

# The City Record

Official Publication of the Council of the City of Cleveland



February the Tenth, Two Thousand and Sixteen

**Frank G. Jackson**  
Mayor

**Kevin J. Kelley**  
President of Council

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

**Ward Name**

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

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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL – LEGISLATIVE

President of Council – Kevin J. Kelley

Ward	Name	Residence	
1	Terrell H. Pruitt	16920 Throckley Avenue	44128
2	Zack Reed	3734 East 149th Street	44120
3	Joe Cimperman	P.O. Box 91688	44101
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44105
6	Mamie J. Mitchell	12701 Shaker Boulevard, #712	44120
7	TJ Dow	7715 Decker Avenue	44103
8	Michael D. Polensek	17855 Brian Avenue	44119
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Jeffrey D. Johnson	9024 Parkgate Avenue	44108
11	Dona Brady	1272 West Boulevard	44102
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Kevin J. Kelley	5904 Parkridge Avenue	44144
14	Brian J. Cummins	3104 Mapledale Avenue	44109
15	Matthew Zone	1228 West 69th Street	44102
16	Brian Kazy	4300 West 143rd Street	44135
17	Martin J. Keane	15907 Colletta Lane	44111

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

### MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff  
 Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer  
 Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs  
 Martin J. Flask, Executive Assistant to the Mayor of Special Projects  
 Monyka S. Price, Executive Assistant to the Mayor, Chief of Education  
 Jenita McGowan, Executive Assistant to the Mayor, Chief of Sustainability  
 Natoya J. Walker Minor, Executive Assistant to the Mayor, Chief of Public Affairs  
 Edward W. Rybka, Executive Assistant to the Mayor, Chief of Regional Development  
 Dan Williams, Media Relations Director

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

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

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

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

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

Natasha Brandt, Manager, Internal Audit

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

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

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

### DEPT. OF PORT CONTROL – Fred Szabo, Interim Director, Cleveland Hopkins International Airport, 5300 Riverside Drive

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

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

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

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

### DEPT. OF PUBLIC HEALTH – \_\_\_\_\_, Director, 75 Erieview Plaza

**DIVISIONS:**  
 Air Quality – George Baker, Commissioner  
 Environment – Chantez Williams, Commissioner, 75 Erieview Plaza  
 Health – \_\_\_\_\_, Commissioner, 75 Erieview Plaza

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

**DIVISIONS:**  
 Animal Control Services – Edward Jamison, Chief Animal Control Officer, 2690 West 7th Street  
 Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.  
 Emergency Medical Service – Nicole Carlton, Acting Commissioner, 1708 South Pointe Drive  
 Fire – Patrick Kelly, Chief, 1645 Superior Avenue  
 Police – Calvin D. Williams, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

### DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

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

### DEPT. OF BUILDING AND HOUSING – Ronald J.H. O’Leary, Director, Room 500

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

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

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

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

**COMMUNITY RELATIONS BOARD** – Room 11, Blaine Griffin, Director, Mayor Frank G. Jackson, Chairman Ex-Officio; Rev. Dr. Charles P. Lucas, Jr., Vice-Chairman, Council Member Brian Cummins, Eugene R. Miller (Board Lawyer), Roosevelt E. Coats, Jenice Contreras, Kathryn Hall, Yasir Hamdallah, Evangeline Hardaway, John O. Horton, Gary Johnson, Sr., Daniel McNea, Stephanie Morrison-Hrbek, Roland Muhammad, Gia Hoa Ryan, Peter Whitt.

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

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

**BOARD OF ZONING APPEALS** – Room 516, Carol A. Johnson, Chairman; Members: Mary Haas McGraw, Ozell Dobbins, Joan Shaver Washington, Tim Donovan, Elizabeth Kukla, Secretary.

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

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

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

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

**CITY PLANNING COMMISSION** – Room 501 – Freddy L. Collier, Jr., 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, Clark Rivera.

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

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

**CLEVELAND LANDMARKS COMMISSION** – Room 519 – Jennifer Coleman, Chair; Laura M. Bala, Freddy L. Collier, Jr., Allan Dreyer, Giancarlo Calicchia, Council Member Terrell H. Pruitt, Robert Strickland, Julie Trot, Robert Vilkas, Donald Petit, Interim Secretary.

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

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

Judge Courtroom  
 Presiding and Administrative Judge Ronald B. Adrine – Courtroom 15A  
 Judge Pinkey S. Carr – Courtroom 15C  
 Judge Marilyn B. Cassidy – Courtroom 13A  
 Judge Michelle Denise Earley – Courtroom 14C  
 Judge Emanuella Groves – Courtroom 14B  
 Judge Lauren C. Moore – Courtroom 14A  
 Judge Charles L. Patton, Jr. – Courtroom 13D  
 Judge Raymond L. Pianka (Housing Court Judge) – Courtroom 13B  
 Judge Suzan Marie Sweeney – Courtroom 12C  
 Judge Ed Wade – Courtroom 13C  
 Judge Joseph J. Zone – Courtroom 14D  
 Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Robert J. Furda – Chief Bailiff; Dean Jenkins – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate.

# The City Record



71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

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WEDNESDAY, FEBRUARY 10, 2016

No. 5331

## CITY COUNCIL

MONDAY, FEBRUARY 8, 2016

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

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2015-2017

#### MONDAY — Alternating

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

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

#### MONDAY

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

#### TUESDAY

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

#### TUESDAY — Alternating

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

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

#### WEDNESDAY — Alternating

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

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

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

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

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

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

### OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio  
Monday, February 8, 2016

The meeting of the Council was called to order at 7:04 p.m. with the President of Council, Kevin J. Kelley, in the Chair.

Council Members present: Dona Brady, Anthony Brancatelli, Joe Cimperman, Phyllis E. Cleveland, Kevin Conwell, Brian J. Cummins, T.J. Dow, Kenneth L. Johnson, Brian Kazy, Kevin J. Kelley, Martin J. Keane, Mamie J. Mitchell, Michael D. Polensek, Terrell H. Pruitt, Zack Reed, and Matthew Zone.

Also present were: Mayor Frank G. Jackson, Chief of Staff Ken Siliman, Chief Operating Officer Darnell Brown, Chief of Government Affairs Valarie J. McCall, Chief of Regional Development Edward W. Rybka, Chief of Education Monyka S. Price, Media Relations Director Dan Williams, Chief of Sustainability Jenita McGowan, Chief of Public Affairs Natoya Walker-Minor, and Directors Langhenry, Davis, Szabo, Spronz, McGrath, Cox, O'Leary, Southerington, Nichols, Griffin, Collier, Fumich, Ambroz and Burrows.

Pursuant to Ordinance No. 2926-76, the opening prayer was offered by Elder Kennedy Jones, City of God Baptist Fellowship, Cleveland, Ohio (Ward 10). Pledge of Allegiance.

### MOTION

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

### COMMUNICATIONS

#### File No. 160-16.

From Maryellen Stein, Director of Housing Development, Catholic Charities Housing Corporation. Notice of intent to apply for multi-family funding programs of Ohio

Housing Finance Agency for St. Vincent de Paul Senior Housing, at Lorain Avenue and West 135th Street, Cleveland, Ohio. Received.

### FROM OHIO DIVISION OF LIQUOR CONTROL

#### File No. 165-16.

RE: #5376715. Stock Application, D2 D2X D3 D3A D6. M EM CLE, LLC, 1104 Rowley Avenue (Ward 12). Received.

#### File No. 166-16.

RE: #0671100. Stock Application, D1 D2 D3 D3A D6. Kye LLC, 13429 Lakewood Heights Boulevard (Ward 16). Received.

#### File No. 167-16.

RE: #3306676. Transfer of Ownership Application, C2 C2X. Grace 3344, Inc., 3344 East 116th Street (Ward 4). Received.

#### File No. 168-16.

RE: #91667110005. New License Application, D5J. United Concessions Group, Inc., 5300 Riverside Drive (Ward 17). Received.

#### File No. 169-16.

RE: #2455479. Transfer of Ownership Application, C1 C2. 8806 Superior Grace, Inc., 8802 Superior Avenue (Ward 7). Received.

#### File No. 170-16.

RE: #4687854. Transfer of Ownership Application, D5. Kizella, LLC, 2309 Street Clair Avenue (Ward 7). Received.

#### File No. 171-16.

RE: #6286885. Transfer of Ownership Application, C2 C2X. Najada Town Foods, Inc., 2184 West 85th Street (Ward 15). Received.

#### File No. 172-16.

RE: #0434580. Transfer of Ownership Application, D5. Bar CLE, LLC, 13560 Lorain Avenue (Ward 16). Received.

### CONDOLENCE RESOLUTIONS

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

**Res. No. 173-16** — Anita Louise (Byrd) Jones.

**Res. No. 174-16** — Shirrell Renee McKinney.

**Res. No. 175-16** — Barry Poindexter.

**Res. No. 176-16** — Clarence Yarbrough.

**Res. No. 177-16** — Richie Giachetti.

**Res. No. 178-16** — Commissioner Doris V. Jones.

**Res. No. 179-16** — Dr. Sandra Delores Thomas.  
**Res. No. 184-16** — Rosetta "Peggy" Montgomery.

**CONGRATULATIONS RESOLUTIONS**

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

**Res. No. 180-16** — Brenda Marie Thomas Mayfield.  
**Res. No. 181-16** — Lieutenant Frank Bolon, #8340.

**FIRST READING EMERGENCY ORDINANCES REFERRED**

**Ord. No. 148-16.**  
**By Council Members Brancatelli and Kelley (by departmental request).**

**An emergency ordinance to amend Sections 1 and 2 of Ordinance No. 519-14, passed May 12, 2014, relating to appropriating Community Development Block Grant and HOME funds for administrative expenses of the Department of Community Development.**

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. 519-14, passed May 12, 2014, are amended to read as follows:

Section 1. That Community Development Block Grant funds in the

amount of \$4,837,270 from Fund No. 14 SF 040 and HOME funds in the amount of \$368,900 from Fund No. 19 SF 680, and any other prior year balances that may become available, are appropriated for the administrative expenses of the Department of Community Development under the following schedule:

Personnel:	\$4,742,170
Other:	\$464,000

**Section 2.** That the Director of Community Development is authorized to expend funds and enter into contracts for reimbursement of non-profit, government and for-profit agencies and sub-recipients for the cost of audit and other professional services.

**Section 2.** That existing Sections 1 and 2 of Ordinance No. 519-14, passed May 12, 2014, are repealed.

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

Referred to Directors of Community Development, Finance, Law; Committees on Development Planning and Sustainability, Finance.

**Ord. No. 149-16.**  
**By Council Members Brancatelli and Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into an amendment to the Master Development Agreement with Chagrin Highlands, Ltd., City Contract No. 40622, to change certain terms of the agreement.**

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 an amendment to the Master Development Agreement with Chagrin Highlands, Ltd., City Contract No. 40622, to eliminate the ceiling on Reserved Land and to provide that the Area Factor shall be 61% for all future sales. All other terms and conditions contained in the contract shall remain the same.

**Section 2.** That the amendment to Master Development Agreement No. 40622 shall be prepared by the Director of Law.

**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 Economic Development, City Planning Commission, Finance, Law; Committees on Development Planning and Sustainability, Finance.

**Ord. No. 151-16.**  
**By Council Member Kelley (by departmental request).**

**An emergency ordinance to amend Section 50 of Ordinance No. 323-15, passed March 30, 2015, relating to compensation for various classifications.**

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

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

**Section 1.** That Section 50 of Ordinance No. 323-15, passed March 30, 2015, is amended to read as follows:

**Section 50. Hourly Rate - MCEO.**

Effective **May 1, 2015**, compensation for all persons employed by the hour in any of the following classifications shall be fixed by the appointing authority within the limits established in the following schedule for each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Construction Equipment - Group A .....	\$38.92	<b>\$50.74</b>
2. Construction Equipment - Group B .....	38.80	<b>50.89</b>
3. Master Mechanic.....	39.30	<b>52.04</b>

**Section 2.** That existing Section 50 of Ordinance No. 323-15, passed March 30, 2015, is repealed.

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

Referred to Directors of Human Resources, Finance, Law; Committee on Finance.

**Ord. No. 152-16.**  
**By Council Members Zone and Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Public Safety to enter into one or more contracts with Tyler Technologies fka New World Systems, Hexagon Safety & Infrastructure dba Intergraph Corporation, and Winbourne Consulting, LLC for the acquisition of software and professional services necessary to implement the upgrades to mobile field reporting under the Law**

**Enforcement Record Management System and the Computer Aided Dispatch System; and to enter into various written standard purchase and requirement contracts needed in connection with the improvement.**

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 enter into one or more contracts with Tyler Technologies fka New World Systems for professional services necessary to acquire one or more software licenses for mobile field reporting under the Law Enforcement Record Management System ("LERMS"), and to provide implementation and other services needed to upgrade and implement the LERMS' Mobile Field Reporting upgrade, on the basis of its proposal dated October 14, 2015, in the



total sum of \$887,280, for the Division of Police, Department of Public Safety.

**Section 2.** That the Director of Public Safety is authorized to enter into one or more contracts with Hexagon Safety & Infrastructure dba Intergraph Corporation for professional services necessary to acquire one or more software licenses to implement the Computer Aided Dispatch upgrade ("CAD"), and to provide implementation and project management services needed to upgrade and implement the CAD upgrade, on the basis of its proposal dated July 24, 2015, in the total sum of \$634,570, for the Division of Police, Department of Public Safety.

**Section 3.** That the Director of Public Safety is authorized to enter into one or more contracts with Winbourne Consulting, LLC for professional services necessary to provide project management services for the implementation of the LERMS, on the basis of its proposal dated December 1, 2015, in the total sum of \$124,500, for the Division of Police, Department of Public Safety.

**Section 4.** The Director of Public Safety is authorized to enter into any third-party software licenses agreements necessary to effectuate the purposes of this ordinance.

**Section 5.** That the Director of Public Safety is authorized to make one or more written standard purchase contracts and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by the director, for the necessary items of materials, equipment, supplies, and services necessary to implement this ordinance, including labor and materials if necessary, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Public Safety. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines.

**Section 6.** That the costs of the requirement contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance.

**Section 7.** 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 8.** That the cost of the contracts authorized shall be paid from Fund Nos. 11 SF 006, 20 SF 517, 20 SF 524, 20 SF 532, 20 SF 539, 20 SF 545, 20 SF 551, 20 SF 553, 20 SF 559, 20 SF 562, 20 SF 566, and from any and all funds approved by the Director of Finance, including future bond funds if issued for this purpose, RQS 6001, RL 2016-5.

**Section 9.** That this ordinance is declared to be an emergency measure

and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

**Ord. No. 153-16.**

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

**An emergency ordinance authorizing the Director of Public Works to renew its Lease By Way of Concession with the Board of Trustees of the Cleveland Public Library for the Eastman Reading Garden in Eastman Park to March 1, 2048.**

Whereas, under Ordinance No. 1079-93, passed June 7, 1993, the City entered a Lease By Way of Concession ("LBWOC") with the Board of Trustees of the Cleveland Public Library (the "Library") for the surface level of the Eastman Reading Garden in Eastman Park for a period of twenty years, which expired on May 18, 2014; and

Whereas, also under Ordinance 1079-93, passed June 7, 1993, the City granted an easement ("Easement") to the Library granting certain rights for land below Eastman Park for a term of fifty years from completion of the library reconstruction and expansion project, which will expire on March 1, 2048; and

Whereas, the City and the Library desire to extend the LBWOC term for the above-ground Eastman Reading Garden in Eastman Park to run coterminous with the term of the Easement for the land below Eastman Park, which is currently set to expire on March 1, 2048; 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, notwithstanding Section 183.03 or any other provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Works is authorized to renew the LBWOC with the Library for property known as Eastman Park ("Renewal"), and more fully described as follows:

**EASTMAN READING GARDEN  
SURFACE LEVEL LEASE AREA  
PPN 101-05-021**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Two Acre Lot No. 67, and bounded and described as follows:

Beginning at the intersection of the Northerly line of Superior Avenue N.E. (132 feet wide) with the Westerly line of East 6th Street (99 feet wide); thence South 55°48'18" West 124.54 feet along the Northerly line of Superior Avenue and the Southerly lines of Sublots Nos. 46 and 44 of John A. Rockwell and Others Subdivision as shown by the recorded plat in Volume 2 of Maps, Page 58 of Cuyahoga County Records, to the Southwesterly corner of said Sublot No. 44 and of the property conveyed to Louise G. Bickford by Deed dated April 29, 1992 in Volume 92-3538, Page 56 of Cuyahoga County Records and the principal place of beginning;

Thence continuing South 55°48'18" West 87.76 feet along the Northerly line of Superior Avenue to a point on the Southerly extension of the line along the outer extremities of the Easterly wall of the Main Library Building;

Thence North 34°17'07" West 63.00 feet along said Easterly line of the Main Library Building to a point;

Thence North 55°46'53" East 11.00 feet along the Southerly line of an Areaway to a point;

Thence North 34°17'07" West 81.00 feet along the Easterly line of said Areaway to a point;

Thence South 55°46'53" West 11.00 feet along the Northerly line of said Areaway to a point on said Easterly line of the Main Library Building;

Thence North 34°17'07" West 55.09 feet along said Easterly line to a point on the Southerly line of Rockwell Avenue (66 feet wide);

Thence North 55°50'44" East 89.46 feet along the Southerly line of Rockwell Avenue to the Northwesterly corner of said Sublot No. 44 and of said Bickford property;

Thence South 33°47'46" East 199.04 feet along the Westerly line of said Sublot No. 44 and of said Bickford property to the principal place of beginning, containing 16,748.10 square feet (0.38449 acre), more or less, but subject to all legal highways and easements of record.

The above description is based on a survey of this parcel by Ralph C. Tyler, P.E., P.S., Registered Surveyor No. 4236

**Section 2.** That the term of the Renewal authorized by this ordinance for the LBWOC shall not exceed March 1, 2048 and shall run coterminous with the Easement granted to the Library under Ordinance No. 1079-93, passed June 7, 1993. All other terms and conditions of the LBWOC shall remain the same.

**Section 3.** That the Renewal 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 Public Works, City Planning Commission, Finance, Law; Committees on Municipal Services and Properties, Finance.

**Ord. No. 154-16.**

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

**An emergency ordinance authorizing the Director of Public Works to execute a deed of easement granting to East Ohio Gas Company, dba Dominion East Ohio certain easement rights in property located along Wade Oval Drive, and declaring that the easement rights granted are not needed for the City's public use.**

Whereas, The East Ohio Gas Company, dba Dominion East Ohio ("Dominion") has requested the Director of Public Works to convey certain easement rights in property located along Wade Oval Drive in University Circle; and

Whereas, Dominion requires an easement to install a gas line along Wade Oval Drive in University Circle to supply gas to the Cleveland Museum of Natural History; and

Whereas, the easement rights to be granted are not needed for the City's public use; 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, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that an easement interest in the following described property is not needed for the City's public use:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original One Hundred Acre Lot No. 394.

Starting at a drill hole in stone monument found in the centerline of East 108th Street, 60.00 feet wide, at its intersection with the northerly line of East Boulevard; thence South 82° 35' 56" East, 22.71 feet to the Principal Place of Beginning of the easement herein intended to be described;

thence North 67° 09' 00" East, 21.43 feet;

thence southwesterly by a curve to the left, an arc distance of 97.41 feet, said arc having a radius of 365.00 feet, a central angle of 15° 17' 27", and a chord which bears South 0° 07' 12" West, 97.12 feet;

thence South 7° 31' 32" East, 244.18 feet;

thence southwesterly by a curve to the right, an arc distance of 145.36 feet, said arc having a radius of 158.00 feet, a central angle of 52° 42' 48", and a chord which bears South 18° 49' 52" West, 140.29 feet;

thence southwesterly by a curve to the right, an arc distance of 31.30 feet, said arc having a radius of 628.67 feet, a central angle of 2° 51' 09", and a chord which bears South 46° 36' 51" West, 31.30 feet;

thence southwesterly by a curve to the right, an arc distance of 94.58 feet, said arc having a radius of 657.64 feet, a central angle of 8° 14' 24", and a chord which bears South 52° 09' 37" West, 94.50 feet;

thence South 64° 35' 24" West, 75.88 feet;

thence South 44° 58' 51" West, 22.15 feet;

thence southwesterly by a curve to the left, an arc distance of 105.83 feet, said arc having a radius of 473.04 feet, a central angle of 12° 49' 06", and a chord which bears South 32° 51' 23" West, 105.61 feet;

thence southwesterly by a curve to the left, an arc distance of 76.31 feet, said arc having a radius of 226.53 feet, a central angle of 19° 18' 03", and a chord which bears South 16° 47' 48" West, 75.95 feet;

thence southeasterly by a curve to the left, an arc distance of 30.81 feet, said arc having a radius of 117.00 feet, a central angle of 15° 05' 21", and a chord which bears South 0° 23' 54" East, 30.72 feet;

thence southeasterly by a curve to the left, an arc distance of 107.72 feet, said arc having a radius of 849.02 feet, a central angle of 7° 16' 10", and a chord which bears South 11° 34' 40" East, 107.65 feet;

thence southeasterly by a curve to the left, an arc distance of 28.47 feet, said arc having a radius of 196.78 feet, a central angle of 8° 17' 21", and a chord which bears South 23° 51' 06" East, 28.44 feet;

thence South 62° 00' 13" West, 20.00 feet;

thence northwesterly by a curve to the right, an arc distance of 32.16 feet, said arc having a radius of 216.78 feet, a central angle of 8° 30' 01", and a chord which bears North 23° 44' 46" West, 32.13 feet;

thence northwesterly by a curve to the right, an arc distance of 111.03 feet, said arc having a radius of 869.02 feet, a central angle of 7° 19' 13", and a chord which bears North 11° 36' 11" West, 110.95 feet;

thence northwesterly by a curve to the right, an arc distance of 36.08 feet, said arc having a radius of 137.00 feet, a central angle of 15° 05' 21", and a chord which bears North 0° 23' 54" West, 35.98 feet;

thence northeasterly by a curve to the right, an arc distance of 83.05 feet, said arc having a radius of 246.53 feet, a central angle of 19° 18' 03", and a chord which bears North 16° 47' 48" East, 82.65 feet;

thence northeasterly by a curve to the right, an arc distance of 111.31 feet, said arc having a radius of 493.04 feet, a central angle of 12° 56' 08", and a chord which bears North 32° 54' 54" East, 111.08 feet;

thence North 44° 58' 51" East, 26.59 feet;

thence North 64° 35' 24" East, 77.87 feet;

thence northeasterly by a curve to the left, an arc distance of 90.26 feet, said arc having a radius of 637.64 feet, a central angle of 8° 06' 37", and a chord which bears North 52° 05' 44" East, 90.18 feet;

thence northeasterly by a curve to the left, an arc distance of 30.30 feet, said arc having a radius of 608.67 feet, a central angle of 2° 51' 09", and a chord which bears North 46° 36' 51" East, 30.30 feet;

thence northeasterly by a curve to the left, an arc distance of 126.96 feet, said arc having a radius of 138.00 feet, a central angle of 52° 42' 48", and a chord which bears North 18° 49' 52" East, 122.53 feet;

thence North 7° 31' 32" West, 244.18 feet;

thence northwesterly by a curve to the right, an arc distance of 94.85 feet, said arc having a radius of 385.00 feet, a central angle of 14° 06' 58", and a chord which bears North 0° 28' 03" West, 94.61 feet to the Principal Place of Beginning and containing 21,246.51 square feet (0.4878 acres) of land as described on November 30, 2015 by R.M. Kole & Assoc., Corp., Professional Land Surveyors.

**Section 2.** That the Commissioner of Purchases and Supplies is authorized to convey the above-described easement interest to Dominion subject to any conditions stated in this ordinance, at fair market value to be determined by the Board of Control.

**Section 3.** That the easement shall be non-exclusive and the purpose of the easement shall be to install a gas line along Wade Oval Drive in University Circle to supply gas to the Cleveland Museum of Natural History.

**Section 4.** That the duration of the easement shall be perpetual; that the easement shall not be assignable without the consent of the Director of Public Works; that the easement shall require that Dominion provide reasonable insurance, maintain any Dominion improvements located within the easement; pay any applicable

taxes and assessments; and shall contain such other terms and conditions that the Director of Law determines to be necessary to protect and benefit the City.

**Section 5.** That the conveyance referenced above shall be made by official deed of easement prepared by the Director of Law and executed by the Director of Public Works on behalf of the City of Cleveland. The Directors of Public Works and Law are authorized to execute any other documents, including without limitation, contracts for right of entry, as may be necessary to effect this ordinance.

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

Referred to Directors of Public Works, City Planning Commission, Finance, Law; Committees on Municipal Services and Properties, Development Planning and Sustainability, Finance.

**Ord. No. 155-16.**

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

**An emergency ordinance designating certain property owned by the City of Cleveland in Chagrin Highlands in the Village of Highland Hills as a municipal utility district and authorizing the Director of Economic Development to enter into a Municipal Utility District Agreement with the Village of Highland Hills for improvement of said property and sharing of income tax proceeds resulting from the development of the property.**

Whereas, the City of Cleveland ("Cleveland") is the owner of approximately 83.35 acres located in Chagrin Highlands in the Village of Highland Hills, Cuyahoga County, Ohio, depicted on the map and placed in File No. 155-16-A (the "Property"); and

Whereas, Section 715.84 of the Revised Code authorizes two or more municipal corporations to enter into a contract whereby they may agree to share " . . . any municipal income tax revenues derived from the income earned by persons employed by businesses that locate within the district after it is designated as such by the contracting municipal corporations..."; and

Whereas, in order for two or more municipal corporations to share in the income tax revenues derived from designated property, the property must be located in a municipal corporation empowered by Section 715.84 to enter into a contract pursuant thereto; and

Whereas, Cleveland and the Village of Highland Hills ("Highland Hills") have agreed to enter into an agreement under Section 715.84 designating the Property as a municipal utility district for the purpose of sharing in the income tax revenue derived therefrom; and

Whereas, the provision of utility services by Cleveland for the Property constitutes part of the consideration for the sharing of income tax revenues in the district; 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 designates the Property as a municipal utility district for purposes of income tax sharing with Highland Hills.

**Section 2.** That the Director of Law is authorized to prepare a "Municipal Utility District Contract" between Cleveland and Highland Hills which Agreement shall be substantially in accordance with the following terms:

(a) shall adopt and implement a mutually agreeable plan for the capital development of the Property;

(b) Highland Hills shall provide municipal services to the Property in the same manner provided to other comparable areas in Highland Hills;

(c) To the extent permitted by law, Highland Hills would commit to not condemn any land within the Property except for such land as is required for highway and utilities rights-of-way required to serve the development;

(d) Highland Hills would purchase any land required for highway and utilities rights-of-way at fair market value;

(e) Cleveland and Highland Hills shall be entitled to the following respective percentages of the gross income taxes generated by the Property:

Cleveland	40%
Highland Hills	60%

Provided that the share paid to Cleveland shall not be less than 1% of the total income generated from the Property, if the total tax rate is reduced by the sole actions of the Village of Highland Hills.

(f) Such other terms as the Director of Law may determine to be in the best interests of Cleveland.

**Section 3.** That the Mayor, the Director of Economic Development and the Director of Law are authorized to execute and deliver the "Municipal Utility District Agreement" for the Property and to take such other actions and to execute and deliver such other agreements, instruments and certificates as may be required by such Agreement.

**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, City Planning Commission, Finance, Law; Committees on Development Planning and Sustainability, Finance.

**Ord. No. 156-16,  
By Council Members Pruitt and Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Public Utilities to enter into an Interconnection Agreement with Fred. Olsen Renewables USA LLC, a subsidiary of a Norwegian company and assignee of the Lake Erie Energy Development Corporation (LEEDCo), to implement the offshore wind project known as Project Icebreaker; authorizing the Director to enter into professional services, public**

**improvement, and purchase contracts, leases and easements and other agreements needed to implement the project; and authorizing the City to accept reimbursement of CPP's costs.**

Whereas, the Lake Erie Energy Development Corporation (LEEDCo) has developed Project Icebreaker, an offshore wind energy project, which will consist of six windmill generators totaling approximately 21 megawatts to be located about seven miles northwest of Cleveland; and

Whereas, technical studies during the project's development identified the Cleveland Public Power (CPP) Lake Road Substation as the preferred site to interconnect the wind generators for the purpose of receiving and transmitting the wind-generated electricity; and

Whereas, LEEDCo has reached an agreement with Fred. Olsen Renewables USA LLC (FORUSA), a subsidiary of Fred. Olsen Renewables AS, a Norwegian company, to finance, own and operate the wind energy project; and

Whereas, legislation is required to authorize an Interconnection Agreement between the City and FORUSA to govern the terms of the interconnection between the wind generators and the CPP system; to authorize contracts necessary to enable CPP to install the equipment necessary for the interconnection; to authorize additional agreements necessary to facilitate FORUSA's sales of the wind energy to FORUSA's purchasers; and to authorize the City to accept reimbursement of CPP's costs by FORUSA; and

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

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

**Section 1.** That the Director of Public Utilities is authorized to enter into an Interconnection Agreement ("Agreement") with Fred. Olsen Renewables USA LLC (FORUSA), a subsidiary of Fred. Olsen Renewables AS, to govern the interconnected operations of the Icebreaker Project at the Lake Road Substation. The Agreement shall address subjects including but not limited to operation, maintenance and repair procedures, equipment testing and metering, normal and emergency operations, liability, insurance, and compliance with applicable national and state codes and standards. The Agreement shall also require reimbursement of CPP's costs, and the means for CPP to accept the reimbursements from FORUSA. The Agreement shall be prepared by the Director of Law and shall contain such terms as the Director deems appropriate to benefit and protect the City's interests.

**Section 2.** That the Director of Public Utilities is authorized to employ by contract or contracts engineers, construction managers, site surveyors, technical consultants, and other professionals for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland as necessary for the system planning, design, engineering, and construction of the necessary modifications and other improvements and upgrades to the Lake Road Substation needed for the interconnection and operation of Project Icebreaker (the "Improvement").

The selection of the consultant or 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 such a list. The compensation to be paid for the services shall be fixed by the Board of Control. The authorized contracts shall be prepared by the Director of Law, approved by the Director of Public Utilities, and certified by the Director of Finance.

**Section 3.** That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of constructing the Improvement, for CPP by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding for a gross price for the improvements.

**Section 4.** That the Director of Public Utilities is authorized to enter into one or more contracts for the making of the Improvement with the lowest responsible bidder or bidders after competitive bidding for a gross price for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate Improvement, and each, or any combination, of the trades or components may be the subject of a separate contract for a gross price. On request of the Director, the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the Improvement.

**Section 5.** That the Director of Public Utilities is authorized to apply and pay for such permits, licenses, or other authorizations required by any regulatory entity or other public authority to perform the work and other responsibilities authorized by this ordinance.

**Section 6.** That the Director of Public Utilities is authorized to enter into written agreements with FORUSA, the regional transmission operator, consumers of the wind energy and such other entities (including LEEDCo) as may be required for CPP to receive and utilize or transmit the wind energy for the benefit of CPP's customers and FORUSA's other energy purchasers and to perform any or all day-to-day operational and financial tasks such as scheduling, billing, accounting, and settlement.

**Section 7.** That the Director of Public Utilities is authorized to make one or more written standard purchase contracts or requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of the requirements to be determined by the Director, for the necessary items of materials, equipment, supplies, and services, and labor and materials for installation and maintenance, including but not limited to transformers, structures and foundations, circuit breakers, relays, control equipment, switches and meters, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for CPP. 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 shall determine.



**Section 8.** That the costs of the contract or contracts shall be charged against the proper appropriation accounts, including the fund or funds to which are credited the reimbursements paid to the City under the Interconnection Agreement, and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance.

**Section 9.** That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Utilities may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

**Section 10.** That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, that by and at the approval of the Director of Public Utilities and the direction of the Board of Control, the Commissioner of Purchases and Supplies and the Director are authorized to grant leases or easements to FORUSA and/or LEEDCo as are necessary for the interconnection of Project Icebreaker at the Lake Road Substation.

**Section 11.** That any agreement or other instrument authorized under this ordinance shall be prepared by the Director of Law.

**Section 12.** That the Director of Public Utilities is authorized to file all papers and execute all documents necessary to receive the reimbursement funds authorized under this ordinance, and the funds are appropriated for the purpose of reimbursing CPP for costs incurred as a result of implementing the Improvement or interconnection of Project Icebreaker at the Lake Road Substation. The Director of Public Utilities shall deposit the reimbursement funds received under this ordinance into a fund or funds designated by the Director of Finance.

**Section 13.** That the cost of any expenditures authorized by this ordinance shall be paid from Fund 58 SF 001 and the fund or funds to which are credited the reimbursements paid to the City under the Interconnection Agreement.

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

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

**Ord. No. 157-16.**

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

**An emergency ordinance authorizing the Director of Economic Development to enter into an Agreement with Cuyahoga County, the Cuyahoga**

**County Board of Health, the Northeast Ohio First Suburbs Consortium, and other entities agreed upon between the parties, to operate the Northeast Brownfield Coalition.**

Whereas, the Northeast Brownfield Coalition was formed in 2009 to apply for, accept, and implement FY 2009 USEPA Brownfield Assessment grants and consists of the County, the Cuyahoga County Board of Health, the City of Cleveland, the Northeast Ohio First Suburbs Consortium, and other public entities; and

Whereas, FY 2015 funding is available from the USEPA; and

Whereas, the City desires to join with the other agencies to form the Northeast Brownfield Coalition to benefit from FY 2015 USEPA Brownfield Assessment grant funding; 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 Economic Development is authorized to enter into an Agreement with Cuyahoga County, the Cuyahoga County Board of Health, the Northeast Ohio First Suburbs Consortium, and other entities as may be agreed upon between the parties to operate the Northeast Brownfield Coalition. The Agreement shall, among other things, designate Cuyahoga County as the lead entity for purposes of applying for grant funding under this ordinance.

**Section 2.** That the Director is authorized to file all papers and execute all documents to receive grant funding, if necessary. Grant funds received under this ordinance are appropriated for the purposes of this ordinance.

**Section 3.** That the Director of Economic Development is authorized to enter into one or more agreements with members of the coalition; and any other public or private entities as may be agreed upon between the parties.

**Section 4.** That the agreement or agreements shall contain provisions to protect and City's interests.

**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 Economic Development, Finance, Law; Committees on Development Planning and Sustainability, Finance.

**Ord. No. 182-16.**

**By Mayor Jackson.**

**An emergency ordinance to amend Section 192.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1412-15, passed November 23, 2015, increasing the rate of municipal income tax from 2% to 2 1/2% per annum for the purposes of general municipal operations, maintenance, new equipment, extension and enlargement of municipal services and facilities and capital improvements of the City and for the purposes of payment of debt charges and elimination of deficits existing in City funds and for all other lawful purposes.**

Whereas, the financial situation of the City of Cleveland warrants the enactment by the voters of additional municipal income tax so that the City may continue to meet its obligations and continue to provide proper services to its citizens; 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, subject to the approval of the electors of the City of Cleveland, Ohio, as provided in Section 718.04 of the Revised Code of Ohio, Section 192.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1412-15, passed November 23, 2015, is amended to read as follows:

**Section 192.03 Rate and Taxable Income**

For the purposes specified in Section 192.02, on and after January 1, 1967, an annual tax of one-half of one percent (0.5%) per annum shall be imposed upon the hereinafter specified income; provided that on and after July 1, 1968, the rate of tax shall be a total of one percent (1%) per annum; and that on and after March 1, 1979, the rate of such tax shall be a total of one and five-tenths percent (1.5%) per annum; and that on and after January 1, 1981, the rate of tax shall be two percent (2%) per annum; **and that on and after \_\_\_\_\_, the rate of tax shall be two and one-half percent (2.5%) per annum.** Such tax shall be imposed upon all taxable income as follows:

(a) On all qualifying wages, net profits, rental income and other taxable income earned and/or received on and after January 1, 1967 by residents of the City;

(b) (1) On all qualifying wages, earned and/or received on and after January 1, 1967, by nonresidents of the City for work done or services performed or rendered within the City or attributable to the City; on all net profits earned and/or received by a nonresident from the operation or conduct of any business or profession within the City; and on all other taxable income, including rental income, earned and/or received by a nonresident derived from or attributable to sources, events or transactions within the City;

(2) For nonresidents employed at a place of business or profession within the City, only those qualifying wages earned and/or received by such nonresident that are specifically attributable to a place or location worked that is outside the City will be treated as earned outside the City;

(c) (1) On the portion attributable to the City of the net profits earned and/or received on and after January 1, 1967, of all resident associations, pass-through entities or other unincorporated business entities treated as a pass-through entity for federal income tax purposes or professions or other activities, derived from sales made, work done, services performed or rendered, and business, or other activities conducted in the City and/or derived from sales made, work done, services performed or rendered and business or other activities attributable to the City;

(2) On the portion of the distributive share of the net profits earned and/or received on and after January 1, 1967, of a resident partner or owner



of a resident association, pass-through entity or other unincorporated business entity treated as a pass-through entity for federal income tax purposes not attributable to the City and upon which the City's income tax has not been imposed and levied;

(d) (1) On the portion attributable to the City of the net profits earned and/or received on and after January 1, 1967, of all nonresident associations, pass-through entities or other unincorporated business entities treated as a pass-through entity for federal income tax purposes, professions or other activities, derived from sales made, work done, services performed or rendered, and business, or other activities conducted in the City and/or derived from sales made, work done, services performed or rendered and business or other activities attributable to the City, whether or not such association, pass-through entity or other unincorporated business entity treated as a pass-through entity for federal income tax purposes has an office or place of business in the City;

(2) On the portion of the distributive share of the net profits earned and/or received on and after January 1, 1967, of a resident partner or owner of a nonresident association, pass-through entity or other unincorporated business entity treated as a pass-through entity for federal income tax purposes not attributable to the City and upon which the City's income tax has not been imposed and levied from wherever such business is located;

(e) On the portion attributable to the City of the net profits earned and/or received on and after January 1, 1967, of all corporations and all other entities and business activities not defined herein as associations, pass-through entity or unincorporated business entity treated as a pass-through entity for federal income tax purposes derived from sales made, work done, services performed or rendered, and business, or other activities conducted in the City, and/or derived from sales made, work done, services performed or rendered, and business, or other activities attributable to the City, whether or not such corporations, entities or business activities have an office or place of business in the City;

(f) On the net profits of an electric company, combined company or telephone company apportioned and attributable to the City in accordance with RC 718.01(F) (6) and RC Chapter 5745;

(g) On all income derived from prizes, awards, gaming, wagering, lotteries or other similar games of chance by a resident from whatever source and from anywhere derived and by a nonresident from whatever source when the prize, award, gaming, wagering, lottery or other similar game of chance takes place in the City. For purposes of this statute, the purchase of a lottery ticket or similar instrument shall be deemed to occur in the City when said instrument is purchased in the City;

(h) On all income earned and/or received from covenants not to compete or similar agreements and on all income attributable to cancellation of indebtedness to the extent reported on the taxpayer's federal income tax return;

(i) On all the guardian, executor, conservator, trustee or administrator

fees earned and/or received by a taxpayer in connection with the operation or conduct of a business or profession;

(j) On all other compensation, net profits and income earned and/or received by the taxpayer that is not specifically exempted from the tax imposed by this chapter and RC Chapter 718;

(k) (1) For taxable years beginning on or after January 1, 2004, the net profits from a business or profession shall be taxed only to the extent of the taxpayer's adjusted federal taxable income except that nothing shall be construed as limiting the ability of the Tax Administrator to administer, audit, or enforce the provisions of this chapter including making all necessary adjustments and allocations to adjusted federal taxable income to produce a fair and proper allocation of net profits to the City;

(2) Division (k)(1) of this section shall not apply to any taxpayer required to file a return under RC 5745.03 or to the net profits from a sole proprietorship;

(l) For taxable years beginning on or after January 1, 2004, in the case of a taxpayer who has a net profit from a business or profession that is operated as a sole proprietorship, or in the case of a taxpayer who has a net profit from a business and the taxpayer is an individual, the City shall not tax or use as the base for determining the amount of the net profit that shall be considered as having a taxable situs in the City, an amount other than the net profit required to be reported on Internal Revenue Service Schedules C or F from such sole proprietorship for the taxable year; and

For taxable years beginning on or after January 1, 2004, in the case of a taxpayer who has a net profit from rental activity required to be reported on Internal Revenue Service Schedule E, the City shall not tax or use as the base for determining the amount of the net profit that shall be considered as having a taxable situs in the City, an amount other than the net profit from rental activities required to be reported by the taxpayer on Schedule E for the taxable year.

**Section 2.** That existing Section 192.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1412-15, passed November 23, 2015, is repealed effective \_\_\_\_\_, subject to the approval of the electors of the City of Cleveland, Ohio, as provided in Section 718.04 of the Revised Code of Ohio; provided, however, that if such approval is not obtained the aforesaid section shall remain in full force and effect as presently written.

**Section 3.** That it is the desire of this Council that the question of an additional levy of one-half percent (0.5%) tax on income, until repealed, for purposes of general municipal operations, maintenance, new equipment, extension and enlargement of services and facilities and capital improvements of the City and for the purposes of payment of debt charges and for the elimination of deficits existing in City funds and for all other lawful purposes be submitted to the electors of the City of Cleveland by the Board of Elections of Cuyahoga County at the election to be held on \_\_\_\_\_, as authorized by law and said election

shall be held at the regular places of voting in said City as established by the Board of Elections of Cuyahoga County, Ohio, or otherwise, within the time permitted by law and shall be conducted, canvassed, and certified in the manner provided by law.

**Section 4.** The form of ballot to be cast at such election on the question of such additional income tax shall be substantially as follows:

PROPOSED ADDITIONAL  
TAX LEVY  
CITY OF CLEVELAND

Majority vote is necessary for passage.

Shall the ordinance providing for an additional one-half percent (1/2%) tax to be levied on income for the purposes of providing for general municipal operations, maintenance, new equipment, extension and enlargement of municipal services and facilities and capital improvements with an effective date of \_\_\_\_\_, of the City be passed?

FOR THE TAX LEVY \_\_\_\_\_  
AGAINST THE TAX LEVY \_\_\_\_\_

**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 Finance, Law; Committee on Finance.

FIRST READING EMERGENCY  
RESOLUTIONS REFERRED

**Res. No. 147-16.**

**By Council Member Conwell.**

**An emergency resolution declaring the month of August 2016 African American Male Wellness Walk Month in Cleveland, and encouraging communities throughout the region to continue to provide crucial assistance, awareness, support and resources to African American men and families they represent.**

Whereas, the concerns and issues facing African American men in Cleveland and Ohio are of increasing importance and have drawn the specific focus of John H. Gregory, founder of the African American Male Wellness Walk (AAMWW) Inc. in Columbus; and

Whereas, Cleveland's Inaugural Walk will take place on Saturday, August 27, 2016 at 1 Wade Oval Drive in University Circle at 7:00 a.m.; and

Whereas, 2016 marks twelve years of impact that the annual African American Walk/Run has had throughout Ohio, and is Cleveland's inaugural walk. In addition to locations in Cleveland, Columbus, Cincinnati, Toledo, and Mahoney Valley, the walk will be held nationally in New Orleans, Louisiana, Niagara Falls, New York, Washington D.C., and Silver Springs, Maryland; and

Whereas, the purpose of the event is to create awareness that African American men are dying prematurely from preventable health diseases, that the number of African American men who go to the doctor needs to increase, and that African American men should "know their numbers"; and

Whereas, the annual African American Wellness Walk continues to lead the charge in responding to the health needs of African American men in urban communities by serving as an important vehicle through which critical information is disseminated and free, life-saving health screenings are offered; and

Whereas, this Council commends Brian Byrd, AAMWW 2016 National Chairman, Willie Austin, AAMWW 2016 Cleveland Honorary Chairman and CEO of Northeast Ohio Neighborhood Health Services, Inc. (NEON), community partners, sponsors and the growing network of African American Male Wellness Walk/Run events across our great state and nation for their continued dedication to serving the specific and unique health needs facing African American men; and

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

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

**Section 1.** That this Council declares the month of August 2016 African American Male Wellness Walk Month in Cleveland, and encourages communities throughout the region to continue to provide crucial assistance, awareness, support and resources to African American men and families they represent.

**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.

Referred to Committee on Finance.

**Res. No. 158-16.**

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

**An emergency resolution declaring the intent to vacate a portion of Broome Court N.W.**

Whereas, this Council is satisfied that there is good cause to vacate a portion of Broome Court N.W., as described; and

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

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

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

**Declaring the intent to vacate a portion of Broome Court N.W.**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Alley No. 1 (now known as Broome Court N.W.) (16.5 feet wide) of part of Original Two Acre Lot Numbers 55, 56, and 57 as shown in the Simon Perkins Allotment recorded in Book F, Page 265 of Cuyahoga County Map Records, further described as follows:

Being all the portion of Broome Court (16.5 feet wide) extending from

the West right of way of West 3rd Street (99.00 feet wide) (formerly Seneca Street) Westerly to its terminus.

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

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

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

**Res. No. 183-16.**

**By Mayor Jackson**

**An emergency resolution directing the Board of Elections to place upon the ballot at an election to be held \_\_\_\_\_, the question of increasing the rate of the Municipal Income Tax from 2% to 2 1/2% on and after \_\_\_\_\_.**

Whereas, Council has, by virtue of Ordinance Number 182-16 and, as authorized by Section 718.04 of the Ohio Revised Code declared it necessary to implement an additional income tax levy in the amount of one-half percent (0.5%), to enact appropriate provisions of the Codified Ordinances of Cleveland, Ohio 1978, and to submit the question of this additional one-half percent (0.5%) income tax levy to the electors of the City at an election to be held on \_\_\_\_\_; and

Whereas, Council finds it to be in the best interest of the City of Cleveland, its residents and inhabitants to so submit the question to the electors of the City; 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 the Board of Elections of Cuyahoga County be and is requested and directed to place upon the ballot at an election to be held on \_\_\_\_\_, the question of whether the attached Ordinance No. \_\_\_\_\_-16, increasing the rate of income tax in the City of Cleveland from two percent (2%) to two and one-half percent (2 1/2%) per annum on and after \_\_\_\_\_, shall be passed.

**Section 2.** That the Clerk of Council be and is hereby directed to file this resolution, together with a copy of Ordinance No18216, with the Board of Elections of Cuyahoga County no later than ninety (90) days prior to \_\_\_\_\_.

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

Referred to Directors of Finance, Law; Committee on Finance.

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

**Ord. No. 159-16.**

**By Council Member Pruitt.**

**An emergency ordinance amending the Title and Section 2 of Ordinance No. 1267-15 passed October 12, 2015 as it pertains to the Strawbridge Memorial Chapel Project through the use of Ward 1 Casino Revenue Funds.**

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

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

**Section 1.** That the Title and Section 2 of Ordinance No. 1267-15 passed October 12, 2015 is hereby amended to read as follows:

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with the Strawbridge Family Corporation for the **Strawbridge Memorial Project** through the use of Ward 1 Casino Revenue Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed **\$23,500** and shall be paid from Fund No. 10 SF 188.

**Section 2.** That the Title and Section 2 of Ordinance No. 1267-15 passed October 12, 2015 is hereby repealed.

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

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

**Ord. No. 161-16.**

**By Council Member Zone.**

**An emergency ordinance consenting and approving the issuance of a permit for The Hermes 10 Miler, on April 23, 2016, sponsored by Hermes Sports & Events, Inc.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of The Hermes 10 Miler, on April 23, 2016, start: Edgewater Park; exit park west up bike path to West Boulevard; West Boulevard south to Lake Avenue; Lake Avenue west to West 117th Street; then into the City of Lakewood; returning from Lakewood on Lake Avenue; Lake Avenue east to Detroit Avenue; Detroit east to West 67th Street; West 67th north to Father Caruso Drive; Father Caruso Drive east to the tunnel to Edgewater Park—Finish in Edgewater Park; 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.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

**Ord. No. 162-16.**

**By Council Member Cimperman.**

**An emergency ordinance consenting and approving the issuance of a permit for the Inside The Park Home Run on August 10, 2016, proceeds to benefit the Furniture Bank.**

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 Inside The Park Home Run on August 10, 2016, start: Progressive Field; Eagle Avenue west to East 6th Street; East 6th south to Carnegie Avenue; Carnegie west to East 9th Street; East 9th north to Eagle Avenue; Eagle west into Progressive Field—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.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

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

**Res. No. 163-16.**

**By Council Member Reed.**

**An emergency resolution withdrawing objection to the renewal of a D5 and D6 Liquor Permit at 11917-19 Miles Avenue and repealing Resolution No. 1005-15 objecting to said renewal.**

Whereas, this Council objected to the renewal of a D5 and D6 Liquor Permit to Hicks Tavern, Inc., 11917-19 Miles Avenue, Cleveland, Ohio 44105, Permanent Number 3825783 by Resolution No. 1005-15, adopted by the Council on August 19, 2015; and

Whereas, this Council wishes to withdraw its objection to the above permit and consents to said permit; and

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

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

**Section 1.** That objection to the renewal of a D5 and D6 Liquor Permit to Hicks Tavern, Inc., 11917-19 Miles Avenue, Cleveland, Ohio 44105, Permanent Number 3825783, be and the same is hereby withdrawn and Resolution No. 1005-15, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

**Res. No. 164-16.**

**By Council Member Reed.**

**An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 3916 East 123rd Street, 1st floor only.**

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Manny Quick Stop, Inc., 3916 East 123rd Street, 1st floor only, Cleveland, Ohio 44108, Permit Number 5497040 to 3916 East 123rd, Inc., DBA Food Plus, 3916 East 123rd Street, 1st floor only, Cleveland, Ohio 44108 Permit Number 8871329; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Manny Quick Stop, Inc., 3916 East 123rd Street, 1st floor only, Cleveland, Ohio 44108, Permit Number 5497040 to 3916 East 123rd, Inc., DBA Food Plus, 3916 East 123rd Street, 1st floor only, Cleveland, Ohio 44108 Permit Number 8871329; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

**SECOND READING EMERGENCY ORDINANCES PASSED**

**Ord. No. 1473-15.**

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

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with Parker Hannifin Corporation for the lease of property located at 19600 Five Points Road for operation of an aircraft hangar and aircraft maintenance facility, for the Division of Cleveland Hopkins International Airport, Department of Port Control, for a period of ten years with three five-year options to renew, exercisable by the Director of Port Control.

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

1. In the title, strike lines 10 and 11 in their entirety, and insert "options to renew, the first of which requires additional legislative authority."



2. In Section 1, lines 5 and 6, strike “, exercisable by the Director of Port Control.” and insert “, **The first of the five-year options to renew may be exercised by the Director of Port Control only if additional legislative authority is obtained. If such additional legislative authority is granted, the second and third five-year options to renew may be exercised at the option of the Director of Port Control without the necessity of obtaining additional authority of this Council.**”.

Amendments agreed to.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. 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. 1484-15.**

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to transfer three pump stations and appurtenances and a permanent easement to the Northeast Ohio Regional Sewer District; and authorizing the Director of Public Utilities to enter into one or more asset transfer agreements to implement this ordinance.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

**Ord. No. 1486-15.**

By Council Members Pruitt and Kelley (by departmental request)

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more requirement contracts without competitive bidding with Simplex Grinnell for inspection, testing, repair, and service of proprietary fire protection and life safety systems, including replacement equipment, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period not to exceed two years, with two one-year options to renew, the first of which requires additional legislative authority.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

**Ord. No. 1515-15.**

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

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to The Salvation Army to encroach into the public right-of-way of East 18th Street by installing, using, and maintaining an ADA ramp and railing.

Approved by Directors of Capital Projects, City Planning Commission, Finance, Law; Passage recommended

by Committees on Municipal Services and Properties, Development Planning and Sustainability.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

**Ord. No. 1517-15.**

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

An emergency ordinance to amend Section 4 of Ordinance No. 736-01, passed June 11, 2001, relating to granting an easement to F.C. Southridge Corp. for property located under the West 3rd Street ramp.

Approved by Directors of Capital Projects, Finance, Law; Passage recommended by Committees on Municipal Services and Properties, Finance.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

**Ord. No. 24-16.**

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

An emergency ordinance to amend Section 8 of Ordinance No. 265-14, passed March 17, 2014, as amended, relating to applying for and accepting a grant from the U.S. Department of Health and Human Services for the Moms First Program and authorizing contracts in connection with the grant.

Approved by Directors of Public Health, Finance, Law; Passage recommended by Committees on Health and Human Services, Finance.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

**Ord. No. 25-16.**

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

An emergency ordinance to amend Section 2 of Ordinance No. 1229-15, passed October 19, 2015, relating to contracts with Cuyahoga county and various non-profit agencies for implementation of homeless activities.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

**Ord. No. 77-16.**

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

An emergency ordinance to amend Sections 535.04 and 535.06 of the Codified Ordinances of Cleveland, 1976, as amended by Ordinance No. 1303-15, passed December 7, 2015, relating to water rates and fees and charges for the Division of Water.

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

1. In Section 2, at amended Section 535.04(a)(2), after the table entitled “Monthly Fixed Charge\*”, in line 2

of the footnote, beginning with “are not prorated”, strike “quarterly” and insert “**monthly**”.

2. In Section 2, at amended Section 535.06(j), in the table, under “Permit” at “2020”, strike “\$48” and insert “**\$58**”.

3. In Section 2, at amended Section 535.06(t)(2), in the table at the line beginning with “12 in.”, under the column entitled “2019”, strike “\$253.50” and insert “**\$253.30**”.

Amendments agreed to.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. 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. 105-16.**

By Council Member Kelley.

An emergency ordinance to amend Sections 110.01 and 110.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, relating to definitions of campaign finance regulation and limitations on campaign contributions.

Approved by Directors of Finance, Law; Passage recommended by Committee on Finance, when amended, as follows:

1. In Section 1, at amended Section 110.01(c), line 5, after “include” insert “**in-kind services**,”.

2. In Section 1, at amended Section 110.01, strike division (d) in its entirety and insert:

“(d) **“Corporation” means a corporation, whether for profit or non-profit.**”.

3. In Section 1, at amended Section 110.01(f), line 1, after “excluding corporations” insert “, **political parties**,”.

4. In Section 1, at amended Section 110.02, strike division (a) in its entirety and insert:

“(a) **No individual shall make, and no candidate for the office of Mayor on his or her own behalf or committee on behalf of a candidate for the office of Mayor shall accept, any contribution which exceeds a total of five thousand dollars (\$5,000.00) per individual contributor per calendar year in support of a primary and regular election combined, or a primary and special election combined.**

(b) **No political action committee shall make, and no candidate for the office of Mayor on his or her own behalf or committee on behalf of a candidate for the office of Mayor shall accept, any contribution which exceeds a total of seven thousand five hundred dollars (\$7,500.00) per political action committee per calendar year in support of a primary and regular election combined, or a primary and special election combined.**”.

5. In Section 1, at amended Section 110.02, reletter divisions (b), (c), (d), (e), (f), (g), (h), and (i), to new divisions “(c)”, “(d)”, “(e)”, “(f)”, “(g)”, “(h)”, “(i)”, and “(j)”.

6. In Section 1, at amended Section 110.02, in existing division (f), line 1, strike “divisions (a) and (b)” and insert “**divisions (a) and (e)**”.

7. In Section 1, at amended Section 110.02, in existing division (g), line 1, strike “divisions (a), (b) and (c)” and insert “**divisions (a), (b), (c), and (d)**”.

Amendments agreed to.  
The rules were suspended. Yeas 13. Nays 3. Read second time. Read third time in full. Passed. Yeas 13. Nays 3.

Those voting yea: Council Members Brady, Brancatelli, Cimperman, Cleveland, Cummins, Dow, K. Johnson, Kazy, Keane, Kelley, Mitchell, Pruitt, and Zone.

Those voting nay: Council Members Conwell, Polensek, and Reed.

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. 113-16.**

By Council Members Zone, Brancatelli and Kelley (by departmental request)

An emergency ordinance authorizing the Director of Economic Development to enter into a Vacant Property Initiative loan with Lucky's Market, or its designee, and a EDA Equipment loan with Lucky's Market, or its designee, to provide economic development assistance to partially finance the development of the building located at the corner of Clifton Boulevard and West 116th Street to construct a new grocery store.

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

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 15. Nays 0.

Those voting yea: Council Members Brady, Brancatelli, Cimperman, Cleveland, Conwell, Dow, K. Johnson, Kazy, Keane, Kelley, Mitchell, Polensek, Pruitt, Reed, and Zone.

Pursuant to Rule 19 of the Rules of Council, Council Member Cummins recused himself from the vote regarding Ordinance No. 113-16.

**Ord. No. 114-16.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into Vacant Property Initiative Loans with w25d commercial LLC, or its designee, to provide economic development assistance to partially finance the development of the North Building and the redevelopment of the South Building as part of the West 25th and Detroit Project.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

**Ord. No. 119-16.**

By Council Member Cleveland.  
An emergency ordinance authorizing the Clerk of Council to dispense beer and wine at the Black History Month, Crowning Event Reception, Honoring the Faces of Sacrifice in Cleveland City Hall rotunda on February 26, 2016.

Approved by Committee on Finance.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

**Ord. No. 133-16.**

By Council Member Kelley.  
An emergency ordinance authorizing the Clerk of Council to enter into an agreement with The Batchelder Company for professional lobbying services for Cleveland City Council.

Approved by Committee on Finance.

The rules were suspended. Yeas 14. Nays 2. Read second time. Read third time in full. Passed. Yeas 14. Nays 2.

Those voting yea: Council Members Brady, Brancatelli, Cimperman, Cleveland, Conwell, Cummins, Dow, K. Johnson, Kazy, Keane, Kelley, Mitchell, Pruitt, and Zone.

Those voting nay: Council Members Polensek and Reed.

**SECOND READING EMERGENCY RESOLUTIONS ADOPTED**

**Res. No. 33-16.**

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

An emergency resolution supporting the submittal of a grant application to the Local Government Innovation Fund by the City of Cleveland in order to fund a feasibility study to examine cost saving opportunities from fleet vehicle alternative fuel use.

Approved by Directors of Public Utilities, Finance, Law; Adoption recommended by Committees on Utilities, Finance.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

**Res. No. 122-16.**

By Council Member Brancatelli.  
An emergency resolution declaring this Council's support of the Cleveland Housing Network Inc.'s 2016 application to the Ohio Housing Finance Agency for low-income housing tax credits for the Slavic Village Green Homes I project.

Approved by Committee on Finance.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

**Res. No. 123-16.**

By Council Members Brancatelli, Cimperman, Cummins, Zone.

An emergency resolution declaring this Council's support of the Cleveland Housing Network Inc.'s 2017 application to the Ohio Housing Finance Agency for low-income housing tax credits for the Dream Neighborhood project.

Approved by Committee on Finance.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

**MOTION**

On the motion of Council Member Zone, the absence of Council Member Jeffrey D. Johnson is hereby authorized. Seconded by Council Member Brancatelli.

**MOTION**

The Council Meeting adjourned at 7:59 p.m. to meet on Monday, February 22, 2016, at 7:00 p.m. in the Council Chamber.



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 3, 2016

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, February 3, 2016 at 10:35 a.m. with Director Langhenry presiding.

Present: Directors Langhenry, Davis, Acting Director Shaw, Directors Cox, Withers, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich, and O'Leary.

Absent: Mayor Jackson, Director Dumas, and Interim Director Walker-Minor.

Others: Tiffany White, Commissioner, Purchases & Supplies.

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

Melissa Burrows, Director, Office of Equal Opportunity.

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

**Resolution No. 43-16.**

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1554-13, passed by the Council of the City of Cleveland on February 10, 2014, CT Consultants, Inc. is selected from a list of firms determined after a full and complete canvass by the Director of Public Utilities as the firm to be employed by contract to provide professional consulting services for the Facility Improvements Plan for Secondary Sites, for the Division of Water, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities is authorized to enter into a contract with CT Consultants, Inc. based upon its proposal dated, June 12, 2015, which contract shall be prepared by the Director of Law, shall provide that the compensation for the professional services described in the proposal shall not exceed \$1,790,862.00, and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following sub-consultants by CT Consultants, Inc. for the above-mentioned professional services is approved:

<u>SUBCONSULTANTS</u>	<u>WORK PERCENTAGE</u>
Mackay Engineering & Surveying Company (CSB)	\$36,765.00 2.05%
Sigma of Ohio, LLC (CSB)	\$171,740.00 9.59%
Algebra AEC, LLC (CSB/MBE)	\$ 72,050.00 4.02%
Lawhon & Associates, Inc. (FBE)	\$ 23,293.00 1.30%
CDM Smith, Inc. (non-certified)	\$316,245.00 17.66%
Dixon Engineering, Inc. (non-certified)	\$ 90,750.00 5.07%

Yeas: Directors Langhenry, Davis, Acting Director Shaw, Directors Cox, Withers, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich, and O'Leary.  
Nays: None.  
Absent: Mayor Jackson, Director Dumas, and Interim Director Walker-Minor.

**Resolution No. 44-16.**

By Director Davis.  
Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Cook Paving & Construction Company, under Contract No. RC2015-109 for Labor and Materials Necessary to install, repair, replace or maintain duct lines, street lighting bases and pull boxes, and other related incidentals (all items) for the Division of Cleveland Public Power, Department of Public Utilities, is approved:

<u>Subcontractor</u>	<u>Work Percentage</u>
21st Century Concrete Company (CSB)	\$45,000.00 1.719%

Yeas: Directors Langhenry, Davis, Acting Director Shaw, Directors Cox, Withers, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich, and O'Leary.  
Nays: None.  
Absent: Mayor Jackson, Director Dumas, and Interim Director Walker-Minor.

**Resolution No. 45-16.**

By Interim Director Szabo.  
Be it resolved by the Board of Control of the City of Cleveland that under Article 8 of the Agreement and Lease between the City of Cleveland and the Original Scheduled Airlines and the Additional Scheduled Airlines, the calculation of the Rentals and Landing Fee Rates, based on the 2016 Annual Budget, are adopted effective January 1, 2016, as follows:

Landing Fee Rates:

Signatory Landing Fee (per 1,000 lbs.)	\$7.83
Non-Signatory Scheduled Category A (per 1,000 lbs.)	\$9.79
Non-Signatory Scheduled Category B (per 1,000 lbs.)	\$11.75

Airline Rental Rates:

Main Terminal Area	
Premium Terminal Rental Rate (per square foot)	\$826.84
Standard Terminal Rental Rate (75% factor)	\$620.13
Bag-Makeup Terminal Rental Rate (50% factor)	\$413.42
Baggage Roadway Terminal Rental Rate (30% factor)	\$248.05

Concourse A Rental Rates

Premium Terminal Rental Rate (per square foot)	\$428.27
Standard Terminal Rental Rate (75% factor)	\$321.20
Bag-Makeup Terminal Rental Rate (50% factor)	\$214.13
Baggage Roadway Terminal Rental Rate (30% factor)	\$128.48

Concourse B Rental Rates

Premium Terminal Rental Rate (per square foot)	\$491.73
Standard Terminal Rental Rate (75% factor)	\$368.80
Bag-Makeup Terminal Rental Rate (50% factor)	\$245.86
Baggage Roadway Terminal Rental Rate (30% factor)	\$147.52

Concourse C Stem Rental Rates

Premium Terminal Rental Rate (per square foot)	\$484.02
Standard Terminal Rental Rate (75% factor)	\$363.02
Bag-Makeup Terminal Rental Rate (50% factor)	\$242.01
Baggage Roadway Terminal Rental Rate (30% factor)	\$145.21

Concourse C Rotunda Rental Rates

Premium Terminal Rental Rate (per square foot)	\$480.31
Standard Terminal Rental Rate (75% factor)	\$360.23
Bag-Makeup Terminal Rental Rate (50% factor)	\$240.16
Baggage Roadway Terminal Rental Rate (30% factor)	\$144.09

Yeas: Directors Langhenry, Davis, Acting Director Shaw, Directors Cox, Withers, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich, and O'Leary.  
Nays: None.  
Absent: Mayor Jackson, Director Dumas, and Interim Director Walker-Minor.

**Resolution No. 46-16.**

By Interim Director Szabo.  
Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Cleveland Construction, Inc., under City Contract No. PI2015\*022 for the public improvement of rehabilitating the exterior terminal building facade and the terminal ticketing lobby at Cleveland Hopkins International Airport under the authority of Ordinance No. 1587-09 and Ordinance No.

1588-09, both passed by the Council of the City of Cleveland on November 30, 2009 and Board of Control Resolution No. 72-15, adopted March 11, 2015, is approved.

<u>Subcontractors</u>	<u>CSB/MBE/FBE %</u>	<u>Amount</u>
Preston Sun Control	0.000% non-certified	\$14,547.00

Yeas: Directors Langhenry, Davis, Acting Director Shaw, Directors Cox, Withers, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich, and O'Leary.  
Nays: None.  
Absent: Mayor Jackson, Director Dumas, and Interim Director Walker-Minor.

**Resolution No. 47-16.**

By Director Spronz.  
Be it resolved by the Board of Control of the City of Cleveland that the employment of the following sub-contractors by R.W. Clark Company, Inc., under City Contract No. PI 2015 - 47 for the public improvement of the TV-20 Broadcast Studio Improvements, Division of Architecture and Site Development, Office of Capital Projects, under authority of Ordinance No. 733-14 passed by the Council of the City of Cleveland on June 9, 2014, and Board of Control Resolution No. 475-15, adopted November 25, 2015, is approved:

<u>Sub Consultant</u>	<u>MBE/FBE/CSB Percentage</u>	<u>Amount</u>
Precision Environmental Company	Non Certified	\$10,550.00
S.R.D. Builders Inc.	Non Certified	\$17,826.00
Garbo Third Company	Non Certified	\$ 5,500.00
Tiffin Scenic Studio, Inc.	Non Certified	\$40,000.00
R.J. Heating and Cooling Co.	Non Certified	\$ 5,900.00

Yeas: Directors Langhenry, Davis, Acting Director Shaw, Directors Cox, Withers, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich, and O'Leary.  
Nays: None.  
Absent: Mayor Jackson, Director Dumas, and Interim Director Walker-Minor.

**Resolution No. 48-16.**

By Director McGrath.  
Whereas, under the authority of Ordinance No. 650-06, passed by the Cleveland City Council on May 15, 2006, the City of Cleveland, through the Director of Public Safety, entered into an agreement with ZOLL Data Systems, Inc., for a period of one year, for the purchase of maintenance, including upgrades of RescueNet EMS Pro necessary to produce patient care run reports and for billing, for the Division of Emergency Medical Service, Department of Public Safety; and  
Whereas, division (d) of Section 181.102 C.O. authorizes a director to



enter into an agreement with a software vendor for professional services necessary to implement or maintain the software, including but not limited to, maintenance, repair, upgrades, enhancements, and technical support; and

Whereas, under the authority of Section 181.102 C.O., the City intends to enter into an agreement with ZOLL Data Systems, Inc., to obtain the professional maintenance and technical support services necessary to maintain the electronic patient care reporting and billing system for one year starting January 1, 2016; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under division (e) of Section 181.102 C.O., the compensation to be paid for maintenance and technical support services to be performed under the agreement with ZOLL Data Systems, Inc. is fixed at an amount not to exceed \$50,208.00.

Yeas: Directors Langhenry, Davis, Acting Director Shaw, Directors Cox, Withers, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson, Director Dumas, and Interim Director Walker-Minor.

**Resolution No. 49-16.**

By Director McGrath.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of McComb Acquisitions, LLC d/b/a Suburban Pet Crematory Service for the purchase of animal cremations, all items, for the Division of Animal Care & Control, Department of Public Safety, for the period of one year beginning with the date of the execution of a contract, with two one-year options to renew, received on October 15, 2015, under the authority of Section 181.101, Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of estimated quantity would amount to \$87,300.00, is affirmed and approved as the lowest and best bid, and the Director of Public Safety is requested to enter into a requirement contract for the goods and/or services necessary for the specified items.

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 the delivery orders separately certified to the contract.

Yeas: Directors Langhenry, Davis, Acting Director Shaw, Directors Cox, Withers, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson, Director Dumas, and Interim Director Walker-Minor.

**Resolution No. 50-16.**

By Director Cox.

Whereas, the City of Cleveland owns and operates certain real property commonly known as the Willard Park Garage under the supervision and direction of the Director of Public Works; and

Whereas, MVP Services, LLC has proposed to offer valet parking services to the general public for various events to be held at Cleveland

Public Auditorium and Conference Center by using the Willard Park Garage; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that, under Section 183.04 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Works is authorized to enter into a concession agreement with MVP Services, LLC to use Willard Park Garage to offer valet parking services to the public for a fee per event of \$450.00 plus \$5.00 per vehicle parked for the following events to be held at the Cleveland Public Auditorium and Conference Center:

DMS Awards February 25, 2016  
Southwest Community

Health Foundation April 23, 2016

The concession agreement shall be prepared by the Director of Law and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit public interest.

Yeas: Directors Langhenry, Davis, Acting Director Shaw, Directors Cox, Withers, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson, Director Dumas, and Interim Director Walker-Minor.

**Resolution No. 51-16.**

By Director Cox.

Whereas, the City of Cleveland owns and operates certain real property commonly known as the Willard Park Garage under the supervision and direction of the Director of Public Works; and

Whereas, NOW Valet Service, Inc. has proposed to offer valet parking services to the general public for the University Hospital Ride the Rainbow Event to be held at Cleveland Public Auditorium by using the Willard Park Garage; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that, under Section 183.04 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Works is authorized to enter into a concession agreement with NOW Valet Service, Inc. to use Willard Park Garage to operate a valet parking service for a concession fee of \$450.00 plus \$5.00 per vehicle parked for the University Hospital Ride the Rainbow Event at the Cleveland Public Auditorium on April 16, 2016.

The concession agreement shall be prepared by the Director of Law and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit public interest.

Yeas: Directors Langhenry, Davis, Acting Director Shaw, Directors Cox, Withers, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson, Director Dumas, and Interim Director Walker-Minor.

**Resolution No. 52-16.**

By Director Rush.

Whereas, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program")

according to the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under the Program, the City has acquired Permanent Parcel Nos. 132-06-042, 132-06-068, 132-06-072, 132-07-078, 132-14-020, 132-14-025, 132-14-058, 132-14-059, 132-14-081, 132-14-082, 132-14-095 and 132-15-125 located on Chambers, Forman, Fullerton and Gertrude Avenues; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels; and

Whereas, Cleveland Housing Network, Inc. has proposed to the City to purchase and develop the parcels for affordable housing; and

Whereas, the following conditions exist:

1. The member of Council from Ward 12 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

2. The proposed purchaser of the parcels is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Cleveland Housing Network, Inc. or its designee, for the sale and development of Permanent Parcel Nos. 132-06-042, 132-06-068, 132-06-072, 132-07-078, 132-14-020, 132-14-025, 132-14-058, 132-14-059, 132-14-081, 132-14-082, 132-14-095 and 132-15-125 located on Chambers, Forman, Fullerton and Gertrude Avenues, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of each parcel shall be \$200.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Directors Langhenry, Davis, Acting Director Shaw, Directors Cox, Withers, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson, Director Dumas, and Interim Director Walker-Minor.

**Resolution No. 53-16.**

By Director Rush.

Whereas, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under the Program, the City has acquired Permanent Parcel Nos. 128-03-020 and 128-04-058 located on East 114th Street and East 115th Street; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland,

Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels; and

Whereas, Cleveland Housing Network, Inc. has proposed to the City to purchase and develop the parcels for affordable housing; and

Whereas, the following conditions exist:

1. The member of Council from Ward 6 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

2. The proposed purchaser of the parcels is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Cleveland Housing Network, Inc. or its designee, for the sale and development of Permanent Parcel Nos. 128-03-020 and 128-04-058 located on East 114th Street and East 115th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of each parcel shall be \$200.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Directors Langhenry, Davis, Acting Director Shaw, Directors Cox, Withers, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson, Director Dumas, and Interim Director Walker-Minor.

#### **Resolution No. 54-16.**

By Director Rush.

Whereas, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under the Program, the City has acquired Permanent Parcel Nos. 12425009, 12425012, 12426008, 12426011, 12426012, 12426023, 12426024, 12426053, 12426064, 12426066, 12427001, 12427016, 12427024, 12427025, 12427026, 12427027, 12430028, 12430029, 12430030, 12430042, 12430043, 12430052, 12430056, 12430061, 12430062, 12430067, 12430082, 12430084, 12430092, 12430093, 12430095, 12430096, 12430097, 12430098, 12430100, 12430101, 12430109 and 12430113, located on Colfax Avenue, East 72nd Street, East 79th Street and Minnie Avenue; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels; and

Whereas, Burten, Bell, Carr Development, Inc. has proposed to the City to purchase and develop the parcels for affordable housing; and

Whereas, the following conditions exist:

1. The member of Council from Ward 5 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

2. The proposed purchaser of the parcels is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Burten, Bell, Carr Development, Inc. or its designee, for the sale and development of Permanent Parcel Nos. 12425009, 12425012, 12426008, 12426011, 12426012, 12426023, 12426024, 12426053, 12426064, 12427001, 12427016, 12427024, 12427025, 12427026, 12427027, 12430028, 12430029, 12430030, 12430042, 12430043, 12430052, 12430056, 12430061, 12430062, 12430067, 12430082, 12430084, 12430092, 12430093, 12430095, 12430096, 12430097, 12430098, 12430100, 12430101, 12430109 and 12430113, located on Colfax Avenue, East 72nd Street, East 79th Street and Minnie Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of each parcel shall be \$200.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Directors Langhenry, Davis, Acting Director Shaw, Directors Cox, Withers, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson, Director Dumas, and Interim Director Walker-Minor.

#### **Resolution No. 55-16.**

By Director Rush.

Whereas, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under the Program, the City has acquired Permanent Parcel No. 134-17-080 located on Broadway Road; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels; and

Whereas, Norfolk Southern Railway Company has proposed to the City to purchase and develop the

parcel to expand its right of way; and

Whereas, the following conditions exist:

1. The member of Council from Ward 2 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Norfolk Southern Railway Company for the sale and development of Permanent Parcel No. 134-17-080 located on Broadway Road, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$42,500.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Directors Langhenry, Davis, Acting Director Shaw, Directors Cox, Withers, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson, Director Dumas, and Interim Director Walker-Minor.

JEFFREY B. MARKS,  
Secretary

## **CIVIL SERVICE NOTICES**

### **General Information**

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

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

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

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

ROBERT BENNETT,  
President

**SCHEDULE OF THE BOARD OF ZONING APPEALS**

**MONDAY FEBRUARY 22, 2016**

**9:30 A.M.**

**Calendar No. 16-011:** 2828 Euclid Avenue (Ward 5)

Innerbelt Loft LLC, owner, proposes to change of use from office to two retail stores and 56 apartments dwelling units in and E5 Gen Retail and Semi-Industry split Zoning District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 357.08(b)(2&4) which state that a 20' minimum rear yard is required.

2. Section 357.09(b)(2)(c) which states that an interior side yard with a total area of 3,769 square feet is required and no interior side yard is provided.

3. Section 355.04 which states that the maximum gross floor area of building cannot exceed 1 1/2 the lot area; in this case 47,115 square feet are allowed and 49,379 square feet are proposed. (Filed January 20, 2016)

**POSTPONED FROM JANUARY 19, 2016**

**Calendar No. 15-236:** 12523 Buckeye Road (Ward 6)

Howard Levine, owner, proposes to construct a vocational school with 4 parking spaces in a C2 Residence Office District. The owner appeals for relief from Section 349.04(c) of the Cleveland Codified Ordinances which states that ten (10) off-street parking spaces are required and four are provided. (Filed October 22, 2015)

First and second postponements made at the request of the appellant and his architect due to scheduling conflicts.

**REINSTATED FROM JANUARY 19, 2016**

**Calendar No. 15-261:** 11701 Corlett Avenue (Ward 2)

Darnell Dozier, owner, proposes to establish a Residential/Halfway House Substance Abuse Treatment Program Facility in a C1 Multi-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances.

1. Section 337.08 which states that residential halfway house substance abuse treatment and program facility is not permitted in a Multi-Family District. The use is first permitted in General Retail Business District. If residents are subject to correctional system oversight, facility is also classified as a correctional halfway house, as defined in 325.121, and subject to the regulations of 347.15.

2. Section 347.15(c) which states that Board of Zoning Appeals approval required.

3. Section 347.15(d)(1) which states that the use is first permitted in General Retail, but cannot be within 500 feet of Residential District, Park, Playground, Library, Church, or School.

4. Section 347.15(f) which states that a minimum of 200 square feet of floor area is required for each resident and staff member on premises after 11 p.m. No correctional halfway house shall operate with less than 20 persons.

5. Section 347.15(g) which states that one space per three residents, plus one space per staff member required.

6. Section 347.15(j) which states that the application must include policies, program statements, client group information, description of supervision and security arrangements. (Filed December 7, 2015 - No testimony)

First postponement made at the request of the Councilman. Appellant missed January 19, 2016 hearing due to an unexpected medical issue.

**POSTPONED FROM JANUARY 19, 2016**

**Violation Notice**

**Calendar No. 15-269:** 6521 Lorain Avenue (Ward 15)

Carlo M. Gutierrez, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from a Notice of Violation issued on November 24, 2015 by the Cleveland Department of Building and Housing for failure to comply with Section 327.02(C) of the Cleveland Codified Ordinances which states that there shall be no change or substitution of the use of any building or premises, nor shall any premises be occupied for any new use until a Certificate of Occupancy has been issued. (Filed December 21, 2015)

First postponement made at the request of the appellant's attorney.

**POSTPONED FROM DECEMBER 14, 2015**

**Violation Notice**

**Calendar No. 15-164:** 900 Prospect Avenue (Ward 3)

Geis Tower Garage LLC, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances and disputes the Notice of Violation V15020044 issued on June 23, 2015 by the Cleveland Department of Building and Housing for failure to comply with Section 350.10(k) regarding compliance with the conditions of the City Planning Commission Approval; per the minutes of the City Planning Commission hearing this signage was approved for the sole purpose of being "project based for anything within the complex" also, "the advertising is limited to the on premise uses; it is not anticipated that someone who is part of the complex would advertise other products". Advertisement of off premise products and services constitutes a billboard and not an identification sign. (Filed July 22, 2015)

This case has been postponed 3 times since August 24, 2015 as the appellant has been working with the City of Cleveland's law department.

**REPORT OF THE BOARD OF ZONING APPEALS**

**MONDAY, FEBRUARY 8, 2016**

At the meeting of the Board of Zoning Appeals on Monday, February 8, 2016 the following appeals were scheduled for hearing before the Board.

The following appeal was **APPROVED:**

**Calendar No. 16-005:** 1115 Rowley Avenue

Sean Heney, owner, proposes to construct a 320 square foot addition to an existing single family dwelling unit in a B1 Two-Family Residential District.

The following appeals were **DENIED:**

None.

The following appeal was **WITHDRAWN:**

None.

The following cases were **POSTPONED:**

**Calendar No. 15-249:** 1345 West 73rd Street  
John C. Boehm. Postponed to March 14, 2016.

**Calendar No. 16-004:** 1616 West 25th Street  
Ojala Properties. Postponed to March 7, 2016.

**Calendar No. 16-010:** 13512 Ardoon Road  
Laverne Gore. Postponed to March 7, 2016.

**Calendar No. 16-012:** 3256 West 25th Street  
James Denkins. Postponed to March 7, 2016.

The following cases were heard by the Board of Zoning Appeals on Monday, March 2, 2015 and the decisions were adopted and approved on Monday, February 8, 2016:

The following appeal was **APPROVED:**

**Calendar No. 14-217:** 4770 Broadview Road

Julie Adams House, owner, proposes to change use to a supervised residential drug/liquor recovery program facility in a C1 Local Retail Business District.

Secretary

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

NO MEETING

**PUBLIC NOTICE**

NONE



**NOTICE OF PUBLIC HEARING**

NONE

**CITY OF CLEVELAND BIDS****For All Departments**

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

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

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

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

**FRIDAY, FEBRUARY 19, 2016**

**File No. 20-16 — Various Specialty tires, Tubes, etc and Related Equipment,** for the Division of Motor Vehicle Maintenance, Department of Public Works, as authorized by Section 131.64 of the Codified Ordinances of Cleveland, Ohio, 1976.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, FEBRUARY 11, 2016 AT 10:30 A.M. CLEVELAND CITY HALL, ROOM 8, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

**File No. 21-16 — City Wide Tree Planting (Re-bid)** for the Division of Park Maintenance, Department of Public Works, as authorized by Ordinance No. 387-15, passed by the Council of the

City of Cleveland, May 18, 2015  
**THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, FEBRUARY 11, 2016 AT 11:00 A.M. CLEVELAND CITY HALL, ROOM 8, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

February 3, 2016 and February 10, 2016

**WEDNESDAY, FEBRUARY 24, 2016**

**File No. 19-16 — Labor and Materials Necessary to Maintain, Repair or Replace Overhead Doors, Including Manual and Electric Overhead Doors, Rolling Doors, Gates and Security Shutters,** for the various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 1485-15, passed by the Council of the City of Cleveland, December 7, 2015.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING FRIDAY, FEBRUARY 12, 2016 AT 1:30 P.M. CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

February 3, 2016 and February 10, 2016

**THURSDAY, FEBRUARY 25, 2016**

**File No. 17-16 — 2016 Cultural Gardens Lighting and Site Improvements,** for the Division of Architecture and Site Development, Department of Public Works and Office of Capital Projects, as authorized by Ordinance No. 732-14, passed by the Council of the City of Cleveland, June 9, 2014.

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

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, FEBRUARY 11, 2016 AT 10:00 A.M. CLEVELAND CITY HALL, ROOM 517A, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

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

February 3, 2016 and February 10, 2016

**FRIDAY, FEBRUARY 26, 2016**

**File No. 18-16 — Purchase for Heavy-Duty Equipment, Snow Removal Equipment, Multi-Purpose,** for the various Divisions of Port Control, Department of Port Control, as authorized by Ordinance No. 1338-15, passed by the Council of the City of Cleveland, December 7, 2015.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING WEDNESDAY, FEBRUARY 17, 2016 AT 10:00 A.M. THE DEPARTMENT OF PORT CONTROL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135-3193.**

February 3, 2016 and February 10, 2016

**FRIDAY, MARCH 11, 2016**

**File No. 16-16 — 1201 Lakeside Avenue Marble Reinstallation and Repairs,** for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1554-13, passed by the Council of the City of Cleveland, February 10, 2014.

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

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, FEBRUARY 11, 2016 AT 10:00 A.M. CARL B STOKES PUBLIC UTILITIES BUILDING, 4TH FLOOR ATRIUM CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

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

February 3, 2016 and February 10, 2016

**ADOPTED RESOLUTIONS AND ORDINANCES****Res. No. 93-16.**

**By Council Members Reed, J. Johnson, Conwell, Zone, Kazy, and Brady. An emergency resolution calling upon Congress to pass, and President Obama to sign, H.R. 2612/S.1473, in relation to congressional funding for gun violence research.**

Whereas, according to the Gun Violence Archive, there were 51,377 incidents of gun violence in the United States in 2014, resulting in 12,518 deaths and 22,886 injuries; and

Whereas, gun violence has once again become the focus of national attention, with mass shootings in San Bernardino, at the Umpqua Community College in Oregon, and at an historic black church in Charleston, South Carolina; and

Whereas, according to Mother Jones' A Guide to Mass Shootings in America, there have been at least 73 mass shootings in this country since

1982, defined as an incident that killed at least four people in a public place; and

Whereas, while mass shootings tend to dominate media coverage, there are gun violence injuries occurring every day in many American cities, including Cleveland, Ohio; and

Whereas, the national debate on gun violence has been contentious for decades; and

Whereas, in 1996, Congress passed an amendment to restrict federal funding for gun violence research; and

Whereas, dubbed the Dickey Amendment after its author, former U.S. Representative Jay Dickey, it remains in effect today and prohibits funding for the Centers for Disease Control and Prevention ("CDC") to be used "to advocate or promote gun control"; and

Whereas, although the language of the amendment allows funding for research not aimed at advocacy for gun control, in effect it has been interpreted such that no research related to gun violence is funded through the CDC; and

Whereas, in recent years former Representative Dickey has publicly expressed his regrets for having authored this amendment; and

Whereas, in a December 1, 2015 letter to U.S. Representative Mike Thompson, Chair of the House Gun Violence Prevention Task Force, Representative Dickey stated that "research could have been continued on gun violence without infringing on the rights of gun owners, in the same fashion that the highway industry continued its research on how to reduce head-on collisions on highways without eliminating the automobile"; and

Whereas, Representative Dickey also stated in the letter that "scientific research should help answer how we can best reduce gun violence... [doing] nothing is no longer an acceptable solution"; and

Whereas, momentum is building to restore funding to the CDC for gun violence research; and

Whereas, in 2012 in the aftermath of the shooting at an elementary school in Newtown, Connecticut, President Obama instructed the CDC to strictly interpret the Dickey Amendment so that the restriction is on advocacy, not research; and

Whereas, in June 2015, U.S. Representative Carolyn Maloney and U. S. Senator Edward Markey introduced H.R. 2612/S. 1473 to authorize the appropriation of at least \$10 million a year to the CDC for conducting or supporting research on firearms safety or gun violence prevention; and

Whereas, in October 2015, addressing the nation after the mass shooting at Umpqua Community College in Oregon, President Obama said, "We spent over a trillion dollars and passed countless laws and devote entire agencies to preventing terrorist attacks on our soil, and rightfully so. And yet we have a Congress who explicitly blocks us from even collecting data on how we could potentially reduce gun deaths"; and

Whereas, in November 2015, dozens of lawmakers in the U.S. House of Representatives signed a letter urging leaders of the Appropriations Committee to repeal the Dickey Amendment; and

Whereas, in early December 2015, over 2,000 physicians from nine

medical associations publicly urged Congress to repeal the Dickey Amendment, citing gun violence as a public health crisis;

Whereas, in Cleveland, the year 2015 was one of the most violent years in decades, with homicides up 15% and felonious assaults with a firearm up more than 30% over 2014; and

Whereas, also in 2015, Cleveland tragically saw the killing of two toddlers and an infant in separate incidents of errant gunfire; 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 calls upon Congress to pass, and President Obama to sign, H.R. 2612/S.1473, in relation to congressional funding for gun violence research.

**Section 2.** That the Clerk of Council is directed to forward copies of this resolution to all members of Congress and President Barack Obama

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

Adopted February 1, 2016.

Effective February 2, 2016.

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**Res. No. 121-16.**

**By Council Member Kelley.**

**An emergency resolution objecting to a New C2 Liquor Permit at 4380 State Road.**

Whereas, Council has been notified by the Division of Liquor Control of an application for a New C2 Liquor Permit at State Road Food & Beverage, Inc., DBA Save More Mart, 4380 State Road, Cleveland, Ohio 44109, Permit Number 8517121; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to a New C2 Liquor Permit at State Road Food & Beverage, Inc., DBA Save More Mart, 4380 State Road, Cleveland, Ohio 44109, Permit Number 8517121; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted February 1, 2016.

Effective February 2, 2016.

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**Res. No. 131-16.**

**By Council Member Polensek.**

**An emergency resolution objecting to the transfer of ownership of a C1, C2 and D6 Liquor Permit to 15521 St. Clair Avenue.**

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C1, C2 and D6 Liquor Permit from Rano Enterprises, Inc., DBA Convenient Food Mart, 15521 St. Clair Avenue, Cleveland, Ohio 44110, Permit Number 7200912 to SH and M Services, LLC, DBA Convenient Food Mart, 15521 St. Clair Avenue, Cleveland, Ohio 44110, Permit Number 8011017; and

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

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

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

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

Whereas, the place for which the permit is sought is so located with respect to the neighborhood that it

substantially interferes with public decency, sobriety, peace or good order; and

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C1, C2 and D6 Liquor Permit from Rano Enterprises, Inc., DBA Convenient Food Mart, 15521 St. Clair Avenue, Cleveland, Ohio 44110, Permit Number 7200912 to SH and M Services, LLC, DBA Convenient Food Mart, 15521 St. Clair Avenue, Cleveland, Ohio 44110, Permit Number 8011017; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted February 1, 2016.  
Effective February 2, 2016.

**Ord. No. 1352-15.**  
**By Council Members Zone and Kelley (by departmental request).**  
**An emergency ordinance authorizing the Director of Community Relations to apply for and accept a grant from Cuyahoga County Juvenile Court to conduct the 2016-17 Cleveland Community Diversion 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 Relations is authorized to apply for and accept a grant in the approximate amount of \$28,800, and any other funds that may become available during the grant term from Cuyahoga County Juvenile Court to conduct the 2016-17 Cleveland Community Diversion 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 set forth in the draft agreement for the grant contained in the file described below.

**Section 2.** That the draft agreement for the grant, File No.1352-15-A, made a part of this ordinance as if fully

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

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

**Section 4.** That, unless expressly prohibited by the grant agreement, under Section 108(B) of the Charter, purchases made under the grant agreement may be made through cooperative arrangements with other governmental agencies. The Director of Community Relations may sign all documents and do all things that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process. The contracts will be paid from the fund or funds to which are credited any grant funds accepted under this ordinance.

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

Passed February 1, 2016.  
Effective February 2, 2016.

**Ord. No. 14-16.**  
**By Council Member Kelley.**  
**An emergency ordinance authorizing the Council President to enter into an agreement with Cobalt Group, Inc. to provide professional services regarding Cleveland City Council operations and staff development.**

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 Council President is authorized to enter into an agreement with Cobalt Group, Inc. ("Consultant") to provide professional services regarding Cleveland City Council operations and staff development, including the services set forth in Consultant's Request for Qualifications/Statement of Work, as directed by the Clerk of Council or her designee. This agreement shall be entered into as of January 1, 2016 and shall be for a term of one year, concluding December 31, 2016.

The agreement shall be certified in an amount not to exceed \$66,000.00 from fund 01, dept. 0101, subfund 001, and object code 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 February 1, 2016.  
Effective February 2, 2016.

**Ord. No. 15-16.**  
**By Council Member Kelley.**  
**An emergency ordinance authorizing the Clerk of Council to enter into an agreement with Guy Gadomski,**

**CPA to provide professional financial consulting and auditing services necessary 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 Guy Gadomski, CPA to provide professional financial consulting and auditing services necessary for Cleveland City Council, including but not limited to, analysis of the Mayor's Estimate, preparation and presentation of the Council budget retreat, and briefings to the Council President, and any other financial advisory services as directed by the Clerk or her designee. This agreement shall be entered into as of January 1, 2016 and shall be for a term of one year, concluding December 31, 2016.

The agreement shall be certified in an amount not to exceed \$50,000.00 from fund 01, dept. 0101 subfund 001 object code 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 February 1, 2016.  
Effective February 2, 2016.

**Ord. No. 16-16.**  
**By Council Member Kelley.**  
**An emergency ordinance authorizing the Clerk of Council to enter into an agreement with NetX Internet LLC to provide wireless internet service to 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 NetX Internet LLC to provide wireless internet service to Cleveland City Council, including installation, equipment, management, maintenance and repair for a period of three years, beginning on January 1, 2016. The cost of the agreement shall be \$999 per month and shall be paid from fund 01, dept. 0101 subfund 001 object code 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 February 1, 2016.  
Effective February 2, 2016.

**Ord. No. 17-16.**  
**By Council Member Kelley.**  
**An emergency ordinance authorizing the Clerk of Council to enter into an agreement with On Technology Partners for the professional services**



**necessary to advise and assist in the maintenance and performance of computer technology projects and to provide specific computer technology services 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 ("Clerk") is authorized to enter into an agreement with On Technology Partners ("Consultant"), for the professional services necessary to advise and assist in the maintenance and performance of computer technology projects and to provide specific computer technology services to assist with specific projects as set forth in the agreement. This agreement shall be entered into as of January 1, 2016 and shall be for a term of one year, concluding December 31, 2016. The cost of all services under this agreement shall not exceed \$80,000 and shall be paid for from fund 11-006 and/or 21-006.

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

Passed February 1, 2016.  
Effective February 2, 2016.

**Ord. No. 18-16.  
By Council Member Kelley.  
An emergency ordinance authorizing the Clerk of Council to enter into an agreement with The Project Group for professional assistance in investigating utility-related matters pertaining to the Divisions of Cleveland Public Power, Water and Water Pollution Control 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 the Project Group for professional assistance in investigating utility-related matters pertaining to the Divisions of Cleveland Public Power, Water and Water Pollution Control for Cleveland City Council. This agreement shall be entered into as of January 1, 2016 and shall be for a term of one year, concluding December 31, 2016. The agreement shall be certified in an amount not to exceed \$250,000.00 from fund 52-001, 54-001 and/or 58-001 and such other funds as may be deemed appropriate by the Director of Finance.

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

Passed February 1, 2016.  
Effective February 2, 2016.

**Ord. No. 19-16.  
By Council Member Kelley.  
An emergency ordinance authorizing the Clerk of Council to enter into an agreement with Western Reserve Land Conservancy d/b/a Thriving Communities Institute to provide professional services regarding the Vacant and Abandoned Property Action Council (VAPAC), demolition bond, reforestation, demolition funding, rehabilitation, and code enforcement.**

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 Western Reserve Land Conservancy d/b/a Thriving Communities Institute to provide professional services regarding the Vacant and Abandoned Property Action Council (VAPAC), demolition bond, reforestation, demolition funding, rehabilitation, and code enforcement for a one year period beginning January 1, 2016 and concluding December 31, 2016.

**Section 2.** That the cost of said contract shall not exceed \$150,000 and shall be certified from Fund 01, Dept. 0101, Subfund 001, Object Code 6320.

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

Passed February 1, 2016.  
Effective February 2, 2016.

**Ord. No. 20-16.  
By Council Member Kelley.  
An emergency ordinance authorizing the Clerk of Council to enter into an agreement with Mita Marketing LLC for the professional services necessary to assist Cleveland City Council with communications and public relations.**

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 Mita Marketing LLC for the professional services necessary to assist Cleveland City Council with communications and public relations, for a one year period beginning January 1, 2016 and concluding December 31, 2016.

**Section 2.** That the cost of said contract shall not exceed \$60,000 and shall be certified from Fund 01, Dept. 0101, Subfund 001, Object Code 6320.

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

Passed February 1, 2016.  
Effective February 2, 2016.

**Ord. No. 27-16.  
By Council Members Zone and Kelley (by departmental request).**

**An emergency ordinance to amend the title, the third Whereas clause, and Section 1 of Ordinance No. 1425-86, passed June 23, 1986, as amended by Ordinance No. 1654-90, passed July 23, 1990; relating to the expenditure of funds to provide refreshments and mementos for various workshops, training sessions, and meetings held or sponsored by the Community Relations Board; and to supplement the ordinance by adding new Section 1a to provide refreshments for Community Police Commission meetings.**

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 title, the third Whereas clause, and Section 1 of Ordinance No. 1425-86, passed June 23, 1986, as amended by Ordinance No. 1654-90, passed July 23, 1990, are amended to read as follows:

An emergency ordinance authorizing the Executive Director of the Community Relations Board to expend funds in order to provide refreshments and mementos at various workshops, training sessions, and community meetings held or sponsored by the Community Relations Board and to provide refreshments for Community Police Commission meetings.

Whereas, this Council has determined that it is a proper public purpose to provide refreshments and mementos at various workshops, training sessions, and community meetings held or sponsored by the Community Relations Board, and refreshments for meetings of the Community Police Commission; and

**Section 1.** That the Executive Director of the Community Relations Board is authorized to expend funds in order to provide refreshments for and/or to provide and present plaques, trophies, and other awards at the following meetings, training sessions, and workshops to facilitate and/or recognize the work of individuals who assist in achieving the mission of the Community Relations Board promoting the objectives of C.O. Chapter 157:

Meetings with community and other groups which are concerned with interracial understanding;

Human relations training sessions for various agencies attempting to improve race relations, police community relations, and other human relations within the Cleveland community;

Workshops designed to promote amicable relations among racial and cultural groups within the community;

Meetings with Race Relations Support Groups and community leaders designed to alleviate specific problems in the various neighborhoods.

**Section 2.** That the existing title, the third whereas clause, and Section 1 of Ordinance No. 1425-86, passed June 23, 1986, as amended by Ordinance No. 1654-90, passed July 23, 1990, are repealed.

**Section 3.** That Ordinance No. 1425-86, passed June 23, 1986, as amended by Ordinance No. 1654-90, passed July 23, 1990, is supplemented by enacting new Section 1a to read as follows:

**Section 1a.** That the Executive Director of the Community Relations Board is authorized to expend funds to provide refreshments for meetings of the Community Police Commission.

**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 February 1, 2016.  
Effective February 2, 2016.

**Ord. No. 68-16.**  
**By Council Member Mitchell.**  
**An emergency ordinance to add the name St. James A.M.E. Way as an honorary and secondary name to East 83rd Street between Cedar Avenue and Carnegie Avenue.**

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 Codified Ordinances of the City of Cleveland, 1976, the name St. James A.M.E Way shall be added as an honorary and secondary name to East 83rd Street between Cedar Avenue and Carnegie Avenue.

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

Passed February 1, 2016.  
Effective February 2, 2016.

**Ord. No. 69-16.**  
**By Council Member Mitchell.**  
**An emergency ordinance to add the name Joe and Sarah Hill Way as an honorary and secondary name to Raymond Avenue between East 93rd Street and East 102nd 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, notwithstanding and as an exception to the Codified Ordinances of the City of Cleveland, 1976, the name Joe and Sarah Hill Way shall be added as an honorary and secondary name to Raymond Avenue between East 93rd Street and East 102nd Street.

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

Passed February 1, 2016.  
Effective February 2, 2016.

**Ord. No. 70-16.**  
**By Council Member Kelley.**  
**An emergency ordinance to designate field # 4 at Loew Park as William "TJ" Taylor Field.**

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 field #4 at Loew Park is hereby designated as William "TJ" Taylor Field and that the Director of Parks, Recreation and Properties is authorized and directed to take the necessary action to affect said designation and to post the proper signs at the field.

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

Passed February 1, 2016.  
Effective February 2, 2016.

**Ord. No. 74-16.**  
**By Council Member Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Finance to accept a gift from Logicalis, Inc. of Cisco WiFi equipment, access points with mounting brackets, and licenses for the Cisco Wireless Controller.**

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 Finance is authorized to accept a gift of Cisco WiFi equipment and lighting, up to fifteen (15) access points with mounting brackets, and licenses for the Cisco Wireless Controller, from Logicalis, Inc., valued at \$209,805.00.

**Section 2.** That the Director of Finance is authorized to enter into an agreement with Logicalis, Inc. to effectuate the gift and the agreement shall include, but not be limited to, terms that provide warranties to the City and indemnification of the City for infringement and other potential claims.

**Section 3.** That the gift shall take effect on the effective date of the agreement described in this ordinance.

**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 February 1, 2016.  
Effective February 2, 2016.

**Ord. No. 120-16.**  
**By Council Member Cimperman.**  
**An emergency ordinance consenting and approving the issuance of a permit for The National Multiple Sclerosis Society Walk, on April 16, 2016, sponsored by The National Multiple Sclerosis Society.**

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 National Multiple Sclerosis Society Walk, on April 16, 2016, start: Galleria on East 9th Street and St. Clair Avenue; East 9th Street north to Erieside Avenue; Erieside west to West 3rd Street; West 3rd south to St. Clair Avenue; St. Clair east to East 9th Street; Finish at Galleria on East 9th Street and St. Clair Avenue; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed February 1, 2016.  
Effective February 2, 2016.

**Ord. No. 126-16.**  
**By Council Member Polensek.**  
**An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Northeast Shores Development Corporation for the Collinwood Observer Project through the use of Ward 8 Casino Revenue Funds.**

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

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

**Section 1.** That the Director of the Department of Community Development is hereby authorized to enter into agreement with Northeast Shores Development Corporation for the Collinwood Observer Project for the public purpose of providing a community newspaper promoting community, residential and economic opportunities to residents in Cleveland's Collinwood neighborhood through the use of Ward 8 casino revenue funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$17,000 and shall be paid from Fund No. 10 SF 188.

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

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

Passed February 1, 2016.  
Effective February 2, 2016.

**Ord. No. 132-16.  
By Council Members Cimperman  
and Zone.**

**An emergency ordinance consent-  
ing and approving the issuance of a  
permit for the Cleveland Triathlon on  
July 31, 2016, sponsored by Pacific  
Sports LLC.**

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 Cleveland Triathlon on July 31, 2016, start: Voinovich Park; Swim Course: North Coast Harbor area; Bike Course: Cleveland Memorial Shoreway from East 9th Street to West Boulevard (eastbound Shoreway only); Run Course: Cleveland Memorial Shoreway and Lakeside Avenue; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety

forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed February 1, 2016.  
Effective February 2, 2016.

**COUNCIL COMMITTEE  
MEETINGS**

**Monday February 8, 2016  
11:30 a.m.**

**Committee of the Whole:** Present: Kelley, Chair; Brady, Cleveland, Conwell, Cummins, Dow, Kazy, Keane, Mitchell, Polensek, Reed,

Zone. *Authorized Absence:* Brancatelli, Cimperman, J. Johnson, K. Johnson, Pruitt.

**2:00 p.m.**

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

**Tuesday February 9, 2016  
9:00 a.m.**

**Development, Planning and Sustainability Committee:** COMMUNITY DEVELOPMENT BLOCK GRANT HEARINGS. Present: Brancatelli, Chair; Cleveland, Vice Chair; Cummins, Dow, Pruitt, Zone. *Authorized Absence:* Cimperman.

**Wednesday February 10, 2016  
9:00 a.m.**

**Development, Planning and Sustainability Committee:** COMMUNITY DEVELOPMENT BLOCK GRANT HEARINGS. Present: Brancatelli, Chair; Dow, Pruitt, Zone. *Authorized Absence:* Cimperman, Cleveland, Vice Chair; Cummins.

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