-14—Robert Fleming.

Res. No. 348-14—Dolores W. Gill.

Res. No. 349-14—Roscoe A. Dickerson.

Res. No. 350-14—Daniel Jackson.

CONGRATULATIONS RESOLUTIONS

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

Res. No. 351-14—Cindy Janis.

Res. No. 352-14—Ronald V. Johnson, Jr.

Res. No. 353-14—Mary Jean Bradac.

RECOGNITION RESOLUTIONS

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

Res. No. 354-14—Wilbert “Bill” Cobbs.

Res. No. 355-14—Cogswell Hall — 100th Anniversary.

Res. No. 356-14—National Nutrition Month 2014.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 334-14.

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

An emergency ordinance to amend Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1630-92, passed September 21, 1992, relating to the purchase of water system maintenance equipment.

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 Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1630-92, passed September 21, 1992, is amended to read as follows:

Section 129.25 Purchase of Water System Maintenance Equipment and Labor and Materials Necessary to Repair, Replace, Test, Exercise, and Maintain Equipment

(a) The Director of Public Utilities is authorized to enter into one (1) or more standard purchase or requirement contracts duly let to the lowest and best bidder after competitive bidding for Water system maintenance equipment, and labor, materials, equipment, supplies, and services necessary to repair, replace, test, exercise, and maintain equipment and appurtenances deemed by the Director of Public Utilities to be necessary to the operations of the Division of Water, including, but not limited to: meters and meter parts; manhole covers, rings, and manholes; ductile iron pipe and fittings; copper pipe and tubing; parts for pumps, engines and saws; service fittings and pipe couplings; lining cement, mortar cement and sand; valves, valve boxes, and appurtenances; bypass piping, fittings and valves; fire hydrants and fire hydrant parts; pipe repair clamps; and stop cock boxes. Any purchase made 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 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 2. That existing Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1630-92, passed September 21, 1992, is repealed.

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. 335-14.
By Council Member Kelley (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 127.34 relating to use of the Division of Printing and Reproduction's services by other political subdivisions; fee.

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 127.34 to read as follows:

Section 127.34 Use of the Division of Printing and Reproduction's Services by Other Political Subdivisions; Fee

The Director of Finance is authorized to enter into contracts with and collect fees from political subdivisions to utilize the Division of Printing and Reproduction's services during any period when available as determined by the Director. The fees for use of the Division's services shall be set by the Board of Control. The contracts authorized by this section shall be prepared by the Director of Law. The Director of Finance shall deposit the fees collected from the political subdivisions into the fund or funds designated to pay the costs associated with providing those services. The fees collected may be used for and are appropriated for this purposes.

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 Finance, Law; Committee on Finance.

Ord. No. 336-14.
By Council Members Keane 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 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 Permits Required for Commercial Ground Transportation Vehicles Operating at Cleveland Hopkins International Airport; Fee

(a) No person shall operate a commercial ground transportation vehicle at Cleveland Hopkins International Airport without a permit issued by the Director of Port Control and without paying a fee as established in division (b) of this section. A separate permit is required for each vehicle.

(b) The fee for operation of all commercial ground transportation vehicles obtaining the permits shall be set by the Board of Control. The fee shall be assessed on a per trip basis and tabulated from an Automatic License Plate Recognition System.

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 days, or both.

(b) Whoever violates Sections 571.06 or 571.91 shall be fined not more than five hundred dollars (\$500.00) and imprisoned not more than six months, or both.

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 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.

Ord. No. 337-14.
By Council Members K. Johnson and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Works to enter into an agreement with the Neighborhood Leadership Institute to implement educational, recreational and cultural programs in various school buildings and recreation centers during evening hours, provide leadership training and supervise the summer tennis program.

Whereas, based on recommendations made by the Cleveland Summit on Education, certain pilot programs were created; 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 Director of Public Works is authorized to enter into an agreement with Neighborhood Leadership Institute to implement educational, recreational and cultural programs in various school buildings

and recreation centers during evening hours, provide leadership training and supervise the summer tennis program, in an amount not to exceed \$289,511, payable from Fund Nos. 01-7004-6380, Request No. RQS 7004, RL 2014-3.

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 Works, Finance, Law; Committees on Municipal Services and Property, Finance.

Ord. No. 338-14.

By Council Members Cimperman, K. Johnson and Brancatelli (by departmental request).

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to Geis Tower Hotel Master Landlord, LLC to encroach into the public right-of-way of East 9th Street by installing, using, and maintaining a valet zone and canopy and snow melt system.

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 Geis Tower Hotel Master Landlord, LLC, 10020 Aurora-Hudson Road, Streetsboro, Ohio, 44241 ("Permittee"), to encroach into the public right-of-way of East 9th Street by installing, using, and maintaining a valet zone and canopy and snow melt system, at the following location:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a parcel of land lying within the right of way of East 9th Street (99 feet wide) and being adjacent to the southwesterly line of Lot 1 in the Lot Consolidation for Geis Properties, LLC of part of Original Two Acre Lots Nos. 154 and 155 as shown by the recorded plat in Volume 373, Page 41 of Cuyahoga County Map Records and being more particularly described as follows:

Beginning on the southerly line of Euclid Avenue (99 feet wide) at its intersection with the northeasterly line of East 9th Street (99 feet wide), said point being witnessed by a brass arrow found South 17 degrees 49 minutes West, 0.07 feet therefrom and the PRINCIPAL PLACE OF BEGINNING of the parcel described herein:

Course 1) Thence along the northeasterly line of East 9th Street South 25 degrees 37 minutes 22 seconds East a distance of 257.16 feet to the northwesterly line of Barn Court S.E. (16.50 feet wide), said point being witnessed by a drill hole with cross found South 29 degrees 46 minutes West, 0.12 feet therefrom;

Course 2) Thence South 25 degrees 37 minutes 22 seconds East a distance of 4.09 feet to a point on the northwesterly curb of Barn Court S.E. (16.50 feet wide);

Course 3) Thence along the northwesterly curb of Barn Court S.E., South 64 degrees 14 minutes 17 seconds West a distance of 6.07 feet to a

point of curvature therein;

Course 4) Thence continuing along the northwesterly curb of Barn Court S.E., along the arc of a curve deflecting to the right, having a radius of 16.00 feet, a central angle of 90 degrees 08 minutes 21 seconds, the chord of which bears North 70 degrees 41 minutes 32 seconds West 22.65 feet, an arc distance of 25.17 feet to a point of tangency on the northeasterly curb of East 9th Street;

Course 5) Thence along the northeasterly curb of East 9th Street, North 25 degrees 37 minutes 22 seconds West a distance of 230.60 feet to a point of curvature therein;

Course 6) Thence continuing along the northeasterly curb of East 9th Street, along the arc of a curve deflecting to the right, having a radius of 28.31 feet, a central angle of 46 degrees 27 minutes 03 seconds, the chord of which bears North 02 degrees 23 minutes 50 seconds West 22.33 feet, an arc distance of 22.95 feet to a point of non-tangency;

Course 7) Thence North 88 degrees 04 minutes 20 seconds East a distance of 14.53 feet to the Principal Place of Beginning as described by Christopher J. Dempsey, Professional Land Surveyor No. 6914 of Dempsey Surveying Company on January 29, 2014.

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

Section 2. That Permittee may assign the permit only with the prior written consent of the Director of the Mayor's Office of Capital Projects. That the encroaching structure(s) permitted by this ordinance shall conform to plans and specifications first approved by the Manager 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 3. That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the director determines necessary to protect and benefit the public interest. The permit shall be issued only when, in the opinion of the Director of Law, a prospective Permittee has properly indemnified the City against any loss that may result from the encroachment(s) permitted.

Section 4. That the permit 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.

Referred to Directors of Capital Projects, City Planning Commission, Finance, Law; Committees on Municipal Services and Property, Development, Planning and Sustainability.

FIRST READING EMERGENCY RESOLUTIONS REFERRED

Res. No. 344-14.

By Council Members Cimperman and Zone.

An emergency resolution urging the United States Congress to pass the Preservation of Antibiotics for Medical Treatment Act (PAMTA), H.R.

965, and the Preventing of Antibiotic Resistance Act (PARA), S. 1256; and supporting a statewide and national ban on nontherapeutic uses of antibiotics in livestock production.

Whereas, eighty percent of the antibiotics sold in the United States are used in livestock production, and the Centers for Disease Control and Prevention has reported that most of those antibiotics are used irresponsibly; and

Whereas, low doses of antibiotics are routinely fed to livestock for growth promotion and disease prevention to compensate for crowded, unsanitary conditions, in a practice known as "nontherapeutic use"; and

Whereas, "nontherapeutic use" creates ideal conditions for the development of antibiotic resistant bacteria; and

Whereas, antibiotic resistant bacteria on livestock operations are known to spread to retail meat, farmers and farmworkers, and rural environments; and

Whereas, antibiotic resistance in pathogens due to nontherapeutic use of antibiotics in livestock production has been a public health concern since the 1960s; and

Whereas, antibiotic resistant bacteria have been the cause of several foodborne illness outbreaks, including a 2011 outbreak of antibiotic resistant Salmonella in ground turkey that sickened 136 people, hospitalized 37, and killed one and lead to the third largest meat recall in the USDA's records and a 2013 outbreak of antibiotic resistant Salmonella in chicken that sickened 416 people and hospitalized 162;

Whereas, the Centers for Disease Control and Prevention reported that at least two million Americans suffer from antibiotic resistant bacterial infections each year and twenty-three thousand Americans die from those infections; and

Whereas, the medical and social costs of antibiotic-resistance infections in just one hospital for one year have been estimated to be between \$13 million and \$18 million; and

Whereas, the federal government has limited nontherapeutic uses of two classes of antibiotics, but otherwise largely relied on voluntary guidance to attempt to reduce overuse of antibiotics in livestock production, despite regular acknowledgements that nontherapeutic use and the development of antibiotic resistant bacteria poses a significant public health threat; and

Whereas, PAMTA and PARA preserve the effectiveness of medically important antimicrobials used in the treatment of human and animal diseases by limiting nontherapeutic uses of antibiotics in livestock production; 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 urges the United States Congress to pass the Preservation of Antibiotics for Medical Treatment Act (PAMTA), H.R. 965 and the Preventing of Antibiotic Resistance Act (PARA), S. 1256; and supports a statewide and national ban on nontherapeutic uses of antibiotics in livestock production.

Section 2. That the Clerk of Council is directed to transmit copies of this resolution to the Ohio House of Representatives, Ohio Congressional Representatives Marcia Fudge and Marcy Kaptur, and U.S. Senators Sherrod Brown and Robert Portman.

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 Director of Law; Committee on Finance.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 268-14.

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

An emergency ordinance authorizing the Director of Economic Development to enter into amendments to Contract No. 58263 with Market Place Retail LLP, to accept discount prepayments of a HUD 108 loan regarding the rehabilitation and redevelopment of the Colonial and Euclid Arcades.

Approved by Directors of Economic Development, Finance, Law; Passage recommended by Committees on Development, Planning and Sustainability, Finance, when amended, as follows:

1. In the title, line 4 and the first whereas clause line 1, strike "Market Place Retail LLP" and insert "**Market Place Retail Limited Partnership**".

Amendment agreed to.

The rules were suspended. Yeas 10. Nays 0. Read second time. Read third time in full. Passed. Yeas 10. Nays 0.

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. 304-14.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an agreement with Applied Industrial Technologies and to release debt reserve proceeds from a zero coupon bond that the City holds to Applied Industrial Technologies, towards the purchase of their headquarters building at 3201 Euclid Avenue.

Approved by Directors of Economic Development, Finance, Law; Passage recommended by Committees on Development, Planning and Sustainability, Finance, when amended, as follows:

1. In the title, line 4, after "Technologies" insert "**, Inc.**".

2. In the first whereas clause, after "Technologies" insert "**, Inc.**"; and in line 2, after "located at" insert "**One**".

Amendments agreed to.

The rules were suspended. Yeas 10. Nays 0. Read second time. Read third time in full. Passed. Yeas 10. Nays 0.

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. 305-14.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the purchase by one or more con-

tracts of paging equipment, cellular devices and data services, and for wireless connectivity and equipment, and various related products and services, including maintenance, training, support and monthly fees and charges for citywide use, for the Division of Information Technology and Services, Department of Finance, for a period of one year, with two one-year options to renew, the second of which requires additional legislative authority.

Approved by Directors of Finance, Law; Passage recommended by Committee on Finance.

The rules were suspended. Yeas 10. Nays 0. Read second time. Read third time in full. Passed. Yeas 10. Nays 0.

MOTION

On the motion of Council Member Sweeney, the absences of Council Members Phyllis E. Cleveland, Kevin Conwell, TJ Dow, Mamie J. Mitchell, Terrell H. Pruitt, Zachary Reed and Matthew Zone are hereby authorized. Seconded by Council Member K. Johnson.

The Council Meeting adjourned at 7:13 p.m. to meet on Monday, March 17, 2014, at 7:00 p.m. in the Council Chamber.



Allan Dreyer
City Clerk, Clerk of Council
Pro Tempore

THE CALENDAR

The following measure will be on its final passage on March 24, 2014:

Ord. No. 180-14.

By Council Member Kelley (by departmental request).

An emergency ordinance to make appropriations and provide current expenses for the daily operation of all municipal departments of the City of Cleveland for the fiscal year from January 1, 2014 until December 31, 2014.

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

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

Section 1. That to provide for the current expenses for the City of Cleveland for the fiscal year ending December 31, 2014, the following sums be and they are hereby appropriated viz:

The sum of Five Hundred Forty Million, Five Hundred Eighty-Nine Thousand, Seven Hundred Eighty-One Dollars (\$540,589,781) from the General Fund;

The sum of Seventy Seven Million, Seven Hundred Seventy Seven Thousand, One Hundred Twenty Four Dollars (\$77,777,124) from the Special Revenue Funds;

The sum of Eighty Five Million, Six Hundred Twenty Five Thousand, Eight Hundred Eighty Three Dollars (\$85,625,883) from the Internal Service Funds;

The sum of Six Hundred Eighty Five Million, One Hundred Twenty Two Thousand, Eight Hundred Forty Seven Dollars (\$685,122,847) from the Enterprise Funds;

The sum of Ten Million, Two Hundred Thirty Six Thousand, Three Hundred Dollars (\$10,236,300) from the Trust and Agency Funds;

The sum of Eighty-Six Million, Six Hundred Ninety Thousand, Four Hundred Sixty Dollars (\$86,690,460) from the Debt Service Fund;

All set forth in the Mayor's Estimate on file with Council and identified in the aggregate amount for each department as follows:

GENERAL FUND

Legislative Branch		\$	6,937,206
Judicial Branch			40,067,439
Executive Branch			
General Government			13,697,250
Department of Aging			1,119,361
Department of Human Resources			2,182,400
Department of Law			10,625,473
Department of Finance			15,095,079
Department of Public Health			5,763,719
Department of Public Safety			309,187,909
Department of Public Works			66,441,355
Department of Community Development			292,661
Department of Building and Housing			9,744,178
Department of Economic Development			1,734,407
Nondepartmental			57,701,344
Total Executive Branch			\$493,585,136
TOTAL GENERAL FUND			\$540,589,781
Special Revenue Funds			77,777,124
Internal Service Funds			85,625,883
Enterprise Funds			685,122,847
Agency Funds			10,236,300
Debt Service Funds			86,690,460
TOTAL APPROPRIATIONS FOR 2014			\$1,486,042,395

GENERAL FUND

LEGISLATIVE BRANCH

Council and Clerk of Council		\$	6,937,206
I. Personnel and Related Expenses	\$	4,924,401	
II. Other Expenses		2,012,805	
TOTAL LEGISLATIVE BRANCH		\$	6,937,206

JUDICIAL BRANCH

Municipal Court - Judicial Division		\$	22,072,868
I. Personnel and Related Expenses	\$	19,404,866	
II. Other Expenses		2,668,002	
Municipal Court - Clerk's Division		\$	14,411,958
I. Personnel and Related Expenses	\$	9,402,010	
II. Other Expenses		5,009,948	
Municipal Court - Housing Division		\$	3,582,613
I. Personnel and Related Expenses	\$	3,425,754	
II. Other Expenses		156,859	
TOTAL JUDICIAL BRANCH		\$	40,067,439

EXECUTIVE BRANCH

GENERAL GOVERNMENT

Office of the Mayor		\$	2,568,177
I. Personnel and Related Expenses	\$	2,445,626	
II. Other Expenses		122,551	
Office of Capital Projects		\$	5,116,416
I. Personnel and Related Expenses	\$	4,563,722	
II. Other Expenses		552,694	
Landmarks Commission		\$	243,795
I. Personnel and Related Expenses	\$	236,627	
II. Other Expenses		7,168	

Board of Building Standards and Appeals		\$	135,785
I. Personnel and Related Expenses	\$	124,201	
II. Other Expenses		11,584	
Board of Zoning Appeals		\$	235,197
I. Personnel and Related Expenses	\$	220,089	
II. Other Expenses		15,108	
Civil Service Commission		\$	803,520
I. Personnel and Related Expenses	\$	612,365	
II. Other Expenses		191,155	
Community Relations Board		\$	1,313,422
I. Personnel and Related Expenses	\$	1,267,261	
II. Other Expenses		46,161	
City Planning Commission		\$	1,641,585
I. Personnel and Related Expenses	\$	1,537,955	
II. Other Expenses		103,630	
Boxing and Wrestling Commission		\$	7,697
I. Personnel and Related Expenses	\$	7,697	
Office of Equal Opportunity		\$	847,918
I. Personnel and Related Expenses	\$	824,038	
II. Other Expenses		23,880	
Office of Budget & Management-Budget Admin.		\$	783,738
I. Personnel and Related Expenses	\$	762,532	
II. Other Expenses		21,206	
TOTAL GENERAL GOVERNMENT		\$	<u>13,697,250</u>

DEPARTMENT OF AGING

Department of Aging		\$	1,119,361
I. Personnel and Related Expenses	\$	841,651	
II. Other Expenses		277,710	
TOTAL DEPARTMENT OF AGING		\$	<u>1,119,361</u>

DEPARTMENT OF HUMAN RESOURCES

Office of Personnel		\$	2,182,400
I. Personnel and Related Expenses	\$	1,394,558	
II. Other Expenses		787,842	
TOTAL DEPARTMENT OF HUMAN RESOURCES		\$	<u>2,182,400</u>

DEPARTMENT OF LAW

Division of Law		\$	10,625,473
I. Personnel and Related Expenses	\$	6,519,859	
II. Other Expenses		4,105,614	
TOTAL DEPARTMENT OF LAW		\$	<u>10,625,473</u>

DEPARTMENT OF FINANCE

Finance Administration		\$	1,263,146
I. Personnel and Related Expenses	\$	916,726	
II. Other Expenses		346,420	
Division of Accounts		\$	2,019,147
I. Personnel and Related Expenses	\$	1,336,536	
II. Other Expenses		682,611	
Division of Assessments and Licenses		\$	3,770,120
I. Personnel and Related Expenses	\$	2,395,114	
II. Other Expenses		1,375,006	
Division of Treasury		\$	728,556
I. Personnel and Related Expenses	\$	633,407	
II. Other Expenses		95,149	

Division of Purchases and Supplies		\$	720,820
I. Personnel and Related Expenses	\$	685,772	
II. Other Expenses		35,048	
Bureau of Internal Audit		\$	1,224,341
I. Personnel and Related Expenses	\$	590,187	
II. Other Expenses		634,154	
Division of Financial Reporting and Control		\$	1,355,047
I. Personnel and Related Expenses	\$	1,335,505	
II. Other Expenses		19,542	
Information Systems Services		\$	4,013,902
I. Personnel and Related Expenses	\$	2,117,180	
II. Other Expenses		1,896,722	
TOTAL DEPARTMENT OF FINANCE		\$	15,095,079

DEPARTMENT OF PUBLIC HEALTH

Public Health Administration		\$	1,004,324
I. Personnel and Related Expenses	\$	670,811	
II. Other Expenses		333,513	
Division of Health		\$	3,379,286
I. Personnel and Related Expenses	\$	1,926,073	
II. Other Expenses		1,453,213	
Division of Environment		\$	988,232
I. Personnel and Related Expenses	\$	779,623	
II. Other Expenses		208,609	
Division of Air Quality		\$	391,877
I. Personnel and Related Expenses	\$	110,777	
II. Other Expenses		281,100	
TOTAL DEPARTMENT OF PUBLIC HEALTH		\$	5,763,719

DEPARTMENT OF PUBLIC SAFETY

Public Safety Administration		\$	4,899,053
I. Personnel and Related Expenses	\$	3,553,854	
II. Other Expenses		1,345,199	
Division of Police		\$	179,023,490
I. Personnel and Related Expenses	\$	168,752,089	
II. Other Expenses		10,271,401	
Division of Fire		\$	86,103,953
I. Personnel and Related Expenses	\$	82,318,193	
II. Other Expenses		3,785,760	
Division of Emergency Medical Services		\$	23,043,311
I. Personnel and Related Expenses	\$	20,426,772	
II. Other Expenses		2,616,539	
Division of Animal Control Services		\$	1,424,943
I. Personnel and Related Expenses	\$	1,029,790	
II. Other Expenses		395,153	
Division of Correction		\$	14,693,159
I. Personnel and Related Expenses	\$	10,877,152	
II. Other Expenses		3,816,007	
TOTAL DEPARTMENT OF PUBLIC SAFETY		\$	309,187,909

DEPARTMENT OF PUBLIC WORKS

Division of Public Works Administration		\$	3,013,016
I. Personnel and Related Expenses	\$	2,810,254	
II. Other Expenses		202,762	
Division of Recreation		\$	12,149,793
I. Personnel and Related Expenses	\$	8,153,758	
II. Other Expenses		3,996,035	

Division of Parking Facilities-On Street		\$ 1,234,244
I. Personnel and Related Expenses	\$ 1,148,983	
II. Other Expenses	85,261	
Division of Property Management		\$ 8,010,817
I. Personnel and Related Expenses	\$ 5,533,362	
II. Other Expenses	2,477,455	
Division of Park Maintenance and Properties		\$ 13,569,303
I. Personnel and Related Expenses	\$ 8,400,230	
II. Other Expenses	5,169,073	
Division of Waste Collection and Disposal		\$ 24,998,028
I. Personnel and Related Expenses	\$ 13,674,442	
II. Other Expenses	11,323,586	
Division of Traffic Engineering		\$ 3,466,154
I. Personnel and Related Expenses	\$ 2,658,405	
II. Other Expenses	807,749	
TOTAL DEPARTMENT OF PUBLIC WORKS		<u><u>\$ 66,441,355</u></u>
DEPARTMENT OF COMMUNITY DEVELOPMENT		
Department of Community Development Director's Office		\$ 292,661
I. Personnel and Related Expenses	\$ 280,645	
II. Other Expenses	12,016	
TOTAL DEPARTMENT OF COMMUNITY DEVELOPMENT		<u><u>\$ 292,661</u></u>
DEPARTMENT OF BUILDING AND HOUSING		
Building and Housing Director's Office		\$ 2,217,253
I. Personnel and Related Expenses	\$ 1,703,239	
II. Other Expenses	514,014	
Division of Code Enforcement		\$ 5,906,484
I. Personnel and Related Expenses	\$ 5,712,984	
II. Other Expenses	193,500	
Division of Construction Permit		\$ 1,620,441
I. Personnel and Related Expenses	\$ 1,593,841	
II. Other Expenses	26,600	
TOTAL DEPARTMENT OF BUILDING AND HOUSING		<u><u>\$ 9,744,178</u></u>
DEPARTMENT OF ECONOMIC DEVELOPMENT		
Economic Development		\$ 1,734,407
I. Personnel and Related Expenses	\$ 1,668,285	
II. Other Expenses	66,122	
TOTAL DEPARTMENT OF ECONOMIC DEVELOPMENT		<u><u>\$ 1,734,407</u></u>
NONDEPARTMENTAL		
County Auditor Deductions		\$ 2,314,000
II. Other Expenses	\$ 2,314,000	
Other Administrative		\$ 22,464,124
II. Other Expenses	\$ 22,464,124	
Transfers to Other Funds		\$ 32,923,220
II. Other Expenses	\$ 32,923,220	
TOTAL NONDEPARTMENTAL		<u><u>\$ 57,701,344</u></u>
TOTAL EXECUTIVE BRANCH		<u><u>\$ 493,585,136</u></u>
TOTAL GENERAL FUND		<u><u>\$ 540,589,781</u></u>

SPECIAL REVENUE FUND

Restricted Income Tax Fund		\$ 38,430,983
I. Capital	\$ 38,430,983	
II. Debt Service	-	
Street Construction, Maintenance & Repair Fund		\$ 27,447,892
I. Personnel and Related Expenses	\$ 15,153,579	
II. Other Expenses	12,294,313	
Schools Recreation & Cultural Activities Fund		\$ 1,175,000
II. Other Expenses	\$ 1,175,000	
Division of Public Auditorium & Stadium-Stadium		\$ 10,723,249
II. Other Expenses	\$ 10,723,249	
TOTAL SPECIAL REVENUE FUNDS		<u>\$ 77,777,124</u>

INTERNAL SERVICE FUND

Sinking Fund Commission		\$ 956,640
I. Personnel and Related Expenses	\$ 233,340	
II. Other Expenses	726,300	
Information Systems Services-Telephone Exchange		\$ 6,836,306
I. Personnel and Related Expenses	\$ 1,274,040	
II. Other Expenses	5,562,266	
Division of Motor Vehicle Maintenance		\$ 19,713,041
I. Personnel and Related Expenses	\$ 5,537,264	
II. Other Expenses	14,175,777	
Division of Printing and Reproduction		\$ 2,757,892
I. Personnel and Related Expenses	\$ 840,860	
II. Other Expenses	1,917,032	
City Storeroom and Central Warehouse		\$ 565,031
I. Personnel and Related Expenses	\$ 99,045	
II. Other Expenses	465,986	
Health Self Insurance		\$ 44,896,329
II. Other Expenses	\$ 44,896,329	
Prescription Self Insurance		\$ 9,897,644
II. Other Expenses	\$ 9,897,644	
TOTAL INTERNAL SERVICE FUNDS		<u>\$ 85,625,883</u>

ENTERPRISE FUNDS

DEPARTMENT OF PUBLIC UTILITIES

Utilities Administration		\$ 3,186,358
I. Personnel and Related Expenses	\$ 2,386,696	
II. Other Expenses	799,662	
Radio		\$ 3,512,238
I. Personnel and Related Expenses	\$ 547,734	
II. Other Expenses	2,964,504	
Division of Fiscal Control		\$ 3,886,282
I. Personnel and Related Expenses	\$ 3,230,341	
II. Other Expenses	655,941	
Division of Water		\$ 287,253,133
I. Personnel and Related Expenses	\$ 82,880,889	
II. Other Expenses	204,372,244	
Division of Water Pollution Control		\$ 22,685,075
I. Personnel and Related Expenses	\$ 11,105,934	
II. Other Expenses	11,579,141	
Division of Cleveland Public Power		\$ 188,852,226
I. Personnel and Related Expenses	\$ 31,418,938	
II. Other Expenses	157,433,288	
TOTAL DEPARTMENT OF PUBLIC UTILITIES		<u>\$ 509,375,312</u>

DEPARTMENT OF PORT CONTROL

Divisions of Cleveland Hopkins & Burke Lakefront		
Airports - Operations		\$ 161,192,537
I. Personnel and Related Expenses	\$ 32,616,783	
II. Other Expenses	128,575,754	
TOTAL DEPARTMENT OF PORT CONTROL		\$ 161,192,537

DEPARTMENT OF PUBLIC WORKS

Division of Cemeteries		\$ 1,681,105
I. Personnel and Related Expenses	\$ 1,212,369	
II. Other Expenses	468,736	
Golf Course Fund		\$ 298,000
I. Personnel and Related Expenses	\$ 45,000	
II. Other Expenses	253,000	
Division of Parking Facilities-Off Street Parking		\$ 8,643,915
I. Personnel and Related Expenses	\$ 1,262,328	
II. Other Expenses	7,381,587	
Division of Public Auditorium		\$ 2,617,386
I. Personnel and Related Expenses	\$ 1,280,062	
II. Other Expenses	1,337,324	
Division of Public Auditorium & Stadium- West Side Market		\$ 1,274,592
I. Personnel and Related Expenses	\$ 433,973	
II. Other Expenses	840,619	
Division of Property Management - East Side Market		\$ 40,000
II. Other Expenses	\$ 40,000	
TOTAL DEPARTMENT OF PUBLIC WORKS		\$ 14,554,998
TOTAL ENTERPRISE FUNDS		\$ 685,122,847

AGENCY FUND

Central Collection Agency		\$ 10,236,300
I. Personnel and Related Expenses	\$ 6,495,959	
II. Other Expenses	3,740,341	
TOTAL AGENCY FUND		\$ 10,236,300

DEBT SERVICE FUND

Sinking Fund Commission		\$ 86,690,460
III. Debt Service	\$ 86,690,460	
TOTAL DEBT SERVICE FUNDS		\$ 86,690,460

Section 2. That the appropriations herein made are based upon the detail of expenditures set forth in the Mayor's Estimate, but are appropriated to the several departments, offices, and purposes in the aggregate for I. - Personnel and Related Expenses; and II. - Other Expenses and are not severally and individually appropriated in said detail. Any unencumbered balance in an appropriation fund at the close of the year 2013 is hereby appropriated to such fund for the payment of unpaid obligations lawfully incurred in 2014 or prior years. The Mayor's Estimate, File No. 180-14-A, as modified by the schedule published pursuant to Section 39 of the Charter shall within the sums appropriated in Section 1 hereof, constitute the expenditure budget for the year 2014 and shall be subject to the control of the Mayor, provided, however, that no transfer from I. - Personnel and Related Expenses, or II. - Other Expenses within any department or office, or from one department or office to another shall be made except as provided in Section 41 of the Charter.

Section 3. That the Commissioner of Accounts is hereby authorized to draw warrants upon the City Treasury for the amount appropriated in this ordinance, whenever claims are presented properly approved by the head of the department or by the chief of a commission for which indebtedness was incurred.

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 upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

BOARD OF CONTROL

March 5, 2014

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, March 5, 2014 at 10:44 a.m. with Director Langhenry presiding.

Present: Directors Langhenry, Dumas, Bender, Smith, Cox, Butler, Acting Director Withers, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Absent: Mayor Jackson.

Others: Natoya Walker-Minor, Director, Office of Equal Opportunity.

Tiffany White, Commissioner, Division of Purchases & Supplies.

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

Resolution No. 105-14.

By Director Bender.

Whereas, under the authority of Ordinance No. 1692-12, passed by the Council of the City of Cleveland on December 3, 2012, and Board of Control Resolution No. 178-13, adopted April 24, 2013, the City of Cleveland entered into City Contract No. PI2013*41 with Fabrizi Recycling, Inc. for the public improvement of Brainard Road 16" Express Water Main in the amount of \$2,188,448.90, for the Division of Water, Department of Public Utilities; and

Whereas, by its January 21, 2014 and January 22, 2014 letters, Fabrizi Recycling, Inc. requested the City's consent to add two subcontractors and to increase and decrease the subcontract amounts of previously approved subcontractors; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 178-13, adopted April 24, 2013, under authority of Ordinance No. 1692-12, passed by the Council of the City of Cleveland on December 3, 2012, approving Fabrizi Recycling, Inc. for the public improvement of Brainard Road 16" Express Water Main, for the Division of Water, Department of Public Utilities, is amended by increasing the participation of Simplified Alternatives, Inc. (CSB/FBE) from \$190,000.00 (8.682%) to \$434,691.93 (19.863%) and decreasing the participation of RAR Contracting Company, Inc. (CSB/MBE) from \$480,000.00 (21.933%) to \$182,028.00 (8.318%).

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following additional subcontractors by Fabrizi Recycling, Inc. for the above-mentioned public improvement is approved:

<u>SUBCONTRACTOR</u>	<u>WORK PERCENTAGE</u>
Burton Scot Contractors LLC	\$100,000.00 4.569%
Fabrizi Trucking & Paving Co.	\$7,000.00 0.320%

Yeas: Directors Langhenry, Dumas, Bender, Smith, Cox, Butler,

Acting Director Withers, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 106-14.

By Director Bender.

Be it resolved by the City of Cleveland that the employment of the following subcontractors by Lakefront Automotive Parts, Inc. under Contract No. RC2013*8 for the requirement contract for automotive and truck parts/service, for the Division of Water Pollution Control, Department of Public Utilities, is approved:

<u>Subcontractor</u>	<u>CSB/MBE/FBE Work</u>
Mad Hatter Automotive	Other \$25,000.00 (10%)
Andrews Auto Service	Other \$25,000.00 (10%)

Yeas: Directors Langhenry, Dumas, Bender, Smith, Cox, Butler, Acting Director Withers, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 107-14.

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Kokosing Construction Company, Inc. under City Contract No. PS2012*262 to provide design/build services for the Parking Redevelopment Program - Phase I, authorized by Ordinance No. 247-11, passed by the Council of the City of Cleveland on June 6, 2011, and Resolution No. 453-12, as amended by Resolution No. 573-13, adopted September 5, 2012 and October 2, 2013, respectively, is approved.

<u>Subcontractor</u>	<u>Percentage Amount</u>
American Fire & Sprinkler	0.033% FBE/CSB \$ 4,995.00
Architectural Siding, Trim, & Roofing	0.599% FBE \$ 90,280.00
Crossroads Asphalt	Non-Certified \$ 14,885.00
American Roadway Logistics	Non-Certified \$ 6,200.00
Dot Diamond	Non-Certified \$ 2,500.00
OCP Contractors	Non-Certified \$136,270.00
Summit Painting	Non-Certified \$ 17,950.00
Art Window Coverings	Non-Certified \$ 1,265.00
Chagrin Valley Steel	Non-Certified \$322,916.00
Kone, Inc.	Non-Certified \$ 71,410.00

Be it further resolved that the employment of the following subcontractor by Messina Floor Covering, subcontractor to MCM Company, Inc., in turn a subcontractor to Kokosing Construction Company, Inc. under City Contract No. PS2012*262, is approved.

<u>Subcontractor</u>	<u>Percentage Amount</u>
Sela Floor Covering	0.020% FBE/CSB \$3,060.00

Yeas: Directors Langhenry, Dumas, Bender, Smith, Cox, Butler, Acting Director Withers, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 108-14.

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by EnviroCom Construction, LLC, under City Contract No. PI2013*017 for the public improvement of replacing or repairing the upper level roadways at Cleveland Hopkins International Airport, authorized by Ordinance No. 274-05, passed by the Council of the City of Cleveland on May 2, 2005, and Board of Control Resolution No. 101-13, as amended by Resolution No. 371-13, Resolution No. 617-13 and Resolution No. 663-13, adopted March 6, 2013, July 3, 2013, October 23, 2013 and November 20, 2013, respectively, is approved.

<u>Subcontractor</u>	<u>DBE Percentage Amount</u>
M-A Building Maintenance Co.	0.005% Non-DBE \$ 4,738.00
21st Century Concrete Construction, Inc.	1.5% Non-DBE \$16,550.00

Yeas: Directors Langhenry, Dumas, Bender, Smith, Cox, Butler, Acting Director Withers, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 109-14.

By Director Spronz.

Whereas, under the authority of Ordinance No. 1629-06, passed by the Cleveland City Council on December 11, 2006 and Resolution No. 387-08, adopted by this Board of Control on August 6, 2008, the Director of Public Service entered into City Contract No. 68816 in the amount of \$366,670.00 with Wilbur Smith Associates, Inc. for the professional engineering consulting services necessary for the design of the CUY-VOINOVICH Park Pedestrian Bridge, and a first modification thereto; and

Whereas, Resolution No. 241-11, adopted by this Board of Control on May 25, 2011, authorized the Director to enter into a first modification to Contract No. 68816 for additional professional engineering consulting services for the design of the CUY-VOINOVICH Park Pedestrian Bridge and approved additional sub-consultants;

tants and sub-consultant services; and

Whereas, Resolution No. 577-11, adopted by this Board of Control on November 30, 2011, amended Resolution No. 241-11 by changing reference to a "first modification" to "second modification" and similarly revised a reference to "first amendment" in Resolution 241-11; and

Whereas, Resolution No. 676-12, adopted by this Board of Control on December 19, 2012, acknowledged the merger of Wilbur Smith Associates, Inc. into CDM Smith, Inc. and authorized the Director of Capital Projects to consent, on behalf of the City, to assignment of City Contract No. 68816 with Wilbur Smith Associates, Inc. to CDM Smith, Inc.; and

Whereas, the City desires to obtain additional services to modify the pedestrian bridge width and structural design, provide coordination for the bridge operation center and other permitting and construction related services; and

Whereas, CDM Smith, Inc. has proposed by its August 20, 2013 letter to perform the above-mentioned additional services for a fee not to exceed \$270,836.00 and to modify the participation of certain previously approved sub-consultants for the project; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Capital Projects is authorized to enter into a third modification to Contract No. 68816 with CDM Smith, Inc. to obtain the above-mentioned additional engineering services necessary for the CUY-VOINOVICH Park Pedestrian Bridge for an additional fee not to exceed \$270,836.00, thereby increasing the total compensation under the contract to \$1,657,806.00, and to modify the participation of certain previously approved sub-consultants for the project.

Be it further resolved that the employment of the following previously approved sub-consultants for the services to be performed under the above-authorized third modification is approved:

<u>SUBCONSULTANT</u>	<u>AMOUNT PERCENTAGE</u>
Schlaich Bergerman & Partner (other)	\$80,000.00 0.00%
Rosales + Partners, Inc. (DBE)	\$28,409.00 1.714%
TranSystems (other)	\$18,502.00 0.00%
BBC & M Engineering (other)	\$ 4,000.00 0.00%
KS Associates (FBE)	\$13,500.00 0.814%

Yeas: Directors Langhenry, Dumas, Bender, Smith, Cox, Butler, Acting Director Withers, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 110-14.

By Directors Cox and Dumas.
Whereas, Ordinance No. 1491-13, passed by the Council of the City of

Cleveland on November 25, 2013, authorizes the Director of Public Works and the Director of Finance to employ by contract one or more temporary employment agency or agencies, to provide temporary and seasonal personnel for various programs for the Department of Public Works and the Department of Finance for a period up to one year; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that under the authority of Ordinance No. 1491-13, passed by Council of the City of Cleveland on November 25, 2013, Snider Blake Business Service, Inc. is selected upon nomination of the Director of Public Works and the Director of Finance from a list of firms determined after a full and complete canvass as the temporary employment agency to be employed by contract for the purpose of supplementing regularly employed staff of several departments of the City of Cleveland to perform the professional services necessary to supply temporary and seasonal personnel for the Department of Public Works, the Project Clean Program, and the Department of Finance.

Be it further resolved that the Director of Public Works and Director of Finance are authorized to enter into a written contract or contracts with Snider Blake Business Service, Inc. ("Agency"), based on its November 27, 2013 proposal, to supply temporary and seasonal personnel for seasonal programs for Department of Public Works and Department of Finance during the 12-month period beginning upon execution of a contract, which contract shall be prepared by the Director of Law and shall include such additional provisions as that Director considers necessary to benefit and protect the interest. The fees for services to be performed under the contracts authorized, as stated in the Agency's proposal, including charges for drug testing and criminal background checks shall be:

<u>POSITIONS SUPPLIED</u>	<u>FEE</u>
Department of Public Works Park Maintenance Aides Project Clean Aides	\$12.33 per hour and, if the City's Fair Employment Living Wage increases, an amount equal to 123.6% of the Fair Employment Wage determined under Section 189.02 of the Codified Ordinances of Cleveland, Ohio, 1976 ('C.O.')
Seasonal Supervisors	\$12.64 per hour and, if the City's Fair Employment Living Wage increases, an amount equal to 123.6% of the Fair Employment Wage, determined under Section 189.02 C.O., plus \$0.25 per hour.

POSITIONS SUPPLIED FEE

Department of Finance

The fee for each position for all temporary and seasonal personnel

required for the Department of Public Works and the Department of Finance over the course of the contract shall be determined for each position individually by applying an amount equal to 123.6% of the wage determined for that occupation by the Bureau of Wage Statistics' current published Metropolitan and Nonmetropolitan Area Occupational Employment and Wage Estimates for Cleveland-Elyria-Mentor OH, but in no event shall be less than an amount equal to 123.6% of the Fair Wage determined under Section 189.02 C.O.

Be it further resolved that the employment of the following sub-contractors is approved:

<u>NAME</u>	<u>DOLLAR AMOUNT PERCENTAGE</u>
New Management, Inc. CSB/MBE	\$2,000,000.00 47.619%
Employment Specialists International, Inc.	\$ 750,000.00 0.00%

Yeas: Directors Langhenry, Dumas, Bender, Smith, Cox, Butler, Acting Director Withers, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 111-14.

By Directors Cox and Spronz.
Whereas, Resolution No. 609-13, adopted by this Board of Control on October 16, 2013 authorized the Directors of Public Works and Capital Projects to enter into a contract with R. W. Clark Company, Inc. (CSB/LPE) as the lowest responsible bidder for the public improvement of West Side Market Improvements Phases 3 and 4 in the aggregate amount of \$1,466,762.00, and

Whereas, R. W. Clark Company, Inc. has requested the addition of one additional subcontractor for the project; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 609-13, adopted October 16, 2013, is amended by adding the following subcontractor approved for employment by R. W. Clark Company, Inc. (CSB/LPE):

<u>SUBCONTRACTOR</u>	<u>AMOUNT PERCENTAGE</u>
Maximum Elevator (non-certified)	\$3,000.00 N. A.

Be it further resolved that all other provisions of said Resolution No. 609-13 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Directors Langhenry, Dumas, Bender, Smith, Cox, Butler, Acting Director Withers, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 112-14.

By Director Rush.
Whereas, Board of Control Resolution No. 76-14, adopted February 12, 2014, directed the Commissioner of Purchases and Supplies to sell

Permanent Parcel Nos. 119-11-001, 119-11-002, 119-11-003, 119-11-005, 119-11-006, 119-11-007, 119-11-012, 119-11-013, 119-11-014, 119-11-015, 119-11-016, 119-11-036, 119-11-037, 119-11-040, 119-11-041, and 119-11-060, no longer needed for public use, to UCAA Limited, approved designee of The Finch Group Inc., for private redevelopment, as part of the City Land Reutilization Program established under Ordinance No. 2076-76, passed by the Cleveland City Council on October 25, 1976; and

Whereas, Permanent Parcel No. 119-11-042 was inadvertently omitted from the list of parcels Resolution No. 76-14 directed the Commissioner to sell; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 76-14, adopted by this Board on February 12, 2014, directing the Commissioner of Purchases and Supplies to sell Permanent Parcel Nos. 119-11-001, 119-11-002, 119-11-003, 119-11-005, 119-11-006, 119-11-007, 119-11-012, 119-11-013, 119-11-014, 119-11-015, 119-11-016, 119-11-036, 119-11-037, 119-11-040, 119-11-041, and 119-11-060 to UCAA Limited, approved designee of The Finch Group Inc., is amended by including Permanent Parcel No. 119-11-042 in the list of parcels directed to be sold.

Be it further resolved that all other provisions of Resolution No. 76-14 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Directors Langhenry, Dumas, Bender, Smith, Cox, Butler, Acting Director Withers, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 113-14.

By Director Southerington.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 618-13 passed by Cleveland City Council on May 13, 2013, Sterling Infosystems, Inc. is selected by the Director of Human Resources as the firm to be employed by contract to supplement the regularly employed staff of the Department of Human Resources to perform the professional services necessary to administer the City's background screenings for the City of Cleveland for a period of one year with two one-year options to renew.

Be it further resolved that the Director of Human Resources is authorized to enter into contract with Sterling Infosystems, Inc., based on its proposal dated October 18, 2013, which contract shall be prepared by the Director of Law, shall provide for the furnishing of professional services as described in the proposal for aggregate fees of \$50,000.00 annually and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Langhenry, Dumas, Bender, Smith, Cox, Butler, Acting Director Withers, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson.

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 stated 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, MARCH 24, 2014

9:30 A.M.

Calendar No. 14-020: 7202 Hague Avenue (Ward 15)

Shpresa Deda, owner, appeals to establish use as a motor vehicle service garage for minor repairs on a triangular shaped corner parcel in a C1 General Retail Business District and contrary to Section 343.14 (a) (2) of the Cleveland Codified Ordinances no motor vehicle repair activity may occur within 10 feet of a Residence District and the property abuts a Two Family Residential District; and pursuant to Sections 343.14 (a) (1) a 6 foot high solid wood fence or wall is required where the use abuts the Two Family District and none is shown; and subject to 352.09 a 10 foot wide transition strip is required where the address abuts the Residence District and no screening is proposed and pursuant to Section 352.10 a 6 foot wide minimum frontage strip is required along West 73rd Street and none is proposed (Filed 2-27-2014).

Calendar No. 14-023: 4710 State Road (Ward 13)

SJB Investment Partners, LLC, owner, and Hank Lewon, tenant, appeals to establish use as a tattoo and piercing shop in an approximately 30' x 60' structure on a parcel located in a C2 Local Retail Business and subject to Section 343.01 (b) of the Cleveland Codified Ordinances tattooing/piercing use is not permitted in Local Retail Business but is first permitted in General Retail Business only if as stated in Section 347.12 (b) (1) the use is at least 1000 feet from a Residence District, day care center, elementary school, church, or playground and the subject property abuts a Residential District, is within 1000 feet of two elementary schools (W.C. Bryant CMSD School at 3121 Oakpark Ave. and St. Mary's Byzantine Elementary School at 4600 State Road), four churches (Brooklyn Seventh Day Adventist at 4651 State Road, A New Hope Assembly of God Church at 4807 State Road, Kingdom Hall of Jehovah's Witnesses at 4765 State Road, and St. Mary's Byzantine Church at 4600 State Road), three public playgrounds (Loew Playground and Pool at the corner of West 32nd and Archmere Ave., Archmere Park and Tennis Courts at the corner of W. 41 and Archmere, and W.C. Bryant Playground at 3121 Oakpark Ave.), and a daycare center (St. Mary's Byzantine Daycare at 4600 State Road); and pursuant to Section 352.07(b)(2) when a change of use is proposed for a property which is nonconforming regarding required landscaping, the Board of Zoning Appeals must determine whether the continuance in non-conformity can continue before any permit or Certificate of Occupancy can be issued: a 10 foot wide landscaped transition strip providing at least 75% year round opacity is required at the rear of the property where the property abuts a residential district per Sections 352.08-12 and none is shown (Filed 2-27-2014).

Calendar No. 14-024: 1901 Ford Drive (Ward 9)

Case Western Reserve University, owner, and Glidden House Association, tenant, appeal to erect and maintain a temporary tent for approximately 180 days (approximately between mid-April to mid-November 2014) and subject to Section 325.77 of the Cleveland Codified Ordinances a "temporary use" means any main or accessory use in any use district involving the erection or occupancy of temporary structures, and contrary to Section 347.10 (a) a temporary permit shall not exceed thirty days in duration and pursuant to Section 347.10 (b) such temporary use permit shall constitute a temporary waiver of off-street parking requirements (Filed 2-27-2014).

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, MARCH 10, 2014

At the meeting of the Board of Zoning Appeals on Monday, March 10, 2014, the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED:**

Calendar No. 14-19: 720 University Court

Mark Ebner appealed to erect a 23' x 33' 3 story frame single family home with attached garage.

Calendar No. 14-002: 3821 Lorain Avenue
Ellen Mueller appealed to establish use as space for manufacturing, teaching and retail sales of glass items.

The following appeal was **DENIED:**

Calendar No. 13-255: 4301 East 126th Street
Stephanie L. Bailey appealed from Notice of Violation.

The following appeals were **WITHDRAWN:**

None.

The following appeal was **DISMISSED:**

Calendar No. 14-18: 950 Main Avenue
Flats East Bank appealed to install a 38' x 80' temporary tent that will exceed the maximum 30 days.

The following appeal was **POSTPONED:**

Calendar No. 14-17: 16917 Euclid Avenue
John Lewis Change of use to service garage Postponed to April 28, 2014 at 9:30.

The following appeals were heard by the Board on March 3, 2014 decisions were adopted and approved on March 10, 2014;

The following appeals were **APPROVED:**

Calendar No. 14-11: 3015 Erin Avenue
Benitza Montgomery appealed to establish a Type "A" Daycare in a single family home on a 50' x 137' parcel located in a B1 Two Family Residential District.

Calendar No. 13-272 & 13-273: 1962 & 1964 Columbus Road
Kamis Properties appealed to erect two 2,450 square foot single family homes in a C3 Semi-Industry District.

Calendar No. 13-276: 2450 Tremont Avenue
Alfred and Annie Laudato appealed to construct a two-story addition to a single family house located in a C1 Multi-Family District.

The following appeal was **DISMISSED:**

Calendar No. 14-15: 3936 East 93rd Street
FPT Cleveland appealed to erect 126 feet of 7 foot high metal fence on a parcel located in a B2 Semi-Industry District.

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

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."

THURSDAY, MARCH 27, 2014

File No. 32-14 — Processing of Recyclable Materials, for the Division of Waste Collection, Department of Public Works, as authorized by Section 181.18 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING WEDNESDAY, MARCH 19, 2014 AT 10:00 A.M. THE DIVISION OF WASTE COLLECTION, 5600 CARNEGIE, CLEVELAND, OHIO 44103.

March 5, 2014 and March 12, 2014

FRIDAY, MARCH 28, 2014

File No. 30-14 — Demolition of City Facilities Package D Platt Avenue Park Station (Re-bid), for

the Division of Architecture and Site Development, Department of Mayor's Office of Capital Projects, as authorized by Ordinance No. 747-13, passed by the Council of the City of Cleveland, July 10, 2013.

***THERE WILL BE A NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF TWENTY FIVE DOLLARS (\$25.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR A MONEY ORDER (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS).**

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, MARCH 13, 2014 AT 3:00 P.M. CLEVELAND CITY HALL, ROOM 517A, 601 LAKE-SIDE AVENUE, CLEVELAND, OHIO 44114.

***Bidders must purchase plans and specifications directly from the office of the Commissioner of Purchases and Supplies. Only registered Plan Holders will receive Addenda. Bids cannot be accepted from Bidders who only purchase plans from other entities such as Plan Rooms and/or who fail to register to be on the City of Cleveland Plan Holders List.**

File No. 31-14 — West Side Market Phase 4A Refrigeration System Upgrades (Re-bid), for the Division of Architecture and Site Development, Department of Mayor's Office of Capital Projects, as authorized by Ordinance No. 747-13, passed by the Council of the City of Cleveland, July 10, 2013.

***THERE WILL BE A NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF TWENTY FIVE DOLLARS (\$25.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR A MONEY ORDER (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS).**

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, MARCH 13, 2014 AT 2:00 P.M. CLEVELAND CITY HALL, ROOM 517A, 601 LAKE-SIDE AVENUE, CLEVELAND, OHIO 44114.

***Bidders must purchase plans and specifications directly from the office of the Commissioner of Purchases and Supplies. Only registered Plan Holders will receive Addenda. Bids cannot be accepted from Bidders who only purchase plans from other entities such as Plan Rooms and/or who fail to register to be on the City of Cleveland Plan Holders List.**

March 5, 2014 and March 12, 2014

WEDNESDAY, APRIL 2, 2014

File No. 33-14 — Window Washing Services, for the Various Divisions of City Government, Department of Finance, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, MARCH 25, 2014 AT 1:30 P.M. CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

March 12, 2014 and March 19, 2014

**ADOPTED RESOLUTIONS
AND ORDINANCES**

Res. No. 312-14.

By Council Members Zone, Pruitt, Cummins, Conwell, Cleveland, Polensek, Mitchell and, Brancatelli.

An emergency resolution urging the Ohio Environmental Protection Agency to deny the United States Army Corps of Engineers' (Corps) application to dispose of contaminated dredge from the Cuyahoga River federal shipping canal in Lake Erie; and urging the Corps to continue the current practice of using confined disposal facilities — or working with the Cleveland-Cuyahoga County Port Authority on an environmentally sound alternative.

Whereas, in a public notice last December, the Corps announced its intention to place dredged, contaminated river sediment aboard scows and tow it out to dump sites in Lake Erie as early as April 1, 2014; and

Whereas, the Corps applied to the Ohio Environmental Protection Agency for approval to dispose of contaminated dredge from the Cuyahoga River federal shipping canal in Lake Erie for the first time in forty years; and

Whereas, this open-lake dumping would discharge muck soiled with contaminants, such as PCBs, just west of the intakes for the municipal drinking water treatment plants that serve Greater Cleveland; and

Whereas, high levels of PCBs, plus residual amounts of the pesticide DDT, pose an unacceptable risk to humans, wildlife, and birds that eat fish from the lake, such as walleye and perch; and

Whereas, the Ohio Environmental Council and the Dike 14 Nature Preserve Committee oppose the open-lake dumping plan; and

Whereas, the Ohio Environmental Protection Agency will host a public meeting to solicit comments on this application on Thursday, March 6, 2014 at 4:30 p.m. in the Martin Luther King Jr. branch of the Cleveland Public Library, located at 1962 Stokes Blvd. on the western edge of University Circle; and

Whereas, this Council encourages Cleveland citizens to attend this public meeting and speak out against open-lake dumping; and

Whereas, this Council urges the Ohio Environmental Protection Agency to deny the Corps' application, and force the Corps to continue the current practice of using confined disposal facilities — or work with the Cleveland-Cuyahoga County Port Authority on a workable and environmentally sound alternative to dumping; 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 urges the Ohio Environmental Protection Agency to deny the United States Army Corps of Engineers' (Corps) application to dispose of contaminated dredge from the Cuyahoga River federal shipping canal in Lake Erie; and urges the Corps to continue the current practice of using confined disposal facilities — or working with the Cleveland-Cuyahoga County Port Authority on an environmentally sound alternative.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to the Ohio Environmental Protection Agency and the United States Army Corps of Engineers.

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 March 3, 2014.

Effective March 4, 2014.

Res. No. 313-14.

By Council Member Brancatelli.

An emergency resolution withdrawing objection to a New D3A Liquor Permit at 6966 Broadway Avenue, 1st floor and basement, Unit 1 and repealing Resolution No. 1346-13, objecting to said permit.

Whereas, this Council objected to a New D3A Liquor Permit to 6966 Broadway Avenue, 1st floor and basement, Unit 1 by Resolution No. 1346-13 adopted by the Council on September 30, 2013; and

Whereas, this Council wishes to withdraw its objection to the above permit and consents to said permit; 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 objection to a New D3A Liquor Permit to Alliance Event Center, LLC, DBA Alliance Event Center, 6966 Broadway Avenue, 1st floor and basement, Unit 1, Cleveland, Ohio 44105, Permanent Number 01377680005, be and the same is hereby withdrawn and Resolution No. 1346-13, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

Section 2. 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 March 3, 2014.

Effective March 4, 2014.

Res. No. 314-14.

By Council Member J. Johnson.

An emergency resolution withdrawing objection to the transfer of liquor license of a C2 and C2X Liquor Permit at 5300 Superior Avenue and repealing Resolution No. 1206-13, objecting to said transfer.

Whereas, this Council objected to the transfer of liquor license of a C2 and C2X Liquor Permit to Daniel Roman, Inc., 5300 Superior Avenue, Cleveland, Ohio 44103, Permanent No. 7494401, adopted by the Council on September 16, 2013; and

Whereas, this Council wishes to withdraw its objection to the above transfer and consents to said transfer; 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 objection to a C2 and C2X Liquor Permit to Daniel Roman, Inc., 5300 Superior Avenue, Cleveland, Ohio 44103, Permanent No. 7494401, be and the same is hereby withdrawn and Resolution No. 1206-13, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

Section 2. 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 March 3, 2014.

Effective March 4, 2014.

Res. No. 332-14.

By Council Member Polensek.

An emergency resolution withdrawing objection to the transfer of liquor license of a D1 and D2 Liquor Permit at 12307 St. Clair Avenue and repealing Resolution No. 1067-13, objecting to said transfer.

Whereas, this Council objected to the transfer of liquor license of a D1 and D2 Liquor Permit to Food Xpress and Gas, Inc., DBA Gas USA, 12307 St. Clair Avenue, Cleveland, Ohio 44108, Permanent Number 2805847 by Resolution No. 1067-13 adopted by the Council on August 14, 2013; and

Whereas, this Council wishes to withdraw its objection to the above transfer of liquor license and consents to said transfer; 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 objection to a D1 and D2 Liquor Permit to Food Xpress and Gas, Inc., DBA Gas USA, 12307 St. Clair Avenue, Cleveland, Ohio 44108, Permanent Number 2805847, be and the same is hereby withdrawn and Resolution No. 1067-13, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

Section 2. 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 March 3, 2014.
Effective March 4, 2014.

Res. No. 333-14.
By Council Member Cimperman.
An emergency resolution withdrawing objection to the transfer of ownership of a D1, D2, D3 and D6 Liquor Permit at 55 Public Square, 1st floor, basement and patio and repealing Resolution No. 1355-13, objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a D1, D2, D3 and D6 Liquor Permit to 55 Public Square, 1st floor, basement and patio, Cleveland, Ohio 44113, Permanent No. 50966040010 by Resolution No. 1355-13 adopted by the Council on September 30, 2013; and

Whereas, this Council wishes to withdraw its objection to the above transfer and consents to said transfer; 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 objection to the transfer of ownership of a D1, D2, D3

and D6 Liquor Permit to 55 Public Square, 1st floor, basement and patio, Cleveland, Ohio 44113, Permanent No. 50966040010, be and the same is hereby withdrawn and Resolution No. 1355-13, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

Section 2. 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 March 3, 2014.
Effective March 4, 2014.

Ord. No. 123-14.
By Council Members Cleveland, K. Johnson, Brancatelli and Kelley (by departmental request).

An emergency ordinance to amend Sections 1 and 2 of Ordinance No. 752-13, passed May 20, 2013, relating to the sale of City-owned property located at the northwest corner of Crayton Avenue and East 51st Street to the Perk Company Inc., for purposes of redevelopment.

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 Sections 1 and 2 of Ordinance No. 752-13, passed May 20, 2013, are amended to read as follows:

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that Permanent Parcel Nos. 123-05-030, 123-05-031, 123-05-032, 123-05-033, 123-05-034, 123-05-065, 123-05-066, and 123-05-067 being more fully described in the legal descriptions placed in File No. 752-13-B, are no longer needed for public use.

Section 2. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to the Redeveloper for a price not less than \$50,000 and other valuable consideration, which is determined to be fair market value taking into account all restrictions, reversionary interests and similar encumbrances as may be placed by the City of Cleveland in the deed of conveyance. In accordance with a promissory note and purchase money mortgage, the \$50,000 purchase price will be paid in five annual payments of \$10,000 to be prepared by the Director of Law.

Section 2. That existing Sections 1 and 2 of Ordinance No. 752-13, passed May 20, 2013, are repealed.

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.

Passed March 3, 2014.
Effective March 4, 2014.

Ord. No. 190-14.
By Council Member Kelley (by departmental request).
An emergency ordinance to amend Sections 34 and 39 of Ordinance No. 1689-11, passed November 28, 2011, as amended, relating to compensation for various classifications.

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 Section 34 of Ordinance No. 1689-11, passed November 28, 2011, as amended by Ordinance No. 753-12, passed June 4, 2012 and Ordinance No. 1045-12, passed August 8, 2012, is amended to read as follows:

Section 34. That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Aging Services Administrator.....	\$27,325.56	\$87,664.94
2. Air Pollution Control, Engineer IV.....	20,800.00	63,135.10
3. Airport Safety Shift Commander	20,800.00	71,750.00
4. Assistant Administrator.....	20,800.00	56,847.22
5. Assistant Aging Services Administrator.....	20,800.00	62,252.71
6. Assistant Manager of Marketing.....	20,800.00	56,847.22
7. Assistant Security Manager.....	20,800.00	58,837.68
8. Central Payroll Supervisor.....	20,800.00	56,847.22
9. Chief Building Inspector.....	20,800.00	68,000.00
10. Chief Electrical Inspector	20,800.00	68,000.00
11. Chief Elevator Inspector.....	20,800.00	68,000.00
12. Chief Heating Inspector.....	20,800.00	68,000.00
13. Chief Rehabilitation Supervisor	20,800.00	71,750.00
14. Chore Services Coordinator.....	20,800.00	52,000.00
15. Contract Supervisor - Division of Purchases and Supplies.....	20,800.00	62,836.42
16. Data Processing Supervisor.....	20,800.00	58,115.49
17. Manager of Public Utilities - Building Maintenance....	20,800.00	56,847.22
18. Senior Systems Analyst.....	20,800.00	41,170.98
19. Shift Supervisor Operations	20,800.00	56,847.22
20. Superintendent of Distribution	20,800.00	71,750.00

21.	Superintendent of Purchase Power.....	27,325.56	92,700.00
22.	Supervising Tax Auditor.....	20,800.00	56,847.22
23.	Supervisor of Civil Service Records.....	20,800.00	56,847.22

Section 2. That existing Section 34 of Ordinance No. 1689-11, passed November 28, 2011, as amended by Ordinance No. 753-12, passed June 4, 2012 and Ordinance No. 1045-12, passed August 8, 2012, is repealed.

Section 3. That Section 39 of Ordinance No. 1689-11, passed November 28, 2011, is amended to read as follows:

Section 39. That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Administrator of Engineering and Planning.....	\$30,214.95	\$112,526.46
2. Airport Chief Engineer.....	30,214.95	112,526.46
3. Assistant City Comptroller.....	41,312.22	113,643.18
4. Airport Planning Environmental Officer.....	30,214.95	89,155.89
5. Air Trade Development Manager.....	30,214.95	103,869.21
6. Assistant Director of Human Resources and Economic Development.....	30,214.95	112,526.46
7. Budget Administrator.....	30,214.95	103,869.21
8. Comptroller-Airports.....	30,214.95	112,526.46
9. Data Base Analyst.....	30,214.95	89,155.89
10. Deputy Commissioner of Cleveland Hopkins International Airport.....	30,214.95	103,869.21
11. Deputy Commissioner of Parks, Maintenance and Properties.....	30,214.95	103,869.21
12. Deputy Commissioner of Water.....	30,214.95	129,713.92
13. Deputy Commissioner of Water Pollution Control.....	30,214.95	103,869.21
14. Environmental Programs Manager.....	45,000.00	87,241.22
15. Executive Commissioner of Public Safety - Operations.....	36,590.39	142,340.94
16. Executive Commissioner of Public Safety - Projects, Grants and Technology.....	36,590.39	142,340.94
17. Field Manager.....	35,000.00	59,441.72
18. Fleet Management Data Manager.....	30,000.00	66,777.20
19. GIS/IS Coordinator.....	52,000.00	93,818.87
20. In-Charge Senior Internal Auditor.....	49,500.00	84,370.33
21. Labor Relations Manager.....	30,214.95	112,526.46
22. Manager of Marketing.....	30,214.95	103,869.21
23. Manager of Telecommunications.....	30,214.95	103,869.21
24. Nurse Practitioner.....	30,214.95	103,869.21
25. Permit Review Manager.....	30,214.95	103,869.21
26. Project Leader/Applications.....	45,000.00	91,832.86
27. Safety Programs Manager.....	30,214.95	89,155.89
28. Section Chief - Architecture & Site Development.....	40,000.00	97,819.83
29. Section Chief - Engineering & Construction.....	50,000.00	97,819.83
30. Software Analyst.....	45,000.00	87,241.22
31. Superintendent of Electric Transmission and Distribution.....	50,000.00	99,337.75
32. Supervisor of Computer Operations.....	30,214.95	89,155.89
33. Supervisor Hardware Evaluation.....	30,214.95	89,155.89
34. Veterinarian in Charge of Spay and Neuter Clinic.....	30,214.95	89,155.89

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 March 3, 2014.
Effective March 4, 2014.

**Ord. No. 197-14.
By Council Members Cimperman,
Brancatelli and Kelley (by departmental request).**

An emergency ordinance authorizing the Director of Economic Development to enter into amendments to Contract Nos. 49981 and 49982 with National Terminal Apartments Limited Liability Company, to accept discount prepayments of its UDAG and NDIF loans regarding the development of a housing and retail space in the National Terminal Building, located at West Ninth and Main Avenue.

Whereas, under Ordinance No. 1455-95, passed September 25, 1995, this Council authorized the Director

of Economic Development to enter into UDAG Contract No. 49981 with National Terminal Apartments Limited Liability Company ("National Terminals") in the amount of \$500,000, and NDIF Contract No. 49982 in the amount of \$1,500,000 for the development of a housing and retail space in the National Terminals Building, located at West Ninth and Main Avenue; and

Whereas, National Terminals now desires to sell the property that may not be worth the current debt outstanding on the property; and

Whereas, National Terminals has requested the opportunity to prepay the unpaid balance, currently \$370,276.13 as of December 31, 2013

plus interest on UDAG Contract No. 49981, and the unpaid balance, currently \$1,067,920.49 as of December 31, 2013 plus interest on NDIF Contract No. 49982, and making payment on the loans in an amount between 50% to 100% depending upon the net sales proceeds received by National Terminals upon the sale of their building; and

Whereas, this ordinance allows the Department of Economic Development to use the lump sum repayments for other neighborhood projects in need of financial assistance; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation

of the public peace, safety, property and welfare, in that its enactment is a necessary prerequisite to providing immediate assistance to create and preserve job opportunities and advance and promote commercial and economic development in the City of Cleveland, 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 an amendment to the UDAG loan, Contract No. 49981, with National Terminals to accept a discounted prepayment.

Section 2. That the Director of Economic Development is authorized to enter into an amendment to the NDIF loan, Contract No. 49982, with National Terminals to accept a discounted prepayment.

Section 3. That the Director of Economic Development is authorized to accept on behalf of the City, discounted prepayments from National Terminals on the unpaid balance, currently \$370,276.13 as of December 31, 2013 plus interest on UDAG Contract No. 49981, and the unpaid balance, currently \$1,067,920.49 as of December 31, 2013 plus interest on NDIF Contract No. 49982, and making payment on the loans in an amount between 50% to 100% depending upon the net sales proceeds received by National Terminals upon the sale of their building. Terms and conditions of the discounted prepayments are more fully set forth in the summary placed in File No. 197-14-A.

Section 4. That the Director of Economic Development is authorized to file all papers and execute all documents necessary to receive the funds under the prepayments.

Section 5. That the amendments authorized by this ordinance shall be prepared by the Director of Law and shall contain terms and conditions that the director deems necessary to protect and benefit the public interest.

Section 6. That the Director of Economic Development is authorized to release any and all collateral taken to secure repayments of the UDAG and NDIF loans referenced in this ordinance and to execute all documents necessary to release the collateral of the loans. Any release of security instruments shall be prepared and approved by the Director of Law.

Section 7. That the Director of Economic Development is authorized to deposit the prepayments into Fund No. 17 SF 634 and will be used for other neighborhood projects.

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.

Passed March 3, 2014.

Effective March 4, 2014.

Ord. No. 280-14.

By Council Member Kelley.

An emergency ordinance authorizing the submission to the electors of the City of Cleveland of a proposal to amend Section 33 of the Charter of the City of Cleveland relating to the Enactment of Ordinances and Resolutions.

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that it must be certified to the election authorities immediately in order for the question to appear at a special election to be held on May 6, 2014, and 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 authorizes the submission to the electors of the City of Cleveland at a special election to be held at the usual places of voting in the City of Cleveland on Tuesday, May 6, 2014, of a proposal to amend the Charter of the City of Cleveland by amending existing Section 33 to read as follows:

Section 33 Enactment of Ordinances and Resolutions

Ordinances and resolutions shall be introduced in the Council in electronic, digital, written or printed form. All ordinances or resolutions, except ordinances making appropriations, shall be confined to one subject which shall be clearly expressed in the title, except as provided in the next section. Ordinances making appropriations shall be confined to the subjects of appropriation. No ordinance shall be passed until it has been read on three separate days unless the requirement of reading on three separate days has been dispensed with by a two-thirds vote of all the members of the Council. The final reading shall be in full unless an electronic, digital, written or printed copy of the measure is furnished to each member of the Council prior to the reading. The enacting clause of all ordinances passed by the Council shall be "Be it ordained by the Council of the City of Cleveland." The enacting clause of all ordinances submitted by the initiative shall be "Be it ordained by the people of the City of Cleveland."

Section 2. That the foregoing proposed amendment to the Charter, on receiving at least a majority of the votes cast at the May 6, 2014 special election, shall become effective immediately on its adoption.

Section 3. That the Clerk of Council is authorized to promptly forward a certified copy of this ordinance to the Board of Elections of Cuyahoga County.

Section 4. That the Board of Elections of Cuyahoga County shall cause an appropriate notice to be given of the election to be held on May 6, 2014, on the foregoing amendment to the Charter of this City and otherwise to provide for the election in the manner provided by the general laws of the State of Ohio.

Section 5. That the Clerk of Council is authorized to cause the full text of the proposed amendment to the Charter to be published once a week for two consecutive weeks in a newspaper published in the City of Cleveland, with the first publication to be made at least fifteen days prior to the special election to be held on May 6, 2014, as provided in Article XVIII, Section 9 of the Constitution of the State of Ohio, Section 731.211 of the Revised Code, and Section 200 of the Charter of the City of Cleveland.

Section 6. That the ballot submitting the question of the adoption of the amendment shall read as follows:

**PROPOSED
CHARTER AMENDMENT
CITY OF CLEVELAND**

A majority affirmative vote is necessary for passage.

Shall Section 33 of the Charter of the City of Cleveland be amended to provide that copies of ordinances and resolutions shall be introduced in the Council in electronic, digital, written or printed form, and that members of council shall receive an electronic, digital, written or printed copy of an ordinance prior to the final reading of that 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.

Passed March 3, 2014.

Effective March 4, 2014.

Ord. No. 303-14.

By Council Members Mitchell, K. Johnson, Brancatelli and Kelley (by departmental request).

An emergency ordinance giving final consent of the City of Cleveland to the State of Ohio for the rehabilitation of Larchmere Boulevard from Martin Luther King Jr., Boulevard to North Moreland; authorizing the Director of Capital Projects to enter into contracts with the State of Ohio; and causing payment to the State of Ohio for the City's share of the improvement.

Whereas, under Ordinance No. 1703-12, passed December 3, 2012 this Council authorized the City of Cleveland to cooperate with the Director of Transportation for the rehabilitation of Larchmere Boulevard from Martin Luther King Jr., Boulevard to North Moreland PID 89695 (the "Improvement"); and

Whereas, the City shall cooperate with the Ohio Director of Transportation in the above described project by assuming and bearing one hundred percent (100%) of the entire cost of the Improvement within City limits, less the amount of Federal-aid NOACA funds set aside by the Director of Transportation for the financing of this Improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation, and further, the City agrees to assume and bear one hundred percent (100%) of the cost of Preliminary Engineering and right-of-way, excluding in-house preliminary engineering and right-of-way charges incurred by the State; and

Whereas, the share of the City's cost of the Improvement is now estimated to be \$560,728, but may be adjusted when the percentages of actual costs are determined; and

Whereas, the City agrees to assume and contribute 100% of the cost of any items included in the construction contract at the request of the City, which are determined by the State not eligible or made necessary by the Improvement; and

Whereas, the Ohio Director of Transportation has approved the legislation proposing cooperation and has caused to be made plans and specifications and an estimate of costs and expense for the Improvement and

has transmitted copies of the same to this legislative authority; and

Whereas, the City desires the Ohio Director of Transportation to proceed with the Improvement; 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 requests the Ohio Director of Transportation to proceed with the Improvement.

Section 2. That the Director of Capital Projects is authorized to enter into contracts with the State and/or their pre-qualified consultants for the preliminary engineering phase of the Project, and to enter into contracts with the Director of Transportation necessary to complete the Improvement.

Section 3. That the Clerk of Council is authorized and directed to transmit to the State three (3) certified copies of this ordinance immediately on its taking effect, and it shall become the basis for proceeding with the Improvement.

Section 4. That this Council is authorized to cause payment to the State of the City's share of the Improvement, payable from Fund Nos. 20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, 20 SF 546, 20 SF 554, 20 SF 809, 20 SF 838, and 52 SF 001, RQS 0103, RL 2014-14.

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 March 3, 2014.
Effective March 4, 2014.

Ord. No. 307-14.

By Council Member Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for the Ragin Cajin Run/Walk, on March 4, 2014, sponsored by Hermes Sports & Events, Inc.

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 pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Ragin Cajin Run/Walk, on March 4, 2014, starting at West 6th Street and Lakeside Avenue; east on Lakeside to East 9th Street; south on East 9th to Superior Avenue; east on Superior to East 12th Street; south on East 12th to Chester Avenue; west on Chester to East 9th Street; south on East 9th to Prospect Avenue; west on Prospect to East 4th Street; north on East 4th to Euclid Avenue; west on Euclid to Ontario Street; north on Ontario to St. Clair Avenue; west on St. Clair to West 6th Street; north on West 6th to Lakeside Avenue and finish; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleve-

land, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

Section 2. 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.

Passed March 3, 2014.
Effective March 4, 2014.

Ord. No. 308-14.

By Council Member Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for the St. Malachi's Church Run, on March 15, 2014, sponsored by Hermes Sports & Events, Inc.

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 pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the St. Malachi's Church Run, on March 15, 2014, starting at Veterans Memorial Bridge; east on Bridge/Superior Avenue to West 6th Street; north on West 6th to St. Clair Avenue; east on St. Clair to Ontario Street; north on Ontario to Lakeside Avenue; west on Lakeside to West 3rd; north on West 3rd to Erieside Avenue; east on Erieside to North Marginal Road; east on North Marginal to Burke Airport Loop Drive; Airport Loop Drive around to North Marginal Road; west on North Marginal to Erieside Avenue; west on Erieside to West 3rd Street; south on West 3rd to Lakeside Avenue; west on Lakeside to West 10th Street; south on West 10th to Robert Lockwood Drive; west on Robert Lockwood to Center Street; north on Center to Winslow Avenue and finish; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

Section 2. 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.

Passed March 3, 2014.
Effective March 4, 2014.

Ord. No. 310-14.

By Council Members Brancatelli and Cleveland.

An emergency ordinance authorizing the Director of the City Planning Commission to enter into agreement with Slavic Village Development for the Slavic Village Broadway Gateway Project "Cycle of Arches" through the use of Wards 12 and 5 Casino 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 City Planning Commission be authorized to enter into agreement with Slavic Village Development for the Slavic Village Broadway Gateway Project "Cycle of Arches" for the public purpose of promoting public art in the city of Cleveland through the use of Ward (s) 12 and 5 Casino Funds

Section 2. That the cost of said contract shall be in an amount not to exceed \$90,000 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.

Passed March 3, 2014.
Effective March 4, 2014.

Ord. No. 311-14.

By Council Members Cleveland and Brancatelli.

An emergency ordinance amending Section 1 of Ordinance No. 1533-13 passed November 11, 2013 as it pertains to authorizing the Director of the Department of Community Development to enter into an agreement with University Settlement, Inc. for the Hunger Center Program through the use of Wards 5 and 12 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 Section 1 of Ordinance No. 1533-13 passed on November 11, 2013 is hereby amended to read as follows:

Section 1. That the Director of the Department of Community Development be authorized to enter into an agreement effective July 1, 2013 with University Settlement, Inc. for the Hunger Center Program for the public purpose of providing food and hot meals to low income residents residing in the city of Cleveland through the use of Ward(s) 5 and 12 Neighborhood Capital Funds.

Section 2. That Section 1 of Ordinance No. 1533-13 passed on November 11, 2013 is hereby repealed.

Section 3. 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.

Passed March 3, 2014.
Effective March 4, 2014.

REPRINT

Res. No. 277-14.

By Council Member Cummins.

An emergency resolution supporting the application of the James D. Denkins Trustee of the Revocable Trust to the Ohio Historic Preservation Office for State Historic Tax Credits for the Lion Knitting Mills Building at 3256 West 25th Street.

Whereas, each year the State of Ohio through the Ohio Historic Preservation Office allocates State Historic Tax Credits for historic redevelopment projects throughout Ohio using a competitive proposal process; and

Whereas, the Cleveland City Council recognizes the need to maintain historic buildings in Cleveland's neighborhoods; and

Whereas, the James D. Denkins Trustee of the Revocable Trust proposes an adaptive reuse of the former Lion Knitting Mills Building into 36 units of affordable rental housing; and

Whereas, the former Lion Knitting Mills Building is currently in the process of being listed on the National Register of Historic Places; and

Whereas, Cleveland City Council supports the James D. Denkins Trustee of the Revocable Trust's proposal for the Lion Knitting Mills Building at 3256 West 25th Street as a high priority initiative for future development in the community for the benefit the citizens of the City of Cleveland; 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 application of the James D. Denkins Trustee of the Revocable Trust to the Ohio Historic Preservation Office for State Historic Tax Credits for the Lion Knitting Mills Building at 3256 West 25th Street.

Section 2. That the Clerk of Council is hereby directed to transmit two copies of this resolution to Matt Lasko, Assistant Director, of Detroit Shoreway Community Development Corporation.

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 February 24, 2014.
Effective February 26, 2014.

REPRINT

Res. No. 278-14.

By Council Member Zane.

An emergency resolution supporting the application of Detroit Shoreway Community Development Corporation to the Ohio Development Services Agency for State Historic Tax Credits for the Near West Lofts Storefront located at 6710 Detroit Avenue.

Whereas, each year the State of Ohio through the Ohio Development Services Agency allocates State Historic Tax Credits for historic redevelopment projects throughout Ohio using a competitive proposal process; and

Whereas, the Cleveland City Council has recognized the need to maintain historic buildings in Cleveland's neighborhoods; and

Whereas, Detroit Shoreway Community Development Corporation are proposing interior and facade improvements to the ground floor storefront space of the Near West Lofts Storefront located at 6710 Detroit Avenue to create attractive space for a commercial or retail tenant; and

Whereas, the building is located within the heart of the national renowned Gordon Square Arts District and immediately adjacent to the new and under construction Near West Theatre complex; and

Whereas, Cleveland City Council supports the Detroit Shoreway Community Development Organization's proposal for the Near West Lofts Storefront as a high priority initiative for future development in the community for the benefit the citizens of the City of Cleveland; 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 application of Detroit Shoreway Community Development Organization to the Ohio Development Services Agency for State Historic Tax Credits for the Near West Lofts Storefront located at 6710 Detroit Avenue.

Section 2. That the Clerk of Council is hereby directed to transmit two certified copies of this resolution to Jeff Ramsey, Executive Director, and Matt Lasko, Assistant Director of Detroit Shoreway Community Development Corporation.

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 February 24, 2014.
Effective February 26, 2014.

REPRINT

Res. No. 279-14.

By Council Member Brady.

An emergency resolution supporting the application of the Friends of the Historic Variety Theatre, Inc. to the Ohio Historic Preservation Office for State Historic Tax Credits for the Variety Theatre Building located at 11815 Lorain Avenue.

Whereas, each year the State of Ohio through the Ohio Historic Preservation Office allocates State Historic Tax Credits for historic redevelopment projects throughout Ohio using a competitive proposal process; and

Whereas, the Cleveland City Council recognizes the need to maintain historic buildings in Cleveland's neighborhoods; and

Whereas, the Friends of the Historic Variety Theatre, Inc., propose a substantial rehabilitation and adaptive reuse of the former Variety Theatre Building into ground-floor commercial and retail space, second floor apartments as well as a repurposing of the former theatre space into a smaller entertainment venue; and

Whereas, Cleveland City Council supports the Friends of the Historic Variety Theatre, Inc.'s proposal for the Variety Theatre Building located at 11815 Lorain Avenue as a high priority initiative for future development in the community for the benefit the citizens of the City of Cleveland; 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 application of the Friends of the Historic Variety Theatre, Inc. to the Ohio Historic Preservation Office for State Historic Tax Credits for the Variety Theatre Building located at 11815 Lorain Avenue.

Section 2. That the Clerk of Council is hereby directed to transmit two copies of this resolution to Matt Lasko, Assistant Director, of Detroit Shoreway Community Development Corporation.

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 February 24, 2014.
Effective February 26, 2014.

REPRINT

Res. No. 281-14.

By Council Member Kelley.

An emergency resolution supporting Mayor Frank Jackson and the City of Cleveland's bids to host the 2016 Democratic National Convention and the 2016 Republican National Convention; and supporting the civic collaboration and efforts of Cleveland with Cuyahoga County, the State of Ohio, the Cleveland 2016 Host Committee, Inc., the Greater Cleveland Partnership, Positively Cleveland, the Downtown Cleveland Alliance, Quicken Loans Arena, the Greater Cleveland Regional Transit Authority, Northeast Ohio Areawide Coordinating Agency, the Cleveland Convention Center and Global Medical Mart and other civic and community leaders and pledging City resources on behalf of hosting of a National Presidential Nominating Convention in Cleveland in 2016.

Whereas, the Republican National Committee and Democratic National Committee have invited select U.S. cities, including the City of Cleveland, to respond to a formal request for proposal to host the Presidential Nominating National Convention in 2016; and

Whereas, efforts are now underway to submit competitive bids to host the conventions from the City of Cleveland in coordination with Cuyahoga County, the County Executive, and the State of Ohio and working in close partnership with a coalition of local non-profit and civic leaders, including the Greater Cleveland Partnership, Positively Cleveland, the Downtown Cleveland Alliance, Quicken Loans Arena, the Greater Cleveland Regional Transit Authority, Northeast Ohio Areawide Coordinating Agency, and the Cleveland Convention Center and Global Medical Mart; and

Whereas, Cleveland City Council is excited to join Mayor Jackson and our civic, business and non-profit leaders, as well as the Cleveland 2016 Host Committee, Inc., in providing a seamless Presidential Nominating National Convention in 2016; and

Whereas, Cleveland is the optimal location to host a National Convention and can demonstrate the ability to raise the dollars and other resources necessary to put on a successful convention; has the right location and venue that will accommodate all aspects of a National Convention in a manner that is logistically, comfortably and seamlessly easy to access for all convention delegates, attendees, media, and convention staff; and has more than enough hotels located in close proximity to a National Convention for the convenience of delegates and all attendees; and

Whereas, efforts to attract a National Convention to our region are uniting City, County, and state officials, and leaders in our business and cultural communities, paving the way for future partnerships and regional collaborations benefiting our city and the surrounding region; and

Whereas, a successful bid for a National Convention would feature the City of Cleveland as a major convention and tourist destination; and

Whereas, a historic national convention would have a positive economic impact, benefiting significantly our municipal and regional economy; and

Whereas, it is estimated that a National Convention would attract 35,000 visitors to Northeast Ohio, create new jobs, and have a \$150,000,000 to \$200,000,000 net positive economic impact on our region; and

Whereas, travel and tourism rank among this Region's largest industries and the positive impact of hosting a National Convention in the City would be significant for our entire community; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that submitting a timely competitive bid to host a National Convention creates an opportunity to achieve economic gains and to place the entire metropolitan region in the national spotlight for years to come; now, therefore

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

Section 1. That Cleveland City Council hereby expresses full support of the efforts of Mayor Jackson and the City of Cleveland to submit a winning bid to host a National Convention in Cleveland in 2016.

Section 2. That Cleveland City Council hereby further expresses its full support of the partnership and collaborative efforts of the City of Cleveland with Cuyahoga County and the County Executive, the State of Ohio, the Cleveland 2016 Host Committee, Inc., the Greater Cleveland Partnership, Positively Cleveland, the Downtown Cleveland Alliance, Quicken Loans Arena, the Greater Cleveland Regional Transit Authority, Northeast Ohio Areawide Coordinating Agency, the Cleveland Convention Center and Global Medical Mart and numerous other civic, business and community leaders working tirelessly in support of Cleveland's bid to host a National Presidential Nominating Convention in Cleveland in 2016.

Section 3. That Cleveland City Council joins the Mayor in pledging all the available resources of the City, including the City's facilities and safety, security and logistical personnel and services, on behalf of City's bid to designate the City of Cleveland as Host City for a National Presidential Nominating Convention.

Section 4. That, in demonstration of our full support of this effort, the members of Cleveland City Council are honored to serve as Honorary Co-Chairs of the National Convention Host Committee.

Section 5. 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 February 24, 2014.
Effective February 26, 2014.

REPRINT

Res. No. 282-14.
By Council Members Brancatelli, Kelley, Brady, Cimperman, Cleveland, Conwell, Cummins, Dow, J. Johnson, K. Johnson, Keane, Mitchell, Polensek, Pruitt, Reed, Sweeney and Zone.

An emergency resolution supporting Federal Senate Bill 394, the Metal Theft Prevention Act of 2013.

Whereas, with the price of metal increasing, metal theft in the United States has jumped by 80%, costing U.S. businesses \$1 billion dollars a year; and

Whereas, the state of Ohio is number one in the nation in metal theft, with 3,200 reported claims between 2010 and 2012; and

Whereas, in Cleveland, between 2000 and 2008, 80,000 homes have been foreclosed upon, causing property values to plummet and leading to entire blocks of vacant and abandoned houses that are quickly stripped of all aluminum siding, metal appliances, copper wire and plumbing; and

Whereas, S. 394, the Metal Theft Prevention Act of 2013, is bipartisan federal legislation that would make metal theft a federal crime, give state attorneys general the power to bring civil actions to enforce the bill's provisions, open metal theft to potentially tougher sentences and make it significantly more difficult for criminals to sell stolen metal to scrap metal dealers; and

Whereas, the Metal Theft Prevention Act of 2013 will significantly assist in improving prevention of metal theft from critical infrastructure as well as crack down on criminals who commit this crime; 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 hereby supports Federal Senate Bill 394, the Metal Theft Prevention Act of 2013.

Section 2. That the Clerk of Council is hereby directed to transmit copies of this resolution to U.S. Senators Sherrod Brown and Rob Portman.

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 February 24, 2014.
Effective February 26, 2014.

REPRINT

Res. No. 283-14.
By Council Member Brady.
An emergency resolution objecting to the transfer of ownership of a C1 Liquor Permit to 3935 West 130th Street.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C1 Liquor Permit from ZKS 130 Inc., 3935 West 130th Street, Cleveland, Ohio 44111, Permanent Number 98714520010 to MFY Gas, Inc., 3935 West 130th Street, Cleveland, Ohio 44111, Permanent Number 6273848; 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 C1 Liquor Permit from ZKS 130 Inc., 3935 West 130th Street, Cleveland, Ohio 44111, Permanent Number 98714520010 to MFY Gas, Inc., 3935 West 130th Street, Cleveland, Ohio 44111, Permanent Number 6273848; 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 February 24, 2014.
 Effective February 26, 2014.

REPRINT

Res. No. 284-14.

By Council Member Cimperman.

An emergency resolution objecting to the transfer of ownership of a D, D2, D3, D3A and D6 Liquor Permit to 3232 Lakeside Avenue.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit from Flextron, LLC, DBA Gotcha Inn, 3232 Lakeside Avenue and basement, Cleveland, Ohio 44114, Permanent Number 2779680 to 1515 LLC, DBA Bar 216, 3232 Lakeside Avenue and basement, Cleveland, Ohio 44114, Permanent Number 2714242; 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 operat-

ed 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 D1, D2, D3, D3A and D6 Liquor Permit from Flextron, LLC, DBA Gotcha Inn, 3232 Lakeside Avenue and basement, Cleveland, Ohio 44114, Permanent Number 2779680 to 1515 LLC, DBA Bar 216, 3232 Lakeside Avenue and basement, Cleveland, Ohio 44114, Permanent Number 2714242; 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 February 24, 2014.
 Effective February 26, 2014.

REPRINT

Res. No. 285-14.

By Council Members Cimperman, Zone, Brady, Polensek, Brancatelli and Cummins.

An emergency resolution in support of and solidarity with the people in Ukraine who continue to demonstrate in favor of their sovereign right to chart an independent and democratic future for their country.

Whereas, the government of Ukraine made significant progress

toward meeting the requirements and signing an Association Agreement and Free Trade Agreement with the European Union; and

Whereas, in November 2013, Ukrainian President Viktor Yanukovich suspended preparations for signing the Association Agreement and a Free Trade Agreement with the European Union following several months of pressure from the Russian Federation; and

Whereas, this reversal of policy triggered peaceful demonstrations by millions of Ukrainians in Kyiv and cities throughout the country and the world, including Cleveland, to demand closer European integration; and

Whereas, in response to these peaceful protests, Ukrainian authorities have resorted to cruel brutality, repression, censorship and violence; and

Whereas, clashes between police and protesters have resulted in scores of confirmed deaths and thousands of injuries including targeted attacks on members of the media and medical personnel; and

Whereas, two days ago, Ukrainian President Yanukovich fled the country and a warrant is out for his arrest for "mass killings of civilians"; and

Whereas, Cleveland is the home of tens of thousands of people of Ukrainian descent who continue to support a constructive and peaceful solution to the crisis; and

Whereas, this Council supports Ukrainians' aspirations for democracy, national sovereignty and association with Europe, in accordance with their universal right to choose their own future, free of fear, intimidation and outside interference; and

Whereas, the United States government must continue to support the desire of millions of Ukrainian citizens for democracy and human rights with any all appropriate measures, including targeted sanctions against those who authorize or engage in the use of force against protesters, targeted financial assistance for people-to-people cooperation between Ukraine and the United States, including Cleveland-based institutions, and to use every appropriate international organization and agreement-e.g. International Monetary Fund, the United Nations, World Trade Organization, Organization for Security and Cooperation in Europe-to defend Ukrainians' right to democracy and national sovereignty; 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 hereby supports and is in solidarity with the people in Ukraine who continue to demonstrate in favor of their sovereign right to chart an independent and democratic future for their country.

Section 2. That the Clerk of Council is hereby directed to transmit a copy of this resolution to United Ukrainian Organizations of Ohio.

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 February 24, 2014.
Effective February 26, 2014.

REPRINT

Ord. No. 200-14.
By Council Members Cimperman, K. Johnson, Brancatelli and Kelley (by departmental request).

An emergency ordinance to vacate a portion of Jefferson Avenue, S.W.

Whereas, under Resolution No. 838-13, adopted August 14, 2013, this Council declared its intention to vacate a portion of Jefferson Avenue; and

Whereas, notice of the adoption of the above vacation was served on the abutting property owners affected by the resolution which stated a time and place when objections would be heard before the Board of Revision of Assessments; and

Whereas, on January 14, 2014, the Board of Revision of Assessments approved the above vacation under the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating a portion of the above and that it will not be detrimental to the general interest and that it should be made; 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 declares that the following described real property is vacated:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being part of original Brooklyn Township Lot number 87 and original 100 Acre Lots numbers 268 and 269.

Being all that portion of Jefferson Avenue S.W. (60.00 feet wide) extending from the west right of way of Rockefeller Avenue (66.00 feet wide) westerly to the east dock line of the Cuyahoga River established by City of Cleveland ordinance # 63410-A passed October 01, 1924.

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

Section 2. That there is reserved to the City of Cleveland an easement of full width as described above for the Illuminating Company (CEI) and an easement of full width as described above for ingress/egress to all abutting parcels, including the most northeasterly portion, for Ava Land Corporation.

That no structures shall be erected on the premises described in this easement except those constructed under the approval of, and in compliance with, plans approved by the Illuminating Company (CEI) and the City of Cleveland.

Section 3. That provided all required approvals have been

obtained, the Manager of Engineering and Construction is directed to record the vacation plat in the office of the Recorder of Cuyahoga County.

Section 4. That the Clerk of Council is directed to transmit a copy of this ordinance to the Fiscal Officer of Cuyahoga County.

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 February 24, 2014.
Effective February 26, 2014.

REPRINT

Ord. No. 274-14.
By Council Member Zone.
An emergency ordinance consenting and approving the issuance of a permit for the Hermes 10 Miler, on April 26, 2014, sponsored by the Hermes Sports & Events, Inc.

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 pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Hermes 10 Miler, sponsored by the Hermes Sports & Events, Inc., on April 26, 2014, start: Run/Walk Route: Edgewater Park, exit park west up bike path to West Blvd., West Blvd. south to Lake, Lake west to West 117th then into the City of Lakewood, returning from Lakewood, Lake east to Detroit, Detroit east to West 67th, West 67th north to Father Caruso Dr., Father Caruso east to Tunnel to Edgewater park and finish; Road Usage: Only the westbound lanes will be used on Lake Avenue from West 117th to Detroit going out and coming back from Lakewood; all residents on Lake Ave, West 76th, Father Caruso Dr., will be notified and assisted to enter or exit as needed; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

Section 2. 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.

Passed February 24, 2014.
Effective February 26, 2014.

REPRINT

Ord. No. 275-14.
By Council Member Zone.
An emergency ordinance consenting and approving the issuance of a permit for the Max Hayes School Run, on April 6, 2014, sponsored by the Hermes Sports & Events, Inc.

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 pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Max Hayes School Run, sponsored by the Hermes Sports & Events, Inc., on April 6, 2014, start: Max Hayes High School, West 45th south to Franklin, Franklin west to West 52nd, West 52nd south to Lorain, Lorain west to West 53rd, West 53rd south to West 55th, West 55th south to Clark, turn around and return same route to finish line at Max Hayes School, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

Section 2. 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.

Passed February 24, 2014.
Effective February 26, 2014.

REPRINT

Ord. No. 276-14.
By Council Member Dow.
An emergency ordinance consenting and approving the issuance of a permit for the United Cerebral Palsy of Greater Cleveland Run, on May 4, 2014, sponsored by the Hermes Sports & Events, Inc.

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 pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the United Cerebral Palsy of Greater Cleveland Run, sponsored by the Hermes Sports & Events, Inc., on May 4, 2014, start: UCP office 10011 Euclid, Euclid east to East 105th, East 105th north to MLK, MLK north to Superior ramp turn around, return same route back to UCP office, finish line at rear of UCP offices in parking lot off East 100th St., provided that the applicant sponsor shall meet all the require-

ments of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

Section 2. 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.

Passed February 24, 2014.
Effective February 26, 2014.

COUNCIL COMMITTEE MEETINGS

Monday, March 10, 2014

9:30 a.m.

Health and Human Services Committee: Present: Cimperman, Chair; Brady, Cummins, J. Johnson. *Authorized Absence:* Mitchell, Vice Chair; Cleveland, Conwell. *Pro tempore:* Brancatelli, Kelley.

2:00 p.m.

Development, Planning & Sustainability Committee and Finance Committee: Present in DP&S: Brancatelli, Chair; Cimperman, Cummins. *Authorized Absence:* Cleveland, Vice Chair; Dow, Pruitt, Zone. *Pro tem-*

pore: Keane, Kelley. Present in Finance: Kelley, Chair; Brady, Brancatelli, Keane. *Authorized Absence:* Cleveland, Chair; Conwell, Mitchell, Pruitt, Zone. *Pro tempore:* Cummins, Cimperman.

Finance Committee: Present: Kelley, Chair; Brady, Brancatelli, Keane. *Authorized Absence:* Cleveland, Chair; Conwell, Mitchell, Pruitt, Zone. *Pro tempore:* Cummins, Cimperman.

Wednesday, March 12, 2014

10:00 a.m.

Transportation Committee: Present: Keane, Chair; K. Johnson, Sweeney. *Authorized Absence:* Dow, Vice Chair; Conwell, J. Johnson, Reed. *Pro tempore:* Brancatelli.

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