

The City Record

Official Publication of the Council of the City of Cleveland



February the Ninth, Two Thousand and Eleven

Frank G. Jackson
Mayor

Martin J. Sweeney
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 Jeffrey D. Johnson
- 9 Kevin Conwell
- 10 Eugene R. Miller
- 11 Michael D. Polensek
- 12 Anthony Brancatelli
- 13 Kevin J. Kelley
- 14 Brian J. Cummins
- 15 Matthew Zone
- 16 Jay Westbrook
- 17 Dona Brady
- 18 Martin J. Sweeney
- 19 Martin J. Keane

The City Record is available online at
www.clevelandcitycouncil.org

Containing	PAGE
City Council	3
The Calendar	10
Board of Control	10
Civil Service	13
Board of Zoning Appeals	14
Board of Building Standards and Building Appeals	15
Public Notice	17
Public Hearings	17
City of Cleveland Bids	17
Adopted Resolutions and Ordinances	18
Committee Meetings	24
Index	24



DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

Ward Name Residence

- 1 Terrell H. Pruitt 3877 East 189th Street 44122
- 2 Zachary 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 Jeffrey D. Johnson 9024 Parkgate Avenue 44108
- 9 Kevin Conwell 10647 Ashbury Avenue 44106
- 10 Eugene R. Miller 13615 Kelso Avenue 44110
- 11 Michael D. Polensek 17855 Brian Avenue 44119
- 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 Jay Westbrook 1278 West 103rd Street 44102
- 17 Dona Brady 1272 West Boulevard 44102
- 18 Martin J. Sweeney 3632 West 133rd Street 44111
- 19 Martin J. Keane 15907 Colletta Lane 44111

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

First Assistant Clerk – Sandra Franklin

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

Chris Warren, Executive Assistant to the Mayor, Chief of Regional Development

Monyka S. Price, Executive Assistant to the Mayor, Chief of Education

Maureen Harper, Executive Assistant to the Mayor, Chief of Communications

Andrea V. Taylor, Executive Assistant to the Mayor, Press Secretary

Andrew Watterson, 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 – Jonmarie Wasik, Director

DIVISIONS:

Architecture and Site Development – Robert Vilkas, Chief Architect, Manager

Engineering and Construction – _____, Manager

Real Estate – _____, Commissioner

DEPT. OF LAW – Robert J. Triozzi, Director, Barbara A. Langhenry, Chief Counsel,

Richard F. Horvath, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel,

Room 106; Michael Ruffing, Law Librarian, Room 100

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

Frank Badalamenti, Manager, Internal Audit

DIVISIONS:

Accounts – Richard W. Sensenbrenner, Commissioner, Room 19

Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122

City Treasury – _____, 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 – James E. Hardy, 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 – Barry A. Withers, Director, 1201 Lakeside Avenue

DIVISIONS:

Cleveland Public Power – Ivan Henderson, Commissioner

Street Lighting Bureau – _____, Acting Chief

Utilities Fiscal Control – Dennis Nichols, Commissioner

Water – _____, Commissioner

Water Pollution Control – Ollie Shaw, 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 – Leigh Stevens, Commissioner

Property Management – Tom Nagle, Commissioner

Recreation – Kim Johnson, Commissioner

Streets – _____, Commissioner

Traffic Engineering – Robert Mavec, Commissioner

Waste Collection and Disposal – Ron Owens, Commissioner

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

Erievue Plaza

DIVISIONS:

Air Quality – Richard L. Nemeth, Commissioner

Environment – Willie Bess, Commissioner, Mural Building, 75 Erievue Plaza

Health – Karen K. Butler, Commissioner, Mural Building, 75 Erievue Plaza

DEPT. OF PUBLIC SAFETY – Martin Flask, Director, Room 230

DIVISIONS:

Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street

Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.

Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive

Fire – Paul A. Stubbs, Chief, 1645 Superior Avenue

Police – Michael C. McGrath, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

DIVISIONS:

Administrative Services – Terrence Ross, Commissioner

Fair Housing and Consumer Affairs Office – _____, Manager

Neighborhood Development – _____, Commissioner

Neighborhood Services – Louise V. Jackson, Commissioner

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

DIVISIONS:

Code Enforcement – Tyrone L. Johnson, Commissioner

Construction Permitting – Timothy R. Wolosz, Commissioner

DEPT. OF PERSONNEL AND HUMAN RESOURCES – _____, 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, Council Member Eugene R. Miller, Jeff Marks, (Board Lawyer),

Roosevelt E. Coats, Jenice Contreras, Kathryn Hall, Yasir Hamdallah, Evangeline

Hardaway, John O. Horton, Annie Key, Stephanie Morrison-Hrbek, Roland Muhammad,

Gia Hoa Ryan, Ted C. Wammes, Peter Whitt.

CIVIL SERVICE COMMISSION – Room 119, Robert Bennett, President; Michael L.

Nelson, Sr., Vice-President; Lucille Ambroz, Secretary; Members: Pastor Gregory Jordan,

Michael Fluckinger.

SINKING FUND COMMISSION – Frank G. Jackson, President; Council President Martin

J. Sweeney; Betsy Hruby, Asst. Sec’y.; Sharon Dumas, Director.

BOARD OF ZONING APPEALS – Room 516, Carol A. Johnson, Chairman; Members; John

Myers, Ozell Dobbins, Joan Shaver Washington, Tim Donovan, Jan Huber, Secretary.

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS – Room 516, J.F.

Denk, Chairman; _____, Arthur Saunders, Alternate Members – D. Cox, P.

Frank, E. P. O’Brien, Richard Pace, J.S. Sullivan.

BOARD OF REVISION OF ASSESSMENTS – Law Director Robert J. Triozzi, President;

Finance Director Sharon Dumas, Secretary; Council President Martin J. Sweeney.

BOARD OF SIDEWALK APPEALS – Service Director Jonmarie Wasik, Law Director

Robert J. Triozzi; Council Member Eugene R. Miller.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Robert J. Triozzi; Utilities

Director Barry A. Withers; Council President Martin J. Sweeney.

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 Robert J. Triozzi; Chairman; Finance

Director Sharon Dumas; Council President Martin J. Sweeney; 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, Michael Rastatter, Jr., John Torres, N. Kurt Wiebusch, Robert

Keiser, Secretary.

AUDIT COMMITTEE – Yvette M. Iutu, Chairman; Debra Janik, Bracy Lewis, Diane

Downing, Donna Sciarappa, Council President Martin J. Sweeney; Law Director Robert

J. Triozzi.

CLEVELAND MUNICIPAL COURT

JUSTICE CENTER – 1200 ONTARIO STREET

JUDGE COURTROOM ASSIGNMENTS

Judge Courtroom

Presiding and Administrative Judge Ronald B. Adrine – Courtroom 15A

Judge Marilyn B. Cassidy – Courtroom 12B

Judge Michelle Denise Earley – Courtroom 12C

Judge Emanuella Groves – Courtroom 14B

Judge Anita Laster Mays – Courtroom 14C

Judge Lynn McLaughlin-Murray – Courtroom 12A

Judge Lauren C. Moore – Courtroom 14A

Judge Charles L. Patton, Jr. – Courtroom 13D

Judge Raymond L. Pianka (Housing Court Judge) – Courtroom 13B

Judge Michael John Ryan – Courtroom 13A

Judge Angela R. Stokes – Courtroom 15C

Judge Pauline H. Tarver – Courtroom 13C

Judge Joseph J. Zone – Courtroom 14D

Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Paul J.

Mizerak – 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. 98

WEDNESDAY, FEBRUARY 9, 2011

No. 5070

CITY COUNCIL

MONDAY, FEBRUARY 7, 2011

The City Record
Published weekly by the City Clerk,
Clerk of Council under authority
of the Charter of the
City of Cleveland
The City Record is available
online at

www.clevelandcitycouncil.org
Address all communications to

PATRICIA J. BRITT
City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2010-2013

MONDAY — Alternating

9:30 A.M. — **Public Parks, Properties, and Recreation Committee:** K. Johnson, Chair; Conwell, Vice Chair; Brancatelli, Cimperman, Dow, Polensek, Reed.

9:30 A.M. — **Health and Human Services Committee:** Cimperman, Chair; J. Johnson, Vice Chair; Conwell, Keane, Kelley, Reed, Zone.

11:00 A.M. — **Public Service Committee:** Miller, Chair; Cummins, Vice Chair; Cleveland, Dow, K. Johnson, Keane, Polensek, Pruitt, Sweeney.

11:00 A.M. — **Legislation Committee:** Mitchell, Chair; K. Johnson, Vice Chair; Brancatelli, Cimperman, Cleveland, Reed, Sweeney.

MONDAY

2:00 P.M. — **Finance Committee:** Sweeney, Chair; Kelley, Vice Chair; Brady, Brancatelli, Cleveland, Keane, Miller, Mitchell, Polensek, Pruitt, Westbrook.

TUESDAY

9:30 A.M. — **Community and Economic Development Committee:** Brancatelli, Chair; Dow, Vice Chair; Cimperman, Cummins, J. Johnson, Miller, Pruitt, Westbrook, Zone.

1:30 P.M. — **Employment, Affirmative Action and Training Committee:** Pruitt, Chair; Miller, Vice Chair; Cummins, J. Johnson, K. Johnson, Mitchell, Westbrook.

WEDNESDAY — Alternating

10:00 A.M. — **Aviation and Transportation Committee:** Keane, Chair; Pruitt, Vice Chair; Cummins, J. Johnson, K. Johnson, Kelley, Mitchell.

10:00 A.M. — **Public Safety Committee:** Conwell, Chair; Polensek, Vice Chair; Brady, Cleveland, Cummins, Dow, Miller, Mitchell, Zone.

WEDNESDAY — Alternating

1:30 P.M. — **Public Utilities Committee:** Kelley, Chair; Brady, Vice Chair; Conwell, Cummins, Dow, Miller, Polensek, Pruitt, Westbrook.

1:30 P.M. — **City Planning Committee:** Cleveland, Chair; Westbrook, Vice Chair; Brady, Conwell, Dow, Keane, Zone.

The following Committees are subject to the Call of the Chair:

Rules Committee: Sweeney, Chair; Cleveland, Keane, Polensek, Pruitt.

Personnel and Operations Committee: Westbrook, Chair; Conwell, K. Johnson, Kelley, Mitchell, Sweeney, Zone.

Mayor's Appointment Committee: Dow, Chair; Cleveland, Kelley, Miller, Sweeney.

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, February 7, 2011

The meeting of the Council was called to order, The President, Martin J. Sweeney in the Chair.

Council Members present: Brady, Brancatelli, Cimperman, Cleveland, Conwell, Cummins, Dow, J. Johnson, K. Johnson, Keane, Kelley, Miller, Mitchell, Polensek, Pruitt, Reed, Sweeney, Westbrook and Zone.

Also present were Mayor Frank G. Jackson, Ken Silliman, Chief of Staff, Darnell Brown, Chief Operating Officer, Valarie J. McCall, Chief of Government Affairs, Chris Warren, Chief of Regional Development, Monyka S. Price, Chief of Education, Maureen Harper, Chief of Communications, Andrew Watterson, Chief of Sustainability, Natoya J. Walker-Minor, Chief of Public Affairs - Interim Director of Office of Equal Opportunity, and Directors Triozzi, Dumas, Withers, Smith, Flask, Cox, Rush, Rybka, Nichols, Griffin, Brown, Fumich, Lucille Ambroz, Secretary, Civil Service and Teresa Stevenson of Legislative Affairs.

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

MOTION

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

COMMUNICATIONS

File No. 192-11.
From: Ohio State Senator Nina Turner — Re: acknowledgement receipt of Resolution No. 1576-10 in support of House Bill 75 and Resolution No. 1525-10, urging Governor Kasich to continue the 3C rail project to preserve and create good-paying jobs. Received.

File No. 193-11.

From Northeast Shores Development Corporation — general partner, Apartments at the LaSalle Theater — Scattered, (Ward 11) funding programs by Ohio Housing Finance Agency. Public Notification Letter. Received.

PLATS

File No. 194-11.

Council Member Cimperman (Ward 3).

Vacation and Dedication Plat for Cul-d-sac @ West 29th Street

Approved by Planning Director; Referred to Committees on City Planning and Public Works.

File No. 41-11.

Council Member Cimperman (Ward 3).

Dedication Plat of Loop Road, N.W. for Roadway purposes located north of Detroit Avenue at West 25th Street.

Approved by Planning Director; Approved by Committees on City Planning and Public Service.

Without objection, Plat approved. Yeas 19. Nays 0.

File No. 42-11.

Council Member Cleveland (Ward 5).

Dedication Plat of East 70th Street and Anita Kennedy Road, S. E. for Roadway purposes Garden Valley Estates Phase 1. Located south of Kinsman Road, East 71st Street to Sidaway Avenue.

Approved by Planning Director; Approved by Committees on City Planning and Public Service.

Without objection, Plat approved. Yeas 19. Nays 0.

CONDOLENCE RESOLUTIONS

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

Res. No. 195-11—John Clarence Washington.

Res. No. 196-11—George Roland Minter.

CONGRATULATION RESOLUTIONS

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

Res. No. 197-11—Cleveland People.com.

Res. No. 198-11—Leon D. Bibb.

Res. No. 199-11—Gary G. Thomas.

Res. No. 200-11—Jay Williams.

RECOGNITION RESOLUTIONS

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

Res. No. 201-11—Joseph A. "Jake" Konys.

Res. No. 202-11—Robert D. Bullard, Ph.D.

Res. No. 203-11—Greater Cleveland Aquarium.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 175-11.

By Council Members Keane and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. 69220 with Weather Forecast Inc. of Ohio to provide for the use and occupancy of space located in the passenger terminal building at Burke Lakefront Airport for activities necessary for forecasting weather.

Whereas, under the authority of Ordinance No. 359-09, passed May 4, 2009, the Director of Port Control entered into Contract No. 69220 with Weather Forecast Inc. of Ohio for the use and occupancy of space located in the passenger terminal building at Burke Lakefront Airport for activities necessary for forecasting weather; and

Whereas, Ordinance No. 359-09 requires further legislation before exercising the first option to renew on this contract; and

Whereas, for the use of the Leased Premises Weather Forecast, Inc. of Ohio shall pay the City an annual fee of \$3,458.04, payable in monthly installments of \$288.17. This amount is based on a fair market appraisal price of \$13.00 per square foot; 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 Port Control is authorized to exercise the first option to renew Contract No. 69220 for an additional year with Weather Forecast Inc. of Ohio for the use and occupancy of space located in the passenger terminal building at Burke Lakefront Airport for activities necessary for forecasting weather. This ordinance constitutes the additional legislative authority required by Ordinance No. 359-09 to exercise this option.

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 Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

Ord. No. 176-11.

By Council Members Keane and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. 69361 with Premier Flight Academy to provide for the use and occupancy of space located in the passenger terminal building at Burke Lakefront Airport for activities necessary for training and instruction of student pilots.

Whereas, under the authority of Ordinance No. 358-09, passed May 4, 2009, the Director of Port Control entered into Contract No. 69361 with Premier Flight Academy for the use and occupancy of space located in the passenger terminal building at Burke

Lakefront Airport for activities necessary for training and instruction of student pilots; and

Whereas, Ordinance No. 358-09 requires further legislation before exercising the first option to renew on this contract; and

Whereas, for the use of the Leased Premises Premier Flight Academy shall pay the City an annual fee of \$18,720.00, payable in monthly installments of \$1,560.00. This amount is based on a fair market appraisal price of \$13.00 per square foot; 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 Port Control is authorized to exercise the first option to renew Contract No. 69361 for an additional year with Premier Flight Academy for the use and occupancy of space located in the passenger terminal building at Burke Lakefront Airport for activities necessary for training and instruction of student pilots. This ordinance constitutes the additional legislative authority required by Ordinance No. 358-09 to exercise this option.

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 Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

Ord. No. 177-11.

By Council Members Keane and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. 69370 with Bencin Aviation, dba Precision Helicopter Services to provide for the use and occupancy of space located in the passenger terminal building at Burke Lakefront Airport for activities necessary for training and instruction of student helicopter pilots.

Whereas, under the authority of Ordinance No. 356-09, passed May 4, 2009, the Director of Port Control entered into Contract No. 69370 with Bencin Aviation, dba Precision Helicopter Services for the use and occupancy of space located in the passenger terminal building at Burke Lakefront Airport for activities necessary for training and instruction of student pilots; and

Whereas, Ordinance No. 356-09 requires further legislation before exercising the first option to renew on this contract; and

Whereas, for the use of the Leased Premises Bencin Aviation shall pay the City an annual fee of \$2,313.96, payable in monthly installments of \$192.83. This amount is based on a fair market appraisal price of \$13.00 per square foot; 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 Port Control is authorized to exercise the first option to renew Contract No.

69370 for an additional year with Bencin Aviation, dba Precision Helicopter Services for the use and occupancy of space located in the passenger terminal building at Burke Lakefront Airport for activities necessary for training and instruction of student helicopter pilots. This ordinance constitutes the additional legislative authority required by Ordinance No. 356-09 to exercise this option.

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 Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

Ord. No. 178-11.

By Council Members Keane and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. 69405 with T & G Flying Club, Inc. to provide for the use and occupancy of space located in the passenger terminal building at Burke Lakefront Airport for activities necessary for training and instruction of student pilots.

Whereas, under the authority of Ordinance No. 360-09, passed May 4, 2009, the Director of Port Control entered into Contract No. 69405 with T & G Flying Club, Inc. for the use and occupancy of space located in the passenger terminal building at Burke Lakefront Airport for activities necessary for training and instruction of student pilots; and

Whereas, Ordinance No. 360-09 requires further legislation before exercising the first option to renew on this contract; and

Whereas, for the use of the Leased Premises T & G Flying Club shall pay the City an annual fee of \$20,175.96, payable in monthly installments of \$1,681.33. This amount is based on a fair market appraisal price of \$13.00 per square foot; 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 Port Control is authorized to exercise the first option to renew Contract No. 69405 for an additional year with T & G Flying Club, Inc. for the use and occupancy of space located in the passenger terminal building at Burke Lakefront Airport for activities necessary for training and instruction of student pilots. This ordinance constitutes the additional legislative authority required by Ordinance No. 360-09 to exercise this option.

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 Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

Ord. No. 179-11.
By Council Member Brancatelli.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 75th Street to Chad Murray.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; 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 under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to Chad Murray.

Section 2. That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 133-02-033

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being the Northerly part of Sublot No. 109 in the H. S. Whittlesey's Subdivision of part of Original One Hundred Acre Lot No. 319, as shown by the recorded plat in Volume 7 of Maps, Page 31 of Cuyahoga County Records, and bounded and described as follows:

Beginning in the Easterly line of East 74th Street, at the intersection of the Northerly line of the Wheeling and Lake Erie Railroad right-of-way, with the Westerly line of Sublot No. 109; thence Northerly along said Westerly line to the Northwest corner thereof, thence Easterly along the Northerly line of said Sublot, 128 feet to the Northeast corner thereof, thence Southerly along the Easterly line of said Sublot to the Northerly line of said Railroad's right-of-way; thence Westerly along said right-of-way to the place of beginning, be the same more or less, but subject to all legal highways.

P. P. No. 133-02-034

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio; and known as being Sublot No. 110 in H. S. Whittlesey's Allotment of part of Original One Hundred Acre Lot No. 319 as shown by the recorded plat in Volume 7 of Maps, Page 31 of Cuyahoga County Records and being 40 feet front on the Westerly side of East 75th Street (formerly Groton Street) and extending back of equal width 128 feet to the Easterly line of East 74th Street (formerly Mound Street), as appears by said plat, be the same more or less, but subject to all legal highways.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the

Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

Section 6. 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.

Referred to Directors of Community Development City Planning Commission Finance, Law; Committees on Community and Economic Development Finance.

Ord. No. 180-11.

By Council Member Mitchell.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 12615 Buckeye Road to Harper Industries, Inc.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; 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 under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to Harper Industries, Inc.

Section 2. That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 129-16-035

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 123 and 124 in Wm. M. Southern Brugg Farm Subdivision of part of Original One Hundred Acre Lot No. 429, as shown by the recorded plat in Volume 35 of Maps, Page 9 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Westerly line of East 127th Street, (formerly Brugge Street), at its point of intersection with the Northerly line of Buckeye

Road S.E., (formerly South Woodland Avenue); thence Westerly along said Northerly line of Buckeye Road S.E., 80 feet to the Southwesterly corner of said Sublot No. 123; thence Northerly along the Westerly line of said Sublot No. 123, 100 feet; thence Easterly about 80 feet to a point in said Westerly line of East 127th Street distant 100 feet Northerly, (measured along said Westerly line), from the place of beginning; thence Southerly along said Westerly line of East 127th Street, 100 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

Section 6. 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.

Referred to Directors of Community Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, Finance.

Ord. No. 181-11.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with The Greater Cleveland Sports Commission to provide financial assistance to organize and administer programs for marketing the City of Cleveland as a venue for sporting events and to actively market the Cleveland Public Hall as a premier site for the hosting of major events.

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

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

Section 1. That the Director of Economic Development is authorized to enter into a grant agreement with The Greater Cleveland Sports Commission to provide financial assistance to organize and administer programs for marketing the City of Cleveland as a venue for sporting

events and to actively market the Cleveland Public Hall as a premier site for the hosting of major events.

Section 2. That the costs of the grant shall not exceed an amount of \$200,000 and shall be paid from Fund No. 17 SF 652, RQS 9501, RL 2011-15.

Section 3. That the agreement and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

Section 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 Economic Development, Finance, Law; Committees on Community and Economic Development, Finance.

Ord. No. 182-11.

By Council Members Cleveland, Brancatelli and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into contract with Midtown Acquisition, LLC, or its designee, to provide economic development assistance to partially finance the acquisition, demolition, and redevelopment of 6900 and 7000 Euclid Avenue, and other associated costs necessary to redevelop the property.

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

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

Section 1. That the Director of Economic Development is authorized to enter into a loan agreement under the Vacant Property Initiative with Midtown Acquisition LLC, or its designee, to provide economic development assistance to partially finance the acquisition, demolition, and redevelopment of 6900 and 7000 Euclid Avenue, and other associated costs necessary to redevelop the property.

Section 2. That the terms of the loan shall be according to the terms set forth in the Summary contained in File No. 182-11-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, and are approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the costs of any funding under this ordinance, including forgivable and nonforgivable portions, shall not exceed \$720,000, and shall be paid from Fund No. 17 SF 008, RQS 9501, RL 2011-13.

Section 4. That the Director of Economic Development is authorized to accept such collateral as the director determines is sufficient in order to secure repayment of the loan. Any loan agreement, security instrument, or other document shall be prepared and approved by the Director of Law.

Section 5. That the Director of Economic Development is authorized to accept monies in repayment of the loan and to deposit the monies in Fund No. 17 SF 006.

Section 6. That the Director of Economic Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and the fees are appropriated to cover

costs incurred in the preparation of the loan application, closing and servicing of the loan. The fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

Section 7. That the contract and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

Section 8. The contract authorized in this legislation will require the recipient of financial assistance to work with, and/or cause their Tenants to work with, The Workforce Investment Board for Workforce Area No. 3 to identify and solicit qualified candidates for job opportunities related to the City's contracts, and place special emphasis on the hard to employ, including but not limited to the disabled and persons who have been convicted of or have pled guilty to a criminal offense, unless the criminal conviction or related circumstances relate to the duties for the particular job sought.

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

Referred to Directors of Economic Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

Ord. No. 183-11.

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

An emergency ordinance authorizing the Director of Personnel and Human Resources to employ one or more professional consultants to administer the City's employee assistance program for a one year period, with a one-year option to renew, exercisable by the Director.

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 Personnel and Human Resources, or the Director of Human Resources, if renamed under Ordinance No. 92-11, is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to administer the City's employee assistance program for a one year period, with a one-year option to renew, exercisable by the Director.

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

Section 2. That the cost of contract or contracts authorized shall be paid from Fund No. 01-0402-632000 and from any fund appropriated for this purpose in budget year 2011, RQS 0402, RL 2011-19.

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 Personnel and Human Resources, Finance, Law; Committees on Employment and Affirmative Action, Finance.

Ord. No. 184-11.

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

An emergency ordinance authorizing the Director of Personnel and Human Resources to employ one or more professional consultants to administer the City's COBRA program and HIPAA compliance for a one year period, with a one-year option to renew, exercisable by the Director.

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 Personnel and Human Resources, or the Director of Human Resources if renamed under Ordinance No. 92-11, is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to administer the City's COBRA program and HIPAA compliance for a one year period, with a one-year option to renew, exercisable by the Director.

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

Section 2. That the cost of the contracts authorized shall be paid from Fund No. 01-0402-632000, RQS 0402, RL 2011-18.

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 Personnel and Human Resources, Finance, Law; Committees on Employment and Affirmative Action, Finance.

Ord. No. 185-11.

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

An emergency ordinance to amend Sections 1 and 2 of Ordinance No. 770-09, passed June 8, 2009, relating to applying for and accepting a grant from Living Cities for the Reimagining and Re-using Vacant Land in Cleveland Program and authorizing

implementing contracts; to supplement the ordinance by adding new Section 4, and renumbering existing Sections 4 and 5 to new Sections 5 and 6.

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. 770-09, passed June 8, 2009, are amended to read as follows:

Section 1. That the Director of City Planning is authorized to apply for and accept a grant in the approximate amount of \$300,000, and any other funds that become available during the grant term from Living Cities to conduct the Reimagining and Re-using Vacant Land in Cleveland Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the award letter **and in the e-mail from Dave Laflaur of Living Cities, dated November 29, 2010,** and letter from Chris Warren dated November 15, 2010, for the grant contained in the file described below.

Section 2. That the award letter for the grant **and the e-mail from Dave Laflaur of Living Cities, dated November 29, 2010,** and letter from Chris Warren dated November 15, 2010, File No. 770-09-A **and 770-09-B,** made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, **are** approved in all respects and shall not be changed without additional legislative authority.

Section 2. That existing Sections 1 and 2 of Ordinance No. 770-09, passed June 8, 2009, are repealed.

Section 3. That Ordinance No. 770-09, passed June 8, 2009, is supplemented by adding new Section 4 to read as follows:

Section 4. That the Director of City Planning is authorized to enter into an amendment to the contract with Stephanie Howse, entered into under Ordinance No. 770-09, to include managing and preparing all reports for the Cleveland Opportunity Corridor Brownfield Area Wide Planning Pilot Program, and expiring May 31, 2011.

Section 4. That existing Sections 4 and 5 of Ordinance No. 770-09, passed June 8, 2009, are renumbered to new "Section 5" and "Section 6".

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 City Planning Commission, Finance, Law; Committees on City Planning, Finance.

Ord. No. 188-11.

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

An emergency ordinance authorizing the Director of Personnel and Human Resources to employ one or more professional consultants to administer the City's employee assistance program for a one year period, with a one-year option to renew, exercisable by the Director.

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 Personnel and Human Resources, or the Director of Human Resources, if renamed under Ordinance No. 92-11, is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to administer the City's employee assistance program for a one year period, with a one-year option to renew, exercisable by the Director.

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

Section 2. That the cost of contract or contracts authorized shall be paid from Fund No. 01-0402-632000 and from any fund appropriated for this purpose in budget year 2011, RQS 0402, RL 2011-19.

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 Safety, Law; Committees on Public Safety, Legislation, Finance.

Ord. No. 189-11.

By Council Members Conwell, Brancatelli, Cleveland and Sweeney (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by SDC University Circle Developer LLC, or its designee, located at 2021 Cornell Road for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code; and authorizing an agreement with SDC University Circle Developer LLC, or its designee.

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 notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized to acquire from and reconvey to, SDC University Circle Developer LLC, or its designee, for a price of one dollar and other valuable considerations determined as fair market value, the following property for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code and more fully described as follows:

LEGAL DESCRIPTION

OF A

0.4095 ACRE PARCEL OF LAND

Situated in the City of Cleveland, County of Ohio and State of Ohio, and known as being all of Sublot Numbers 196 and 197 in Knight and Richardson's Re-Subdivision of part of Original One Hundred Acre Lot Number 403, as shown on the recorded plat in Volume 24 of Maps, Page 17 of Cuyahoga County Records;

Commencing at a stone monument found at the center line intersection of Cornell Road, 60 feet wide, and Euclid Avenue, 100 feet wide, of which said monument bears South 42°52'23" West, and passing over a drill hole in monument found, 0.07 feet (East), at the center line intersection of said Euclid Boulevard and Mayfield Road, 84 feet wide, a distance of 202.85 feet therefrom, a total distance of 324.08 feet to a one inch iron pin monument found on said center line of Euclid Boulevard; thence South 47°03'17" East along the center line of Cornell Road, 60 feet wide, a distance of 193.77 feet to a point therein; thence North 42°52'23" East, a distance of 30.00 feet to a p.k. nail or drill hole and "x" to be set on the northerly line of said Cornell Road and the southeasterly corner of land now or formerly owned by University Circle East LLC, an Ohio limited liability company, Permanent Parcel No. 121-01-001, said point also being the TRUE POINT OF BEGINNING for the land hereinafter described, thence clockwise along the following six courses and distances:

Thence continuing North 42°52'23" East along the easterly line of said University Circle East LLC, and its northeasterly prolongation, a distance of 169.51 feet to a 5/8 inch iron pin with cap, "GPD" to be set on the southerly line of land now or formerly owned by University Circle East LLC, an Ohio limited liability company, Permanent Parcel No. 121-01-004;

Thence South 47°03'17" East along the southerly line of said University Circle East LLC, and its southeasterly prolongation, a distance of 46.00 feet to a 5/8 inch iron pin with cap, "GPD" to be set at the most southeasterly corner of land now or formerly owned by University Circle East LLC, an Ohio limited liability company, Permanent Parcel No. 121-01-006;

Thence North 42°52'23" East along the easterly line of land now or formerly owned by University Circle East LLC, a distance of 30.49 feet to a 5/8 inch iron pin with cap, "GPD" to be set an angle point;

Thence South 47°03'17" East continuing along the easterly line of said University Circle East LLC, and its southeasterly prolongation, a calculated distance of 50.21 feet to a 5/8 inch iron pin found, 0.15 feet (East) and 0.10 feet (North) at the most southeasterly corner of land now or formerly owned by University Circle East LLC, an Ohio limited liability company, Permanent Parcel No. 121-01-007, and the northwesterly corner of land now or formerly owned by University Hospitals of Cleveland, an Ohio corporation not for profit, Permanent Parcel No 121-01-031;

Thence South 42°52'23" West along the westerly line of said University Hospitals of Cleveland, a distance of 200.00 feet to a p.k. nail or drill hole and "x" to be set on the northerly line of aforementioned Cornell Road, 60 feet, and the southwest corner thereof;

Thence North 47°03'17" West along the northerly line of Cornell Road, 60

feet wide, a calculated distance of 96.21 feet to the True Point of Beginning, and containing 0.4095 acre (17,840 square feet) of land, more or less, and subject to all easements, restrictions, and covenants of record.

Basis of Bearing : State Plane Grid North NAD83 (NSRS2007), Ohio North Zone.

Section 2. That the Director of Economic Development is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire and to convey the properties and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition of the properties.

Section 3. That this Council finds that the conveyances constitute a public purpose.

Section 4. That the conveyance shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland.

Section 5. That the Director of Economic Development is authorized to enter into an agreement with SDC University Circle Developer LLC, or its designee, which shall include the terms and conditions of the transaction authorized by this ordinance.

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

Referred to Directors of Economic Development, City Planning Commission, Finance, Law; Committees Community and Economic Development, City Planning, Finance.

Ord. No. 190-11.
By Council Members Brancatelli and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Community Development to apply for and accept grants from the United States Department of Housing and Urban Development for the CDBG Year 37 under the Title I of the Housing and Community Development Act of 1974, for the 2011 Federal HOME Grant Program, Emergency Shelter Grant Program, and the Housing Opportunities for Persons with AIDS Program.

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

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

Section 1. That the Director of Community Development is authorized to apply for and accept grants from the U. S. Department of Housing and Urban Development (HUD) in the following approximate amounts: \$23,600,000 to conduct the 2011 Year 37 Community Development Block Grant Program; \$ 6,000,000 to conduct the Federal HOME Grant Program; \$1,100,000 to conduct the Emergency Shelter Grant Program; and \$ 975,000 for the Housing Opportunities for Persons with AIDS (HOPWA) Program, for the purposes set forth in the budgets and according thereto and in compliance with the requirements of Title I of the Housing and Community Development Act of 1974 and applicable rules and regulations. That the Director of Community Development is authorized to file all papers and execute all documents necessary to

receive the funds under the grants, and that the funds are appropriated for the purposes set forth in the budgets for the grants.

Section 2. That the budgets for the grants, placed in File No. 190-11-A, made a part hereof as if fully rewritten herein, are approved in all respects.

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 Community Development, Finance, Law; Committees Community and Economic Development, Finance.

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

Ord. No. 186-11.
By Council Members Pruitt and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to employ one or more professional services necessary to provide group medical, prescription, and dental insurance coverage, vision and life insurance coverage, the medical reimbursement accounts, dependent care accounts, and premium pass-through benefits under Internal Revenue Code Section 125 for City of Cleveland employees, for a period of one year.

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 Personnel and Human Resources, or the Director of Human Resources, if renamed under Ordinance No. 92-11, is authorized to enter into one or more contracts in order to provide professional services necessary to provide group medical, prescription, and dental insurance coverage, vision and life insurance coverage, the medical reimbursement accounts, dependent care accounts, and premium pass-through benefits under Internal Revenue Code Section 125 for City of Cleveland employees, for a period of one year.

The selection of the carriers shall be made by the Board of Control on the nomination of the Director from a list of qualified carriers as may be determined after a full and complete canvass by the Director for the purpose of compiling a list. The cost to be paid for the contracts shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Human Resources, and certified by the Director of Finance.

Section 2. That the contracts shall be prepared by the Director of Law and shall contain any conditions and provisions that the Director deems necessary to protect and benefit the public interest including terms related to which insurance coverage will cover employees consistent with the terms of the collective bargaining agreements ratified by the City, and the terms and conditions for transferring employees from one plan to another as collective bargaining agreements are ratified by the City.

Section 3. That the cost of the contract or contracts authorized shall be paid from funds appropriated in budget year 2011 for this purpose, RQN 0402, RL 2011-1.

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.

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

**FIRST READING EMERGENCY
RESOLUTIONS READ IN
FULL AND ADOPTED**

Res. No. 187-11.
By Council Member Westbrook.

An emergency resolution approving the recommendation of the Personnel and Operations Committee of the hiring of certain employees by Cleveland City Council.

Whereas, Section 31 of the Charter of the City of Cleveland mandates that the Council shall choose "such...employees of its own body as are necessary; and

Whereas, under Rule 12-1 of the Rules of Council, recommendation for hiring will come through the office of the Clerk to the Personnel and Operations Committee; and

Whereas, such recommendation has been made to the Council and is attached in File No. 187-11-A; 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 approves the recommendation of the Personnel and Operations Committee of the hiring of certain employees by Cleveland City Council, as listed in File No. 187-11-A.

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.

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 191-11.
By Council Member Reed.

An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit at 3904 Martin Luther King, Jr., Boulevard, 1st floor and repealing Resolution No. 1099-10, objecting to said renewal.

Whereas, this Council objected to a C2 and C2X Liquor Permit to 3094 Martin Luther King, Jr., Boulevard, 1st floor by Resolution No. 1099-10 adopted by the Council on August 18, 2010; and

Whereas, this Council wishes to renew and consents to said renewal; 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 objection to a C2 and C2X Liquor Permit to Pamela Hubbard, DBA McClain's Market II, 3904 Martin Luther King, Jr., Boulevard, 1st floor, Cleveland, Ohio 44105, Permanent Number 40342570005 be and the same is hereby withdrawn and Resolution No. 1099-10, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal 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.

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 1454-10.

By Council Members Dow, K. Johnson and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into one or more contracts with City Architecture Inc. for professional architectural and engineering services necessary to design improvements to League Park.

Approved by Directors of Parks, Recreation and Properties, Finance, Law; Relieved of Committee on Public Parks, Properties and Recreation, Passage recommended by Committee on Finance.

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1506-10.

By Council Members K. Johnson and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the Ohio Department of Education for the 2011 Summer Food Service Program; authorizing the purchase by requirement contract of breakfasts and lunches and for food, food products, beverages, condiments and paper products to implement the grant, for the Division of Recreation, Department of Parks, Recreation and Properties; and authorizing the Director to contract with various non-profit organizations for the implementation of the Program.

Approved by Directors of Parks, Recreation and Properties, Finance, Law; Relieved of Committee on Public Parks, Properties and Recreation, Passage recommended by Committee on Finance.

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1552-10.

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

An emergency ordinance determining the method of making the public improvement of cleaning, cement mortar lining, and replacing various distribution water mains in 2011; and authorizing the Director of Public Utilities to enter into one or more public improvement contracts for the making of the improvement.

Approved by Directors of Public Utilities, City Planning Commission, Finance, Law; Passage recommended by Committees on Public Utilities, City Planning, Finance.

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1563-10.

By Council Member Conwell.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 524 East 108th Street to Regina M. Burrell.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Passage recommended by Committees on Community and Economic Development, Finance.

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1564-10.

By Council Member Polensek.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at East 179th Street to Collinwood and Nottingham Villages Development Corporation.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Passage recommended by Committees on Community and Economic Development, Finance.

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1566-10.

By Council Member Zone.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 7278 Wentworth Avenue to Randy L. King.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Passage recommended by Committees on Community and Economic Development, Finance.

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1612-10.

By Council Members Miller, Cleveland and Sweeney (by departmental request)

An emergency ordinance authorizing the Director of Public Service to apply to the Northeast Ohio Areawide Coordinating Agency for federal highway funding to remove and replace the Commercial Road Bridge; authorizing the director to apply for and accept grants and gifts from any

public or private entity for the improvement; authorizing the director to enter into one or more agreements with the Ohio Department of Transportation, including a Local Project Agreement, and one or more agreements with railroads, the Greater Cleveland Regional Transit Authority, private utility companies, and the NEORS to make the improvement, granting consent to the State of Ohio to make the improvement; authorizing the Director to employ one or more professional consultants to design the improvement; and authorizing the Commissioner of Purchases and Supplies to acquire for right-of-way purposes such real property as is necessary to make the improvement.

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

1. In the title, line 2; in Section 1, line 1; in Section 2, line 1; in Section 3, line 1; in Section 5, line 1; and in Section 9, line 1, strike "Public Service" and insert "Capital Projects"; and in Section 4, line 1, strike "Public Service" and insert "Capital Projects and/or Director of Public Works".

Amendment agreed to.

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. 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. 1616-10.

By Council Member Cleveland.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2245 East 69th Street to Desdalena M. Trice.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Passage recommended by Committees on Community and Economic Development, Finance.

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 6-11.

By Council Members Miller and Sweeney (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of recycled or virgin asphalt concrete, for the Division of Streets, Department of Public Works and the various divisions of the Department of Public Utilities.

Approved by Directors of Public Works, Finance, Law; Passage recommended by Committees Public Service, Finance.

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 8-11.

By Council Members Keane, Miller and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Public Works to enter into an amendment to Contract No. 38890 with Pleasant Valley Enterprises for the lease of property located at 14550 Lorain Avenue, for a period of one year with two options to renew, the second of which is exercisable through additional legislative authority.

Approved by Directors of Public Works, Finance, Law; Passage recommended by Committees on Public Service, Finance, when amended, as follows:

1. In the title, strike lines 6, 7, and 8 in their entirety and insert "period of one year."

2. Strike Section 1 in its entirety and insert:

"Section 1. That, notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Works is authorized to enter into an amendment to Lease Agreement No. 38890, for the lease of property at 14550 Lorain Avenue to extend the term for one year. The rental for the extension term shall be \$88,000, payable from Fund No. 11 SF 401, RQS 4006, RL 2010-208."

Amendments agreed to.

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. 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. 10-11.

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

An emergency ordinance to amend Sections 1 and 14 of Ordinance No. 467-10, passed May 24, 2010, as amended by Ordinance No. 1520-10, passed November 29, 2010; relating to authorizing the Director of Community Development to enter into contracts and expend funds on various programs approved under the Neighborhood Stabilization 2 Program, including the Very Low Income housing project program.

Approved by Directors of Community Development, Finance, Law; Passage recommended by Committees on Community and Economic Development, Finance.

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 11-11.

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

An emergency ordinance authorizing the Director of Community Development to apply for and accept grants from the United States Department of Housing and Urban Development and the State of Ohio for the Neighborhood Stabilization Program 3 approved under the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Approved by Directors of Community Development, Finance, Law; Passage recommended by Committees on Community and Economic Development, Finance.

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 12-11.

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

An emergency ordinance authorizing the Director of Community Development to consent to the assignment of Contract Nos. 57403 and 58993 from West Virginia Building LLC to WV Lofts, LLC regarding the rehabilitation of rental units at 1830-40 West 28th Street; and authorizing the Director to enter into amendments to the assigned contracts regarding certain terms.

Approved by Directors of Community Development, Finance, Law; Passage recommended by Committees on Community and Economic Development, Finance.

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 88-11.

By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Finance to pay as Moral Claims the sums opposite the names of the claimants.

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 132-11.

By Council Members Pruitt, Reed, Polensek, Zone, Westbrook and Sweeney (by departmental request).

An emergency ordinance to levy special assessments to relay and repair sidewalks, driveway aprons and curbs, including adjustments of castings and landscaping, if necessary, encroaching upon the public rights-of-way on East 151st Street from Glendale Avenue to Bartlett Avenue; West 90th Street from Clark Avenue to Denison Avenue; West 61st Street from Detroit Avenue to Herman Avenue; and West 64th Street from Detroit Avenue to Herman Avenue.

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

MOTION

The Council Meeting adjourned at 8:05 p.m. to meet on Monday, February 14, 2011 at 7:00 p.m. in the Council Chambers.



Patricia J. Britt
City Clerk, Clerk of Council

THE CALENDAR

The following measures will be on their final passage at the next meeting:

NONE

BOARD OF CONTROL

February 2, 2011

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, February 2, 2011, at 10:35 a.m. with Director Triozzi presiding.

Present: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Acting Director Butler, Directors Flask,

Rush, Interim Director Walker-Minor, Directors Nichols, Fumich and Rybka.

Absent: Mayor Jackson.

Others: James E. Hardy, Commissioner, Purchases and Supplies.

Natoya Walker-Minor, Interim Director, Office of Equal Opportunity.

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

Resolution No. 33-11.

By Director Dumas.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Benjamin Steel Co., Inc., for an estimated quantity of miscellaneous sized steel, all items, for the various divisions of City government, Department of Finance, for the period of six months beginning with the date of execution of a contract, for goods and services, received on December 10, 2010, under the authority of Section 181.101, 1976, which on the basis of the estimated quantity would amount to \$124,669.96, (1-1/2%, 30 days), is affirmed and approved as the lowest and best bid, and the Director of Finance is requested to enter into a requirement contract for the goods and/or services, which shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$6,233.50.

The requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for the goods and/or services, whether more or less the estimated quantity, as may be order under delivery orders separately certified to the contract.

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Acting Director Butler, Directors Flask, Rush, Acting Director Walker-Minor, Directors Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 34-11.

By Director Dumas.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Dougherty Lumber Co., Inc., for an estimated quantity of lumber and supplies, Group 1, Items 1-10, 13-15, 17, 19, 21, 23-25, Group 2, Items 27-42, Group 5, Items 55, 57, 59, 61, Group 7, 67-77, 78-80, Group 8, Items, 81-94, 95, 97, 99, 101, 103, Group 9A, Item 105, Group 10, Items 107, 109, 110, 111, 113, 115, 116, 117, 119, 121, 123, 128, Group 10A, Items 131, 133, 135, 137, 139, Group 11, Items 140, 141, 142, 143, Group 12, Item 144, Group 13, Items 145-150, Group 14, Items 151-163, Group 15 Items 164-165, Group 15B, Items 166-167, Group 16, Items 168-169, Group 18, Item 171, Group 19, Items 173, 175, Group 21, Items 191, 194, Group 22, Items 197-199, Group 24, Items 242-243, Group 25, Items 244-247, for the various divisions of City government, Department of Finance, for the period of one year beginning with the date of execution of a contract, with an option to renew for one additional year for goods and services received on October 27, 2010, under the authority of Ordinance No. 592-10, passed May 24, 2010, which on the basis of the estimated quantity would amount to \$474,069.30, (1% Net 10), is affirmed and approved as the lowest and best bid, and the Director of Finance is requested to enter into a require-

ment contract for the goods and/or services, which shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$23,703.46.

The requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for the goods and/or services, whether more or less the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Acting Director Butler, Directors Flask, Rush, Acting Director Walker-Minor, Directors Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 35-11.

By Director Withers.

Whereas, under the authority of Ordinance No. 68-98, passed by the Council of the City of Cleveland on October 19, 1998 as amended by Ordinance No. 94-99, passed on March 1, 1999, and Board of Control Resolution No. 680-05, adopted on December 7, 2005, the City of Cleveland entered into City Contract No. 65332 with Washington Group International, Inc. to provide professional services for comprehensive programming of plant computer control system programmable logic controller, human machine interface and peripheral and ancillary equipment for the Plant Computer Control System (PCCS) Phase II project, for the Division of Water, Department of Public Utilities; and

Whereas, by its December 22, 2010 letter, URS Energy & Construction, Inc. ("URSECI") notified the City that on November 15, 2007, URS Corporation acquired Washington Group International, Inc. and that on February 25, 2010, Washington Group International, Inc. changed its company name to URS Energy & Construction, Inc. with no change in ownership or any other company identifiers such as its federal Employer Identification Number (EIN), or in its corporate existence, assets, and obligations; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that the City acknowledges the name change, effective February 25, 2010, of Washington Group International, Inc., contractor under City Contract No. 65332 for professional services for comprehensive programming of plant computer control system programmable logic controller, human machine interface and peripheral and ancillary equipment for the Plant Computer Control System (PCCS) Phase II project, to URS Energy & Construction, Inc.

Be it further resolved that the Director of Public Utilities is authorized to execute all documents and do all things necessary to implement the above-acknowledged change of name of Washington Group International, Inc. A copy of this resolution and any written acknowledgement shall be filed with the original of Contract No. 65332 in the custody of the Commissioner of Accounts.

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Acting Director Butler, Directors Flask, Rush, Acting Director Walker-Minor, Directors Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 36-11.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Kurtz Bros., Inc. for an estimated quantity of disposal of debris at landfills, items 3 and 4, for various Divisions of the Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on November 12, 2010 under the authority of Ordinance No. 805-10, passed July 14, 2010, which on the basis of the estimated quantity would amount to \$128,250.00 (0%, 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services, which shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$6,413.00.

The requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for the goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Acting Director Butler, Directors Flask, Rush, Acting Director Walker-Minor, Directors Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 37-11.

By Director Withers.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on November 12, 2010 for disposal of debris at landfills, item 5, for the Divisions of Water, Cleveland Public Power and Water Pollution Control, Department of Public Utilities, under the authority of Ordinance No. 805-10, passed July 14, 2010, are rejected.

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Acting Director Butler, Directors Flask, Rush, Acting Director Walker-Minor, Directors Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 38-11.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Robin's Nest Landscape LLC for an estimated quantity of snow removal services, all items, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two years starting upon execution of the contract, received on December 3, 2010, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$89,300.00 (5%, 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract, for the goods and/or services, which contract shall provide for an initial delivery order, the cost of which shall be certified against the contract in an amount not less than \$44,650.00

The requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for the goods and/or services, whether more or less than the estimated quantity, as may be ordered under subsequent delivery orders separately certified against the contract.

Be it further resolved that the employment of the following subcontractor is approved:

<u>SUBCONTRACTOR</u>	<u>DOLLAR AMOUNT</u> <u>PERCENTAGE</u>
M. Wilson Construction	\$8,500.00
MBE/CSB	9.52%

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Acting Director Butler, Directors Flask, Rush, Acting Director Walker-Minor, Directors Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 39-11.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Boyas Excavating, Inc. for an estimated quantity of disposal of debris at landfills, item 1, for various Divisions of the Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on November 12, 2010 under the authority of Ordinance No. 805-10, passed July 14, 2010, which on the basis of the estimated quantity would amount to \$1,054,400.00 (0%), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services, which shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$100,000.00 for the Division of Water and in an amount not less than \$5,270.00 for the Division of Water Pollution Control.

The requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for the goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Acting Director Butler, Directors Flask, Rush, Acting Director Walker-Minor, Directors Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 40-11.

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subconsultant by Inland Waters of Ohio, Inc., under City Contract No. PS20100000255 to provide professional services necessary to collect, analyze, resample, recycle and dispose of spent aircraft deicing fluid and to maintain and monitor valves and other appurtenances associated with regulatory compliance, authorized by Ordinance No. 446-10, passed by the Council of the City of Cleveland on May 10, 2010 and Board of Control Resolution No. 234-10, adopted June 9, 2010, is approved.

<u>Subconsultant</u>	<u>CSB/MBE/FBE%</u>	<u>Amount</u>
Underground Construction, Inc.	10.80% CSB	\$306,828.00

Be it further resolved that the approval of the employment of the following subconsultant by Inland Waters of Ohio, Inc., under City Contract No. PS20100000255 to provide professional services necessary to collect, analyze, resample, recycle and dispose of spent aircraft deicing fluid and to maintain and monitor valves and other appurtenances associated with regulatory compliance, authorized by Ordinance No. 446-10, passed by the Council of the City of Cleveland on May 10, 2010, and Board of Control Resolution No. 234-10, adopted June 9, 2010, is rescinded.

<u>Subconsultant</u>	<u>CSB/MBE/FBE%</u>	<u>Amount</u>
Environmental Affairs Management, Inc.	4.72% MBE	\$306,828.00

Be it further resolved that the amounts attributed to the subconsultants approved in Board of Control Resolution No. 234-10, adopted by this Board on June 6, 2010, are amended as follows:

<u>Subconsultant</u>	<u>Percentage</u>	<u>Amount</u>
Wilk Environmental Consulting, Inc.	3.70% CSB	\$105,117.00
Samsel Supply Company	0.30% CSB/FBE	\$ 8,523.00
Precision Analytical, Inc.	0.20% CSB/MBE	\$ 5,682.00
Quality Ribbons & Supplies Co.	0.20% CSB/FBE	\$ 5,682.00
C. J. Industrial Supplies, Inc.	0.20% CSB/FBE	\$ 5,682.00
Minority Electric Company, Inc.	0% MBE	\$ 8,523.00

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Acting Director Butler, Directors Flask, Rush, Acting Director Walker-Minor, Directors Nichols, Fumich and Rybka.
Nays: None.
Absent: Mayor Jackson.

Resolution No. 41-11.

By Director Cox.
Whereas, under Board of Control Resolution No. 117-03, adopted on February 26, 2003, under the authority of Section 131.15 of the Codified Ordinances of Cleveland, Ohio, 1976, this Board of Control established the rental rates for the Cleveland Public Auditorium; and

Whereas, Cleveland Public Auditorium will host the USA Wrestling-U.S. Open event on April 7, 2011 thru April 10, 2011 and the USA Gymnastics Region 5 Regional event on April 15, 2011 thru April 17, 2011 ("April Events"); and

Whereas, the April Events are both open to the public and the economic impact of these special events

on the Greater Cleveland economy is reflected in increased sales taxes, transient occupancy taxes, and admission taxes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that, notwithstanding and as an exception to the terms of Resolution No. 117-03, adopted by this Board on February 26, 2003, space at the Cleveland Public Auditorium for the USA Wrestling - U.S. Open event and the USA Gymnastics Region 5 Regional event shall be provided at no charge to the respective event sponsors.

Be it further resolved that the sponsors of the USA Wrestling - U.S. Open event and the USA Gymnastics Region 5 Regional event shall be charged the prevailing rates for any labor, materials and equipment supplied to their respective event at the Cleveland Public Auditorium.

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Acting Director Butler, Directors Flask, Rush, Acting Director Walker-Minor, Directors Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 42-11.

By Director Cox.
Be it resolved by the Board of Control of the City of Cleveland, that all bids received on November 17, 2010 for Gordon Square Fence Improvements for the Department of Public Works, pursuant to the authority of Ordinance No. 937-10, passed by the Council of the City of Cleveland on July 14, 2010 are rejected.

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Acting Director Butler, Directors Flask, Rush, Acting Director Walker-Minor, Directors Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 43-11.

By Director Cox.
Resolved by the Board of Control of the City of Cleveland that the bid received on December 8, 2010, for the public improvement of the West Side Market Facility Upgrades, for the Department of Public Works under the authority of Ordinance No. 487-07, passed June 4, 2007, be and the same are rejected.

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Acting Director Butler, Directors Flask, Rush, Acting Director Walker-Minor, Directors Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 44-11.

By Director Nichols.
Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 659-10, passed by the Council of the City of Cleveland on June 7, 2010, City Architecture is selected from a list of firms determined after a full and complete review by the Director of Economic Development as the firm to be employed by contract to supplement the regularly employed staff of several departments of the City of Cleveland to perform the professional services necessary to implement the Cleveland Opportunity Corridor Brownfields Area-wide Planning Pilot Program grant.

Be it further resolved that the Director of Economic Development

is authorized to enter into contract with City Architecture for the above-mentioned services, based on its proposals dated 5/13/2010 and 1/21/2011, which contract shall be prepared by the Director of Law, shall provide for the furnishing of professional services as described in the proposal for an aggregate fee of \$172,000, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control that the employment of the following subconsultants by City Architecture is approved:

<u>Subconsultant</u>	<u>Percentage</u>	<u>Amount</u>
Partners Environmental	32.0%	\$54,500.00
Studio Graphique	5.0% - CSB	\$ 9,150.00
Ariel Ventures, LLC	3.0% - CSB	\$ 5,450.00
WANIX Architects	2.0% - CSB	\$ 2,600.00

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Acting Director Butler, Directors Flask, Rush, Acting Director Walker-Minor, Directors Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 45-11.

By Secretary Ambroz.
Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 678-09, passed by the Council of the City of Cleveland on June 1, 2009, EB Jacobs, LLC is selected on nomination of the Secretary of the Civil Service Commission from a list of firms determined after a full and complete canvass by the Secretary of the Civil Service Commission, to be employed by contract to supplement the regularly employed staff of several departments of the City of Cleveland to perform the professional services necessary for the development, administration, grading and statistical analysis of a promotional exam for the positions of Sergeant, Lieutenant and Captain of Police and Lieutenant, Captain, Battalion Chief and Assistant Chief of Fire.

Be it further resolved that the Secretary of the Civil Service Commission is authorized to enter into contract with EB Jacobs, LLC based on its proposal dated November 10, 2010, which contract shall be prepared by the Director of Law, shall provide for the furnishing of professional services as described in the proposal for an aggregate fee not to exceed \$800,000.00, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Acting Director Butler, Directors Flask, Rush, Acting Director Walker-Minor, Directors 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

CIVIL SERVICE NOTICE

**ANNOUNCEMENTS — 2011
2/11/2011 — 2/17/2011**

Announ-Exam cement No.	Method	Classi- fication	Exam Type
3	WR	Chief Radio Dispatcher	Prom
4	WR	Stock Clerk	Open

PROOF OF CITY RESIDENCY

Any applicant wishing to receive residency credit will be asked to show that he/she is a bona fide resident of the City of Cleveland. The following list gives examples of items that an applicant may present **at the time of filing.** The Civil Service Commission requires a minimum of three items from at least three **different** categories, where applicable. All items must be **current.** Please note that presentation of these items does not constitute conclusive proof of bona fide residency. Acceptable categories include, but are not limited to, the following:

Lease - from rental agency.

Lease - from independent party. Must include copy of cancelled check or money order receipts for previous rent and/or security deposit, and fully executed; otherwise, it is unacceptable.

Utility bills bearing the property address **and** your name.

Post Office change of address form properly date stamped.

Official documents relating to home ownership including deed, purchase agreement, or insurance policy.

Bank statements (Within last three months).

School registration of children.

Car insurance documents.

Car registration **or** Driver's License **or** Ohio I.D. (**One only**).

Loans and credit card statements (Within last three months).

Rental contracts (e.g.: furniture, tools, car, etc.).

Current bills not listed above (Within last three months).

The following are examples of **unacceptable** categories of proof:

Library cards.

Voter registration cards.

Birth certificates.

Notarized letters or affidavits.

Social Security card.

Rental receipts from independent party without cancelled checks or money order receipt.

**APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 3**

CHIEF RADIO DISPATCHER (PROMOTIONAL)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a PROMOTIONAL examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$19.13 - \$22.80 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. **APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON FRIDAY, FEBRUARY 11, 2011 UNTIL 4:30 P.M. ON THURSDAY, FEBRUARY 17, 2011.**

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, FEBRUARY 17, 2011.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: WRITTEN

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under supervision, supervises the activities performed by police communications staff on a given shift. Schedules work assignments. Prepares employee time cards and monthly time sheets. Coordinates employee time-off requests. Distributes general police communications to workers. Updates personnel records for change status changes. Identifies employee skills training needs. Responds to requests for emergency information from media and other police personnel. Handles calls regarding claims of police misconduct. Contacts vendors when communications systems malfunction. Notifies special police units to respond to the scene of an incident. Coordinates police communications for special events and emergencies. Investigates complaints, prepares evidence, and makes recommendations related to police communications operations. Provides documentation reports for the Commander. Answers detective bureau calls on night shift. Participates in community public safety meetings. Maintains various lists, logs, and records. Prepares supply requests. Performs other job related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam). Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or GED is required. Five years of full time radio dispatch experience with the City of Cleveland is required. Must possess LEADS certification. (Must have regular status as a Police Radio Dispatcher).

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

AN EQUAL OPPORTUNITY EMPLOYER

**APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 4**

STOCK CLERK (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$10.00 - \$17.70 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission.

sion, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON FRIDAY, FEBRUARY 11, 2011 UNTIL 4:30 P.M. ON THURSDAY, FEBRUARY 17, 2011.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, FEBRUARY 17, 2011.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under immediate supervision, does routine work in connection with the operation and maintenance of a store-room. Performs related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or GED is required. Two years of full time paid experience in the receipt and stocking of items and supplies is required. Must have knowledge of computers and be able to operate an automated office including but not limited to the following: computers, printers, fax machines, and copiers. Must be able to operate appropriate software (Word, Excel, Access, and perpetual inventory software.) Must be able to lift and carry a minimum of fifty (50) pounds. A valid State of Ohio Driver's License is required.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

NOTE: Those persons who are residents of the City of Cleveland and received passing scores shall have ten (10) additional points added to their grades. See accompanying list of acceptable documents for proof of residency applicants need to present at the time of filing.

AN EQUAL OPPORTUNITY EMPLOYER

ROBERT BENNETT,
President

February 9, 2011

SCHEDULE OF THE BOARD OF ZONING APPEALS

TUESDAY, FEBRUARY 22, 2011

9:30 A.M.

Calendar No. 11-5: 1935 Randall Avenue (Ward 3)
(Cleveland Police Department Citation)

Jeremy P. Ols appeals under the authority of Section 76-6 of the Cleveland City Charter and Section 329.02(d) of the Cleveland Codified Ordinances from Citation No. A 627184, issued by the Cleveland Police Department on October 10, 2010 for failure to comply with the Off-Street Parking and Loading Requirements under Section 349.07 of the Cleveland Codified Ordinances.

Calendar No. 11-6: 3800 Bridge Avenue (Ward 3)

West Side United Church of Christ, owner, and Happy Works Daycare, Inc., tenant, appeal to expand the use of a church to include a day care center in an existing two-story building on a 31.50' x 132' lot in a B1 Two-Family District; subject to the limitations of Section 337.03, a day care is required to be 30 feet from any adjoining premises in a residence district not used for a similar purpose and it is surrounded by a Two-Family District; and the expansion of a nonconforming use requires the Board of Zoning Appeals approval pursuant to Section 359.01 of the Cleveland Codified Ordinances.

Calendar No. 11-7: Appeal of Douglas Lee Skaggs
(Tow Truck Drivers License)

Douglas Lee Skaggs appeals under the authority of Section 76-6 of the Charter of the City of Cleveland from the decision of the Commissioner of Assessments and Licenses on November 22, 2010 to not issue a Tow Truck Drivers License, based upon a report received from the City of Cleveland Criminal History Records Section and violations under Section 677A.15(h) of the Cleveland Codified Ordinances.

10:30 A.M.

Calendar No. 11-9: 1301 East 9th Street (Ward 3)

Erievue Land Company, LLC, owner, and Suede Nights, LLC, tenant, appeal to establish use as a

night club/bar with entertainment and dancing in an existing building located in a Semi-Industry District; and the proposed use is within 100 feet of Cleveland FedKids Child Care at 1240 East 9th Street and within 100 feet of another bar with entertainment at 777 St. Clair Avenue, contrary to the provisions in Sections 347.12(a)(1) and 347.12(a)(2) that require a distance separation of 500 feet in accordance with the Cleveland Codified Ordinances.

AMENDED DESCRIPTION

Calendar No. 10-227: 820 College Avenue (Ward 3)

Tom Leneghan, owner, appeals to add live entertainment to an existing bar / tavern, to remove parking spaces and convert to outdoor patio use on a 38' x 70' lot in a General Retail Business District; contrary to Section 349.02 where existing parking facilities, in all use districts, shall not voluntarily be reduced below the requirements in Chapter 349 of the Cleveland Zoning Code, and the elimination of four (4) spaces at the existing lot reduces accessory off-street parking, with no approvable plan submitted to replace the four (4) spaces nor provide new, required spaces for the proposed patio use; and pursuant to Section 349.04(f) a bar / tavern / restaurant with live entertainment use is required to provide accessory off-street parking in the amount of three times the gross floor area and no parking lot plan is provided; and a bar with entertainment use must be at least 500 feet from a residence district, public libraries and churches, and contrary to Section 347.12(a)(1) the proposed use is within 500 feet of a residence district to the rear, a public library at 850 Jefferson Avenue and three churches; and a 10 foot wide landscaping strip providing, 75 percent year round opacity, is required where the proposed patio use abuts a residential district to the east, and no landscaping plan is provided, contrary to Sections 352.08 through 352.12 of the Cleveland Codified Ordinances. (Filed 11-9-10; amended per appellant's amended submission 2-8-11; no testimony taken.)

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, FEBRUARY 7, 2011

At the meeting of the Board of Zoning Appeals on Monday, February 7, 2011, the following appeals were heard by the Board.

The following appeals were **Approved:**

Calendar No. 10-268: 4512 Pearl Road
Yuriy Vereshchagin appealed to establish a martial arts studio / sports or recreational use in an existing building in a Local Retail Business District.

Calendar No. 10-270: 4506 West 156th Street

Stella Kundick appealed to erect an L-Shaped wooden wheelchair ramp at the front of a dwelling on a corner parcel in a One-Family District.

Calendar No. 10-271: 2210 Oak Park Avenue

Agnes Pesler appealed to erect two landings and one modular wheelchair ramp in the front yard of a dwelling in a Two-Family District; subject to modified plan.

Calendar No. 10-272: 2238 East 80th Street

Charles Maultsby appealed to erect a pre-manufactured wheelchair lift at the side of a front porch of a dwelling in a Two-Family District; subject to condition.

Calendar No. 10-273: 2174 East 35th Street

Carolyn Davis appealed to erect a wooden wheelchair ramp in the front yard of a dwelling house in a Multi-Family District.

Calendar No. 10-232: 1594 East 96th Street

City of Cleveland appealed to erect 39.98 lineal feet of 6 feet high, black vinyl chain link fence at the front of a vacant lot for a community garden in a Two-Family District; subject to landscape plan.

Calendar No. 10-233: 1598 East 96th Street

City of Cleveland appealed to erect 33 lineal feet of 6 feet high, black vinyl chain link fence at the front of a vacant lot for a community garden in a Two-Family District; subject to landscape plan.

Calendar No. 10-234: 1600 East 96th Street

City of Cleveland appealed to erect 52.96 lineal feet of 6 feet high, black vinyl chain link fence at the front of a vacant lot for a community garden in a Two-Family District; subject to landscape plan

Calendar No. 10-235: 1608 East 96th Street

City of Cleveland appealed to erect 88 lineal feet of 6 feet high, black vinyl chain link fence at the front of a vacant lot for a community garden in a Two-Family District; subject to landscape plan

Calendar No. 10-247: 2318 West 5th Street

Matt Berges, owner, and Scott Lucci, prospective purchaser, appealed to erect a three-story, frame one family dwelling in a Two-Family District.

The following appeal was **Withdrawn**:

Calendar No. 10-264: 4667 State Road

Al's Properties LLC and Steve Borovica appealed to add a contractor for nuisance animal removal in the rear portion of a lot with an existing business in a Local Retail Business District.

The following appeals were **Dismissed**:

None.

The following appeal was **Postponed**:

Calendar No. 10-263: 10500 Quincy Avenue postponed to March 28, 2011.

The following appeals heard by the Board on January 31, 2011 were adopted and approved on February 7, 2011.

The following appeals were **Approved**:

Calendar No. 10-261: 18101 Lorain Avenue

Fairview Hospital appealed to erect an addition to an existing hospital in a Local Retail Business District with an accessory helpod on the building roof; approval granted for the building addition only.

Calendar No. 10-178: 8116 Lorain Avenue

Elsworth Redden appealed to establish use for a vehicle repair garage and painting in a one-story building located in a General Retail Business District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of
February 2, 2011

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

* * *

Docket A-237-10.

RE: Appeal of Creditus Lending, L.P., Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property located on the premises known as 7103 Guthrie Avenue from a CONDEMNATION ORDER—MAIN STRUCTURE, dated March 3, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant thirty (30) days in which to obtain all required permits and six (6) months in which to complete abatement of all violations on the property. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

* * *

Docket A-238-10.

RE: Appeal of Larry James, Owner of the Two Dwelling units Two-Family Residence Two & One-half Story Frame Property located on the premises known as 3536 East 153rd Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated November 11, 2009 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-238-10 has been WITHDRAWN at the request of the Appellant.

Docket A-239-10.

RE: Appeal of Ohio Redevelopment Group, LLC, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property located on the premises known as 2327 East 88th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated May 12, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to require that the graffiti be removed from the house within two (2) weeks, and to grant the Appellant thirty (30) days in which to obtain all required permits, and six (6) months in which to complete abatement of the violations. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action, noting that failure to meet any of the dates will result in the property being Remanded immediately. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

* * *

Docket A-240-10.

RE: Appeal of Ohio Redevelopment Group, LLC, Owner of M Mercantile - Retail Shops, Carry-out Food Shops One & One-half Story Masonry Property located on the premises known as 3065 East 123rd Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated May 14, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Condemnation Order validly issued, based on the photographs and testimony by the City. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

* * *

Docket A-241-10.

RE: Appeal of Doris Pollard Organ, Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Masonry Property located on the premises known as 2437 East 63rd Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated May 12, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant three (3) months in which to abate all violations on the residence and the garage; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Saab.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

Docket A-242-10.

RE: Appeal of R.E. I. Enterprises, Owner of the Three Dwelling Units Three-Family Residence Two & One/half Story Frame Property located on the premises known as 12424 Chesterfield Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated May 20, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the request for additional time and to REMAND the property at 12424 Chesterfield Avenue to the Department of Building and Housing for supervision and any required further action, noting that no work and no action has been taken on the property since May of 2010. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

* * *

Docket A-244-10.

RE: Appeal of Hilary W. Vail, Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property located on the premises known as 10608 Tacoma Avenue from RENTAL REGISTRATION FEES, dated March 31, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-244-10 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-245-10.

RE: Appeal of Derrick Carr, Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property located on the premises known as 12414 Chesterfield Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated June 02, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-245-10 have been POSTPONED; rescheduled for February 16, 2011.

* * *

Docket A-246-10.

RE: Appeal of Kimyai J. Washington, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property located on the premises known as 657 East 108th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated April 22, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant sixty (60) days in which to obtain the required permits, and six (6) months in which to abate all violations. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order.

Motioned by Mr. Saunders and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

* * *

Docket A-257-10.

RE: Appeal of Quest Property Management & Consulting, LLC, Owner of the One Dwelling Unit Single-Family Residence Two & One/half Story Frame Property located on the premises known as 3318 Virginia Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated May 17, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant one (1) month in which to complete abatement of all violations. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

* * *

Docket A-258-10.

RE: Appeal of Quest Property Management & Consulting, LLC, Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property located on the premises known as 3873 West 34th Street from a 30 DAY FIRE CONDEMNATION ORDER — MS, dated February 5, 2008 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to require the Appellant to make the property weather tight and the boarding unformed within forty-five (45) days; to require that all permits be obtained within sixty (60) days; and to grant the Appellant six (6) months in which to abate all violations on the exterior and until the end of 2011 in which to complete abatement of all violations on the property. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Gallagher.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

* * *

Docket A-262-10.

RE: Appeal of Raymond P. Marciano, Owner of the One Dwelling Unit Single-Family Residence Two Story Masonry Property located on the premises known as 2262 Chestnut Hills Drive from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated March 31, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-162-10 have been POSTPONED; to be rescheduled for February 16, 2011.

Docket A-291-10.

RE: Appeal of Danetra Gaines, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property located on the premises known as 2939 East 104th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated October 19, 2009 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-247-10 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-319-10.

RE: Appeal of Pope Construction, Owner of One Dwelling Unit Single-Family Residence Two & One/half Story Frame Property located on the premises known as 723 East 118th Street from a CONDEMNATION ORDER — MAIN STRUCTURE & GARAGE, dated May 18, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to require the Appellant to obtain the required permits within thirty (30) days and to grant the Appellant six (6) months in which to abate the violations, but to require the porch to be fixed immediately. Failure to meet any of these dates will result in remanding the property immediately. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

* * *

Docket A-325-10.

RE: Appeal of Joyce Boyd, Owner of Single-Family Residence Two Story Frame Property located on the premises known as 11812 Soika Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated February 23, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Condemnation Order was properly issued, and that the appeal for additional time is DENIED. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action, noting that no work has been done. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

* * *

Docket A-331-10.

RE: Appeal of Joyce Boyd, Owner of Single-Family Residence Two Story Frame Property located on the premises known as 7807 Eve Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated February 23, 2010 of the Director of the Department of Building and Housing, requiring compliance with the

Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Condemnation Order was properly issued, and that the appeal for additional time is DENIED. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action, noting that no work has been done. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

* * *

Docket A-429-10.

RE: Appeal of Wael Salem, Owner of Property located on the premises known as 3837 Ridge Road from an ADJUDICATION ORDER, dated April 28, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant twelve (12) months in which to complete abatement of all violations, including the installation of a sprinkler system, with occupancy permitted for up to 200 occupants during the period of time when the sprinkler system and other violations are not abated. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

* * *

Docket A-5-11.

RE: Appeal of State of Ohio, Trustee For Harvard Refuse, Owner of S-2 Storage - Low Hazard (Non-combustibles) One & One/half Story Masonry Property located on the premises known as 7720 Harvard Avenue from a STOP WORK ORDER, dated January 4, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Stop Work Order was properly issued; the appeal is DENIED. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

* * *

Docket A-13-11.

RE: Appeal of Mark Tisdale, Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property located on the premises known as 7103 Guthrie Avenue from a CONDEMNATION ORDER - MAIN STRUCTURE, dated March 3, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant thirty (30) days in which to obtain all permits and six (6)

months in which to abate all violations. The property is REMANDED to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

* * *

APPROVAL OF RESOLUTIONS:

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

- A-200-10 — Delcenia V. Acoff
- A-214-10 — Glori Gonsalves
- A-222-10 — Bank of America/Countrywide
- A-224-10 — Dezi D. Dorsey
- A-227-10 — Elsie Hornsby
- A-230-10 — Rehab Investments, LP
- A-231-10 — Aetna Builders LLC
- A-233-10 — Michael Richards
- A-235-10 — Greater Cleveland RTA
- A-249-10 — Charlestine Cummings
- A-254-10 — Betty Benton
- A-356-10 — Betty Benton
- A-440-10 — Mike Nelson
- A-442-10 — Centermark Development
- A-4-11 — AJ&N, Inc.

Yeas: Messrs. Denk, Saunders, Saab, Bradley. Nays: None. Not Voting: Mr. Gallagher.

* * *

APPROVAL OF MINUTES:

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

January 19, 2011

Yeas: Messrs. Denk, Saunders, Saab, Bradley. Nays: None. Not Voting: Mr. Gallagher.

JOSEPH F. DENK
Chairman

PUBLIC NOTICE

**REQUEST FOR PROPOSALS
CLEVELAND CITY COUNCIL**

Request for Proposals for professional services to provide a software solution and services necessary to update, customize, and implement the City Council Website, and to create a City Council Intranet site. Proposals due by February 25, 2011. The City Council website must provide clear and concise information for citizens of Cleveland regarding the work of the Council, as well as access to the various services of the City of Cleveland and the City Council. For more information and to see the Request for Proposals, go to www.clevelandcitycouncil.org or call (216) 664-4466.

January 26, 2011, February 2, 2011, February 9, 2011, February 16, 2011 and February 23, 2011

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."

FRIDAY, FEBRUARY 18, 2011

File No. 15-11 — Reconstruction of Cedar Avenue (E. 21st Street to E. 55th Street), for the Division of Engineering and Construction, Department of Public Works, as authorized by Ordinance Nos. 812-09, 1425-08 and 1273-09, passed by the Council of the City of Cleveland, June 1, 2009 and December 10, 2008 and December 7, 2009, respectively. **THERE WILL BE A NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF SEVENTY-FIVE DOLLARS (\$75.00) IN THE FORM OF A CASHIER'S CHECK AND OR MONEY ORDER ONLY (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED).** **THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, FEBRUARY 10, 2011 AT 10:00 A.M. CLEVELAND CITY HALL, ROOM 518, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

February 2, 2011 and February 9, 2011

FRIDAY, FEBRUARY 25, 2011

File No. 13-11 — Morgana Run, Phase I East 71st and 72nd Street; Aetna and Union Avenue, for the Division of Engineering and Construction, Department of Public Works, as authorized by Ordinance No. 1201-10, passed by the Council of the City of Cleveland, November 20, 2010.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, FEBRUARY 11, 2011 AT 10:00 A.M. CLEVELAND CITY HALL, ROOM 518, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

February 2, 2011 and February 9, 2011

THURSDAY, MARCH 3, 2011

File No. 14-11 — Manholes, Casting, Pull Boxes and Gratings, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Sections 129.25, 129.25 and 129.27 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, FEBRUARY 11, 2011 AT 10:30 A.M. THE TOM L. BUILDING, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

February 2, 2011 and February 9, 2011

WEDNESDAY, FEBRUARY 23, 2011

File No. 18-11 — Gordon Square Fence Improvements (Re-Bid), for the Division of Architecture and Site Development, Department of Public Works, as authorized by Ordinance No. 937-10, passed by the Council of the City of Cleveland, July 14, 2010.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, FEBRUARY 17, 2011 AT 10:00 A.M. CLEVELAND CITY HALL, DIVISION OF ARCHITECTURE AND SITE DEVELOPMENT, CONFERENCE ROOM, ROOM 517A, CLEVELAND, OHIO 44114.

February 9, 2011 and February 16, 2011

FRIDAY, MARCH 4, 2011

File No. 19-11 — Ductile Iron Pipe and Fittings, for the Division of Water, Department of Public Utili-

ties, as authorized by Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, FEBRUARY 17, 2011 AT 10:00 A.M. THE DIVISION OF WATER, DISTRIBUTION & MAINTENANCE, PIPE REPAIR CONFERENCE ROOM, 4600 HARVARD AVENUE, NEWBURGH HEIGHTS, OHIO 44105.

File No. 20-11 — CPP Capacity Expansion Program 138KV Loop Circuit Installation for Easterly TDPS-Sub CPP Spec No. LCINST-2010, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 556-08, passed by the Council of the City of Cleveland, June 9, 2008.

THERE WILL BE A **NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF ONE HUNDRED DOLLARS (\$100.00) IN THE FORM OF A CASHIER'S CHECK AND OR MONEY ORDER ONLY (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED).**

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, FEBRUARY 18, 2011 AT 11:00 A.M. CLEVELAND PUBLIC POWER DIVISION, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

February 9, 2011 and February 16, 2011

WEDNESDAY, MARCH 9, 2011

File No. 16-11 — Public Safety Buildings Roof Replacement Project (Re-Bid), for the Division of Architecture and Site Development, Department of Public Works, as authorized by Ordinance Nos. 888-06 and 781-09, passed by the Council of the City of Cleveland, August 9, 2006 and June 1, 2009, respectively.

THERE WILL BE A **NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND OR MONEY ORDER ONLY (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED).**

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, FEBRUARY 18, 2011 AT 10:00 A.M. CLEVELAND CITY HALL, ROOM 517, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

February 9, 2011 and February 16, 2011

FRIDAY, MARCH 11, 2011

File No. 17-11 — Labor and Materials to Install, Maintain and Repair a System to Electronically Track the Mobile Assets of the Various Divisions of City Government (Re-Bid), for the Divisions of City Government, Department of Finance, as authorized by Ordinance No. 538-09, passed by the Council of the City of Cleveland, May 4, 2009.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, MARCH 1, 2011 AT 11:00 A.M. CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

February 9, 2011 and February 16, 2011

ADOPTED RESOLUTIONS AND ORDINANCES**Res. No. 145-11.**

By Council Members Cleveland, Sweeney, Kelley, Westbrook, Brancatelli, Mitchell, J. Johnson, Reed, Miller, Cummins, Pruitt, Dow, Westbrook and Mayor Jackson.

An emergency resolution objecting to the proposed closing of the East 55th Street state driver license testing station.

Whereas, on January 28, 2011, the Ohio Highway Patrol announced the closing of the state driver license testing station located at East 55th Street in Cleveland; and

Whereas, closing the E. 55th Street testing station will leave the City without a station within its city limits; and

Whereas, closing this station will pose a hardship on residents of the inner city in that the suburban locations may be difficult for inner-city residents on both the east and west sides of Cleveland to get to; and

Whereas, the \$40,000 a year allegedly saved by closing the testing station will have minimal impact on the state budget; and

Whereas, no notice was given to local and state elected officials prior to the announcement and two weeks' notice to the public of the closing is inadequate; and

Whereas, the Ohio Highway Patrol should delay taking action until they meet with local elected officials; 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 objects to the proposed closing of the East 55th Street state driver license testing station.

Section 2. That the Clerk of Council is hereby directed to forward a copy of this resolution to Governor John Kasich and to the appropriate persons at the Ohio Highway Patrol.

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 January 31, 2011.

Effective January 31, 2011.

Res. No. 146-11.

By Council Member Cimperman.
An emergency resolution objecting to the transfer of liquor license of a D5 Liquor Permit to 1222 Prospect Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of liquor license of a D5 Liquor Permit from Club Center Lounge, Inc., DBA Club Center Lounge, 8800 Woodland Avenue, Lower Level, Cleveland, Ohio 44104, Permanent Number 1572186 to Club Center Lounge, Inc., DBA Xecutive Lounge, 1222 Prospect Avenue, Cleveland, Ohio 44115, Permanent Number 15721860001; 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 Department 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 Director 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 liquor license of a D5 Liquor Permit from Club Center Lounge, Inc., DBA Club Center Lounge, 8800 Woodland Avenue, Lower Level, Cleveland, Ohio 44104, Permanent Number 1572186 to Club Center Lounge, Inc., DBA Xecutive Lounge, 1222 Prospect Avenue, Cleveland, Ohio 44115, Permanent Number 15721860001; and requests the Director 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 January 31, 2011.

Effective February 3, 2011.

Res. No. 147-11.

By Council Member Dow.

An emergency resolution withdrawing objections to the transfer of ownership of a C1 and C2 liquor permit and to the Liquor Agency Contract located at 5816 Superior Avenue, and repealing Resolution Nos. 1642-10 and 1643-10.

Whereas, this Council objected to a transfer of ownership of a C1 and C2 liquor permit located at S F T Enterprises, DBA Mr. CS II, 5816 Superior Avenue, Cleveland, Ohio 44103, Permanent Number 7640194 by Resolution No. 1642-10 adopted by the Council on December 6, 2010, and to the Liquor Agency Contract at S F T Enterprises, DBA Mr. CS II, 5816 Superior Avenue, Cleveland, Ohio 44103, Permanent Number 7640194 by Resolution No. 1643-10 adopted by the Council on December 6, 2010; and

Whereas, this Council wishes to withdraw its objections 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 objections to a transfer of ownership of a C1 and C2 liquor permit located at S F T Enterprises, DBA Mr. CS II, 5816 Superior Avenue, Cleveland, Ohio 44103, Permanent Number 7640194 by Resolution No. 1642-10 adopted by the Council on December 6, 2010, and to the Liquor Agency Contract at S F T Enterprises, DBA Mr. CS II, 5816 Superior Avenue, Cleveland, Ohio 44103, Permanent Number 7640194, be and the same is hereby withdrawn and Resolution Nos. 1642-10 and 1643-10, containing such objections, 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 January 31, 2011.

Effective February 3, 2011.

Res. No. 148-11.

By Council Members Miller, Brancatelli and Sweeney.

An emergency resolution opposing House Bill 45 of the 129th Ohio General Assembly that would amend the Ohio Revised Code to allow concealed carry licensed gun owners to take their gun into a restaurant or bar that serves liquor, so long as the licensed person does not consume alcohol, and would repeal specific prohibitions against improperly handling firearms in a motor vehicle.

Whereas, House Bill 45 sponsored by State Representatives Danny Bubb (R) and Terry Johnson (R), would amend the Ohio Revised Code to allow concealed carry licensed gun owners to take their guns into a restaurant or bar that serves liquor, so long as the licensed person does not consume alcohol; and

Whereas, Senate Bill 45 also would repeal specific prohibitions against improperly handling firearms in a motor vehicle, including repealing

the current requirement that a licensed gun owner must keep a loaded handgun in a motor vehicle in a holster, a closed container, or glove compartment; and

Whereas, Senate Bill 45 was introduced in the 129th General Assembly on January 26, 2011; and

Whereas, Senator Nina Turner, a Democrat from Cleveland, opposed former Senate Bill 239 on the same issue last year in the Senate because of concerns that the bill will make Ohioans less safe; and

Whereas, former Senate Bill 239 on the same issue drew objections from leaders in the law enforcement community and House Bill 45 is expected to do the same; 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 opposes House Bill 45 of the 129th Ohio General Assembly that would amend the Ohio Revised Code to allow concealed carry licensed gun owners to take their gun into a restaurant or bar that serves liquor, so long as the licensed person does not consume alcohol, and would repeal specific prohibitions against improperly handling firearms in a motor vehicle.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to Representatives Danny Bubb and Terry Johnson, the 129th Ohio General Assembly and Mayor Jackson.

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 January 31, 2011.

Effective February 3, 2011.

Ord. No. 1631-10.

By Council Members Conwell and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from University Hospitals for the 2011 Cuyahoga County OVI Task Force Program.

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

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

Section 1. That the Director of Public Safety is authorized to apply for and accept a grant in the approximate amount of \$30,000, and any other funds that may become available during the grant term from University Hospitals to conduct the 2011 Cuyahoga County OVI Task Force Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, File No. 1631-10-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hear-

ing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

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

Section 4. That 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 January 31, 2011.
Effective February 3, 2011.

Ord. No. 9-11.

By Council Members Conwell and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the United States Department of Homeland Security for the Fire Prevention and Safety grant.

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

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

Section 1. That the Director of Public Safety is authorized to apply for and accept a grant in the approximate amount of \$16,000, and any other funds that may become available during the grant term from the United States Department of Homeland Security to conduct the Fire Prevention and Safety Grant Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the award letter for the grant contained in the file described below.

Section 2. That the award letter for the grant, File No. 9-11-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, including the obligation of the City of Cleveland to provide a cash match of \$4,000 payable from Fund No. 11 SF 006, is approved in all respects and shall not be changed without additional legislative authority.

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

Section 4. That 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 January 31, 2011.
Effective February 3, 2011.

Ord. No. 15-11.

By Council Members Conwell and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the United States Department of Homeland Security for the Assistance to

Firefighters Grant; and authorizing the purchase by one or more requirement contracts of materials, equipment, supplies, and services, including self-contained breathing apparatus and accessories, needed to implement the grant.

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

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

Section 1. That the Director of Public Safety is authorized to apply for and accept a grant in the approximate amount of \$637,440 and any other funds that may become available during the grant term from the United States Department of Homeland Security to conduct the Assistance to Firefighters Grant; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the award letter for the grant contained in the file described below.

Section 2. That the award letter for the grant, File No. 15-11-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, including the obligation of the City of Cleveland to provide a cash match of \$159,360 payable from Fund No. 11 SF 006, is approved in all respects and shall not be changed without additional legislative authority.

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

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

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

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

Section 7. That 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 January 31, 2011.
Effective February 3, 2011.

Ord. No. 90-11.

By Council Members Cimperman, Miller, Cleveland and Sweeney (by departmental request).

An emergency ordinance to vacate a portion of East 3rd Street (99 feet wide) and Summit Avenue N.E. (80 feet wide).

Whereas, under Resolution No. 1487-09, adopted October 18, 2010, this Council declared its intention to vacate a portion of East 3rd Street (99 feet wide) and Summit Avenue N.E. (80 feet wide); and

Whereas, notice of the adoption of the above vacation was served on the abutting property owners affected by the resolution pursuant to Charter §176 stating that objections to the proposed street vacation could be heard before the Board of Revision of Assessments; and

Whereas, on December 17, 2010 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:

East 3rd Street (99 feet wide)
Being all that portion of East 3rd Street (99 feet wide) extending northerly from the northerly right of way of St. Clair Avenue N.E. (99 feet wide) to its northerly terminus.

Summit Avenue N.E. (80 feet wide)
Being all that portion of Summit Avenue N.E. (80 feet wide) extending westerly from that portion of Summit Avenue N.E. (80 feet wide) vacated by ordinance number 1276-57 passed June 10, 1957 to that portion of Summit Avenue N.E. (80 feet wide) vacated by ordinance number 911-58 passed April 21, 1958.

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 AT&T and Cleveland Public Power for street light pole removals.

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 AT&T, Cleveland Public Power 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 Auditor 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 January 31, 2011.
Effective February 3, 2011.

Ord. No. 131-11.

By Council Members J. Johnson, Brancatelli and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into contract with AlSher Titania, LLC, or its designee, to provide economic development assistance to partially finance the purchase of machinery and equipment at their new location at 842 East 79th Street.

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

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

Section 1. That the Director of Economic Development is authorized to enter into contract with AlSher Titania, LLC, or its designee, to provide economic development assistance to partially finance the purchase of machinery and equipment at their new location at 842 East 79th Street.

Section 2. That the terms of the loan shall be according to the terms set forth in the Summary contained in File No. 131-11-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, and are approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the costs of the contract shall not exceed \$300,000, and shall be paid from Fund No. 17 SF 008, which funds are appropriated for this purpose, Request No. RQS 9501, RL 2011-2.

Section 4. That the Director of Economic Development is authorized to accept such collateral as the director determines is sufficient in order to secure repayment of the loan. Any loan agreement, security instrument, or other document shall be prepared and approved by the Director of Law.

Section 5. That the Director of Economic Development is authorized to accept monies in repayment of the loan and to deposit the monies in Fund No. 17 SF 006.

Section 6. That the Director of Economic Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and the fees are appropriated to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. The fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

Section 7. That the contract and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

Section 8. The contract authorized in this legislation will require the recipient of financial assistance to work with, and/or cause their Tenants to work with, The Workforce Investment Board for Workforce Area No. 3 to identify and solicit qual-

ified candidates for job opportunities related to the City's contracts, and place special emphasis on the hard to employ, including but not limited to the disabled and persons who have been convicted of or have pled guilty to a criminal offense, unless the criminal conviction or related circumstances relate to the duties for the particular job sought.

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

Passed January 31, 2011.
Effective January 31, 2011.

Ord. No. 135-11.

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

An emergency ordinance to amend Sections 131.07 and 131.08 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1330-A-10, passed December 6, 2010, relating to Special Events.

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 notwithstanding any other provision of Sections 131.07 or 131.08 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by this ordinance, the rent schedule for the City Hall Rotunda shall first be approved by this Council, and no contract for its rental shall be entered into until such schedule is approved by this Council. Any rental contract for the City Hall Rotunda shall address security and parking needs and such other matters as the Director may require to protect the interests of the City.

Section 2. That Sections 131.07 and 131.08 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1330-A-10, passed December 6, 2010, are amended to read as follows:

Section 131.07 Special Event Permits

For purposes of this Chapter, "special event" means a preplanned event or series of events of less than a week's duration, sponsored by a public or private person or entity, which is: (1) located wholly or partially on property which is owned or maintained by the City of Cleveland; or (2) located on any other property and requires for its successful execution, the provision and coordination of municipal services to a degree significantly over and above that which the City of Cleveland routinely provides under ordinary everyday circumstances.

City buildings, parks and all other real estate under control of the Director which have been constructed or maintained for the benefit of the public shall be for the use of the public in general under the Charter and ordinances of the City of Cleveland. To that end, no person or entity shall be given any special or exclusive privilege to use any public property under the control of the Director without first obtaining a permit under this section. Additionally, the Director shall ensure that proper coordination

occurs among necessary city departments to facilitate the use of city streets for special event activities including parades, marathons, foot races/bike-a-thons, and all other events requiring closure of a right-of-way.

All closures of city streets in conjunction with a special event shall be approved by the Police Traffic Commissioner, Commissioner of Streets, and Manager of Special Events, and Marketing.

(a) The Director may establish rules and regulations for the use of public property under his control. Such rules and regulations shall become effective ten days after publication in the City Record and shall be enforced as ordinances of the City.

(b) The Director may place reasonable time restrictions on the issuance of special event permits, including without limitation a prior notice requirement, first-come, first-served scheduling, limitations on frequency of use, and limitation of permits to normal operating hours for City property. Use of the City Hall Rotunda for events other than City-sponsored events, shall be limited to after normal business hours and weekends. The Director's prior notice requirement may not exceed five days for special event permits not subject to the requirements of Section 131.08.

(c) The Director may place reasonable place restrictions on the issuance of special event permits, which restrictions may consider the historic use of the property, recreational use policies adopted in the director's rules and regulations, the size of the property and the degree to which the special event would interfere with the historic use and adopted recreational use policies for the property.

(d) The Director may deny or revoke a special event permit whenever he finds:

(1) the applicant person or entity has previously violated the provisions of a special event permit or has submitted materially false or incomplete information on any special event permit application; or

(2) the special event would unreasonably interfere with the movement of or service capability of police vehicles, firefighting equipment or ambulance service; or

(3) the special event would unreasonably interfere with the historic recreational use and the adopted recreational use policies for a neighborhood park; or

(4) the special event would unreasonably interfere with another special event for which a permit has been issued; or

(5) the special event would unreasonably interfere with the City activities that occur on or at the property.

The Director may charge a permit application fee, subject to approval of Board of Control, in an amount not to exceed the Director's cost in administering such application.

Section 131.08 Special Event Concession Agreement and Charges

Every person or entity sponsoring a special event involving sale of items, admission for which a charge or ticket is required or limited to invitation only, or closure of more than one-half linear mile of City streets shall comply with the following requirements:

(a) obtain a permit under Section 131.07, provided, however, that prior to the issuance of a permit to use City property managed by a City department other than the Department of Public Works, the director of the

affected department must consent to the issuance of the permit;

(b) submit an application in a form approved by the director of the affected department or his designee within such time period prior to the special event as may be established by the Director;

(c) if the special event is to be located wholly or partially on property which is owned, leased or maintained by the City of Cleveland, pay property rent in scheduled amounts determined from time to time by the Board of Control; in setting rents, the Board of Control may consider without limitation the following considerations entitling the applicant to a reduced or abated rent:

(1) the economic impact of the special event on the Greater Cleveland economy as reflected in sales taxes, transient occupancy taxes, and admission taxes;

(2) the extent to which the special event will preserve the City's recreational use immunity provided in RC 1533.181 on all property used for the special event;

(3) the percentage of the special event gross revenues which will accrue to a charity or charities qualifying under Section 501(c)(3) of the Internal Revenue Code.

(d) pay all costs, at scheduled rates as determined from time to time by the director of the affected department or designee and approved by the Board of Control, for services and equipment exceeding normal service levels incurred during a special event by the City's Department of Public Works;

(e) pay such additional costs for services exceeding normal service levels incurred during the special event by other City departments at scheduled rates determined by the director of the affected department or his designee and approved from time to time by the Board of Control;

(f) provide such services at the applicant's sole cost, including without limitation security and traffic control, crowd management, fire protection, food service control and inspection, waste and litter control, and any other services necessary to ensure that an event is conducted in a safe manner to protect the safety, health, property and general welfare of the City's citizens, as determined by the director of the affected department or his designee and approved by the Board of Control; and

(g) submit an independently audited statement of gross revenues derived from the special event within such time period after the special event as may be specified by the director of the affected department or his designee.

(h) After January 1, 1992, each annual Board of Control resolution establishing special event rental rates and service cost recovery amounts shall only become effective sixty days after publication in the City Record. Notwithstanding any provision of the Codified Ordinances to the contrary, the councilmember of each ward may designate one special event per year to be exempt from either (a) the payment of any sums described herein; and the submission of an audited statement under division (g) of this section, or division (b) if the special event is located in the ward of the councilmember requesting exemption, has gross revenues of under twenty-five thousand dollars (\$25,000.00), and at least ninety percent (90%) of its gross special event revenues accrue to a community-based organization or to a charity

qualifying under Section 501(c)(3) of the Internal Revenue Code, the payment of any sums described herein, the submission of an audited statement under division (g) of this section, and the payment of any permit fees to the City. The Director of Public Works shall submit a report on the City costs and charges for special events to the Clerk of Council at the end of each calendar year.

Section 3. That existing Sections 131.07 and 131.08 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1330-A-10, passed December 6, 2010, are 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.

Passed January 31, 2011.

Effective January 31, 2011.

Ord. No. 137-11.

By Council Members Mitchell, Miller, Cleveland and Sweeney (by departmental request).

An emergency ordinance giving final consent of the City of Cleveland to the State of Ohio for the rehabilitation of the East 93rd Street Bridge; and authorizing the Director of Capital Projects to enter into contracts with the State of Ohio.

Whereas, under Ordinance No. 549-10, passed June 7, 2010, this Council authorized the City of Cleveland to cooperate with the Director of Transportation for the rehabilitation of the East 93rd Street Bridge, which includes the rehabilitation of the existing 6 simple span riveted plate girders of steel pier caps encased in concrete with concrete gravity abutments, over Norfolk Southern Railroad and Greater Cleveland Regional Transit Authority. Rehabilitation work includes a new superstructure, steel rolled beams, concrete deck, south abutment and 2 piers. Modify north abutment, utilities to be included with the contract are sanitary, storm, water and electrical duct bank. All other utilities will be relocated by others, lying within the City of Cleveland (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, less the amount of Federal-aid 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, including in-house preliminary engineering and Right-of-Way charges incurred by the State of Ohio; and

Whereas, the share of the City's cost of the Improvement is now estimated to be \$1,032,914.00 but may be adjusted when the percentages of actual costs are determined; and

Whereas, the Ohio Director of Transportation has approved the legislation proposing cooperating 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 empowered on behalf of the City to enter into contracts with the Ohio Department of Transportation's ("ODOT's") 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. Upon the request of ODOT, the Director of Capital Projects is also empowered to assign all rights, title, and interests of the City to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

Section 3. That, under Ordinance No. 549-10, passed June 7, 2011, this Council authorized payment to the State of the City's share of the Improvement, payable from subordinate lien income tax bonds of the City of Cleveland authorized by Ordinance No. 459-10, and from Fund Nos. 20 SF 380, 20 SF 383, 20 SF 394, 20 SF 500, 20 SF 506, 20 SF 510, 20 SF 520, 20 SF 528, and 20 SF 534, RQS 4004, RL 2011-4.

Section 4. 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 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 January 31, 2011.

Effective January 31, 2011.

Ord. No. 138-11.

By Mayor Jackson and Council Members Kelley and Sweeney.

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to assess and develop management strategies, and implement accepted recommendations, including making recommendations regarding management of the Division of Water, Department of Public Utilities, for a period up to two years, with one option to renew for up to an additional year, exercisable with additional legislative authority.

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

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

Section 1. That the Director of Public Utilities is authorized to employ by contract or contracts one or more con-

sultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to assess and develop management strategies, and implement accepted recommendations, including making recommendations regarding management of the Division of Water, Department of Public Utilities, for a period up to two years, with one option to renew for up to an additional year, exercisable with additional legislative authority. The Director of Public Utilities will provide the Chair of the Public Utilities Committee and the Clerk of Council with an annual report after the first year.

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

Section 2. That the cost of the contract or contracts authorized shall not exceed \$1,250,000 annually, and shall be paid from Fund Nos. 52 SF 001, 54 SF 001, and 58 SF 001.

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 January 31, 2011.
Effective January 31, 2011.

Ord. No. 139-11.
By Council Member Sweeney.
An emergency ordinance authorizing the Clerk of Council to enter into an agreement with Erin McIntyre for professional services to assist with legislative and various Council matters for Cleveland City Council.

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 Clerk of Council is authorized to enter into an agreement with Erin McIntyre for professional services to assist with legislative and various Council matters for Cleveland City Council. This agreement shall be entered into as of February 1, 2011 and shall terminate May 31, 2011. The agreement shall be certified for \$8,100.00 from fund number 01, subfund 001, account 6320.

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 January 31, 2011.
Effective February 3, 2011.

Ord. No. 141-11.
By Council Member Cummins.
An emergency ordinance authorizing the issuance of a Temporary Sidewalk Occupancy Permit to Ilias Piperis to engage in peddling in Ward 14.

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council expressed by ordinance is a prerequisite to peddling upon public rights of way outside of the Central Business District; and

Whereas, this Council has considered the request of to engage in peddling to Anita Lillard outside of the Central Business District, and has determined that it is in the public interest to allow Anita Lillard peddle in Ward 14; 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 consents, as required by, Section 675.07 of the Codified Ordinances to allow to Ilias Piperis to engage in mobile peddling in the public rights of way of Ward 14 at West 25th Street between Trowbridge and Woodridge.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted may be revoked at any time by this Council.

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.

Passed January 31, 2011.
Effective February 3, 2011.

Ord. No. 142-11.
By Council Member Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for the 23rd Annual Walk for Hunger, on May 14, 2011, to benefit the Hunger Network of Greater Cleveland.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the 23rd Annual Walk for Hunger, to benefit the Hunger Network of Greater Cleveland, on May 14, 2011, with the Walk beginning at Burke Lakefront Airport and progressing to Erieside, around the Browns Stadium, south on West 3rd, west on St. Clair, south on West 9th to Superior, east on Superior to Ontario, south on Ontario to Huron, east on Huron to Erie, east on Erie to East 9th, north on East 9th to Prospect; east on Prospect to Huron; east on Huron to Euclid; west on Euclid to East 12th; north on East 12th to Lakeside; west on Lakeside to East 9th; north on East 9th to Voinovich Park to the finish line, 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 January 31, 2011.
Effective February 3, 2011.

Ord. No. 149-11.
By Council Member Mitchell.
An emergency ordinance authorizing the Director of the Department of the Department of Community Development to enter into an agreement with Senior Outreach Services, Inc., for the Senior Health Promotion and Specialization Program through the use of Ward 6 Neighborhood Capital Funds.

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

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

Section 1. That the Director of the Department of Community Development be authorized to enter into an agreement with Senior Outreach Services, Inc. for the Senior Health Promotion and Specialization Program for the public purpose of providing health education and wellness activities to senior citizens residing in the city of Cleveland through the use of Ward 6 Neighborhood Capital Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$20,000 and shall be paid from Fund No. 10 SF 177.

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

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

Passed January 31, 2011.
Effective February 3, 2011.

Ord. No. 150-11.
By Council Member Mitchell.
An emergency ordinance authorizing the Director of the Department of the Department of Community Development to enter into an agreement with the Buckeye Area Development Corporation for the Senior Landscaping and Snow Removal Program through the use of Ward 6 Neighborhood Capital Funds.

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

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

Section 1. That the Director of the Department of Community Development be authorized to enter into an agreement with the Buckeye Area Development Corporation for the Senior Landscaping and Snow Removal Program for the public purpose of providing landscaping and snow removal services to senior citizens residing in the city of Cleveland through the use of Ward 6 Neighborhood Capital Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$41,900 and shall be paid from Fund No. 10 SF 177.

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

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

Passed January 31, 2011.
Effective February 3, 2011.

Brady, Brancatelli, Cleveland, Keane, Miller, Mitchell, Polensek, Pruitt, Westbrook.

Tuesday, February 8, 2011
9:30 a.m.

Community and Economic Development Committee: Present: Brancatelli, Chair; Dow, Vice Chair; Cummins, Miller, Westbrook, Zone. *Authorized Absence:* Cimperman, J. Johnson, Pruitt.

Wednesday, February 9, 2011
10:00 a.m.

Public Safety Committee: Present: Conwell, Chair; Polensek, Vice Chair; Brady, Cleveland, Cummins, Dow, Zone. *Authorized Absence:* Miller, Mitchell. *Protempore:* Keane.

COUNCIL COMMITTEE MEETINGS

Monday, February 7, 2011
2:00 p.m.

Finance Committee: Present: Sweeney, Chair; Kelley, Vice Chair;

Index

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

Agreements

A final consent agreement E. 93 Street bridge — Capital Projects — State of Ohio (O 137-11)	166
Clerk of Council — professional services — Erin McIntyre (O 139-11).....	167
Economic Development — The Greater Cleveland Sports Commission (O 181-11).....	149
Senior Health Promotion and Specialization Program — Senior Outreach Services, Inc. (Ward 06 NCF) (O 149-11).....	167
Senior Landscaping and Snow Removal Program — Buckeye Area Development Corp. (Ward 06 NCF) (O 150-11).....	167

AIDS

Federal HOME Grant Program (2011) — Emergency Shelter Grant — Housing Opportunities for Persons with AIDS Program — Year XXXVII — Community Development Department (O 190-11)	152
---	-----

Board of Building Standards and Building Appeals

Chesterfield Avenue, 12414, (Ward 9) — Derrick Carr, owner — appeal postponed to 2/16/11 on 2/2/11 (Doc. A-245-10).....	160
Chesterfield Avenue, 12424, (Ward 9) — R.E.I. Enterprises, owner — appeal resolved on 2/2/11 (Doc. A-242-10).....	160
Chestnut Hills Drive, 2262, (Ward 6) — Raymond P. Marciano, owner — appeal postponed to 2/16/11 on 2/2/11 (Doc. A-262-10).....	160
Colgate Avenue, 7311, (Ward 15) — Dezi D. Dorsey, owner — appeal adopted on 2/2/11 (Doc. A-224-10)	161
Crestwood Avenue, 10417, (Ward 6) — Bank of America/Countrywide, mortgagee — appeal adopted on 2/2/11 (Doc. A-222-10)	161
East 104th Street, 2989, (Ward 4) — Danetra Gaines, owner — appeal withdrawn on 2/2/11 (Doc. A-291-10)	160
East 105th Street, 895, (Ward 8) — Glori Gonsalves, owner — appeal adopted on 2/2/11 (Doc. A-214-10)	161
East 108th Street, 657, (Ward 9) — Kimyai J. Washington, owner — appeal resolved on 2/2/11 (Doc. A-246-10)	160
East 117th Street, 3560, (Ward 6) — Elsie Hornsby, owner — appeal adopted on 2/2/11 (Doc. A-227-10)	161
East 118th Street, 723, (Ward 9) — Pope Construction, owner — appeal resolved on 2/2/11 (Doc. A-319-10)	160
East 119th Street, 3196, (Ward 4) — Rehab Investments, LP, c/o Larry Burchett, owner — appeal adopted on 2/2/11 (Doc. A-230-10)	161
East 123rd Street, 3065, (Ward 4) — Ohio Redevelopment Group, LLC, owner — appeal resolved on 2/2/11 (Doc. A-240-10).....	159
East 126th Street, 3241, (Ward 4) — Aetna Builders LLC, owner — appeal adopted on 2/2/11 (Doc. A-231-10)	161
East 130th Street, 918, (Ward 9) — Delcencia V. Acoff, owner — appeal adopted on 2/2/11 (Doc. A-200-10)	161

East 153rd Street, 3536, (Ward 1) — Larry James, owner — appeal withdrawn on 2/2/11
 (Doc. A-238-10) 159

East 63rd Street, 2437, (Ward 5) — Doris Pollard Organ, owner — appeal resolved on 2/2/11
 (Doc. A-241-10) 159

East 88th Street, 2327, (Ward 6) — Ohio Redevelopment Group, LLC, owner — appeal resolved
 on 2/2/11 (Doc. A-239-10)..... 159

East Boulevard, 3655, (Ward 6) — Charlestine Cummings, owner — appeal adopted on 2/2/11
 (Doc. A-249-10) 161

Euclid Avenue, 18235, (Ward 10) — Centermark Development, owner — appeal adopted on
 2/2/11 (Doc. A-442-10) 161

Euclid Avenue, 6611, (Ward 7) — Greater Cleveland Regional Transit Authority, owner —
 appeal adopted on 2/2/11 (Doc. A-235-10) 161

Eve Avenue, 7807, (Ward 15) — Joyce Boyd, owner — appeal resolved on 2/2/11 (Doc. A-331-10) 160

Golden Avenue, 8204, (Ward 6) — Betty Benton, owner — appeal adopted on 2/2/11 (Doc. A-254-10) 161

Guthrie Avenue, 7103, (Ward 15) — Creditus Lending, L.P., owner — appeal resolved
 on 2/2/11 (Doc. A-237-10)..... 159

Guthrie Avenue, 7103, (Ward 15) — Mark Tisdale, owner — appeal resolved on 2/2/11
 (Doc. A-13-11) 161

Harvard Avenue, 7720, (Ward 12) — State of Ohio, Trustee for Harvard Refuse, owner —
 appeal resolved on 2/2/11 (Doc. A-5-11) 161

Ridge Road, 3837, (Ward 13) — Wael Salem, owner — appeal resolved on 2/2/11 (Doc. A-429-10) 161

S. Waterloo Road, 19800, (Ward 11) — AJ&N, Inc., c/o Anthony Schilero, owner —
 appeal adopted on 2/2/11 (Doc. A-4-11) 161

Soika Avenue, 11812, (Ward 4) — Joyce Boyd, owner — appeal resolved on 2/2/11 (Doc. A-325-10) 160

Superior Avenue, 6816, (Ward 7) — Mike Nelson, owner — appeal adopted on 2/2/11
 (Doc. A-440-10) 161

Tacoma Avenue, 10608, (Ward 8) — Hilary W. Vail, owner — appeal withdrawn on 2/2/11
 (Doc. A-244-10) 160

Virginia Avenue, 3318, (Ward 14) — Quest Property Management & Consulting, LLC, owner —
 appeal resolved on 2/2/11 (Doc. A-257-10) 160

West 111th Street, 3155, (Ward 17) — Michael Richards, owner — appeal adopted on 2/2/11
 (Doc. A-233-10) 161

West 34th Street, 3873, (Ward 15) — Quest Property Management & Consulting, LLC, owner —
 appeal resolved on 2/2/11 (Doc. A-258-10) 160

Board of Control — Civil Service Commission

Police and Firefighter civil service tests — per Ord. 678-09 to EB Jacobs, LLC (BOC Res. 45-11)..... 156

Board of Control — Cleveland Hopkins International Airport Division

Deicing fluid collection, recycling and disposal — approve subcontractors — Contract per
 BOC Res. 234-10 — Dept. of Port Control (BOC Res. 40-11) 155

Board of Control — Cleveland Public Power Division

Snow removal services — per C.O. Sec. 181.101 to Robin's Nest Landscape LLC — Dept. of
 Public Utilities (BOC Res. 38-11)..... 155

Board of Control — Economic Development Department

Cleveland Opportunity Corridor Brownfields Area-wide Planning Pilot Program — per Ord.
 659-10 to City Architecture (BOC Res. 44-11)..... 156

Board of Control — Finance Department

Lumber — per Ord. 592-10 to Dougherty Lumber Co., Inc. — Dept. of Finance (BOC Res. 34-11)..... 154

Steel plates, miscellaneous sizes — per C.O. Sec. 181.101 to Benjamin
 Steel Co., Inc. (BOC Res. 33-11) 154

Board of Control — Port Control Department

Deicing fluid collection, recycling and disposal — approve subcontractors — Contract per
 BOC Res. 234-10 — Division of Cleveland Hopkins International Airport (BOC Res. 40-11) 155

Board of Control — Professional Service Contracts

Cleveland Opportunity Corridor Brownfields Area-wide Planning Pilot Program — per Ord.
 659-10 to City Architecture — Dept. of Economic Development (BOC Res. 44-11) 156

Computer control system for Plant Computer Control System (PCCS) — name change —
 Contract #65332 per BOC Res. 680-05 — Division of Water, Dept. of Public Utilities
 (BOC Res. 35-11) 155

Deicing fluid collection, recycling and disposal — approve subcontractors — Contract per
 BOC Res. 234-10 — Division of Cleveland Hopkins International Airport, Dept. of Port
 Control (BOC Res. 40-11)..... 155

Police and Firefighter civil service tests — per Ord. 678-09 to EB Jacobs, LLC — Civil
 Service Commission (BOC Res. 45-11) 156

Board of Control — Public Auditorium

USA Wrestling-US Open — Apr. 7-10 — USA Gymnastics — Apr. 15-17 — free of charge — exception to BOC Res. 117-03 — Office of Special Events and Marketing, Dept. of Public Works (BOC Res. 41-11)	156
--	-----

Board of Control — Public Utilities Department

Computer control system for Plant Computer Control System (PCCS) — name change — Contract #65332 per BOC Res. 680-05 — Division of Water (BOC Res. 35-11)	155
Debris disposal at landfill — per Ord. 805-10 — bids rejected (BOC Res. 37-11)	155
Debris disposal at landfill — per Ord. 805-10 to Boyas Excavating, Inc. (BOC Res. 39-11)	155
Debris disposal at landfill — per Ord. 805-10 to Kurtz Bros., Inc. (BOC Res. 36-11)	155
Snow removal services — per C.O. Sec. 181.101 to Robin's Nest Landscape LLC — Division of Cleveland Public Power (BOC Res. 38-11)	155

Board of Control — Public Works Department

Fence improvements at Gordon Square — per Ord. 937-10 — all bids rejected (BOC Res. 42-11)	156
USA Wrestling-US Open — Apr. 7-10 — USA Gymnastics — Apr. 15-17 — free of charge — exception to BOC Res. 117-03 — Office of Special Events and Marketing (BOC Res. 41-11)	156
West Side Market facility upgrades — per Ord. 487-07 — all bids rejected (BOC Res. 43-11)	156

Board of Control — Requirement Contracts

Debris disposal at landfill — per Ord. 805-10 to Boyas Excavating, Inc. — Dept. of Public Utilities (BOC Res. 39-11)	155
Debris disposal at landfill — per Ord. 805-10 to Kurtz Bros., Inc. — Dept. of Public Utilities (BOC Res. 36-11)	155
Lumber — per Ord. 592-10 to Dougherty Lumber Co., Inc. — Dept. of Finance (BOC Res. 34-11)	154
Snow removal services — per C.O. Sec. 181.101 to Robin's Nest Landscape LLC — Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 38-11)	155
Steel plates, miscellaneous sizes — per C.O. Sec. 181.101 to Benjamin Steel Co., Inc. — Dept. of Finance (BOC Res. 33-11)	154

Board of Control — Special Events and Marketing Office

USA Wrestling-US Open — Apr. 7-10 — USA Gymnastics — Apr. 15-17 — free of charge — exception to BOC Res. 117-03 — Dept. of Public Works (BOC Res. 41-11)	156
---	-----

Board of Control — Water Division

Computer control system for Plant Computer Control System (PCCS) — name change — Contract #65332 per BOC Res. 680-05 — Dept. of Public Utilities (BOC Res. 35-11)	155
--	-----

Board of Control — West Side Market

Facility upgrades — per Ord. 487-07 — all bids rejected — Dept. of Public Works (BOC Res. 43-11)	156
---	-----

Board of Zoning Appeals — Report

College Avenue, 820, (Ward 3) — Tom Leneghan, owner — appeal to be heard on 2/22/11 (Cal. 10-227)	158
East 35th Street, 2174, (Ward 5) — Carolyn Davis, owner — appeal heard on 2/7/11 (Cal. 10-273)	159
East 80th Street, 2238, (Ward 6) — Charles Maultsby, owner — appeal heard on 2/7/11 (Cal. 10-272)	159
East 96th Street, 1594, (Ward 7) — City of Cleveland, owner — appeal heard on 2/7/11 (Cal. 10-232)	159
East 96th Street, 1598, (Ward 7) — City of Cleveland, owner — appeal heard on 2/7/11 (Cal. 10-233)	159
East 96th Street, 1600, (Ward 7) — City of Cleveland, owner — appeal heard on 2/7/11 (Cal. 10-234)	159
East 96th Street, 1608, (Ward 7) — City of Cleveland, owner — appeal heard on 2/7/11 (Cal. 10-235)	159
Lorain Avenue, 18101, (Ward 19) — Fairview Hospital, owner — appeal granted and adopted on 2/7/11 (Cal. 10-261)	159
Lorain Avenue, 8116, (Ward 15) — Elsworth Redden, owner — appeal granted and adopted on 2/7/11 (Cal. 10-178)	159
Oak Park Avenue, 2210, (Ward 13) — Leonard Pessler, owner — appeal heard on 2/7/11 (Cal. 10-271)	159
Pearl Road, 4512, (Ward 13) — Yuriy Vereshchagin, owner — appeal heard on 2/7/11 (Cal. 10-268)	158
Quincy Avenue, 10500, (Ward 6) — JCC Miles, owner — appeal postponed to 3/28/11 on 2/7/11 (Cal. 10-263)	159

State Road, 4667, (Ward 13) — Steve Borovica, aka Al’s Properties LLC, owner — appeal withdrawn on 2/7/11 (Cal. 10-264) 159
 West 156th Street, 4506, (Ward 18) — Stella Kundick, owner — appeal heard on 2/7/11 (Cal. 10-270)..... 158
 West 5th Street, 2318, (Ward 3) — Matt Berges, owner, and Scott Luccl, prospective purchaser — appeal heard on 2/7/11 (Cal. 10-247) 159

Board of Zoning Appeals — Schedule

Bridge Avenue, 3800, (Ward 3) — West Side United Church of Christ, owner and Happy Works Daycare, Inc., tenant — appeal to be heard on 2/22/11 (Cal. 11-6) 158
 East 9th Street, 1301, (Ward 3) — Erieview Land Company, LLC, owner and Suede Nights, LLC, tenant appeal to be heard on 2/22/11 (Cal. 11-9) 158
 Randall Avenue, 1935, (Ward 3) — Jeremy P. Ols — appeal to be heard on 2/22/11 (Cal. 11-5)..... 158
 Skaggs, Douglas Lee — appeal to be heard on 2/22/11 (Cal. 11-7) 158

Buckeye Area Development Corporation

Senior Landscaping and Snow Removal Program — agreement (Ward 06 NCF) (O 150-11) 167

Burke Lakefront Airport

Exercise option to renew Contract No. 69220 with Weather Forecast Inc. (O 175-11) 148
 Exercise option to renew Contract No. 69361 with Premier Flight Academy (O 176-11) 148
 Exercise option to renew Contract No. 69370 with Bencin Aviation, dba Precision Helicopter Services (O 177-11) 148
 Exercise option to renew Contract No. 69405 with T & G Flying Club, Inc. (O 178-11)..... 148

Camp George L. Forbes

Summer Food Program, 2011 — Grant — Ohio Department of Education — food service operation (O 1506-10) 153

Capital Projects

A final consent agreement E. 93 Street bridge — State of Ohio (O 137-11)..... 166
 East 3rd St., (99 feet wide) & Summit Ave. (80 feet wide) — intention to vacate portion — City Planning Commission (Ward 03) (O 90-11)..... 164
 Service Department — NOACA federal highway funding — Commercial Road Bridge rehab. and various contracts (O 1612-10) 153

City Clerk

City Council Hiring (R 187-11) 152

City Council

City Council Hiring (R 187-11) 152
 Clerk of Council — agreement — professional services — Erin McIntyre (O 139-11) 167

City of Cleveland Bids

Capacity Expansion Program, 138KV loop circuit — Department of Public Utilities — Division of Cleveland Public Power — per Ord. 556-08 — bid due March 4, 2011 (advertised 2/9/2011 and 2/16/2011)..... 162
 Cedar Avenue reconstruction (East 21st St. to East 55th St.) — Department of Public Works — Division of Engineering and Construction — per Ord. 812-09, 1425-08, 1273-09 — bid due February 18, 2011 (advertised 2/2/2011 and 2/9/2011) 161
 Ductile iron pipe and fittings — Department of Public Utilities — Division of Water — per C.O. Sec. 129.25 — bid due March 4, 2011 (advertised 2/9/2011 and 2/16/2011) 162
 Electronic tracking system for mobile assets (Re-bid) — Department of Finance — per Ord. 538-09 — bid due March 11, 2011 (advertised 2/9/2011 and 2/16/2011) 162
 Fence improvements at Gordon Square (Re-bid) — Department of Public Works — Division of Architecture and Site Improvement — per Ord. 937-10 — bid due February 23, 2011 (advertised 2/9/2011 and 2/16/2011)..... 162
 Manholes, castings, pull boxes and gratings — Department of Public Utilities — Division of Cleveland Public Power — per C.O. Sec. 129.25, 129.27 — bid due March 3, 2011 (advertised 2/2/2011 and 2/9/2011) 162
 Morgan Run, Phase I (East 71st St., East 72nd St., Aetna Ave. and Union Ave.) — Department of Public Works — Division of Engineering and Construction — per Ord. 1201-10 — bid due February 25, 2011 (advertised 2/2/2011 and 2/9/2011) 162
 Roof replacement for Public Safety Building (Re-bid) — Department of Public Works — Division of Architecture and Site Improvement — per Ord. 888-06, 781-09 — bid due March 9, 2011 (advertised 2/9/2011 and 2/16/2011) 162

City Planning Commission

Amend Sect(s) 1 & 2 of Ord. No. 770-09 — Living Cities — Grants — Reimagining and Re-using Vacant Land in Cleveland Program (O 185-11).....	150
Detroit Ave. (W. 25 St.) — Loop Road, N. W. for Roadway purposes — (Plat) (F 41-11)	147
East 3rd St., (99 feet wide) & Summit Ave. (80 feet wide) — intention to vacate portion — Capital Projects (Ward 03) (O 90-11)	164
Garden Valley Estates Phase 1 — E. 70th St. & Anita Kennedy Rd. for roadway purposes — (Plats) (F 42-11)	147

Clerk of Council

Agreement — professional services — Erin McIntyre (O 139-11)	167
--	-----

Codified Ordinances

Amend Sect(s) 131.07 & 131.08 — Relating to Special Events (O 135-11)	165
Amend Sect. 670.14 — Armed Security Guards (O 188-11)	151

Communications

Garden Valley Estates Phase 1 — E. 70th St. & Anita Kennedy Rd. for roadway purposes — (Plats) (F 42-11)	147
Northeast Shores Development Corp. — Apartments at the LaSalle Theater — Ohio Housing Finance Agency — Public Notification Letter (Ward 11) (F 193-11)	147
Ohio State Senator Nina Turner — Receipt of Res. No. 1576-10 & Res. No. 1525-10 (F 192-11)	147
West 29th Street — Vacation & Dedication Plat (Ward 03) (F 194-11)	147

Community Development Block Grant Program

Federal HOME Grant Program (2011) — Emergency Shelter Grant — Housing Opportunities for Persons with AIDS Program — Year XXXVII — Community Development Department (O 190-11)	152
---	-----

Community Development Department

Amend Sect(s) 1 & 14 of Ord. No. 467-10 — Neighborhood Stabilization 2 Program (O 10-11)	154
Apply & Accept HUD Grant for Neighborhood Stabilization Program 3 (O 11-11)	154
Buckeye Rd., 12615 — PPN 129-16-035 — Land Reutilization Program — Harper Industries, Inc (Ward 06) (O 180-11)	149
Contract Nos. 57403 & 58993 — West Virginia Building to WV Lofts, LLC — rehab. of rental units at 1830-40 West 28th St. (O 12-11)	154
East 108th St., 524 — PPN 108-15-012 — Land Reutilization Program — Regina M. Burrell (Ward 09) (O 1563-10)	153
East 179th St. — PPN 116-07-004 — Land Reutilization Program — Collinwood and Nottingham Villages Development Corp. (Ward 11) (O 1564-10)	153
East 69th St., 2245 — PPN 118-22-077 — Land Reutilization Program — Desdalena M. Trice (Ward 05) (O 1616-10)	153
East 75th Street — PPN 133-02-033 / 034 — Land Reutilization Program — Chad Murray (Ward 12) (O 179-11)	149
Federal HOME Grant Program (2011) — Emergency Shelter Grant — Housing Opportunities for Persons with AIDS Program — Year XXXVII (O 190-11)	152
Senior Health Promotion and Specialization Program — agreement — Senior Outreach Services, Inc. (Ward 06 NCF) (O 149-11)	167
Senior Landscaping and Snow Removal Program — agreement — Buckeye Area Development Corp. (Ward 06 NCF) (O 150-11)	167
Wentworth Ave., 7278 — PPN 006-28-093 — Land Reutilization Program — Randy L. King (Ward 15) (O 1566-10)	153

Condolences Resolutions

Minter, George Roland (R 196-11)	147
Washington, John Clarence (R 195-11)	147

Congratulatory Resolutions

Bibb, Leon D. (R 198-11)	147
Cleveland People.com (R 197-11)	147
Thomas, Gary G. (R 199-11)	147
Williams, Jay (R 200-11)	147

Contracts

A final consent agreement E. 93 Street bridge — Capital Projects — State of Ohio (O 137-11)	166
Amend Sect(s) 1 & 14 of Ord. No. 467-10 — Neighborhood Stabilization 2 Program (O 10-11)	154
Asphalt concrete, recycled or virgin — Streets Division (O 6-11)	153

City Architecture Inc. — League Park (Design improvements) (O 1454-10)..... 153
 Clerk of Council — agreement — professional services — Erin McIntyre (O 139-11) 167
 COBRA & HIPAA compliance administration (O 184-11) 150
 Community Development — Contract Nos. 57403 & 58993 — West Virginia Building to WV Lofts,
 LLC — rehab. of rental units at 1830-40 West 28th St. (O 12-11)..... 154
 Economic Development — agreement — The Greater Cleveland Sports Commission (O 181-11) 149
 Economic Development — AlSher Titania, LLC — partially finance the purchase of machinery
 and equipment — 842 East 79th St. (Ward 08) (O 131-11) 165
 Economic Development — Midtown Acquisition, LLC — Euclid Ave., 6900 & 7000
 (partially finance the acquisition, demolition & redevelopment) (Ward 05)
 (O 182-11) 150
 Employee Assistance Program Administration (O 183-11)..... 150
 Exercise option to renew Contract No. 69220 with Weather Forecast Inc. (O 175-11) 148
 Exercise option to renew Contract No. 69361 with Premier Flight Academy (O 176-11) 148
 Exercise option to renew Contract No. 69370 with Bencin Aviation, dba Precision Helicopter
 Services (O 177-11) 148
 Exercise option to renew Contract No. 69405 with T & G Flying Club, Inc. (O 178-11)..... 148
 Insurance — group medical, prescription, dental, vision, life — medical reimbursement —
 dependent care accounts — premium pass-through benefits (O 186-11) 152
 Public Works — amend Contract No. 38890 — Pleasant Valley Enterprises — lease property
 at 14550 Lorain Ave. (O 8-11) 153
 Service Department — NOACA federal highway funding — Commercial Road Bridge rehab. and
 various contracts (O 1612-10) 153
 Utilities Department — Management Strategies — professional services (O 138-11) 166
 Utilities Department — public improvement — cleaning & cement mortar lining (O 1552-10) 153

Economic Development Department

Acquire and re-convey properties — SDC University Circle Developer LLC — Cornell Rd., 2021
 (TIF) (Ward 09) (O 189-11) 151
 Agreement — The Greater Cleveland Sports Commission (O 181-11) 149
 Contract — AlSher Titania, LLC — partially finance the purchase of machinery and equipment —
 842 East 79th St. (Ward 08) (O 131-11) 165
 Contract — Midtown Acquisition, LLC — Euclid Ave., 6900 & 7000 (partially finance
 the acquisition, demolition & redevelopment) (Ward 05) (O 182-11) 150

Finance Department

Moral Claims — authorize payments (O 88-11) 154
 Sidewalks, driveway aprons, curbs, castings and landscaping — East 151 St., West 61St.,
 West 64th St., West 90th St. — relay and repair (O 132-11) 154

Fire Division

Assistance to Firefighters Grant — Grants — Safety Department — U.S. Department of Homeland
 Security (O 15-11) 164
 U.S. Department of Homeland Security — Grants — Fire Prevention and Safety Grant Program
 (O 9-11) 164

Grants

Amend Sect(s) 1 & 2 of Ord. No. 770-09 — Living Cities — Reimagining and Re-using Vacant
 Land in Cleveland Program (O 185-11)..... 150
 Assistance to Firefighters Grant — Safety Department — U.S. Department of Homeland Security
 (O 15-11) 164
 Community Development — Apply & Accept HUD Grant for Neighborhood Stabilization Program
 3 (O 11-11) 154
 Cuyahoga County OVI Task Force Program, 2011 — University Hospitals (O 1631-10) 163
 Federal HOME Grant Program (2011) — Emergency Shelter Grant — Housing Opportunities for
 Persons with AIDS Program — Year XXXVII — Community Development Department
 (O 190-11) 152
 Summer Food Program, 2011 — Ohio Department of Education — food service operation — Camp
 George L. Forbes (O 1506-10) 153
 U.S. Department of Homeland Security — Fire Prevention and Safety Grant Program (O 9-11) 164

House Bill

Oppose House Bill 45 (Gun Control) (R 148-11) 163

Housing and Urban Development (HUD)

Community Development — Apply & Accept HUD Grant for Neighborhood Stabilization Program
 3 (O 11-11) 154
 Federal HOME Grant Program (2011) — Emergency Shelter Grant — Housing Opportunities for
 Persons with AIDS Program — Year XXXVII — Community Development Department
 (O 190-11) 152

Land Reutilization Program

Buckeye Rd., 12615 — PPN 129-16-035 — Harper Industries, Inc. (Ward 06) (O 180-11)	149
East 108th St., 524 — PPN 108-15-012 — Regina M. Burrell (Ward 09) (O 1563-10)	153
East 179th St. — PPN 116-07-004 — Collinwood and Nottingham Villages Development Corp. (Ward 11) (O 1564-10)	153
East 69th St., 2245 — PPN 118-22-077 — Desdalena M. Trice (Ward 05) (O 1616-10)	153
East 75th Street — PPN 133-02-033 / 034 — Chad Murray (Ward 12) (O 179-11)	149
Wentworth Ave., 7278 — PPN 006-28-093 — Randy L. King (Ward 15) (O 1566-10).....	153

Lease

Public Works — amend Contract No. 38890 — Pleasant Valley Enterprises — lease property at 14550 Lorain Ave. (O 8-11)	153
---	-----

Liquor Permits

MLK Blvd., 3904 (1st. fl.) — withdraw objection to renewal — repeal Res. 1099-10 (Ward 02) (R 191-11)	152
Prospect Ave., 1222 — objection to transfer of liquor license (Ward 03) (R 146-11)	162
Superior Ave., 5816 — withdraw objection to transfer of ownership & Liquor Agency Contract — repeal Res. 1642-10 & 1643-10 (Ward 07) (R 147-11)	163

Mayor's Office

Utilities Department — Management Strategies — professional services (O 138-11)	166
---	-----

Moral Claims

Moral Claims — authorize payments (O 88-11)	154
---	-----

Northeast Shores Development Corporation

Apartments at the LaSalle Theater — Ohio Housing Finance Agency — Public Notification Letter (Ward 11) (F 193-11).....	147
---	-----

Ohio Department of Education

Summer Food Program, 2011 — Grant — food service operation — Camp George L. Forbes (O 1506-10)	153
---	-----

Parks, Recreation and Properties Department

City Architecture Inc. — contracts — League Park (Design improvements) (O 1454-10)	153
Summer Food Program, 2011 — Grant — Ohio Department of Education — food service operation — Camp George L. Forbes (O 1506-10)	153

Peddlers

Piperis, Ilias — peddling — (Ward 14) (O 141-11)	167
--	-----

Permits

Piperis, Ilias — peddling — (Ward 14) (O 141-11)	167
Walk for Hunger, 23rd Annual — May 14th — Hunger Network of Greater Cleveland (Ward 03) (O 142-11)	167

Personnel and Human Resources Department

COBRA & HIPAA compliance administration (O 184-11)	150
Employee Assistance Program Administration (O 183-11).....	150
Insurance — group medical, prescription, dental, vision, life — medical reimbursement — dependent care accounts — premium pass-through benefits (O 186-11)	152

Plats

Detroit Ave. (W. 25 St.) — Loop Road, N. W. for Roadway purposes — (Plat) (F 41-11)	147
Garden Valley Estates Phase 1 — E. 70th St. & Anita Kennedy Rd. for roadway purposes — (Plats) (F 42-11).....	147
West 29th Street — Vacation & Dedication Plat (Ward 03) (F 194-11).....	147

Port Control Department

Exercise option to renew Contract No. 69220 with Weather Forecast Inc. (O 175-11)	148
Exercise option to renew Contract No. 69361 with Premier Flight Academy (O 176-11)	148
Exercise option to renew Contract No. 69370 with Bencin Aviation, dba Precision Helicopter Services (O 177-11)	148
Exercise option to renew Contract No. 69405 with T & G Flying Club, Inc. (O 178-11).....	148

Professional Services

City Architecture Inc. — contracts — League Park (Design improvements) (O 1454-10)	153
Clerk of Council — agreement — Erin McIntyre (O 139-11)	167
COBRA & HIPAA compliance administration (O 184-11)	150
Employee Assistance Program Administration (O 183-11).....	150
Insurance — group medical, prescription, dental, vision, life — medical reimbursement — dependent care accounts — premium pass-through benefits (O 186-11)	152
Utilities Department — Management Strategies (O 138-11)	166

Public Improvements

Utilities Department — contract cleaning & cement mortar lining (O 1552-10)	153
---	-----

Public Works

Amend Sect(s) 131.07 & 131.08 — Relating to Special Events (O 135-11)	165
Asphalt concrete, recycled or virgin — Streets Division (O 6-11)	153
City Architecture Inc. — contracts — League Park (Design improvements) (O 1454-10)	153
Public Works — amend Contract No. 38890 — Pleasant Valley Enterprises — lease property at 14550 Lorain Ave. (O 8-11)	153
Summer Food Program, 2011 — Grant — Ohio Department of Education — food service operation — Camp George L. Forbes (O 1506-10)	153
West 29th Street — Vacation & Dedication Plat (Ward 03) (F 194-11).....	147

Purchases and Supplies Division

Acquire and re-convey properties — SDC University Circle Developer LLC — Cornell Rd., 2021 (TIF) (Ward 09) (O 189-11)	151
---	-----

Recognition Resolutions

Bullard, Ph. D., Robert D. (R 202-11)	148
Greater Cleveland Aquarium (R 203-11)	148
Konys, Joseph A. "Jake" (R 201-11).....	147

Resolutions of Support

Ohio State Senator Nina Turner — Receipt of Res. No. 1576-10 & Res. No. 1525-10 (F 192-11)	147
Oppose closing E. 55th Street State Driver License testing station (R 145-11)	162
Oppose House Bill 45 (Gun Control) (R 148-11)	163

Resolutions- Miscellaneous

Ohio State Senator Nina Turner — Receipt of Res. No. 1576-10 & Res. No. 1525-10 (F 192-11)	147
Oppose closing E. 55th Street State Driver License testing station (R 145-11)	162
Oppose House Bill 45 (Gun Control) (R 148-11)	163

Safety Department

Amend Sect. 670.14 — Armed Security Guards (O 188-11)	151
Assistance to Firefighters Grant — Grants — U.S. Department of Homeland Security (O 15-11)	164
Cuyahoga County OVI Task Force Program, 2011 — Grants — University Hospitals (O 1631-10)	163
U.S. Department of Homeland Security — Grants — Fire Prevention and Safety Grant Program (O 9-11).....	164

Service Department

NOACA federal highway funding — Commercial Road Bridge rehab. and various contracts (O 1612-10)	153
Public Works — amend Contract No. 38890 — Pleasant Valley Enterprises — lease property at 14550 Lorain Ave. (O 8-11)	153
Asphalt concrete, recycled or virgin — Streets Division (O 6-11)	153

Sidewalks

Sidewalks, driveway aprons, curbs, castings and landscaping — East 151 St., West 61St., West 64th St., West 90th St. — relay and repair (O 132-11)	154
---	-----

State of Ohio

A final consent agreement E. 93 Street bridge — Capital Projects (O 137-11)	166
---	-----

Streets Division

Asphalt concrete, recycled or virgin — Streets Division (O 6-11)	153
--	-----

Street Vacation

East 3rd St., (99 feet wide) & Summit Ave. (80 feet wide) — intention to vacate portion — City Planning Commission — Capital Projects (Ward 03) (O 90-11)	164
--	-----

Summer Food Program

Summer Food Program, 2011 — Grant — Ohio Department of Education — food service operation — Camp George L. Forbes (O 1506-10)	153
--	-----

Utilities Department

Asphalt concrete, recycled or virgin — Streets Division (O 6-11)	153
Management Strategies — professional services (O 138-11)	166
Public improvement contract cleaning & cement mortar lining (O 1552-10)	153

Walk- A- Thons

Walk for Hunger, 23rd Annual — permit — May 14th — Hunger Network of Greater Cleveland (Ward 03) (O 142-11)	167
--	-----

Ward 01

Oppose closing E. 55th Street State Driver License testing station (R 145-11)	162
Sidewalks, driveway aprons, curbs, castings and landscaping — East 151 St., West 61St., West 64th St., West 90th St. — relay and repair (O 132-11)	154
Washington, John Clarence — condolence (R 195-11)	147

Ward 02

MLK Blvd., 3904 (1st. fl.) — withdraw objection to renewal — repeal Res. 1099-10 — liquor permit (Ward 02) (R 191-11)	152
Oppose closing E. 55th Street State Driver License testing station (R 145-11)	162
Sidewalks, driveway aprons, curbs, castings and landscaping — East 151 St., West 61St., West 64th St., West 90th St. — relay and repair (O 132-11)	154

Ward 03

East 3rd St., (99 feet wide) & Summit Ave. (80 feet wide) — intention to vacate portion — City Planning Commission — Capital Projects (O 90-11)	164
Prospect Ave., 1222 — objection to transfer of liquor license — liquor permit (R 146-11)	162
Detroit Ave. (W. 25 St.) — Loop Road, N. W. for Roadway purposes — (Plat) (F 41-11)	147
West 29th Street — Vacation & Dedication Plat (F 194-11)	147
Cleveland People.com — congratulations (R 197-11)	147
Greater Cleveland Aquarium — recognition (R 203-11)	148
Walk for Hunger, 23rd Annual — permit — May 14th — Hunger Network of Greater Cleveland (O 142-11)	167

Ward 05

East 69th St., 2245 — PPN 118-22-077 — Land Reutilization Program — Desdalena M. Trice (O 1616-10)	153
Economic Development — contract — Midtown Acquisition, LLC — Euclid Ave., 6900 & 7000 (partially finance the acquisition, demolition & redevelopment) (O 182-11)	150
Garden Valley Estates Phase 1 — E. 70th St. & Anita Kennedy Rd. for roadway purposes — (Plats) (F 42-11)	147
Oppose closing E. 55th Street State Driver License testing station (R 145-11)	162

Ward 06

Buckeye Rd., 12615 — PPN 129-16-035 — Land Reutilization Program — Harper Industries, Inc.
(O 180-11) 149
Bullard, Ph. D., Robert D. — recognition (R 202-11)..... 148
Oppose closing E. 55th Street State Driver License testing station (R 145-11) 162
Senior Health Promotion and Specialization Program — agreement — Senior Outreach Services,
Inc. (Ward 06 NCF) (O 149-11)..... 167
Senior Landscaping and Snow Removal Program — agreement — Buckeye Area Development Corp.
(Ward 06 NCF) (O 150-11)..... 167

Ward 07

City Architecture Inc. — contracts — League Park (Design improvements) (O 1454-10) 153
Oppose closing E. 55th Street State Driver License testing station (R 145-11) 162
Superior Ave., 5816 — withdraw objection to transfer of ownership & Liquor Agency Contract —
repeal Res. 1642-10 & 1643-10 — liquor permit (R 147-11) 163

Ward 08

Economic Development — contract — AlSher Titania, LLC — partially finance the purchase
of machinery and equipment — 842 East 79th St. (O 131-11) 165
Oppose closing E. 55th Street State Driver License testing station (R 145-11) 162

Ward 09

Acquire and re-convey properties — SDC University Circle Developer LLC — Cornell Rd., 2021
(TIF) (O 189-11) 151
East 108th St., 524 — PPN 108-15-012 — Land Reutilization Program — Regina M.
Burrell (O 1563-10) 153

Ward 10

Minter, George Roland — condolence (R 196-11) 147
Oppose closing E. 55th Street State Driver License testing station (R 145-11) 162
Oppose House Bill 45 (Gun Control) (R 148-11) 163

Ward 11

East 179th St. — PPN 116-07-004 — Land Reutilization Program — Collinwood and Nottingham
Villages Development Corp. (O 1564-10) 153
Oppose House Bill 45 (Gun Control) (R 148-11) 163
Sidewalks, driveway aprons, curbs, castings and landscaping — East 151 St., West 61St.,
West 64th St., West 90th St. — relay and repair (O 132-11) 154

Ward 12

East 75th Street — PPN 133-02-033 / 034 — Land Reutilization Program — Chad Murray (O 179-11) 149
Oppose closing E. 55th Street State Driver License testing station (R 145-11) 162

Ward 13

Oppose closing E. 55th Street State Driver License testing station (R 145-11) 162

Ward 14

Oppose closing E. 55th Street State Driver License testing station (R 145-11) 162
Piperis, Ilias — peddling — (Ward 14) (O 141-11) 167

Ward 15

Sidewalks, driveway aprons, curbs, castings and landscaping — East 151 St., West 61St.,
West 64th St., West 90th St. — relay and repair (O 132-11) 154
Wentworth Ave., 7278 — PPN 006-28-093 — Land Reutilization Program — Randy L. King
(O 1566-10) 153

Ward 16

Oppose closing E. 55th Street State Driver License testing station (R 145-11) 162
Sidewalks, driveway aprons, curbs, castings and landscaping — East 151 St., West 61St.,
West 64th St., West 90th St. — relay and repair (O 132-11) 154

Ward 18

Bibb, Leon D. — congratulations (R 198-11) 147
 Oppose closing E. 55th Street State Driver License testing station (R 145-11) **162**
 Oppose House Bill 45 (Gun Control) (R 148-11) **163**
 Thomas, Gary G. — congratulations (R 199-11)..... 147
 Williams, Jay — congratulations (R 200-11)..... 147

Ward 19

Konys, Joseph A. “Jake” — recognition (R 201-11) 147
 Public Works — amend Contract No. 38890 — Pleasant Valley Enterprises — lease property
 at 14550 Lorain Ave. (O 8-11) 153

Water Mains

Utilities Department — public improvement contract cleaning & cement mortar lining
 (O 1552-10) 153