

The City Record

Official Publication of the Council of the City of Cleveland



January the Nineteenth, Two Thousand and Eleven

Frank G. Jackson
Mayor

Martin J. Sweeney
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

Ward Name Residence

- 1 Terrell H. Pruitt 3877 East 189th Street 44122
- 2 Zachary Reed 3734 East 149th Street 44120
- 3 Joe Cimperman P.O. Box 91688 44101
- 4 Kenneth L. Johnson 2948 Hampton Road 44120
- 5 Phyllis E. Cleveland 2369 East 36th Street 44105
- 6 Mamie J. Mitchell 12701 Shaker Boulevard, #712 44120
- 7 TJ Dow 7715 Decker Avenue 44103
- 8 Jeffrey D. Johnson 9024 Parkgate Avenue 44108
- 9 Kevin Conwell 10647 Ashbury Avenue 44106
- 10 Eugene R. Miller 13615 Kelso Avenue 44110
- 11 Michael D. Polensek 17855 Brian Avenue 44119
- 12 Anthony Brancatelli 6924 Ottawa Road 44105
- 13 Kevin J. Kelley 5904 Parkridge Avenue 44144
- 14 Brian J. Cummins 3104 Mapledale Avenue 44109
- 15 Matthew Zone 1228 West 69th Street 44102
- 16 Jay Westbrook 1278 West 103rd Street 44102
- 17 Dona Brady 1272 West Boulevard 44102
- 18 Martin J. Sweeney 3632 West 133rd Street 44111
- 19 Martin J. Keane 15907 Colletta Lane 44111

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

First Assistant Clerk – Sandra Franklin

MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff

Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer

Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs

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

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

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

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

Andrew Watterson, Executive Assistant to the Mayor, Chief of Sustainability

Natoya J. Walker Minor, Chief of Public Affairs – Director of Equal Opportunity.

OFFICE OF CAPITAL PROJECTS – Jonmarie Wasik, Director

DIVISIONS:

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

Engineering and Construction – _____, Manager

Real Estate – _____, Commissioner

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

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

Room 106; Michael Ruffing, Law Librarian, Room 100

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

Frank Badalamenti, Manager, Internal Audit

DIVISIONS:

Accounts – Richard W. Sensenbrenner, Commissioner, Room 19

Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122

City Treasury – _____, Treasurer, Room 115

Financial Reporting and Control – James Gentile, Controller, Room 18

Information Technology and Services – Douglas Divish, Commissioner, 205 W. St. Clair

Avenue

Purchases and Supplies – James E. Hardy, Commissioner, Room 128

Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue

Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

DEPT. OF PUBLIC UTILITIES – Barry A. Withers, Director, 1201 Lakeside Avenue

DIVISIONS:

Cleveland Public Power – Ivan Henderson, Commissioner

Street Lighting Bureau – _____, Acting Chief

Utilities Fiscal Control – Dennis Nichols, Commissioner

Water – _____, Commissioner

Water Pollution Control – Ollie Shaw, Commissioner

DEPT. OF PORT CONTROL – Ricky D. Smith, Director, Cleveland Hopkins

International Airport, 5300 Riverside Drive

DIVISIONS:

Burke Lakefront Airport – Khalid Bahhur, Commissioner

Cleveland Hopkins International Airport – Fred Szabo, Commissioner

DEPT. OF PUBLIC WORKS – Michael Cox, Director

OFFICES:

Administration – John Laird, Manager

Special Events and Marketing – Tangee Johnson, Manager

DIVISIONS:

Motor Vehicle Maintenance – Daniel A. Novak, Commissioner

Park Maintenance and Properties – Richard L. Silva, Commissioner

Parking Facilities – Leigh Stevens, Commissioner

Property Management – Tom Nagle, Commissioner

Recreation – Kim Johnson, Commissioner

Streets – _____, Commissioner

Traffic Engineering – Robert Mavec, Commissioner

Waste Collection and Disposal – Ron Owens, Commissioner

DEPT. OF PUBLIC HEALTH – Matt Carroll, Director, Mural Building, 75 Erieview

Plaza

DIVISIONS:

Air Quality – Richard L. Nemeth, Commissioner

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

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

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

DIVISIONS:

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

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

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

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

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

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

DIVISIONS:

Administrative Services – Terrence Ross, Commissioner

Fair Housing and Consumer Affairs Office – _____, Manager

Neighborhood Development – _____, Commissioner

Neighborhood Services – Louise V. Jackson, Commissioner

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

DIVISIONS:

Code Enforcement – Tyrone L. Johnson, Commissioner

Construction Permitting – Timothy R. Wolosz, Commissioner

DEPT. OF PERSONNEL AND HUMAN RESOURCES – Lisa Marion, Director, Room 121

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

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

COMMUNITY RELATIONS BOARD – Room 11, Blaine Griffin, Director, Mayor Frank

G. Jackson, Chairman Ex-Officio; Rev. Dr. Charles P. Lucas, Jr., Vice-Chairman, Council

Member Brian Cummins, Council Member Eugene R. Miller, Jeff Marks, (Board Lawyer),

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

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

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

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

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

Michael Fluckinger.

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

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

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

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

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

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

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

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

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

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

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

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

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

CITY PLANNING COMMISSION – Room 501 – Robert N. Brown, Director; Anthony J.

Coyne, Chairman; David H. Bowen, Lillian Kuri, Lawrence A. Lumpkin, Gloria Jean

Pinkney, Norman Krumholz, Council Member Phyllis E. Cleveland.

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

Render, Genesis O. Brown.

HOUSING ADVISORY BOARD – Room 310 – Keith Brown, Terri Hamilton Brown, Vickie

Eaton-Johnson, Mike Foley, Eric Hodderson, Janet Loehr, Mark McDermott, Marcia Nolan,

David Perkowski, Joan Shaver Washington, Keith Sutton.

CLEVELAND BOXING AND WRESTLING COMMISSION – Robert Jones, Chairman;

Clint Martin, Mark Rivera.

MORAL CLAIMS COMMISSION – Law Director Robert J. Triozzi; Chairman; Finance

Director Sharon Dumas; Council President Martin J. Sweeney; Councilman Kevin

Kelley.

POLICE REVIEW BOARD – Thomas Jones, Board Chair Person; Vernon Collier, Vermel

Whalen, Nancy Cronin, Elvin Vauss.

CLEVELAND LANDMARKS COMMISSION – Room 519 – Jennifer Coleman, Chair;

Laura M. Bala, Council Member Anthony Brancatelli, Robert N. Brown, Thomas Coffey,

Allan Dreyer, William Mason, Michael Rastatter, Jr., John Torres, N. Kurt Wiebusch, Robert

Keiser, Secretary.

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

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

J. Triozzi.

CLEVELAND MUNICIPAL COURT

JUSTICE CENTER – 1200 ONTARIO STREET

JUDGE COURTROOM ASSIGNMENTS

Judge Courtroom

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

Judge Marilyn B. Cassidy – Courtroom 12B

Judge Michelle Denise Earley – Courtroom 12C

Judge Emanuella Groves – Courtroom 14B

Judge Anita Laster Mays – Courtroom 14C

Judge Lynn McLaughlin-Murray – Courtroom 12A

Judge Lauren C. Moore – Courtroom 14A

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

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

Judge Michael John Ryan – Courtroom 13A

Judge Angela R. Stokes – Courtroom 15C

Judge Pauline H. Tarver – Courtroom 13C

Judge Joseph J. Zone – Courtroom 14D

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

Mizerak – Bailiff, Jerome M. Krakowski – Chief Probation Officer, Gregory F. Clifford – Chief

Magistrate, Victor Perez – City Prosecutor

The City Record

71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 98

WEDNESDAY, JANUARY 19, 2011

No. 5067

CITY COUNCIL

MONDAY, JANUARY 17, 2011

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

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2010-2013

MONDAY — Alternating

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

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

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

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

MONDAY

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

TUESDAY

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

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

WEDNESDAY — Alternating

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

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

WEDNESDAY — Alternating

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

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

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

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

January 12, 2011

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, January 12, 2011, at 10:35 a.m. with Director Triozzi presiding.

Present: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Acting Director H. Smith, Directors Rush, Nichols, Fumich and Rybka.

Absent: Mayor Jackson, Acting Director Butler and Director Marion.

Others: Deborah Midgett, Acting Commissioner, Purchases and Supplies.

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

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

Resolution No. 9-11.

By Director Dumas.

Resolved by the Board of Control of the City of Cleveland, that under Section 101 of the Charter, Section 181.19 of the Codified Ordinances of Cleveland, Ohio, 1976, and Resolution No. 921-52, adopted by the Board of Control on November 26, 1952, the report of the Commissioner of Purchases and Supplies for the sale of scrap, personal property, and by-products during the month of December, 2010 in the amount of \$9,912.59, attached and made a part of this resolution, is received, approved and ordered filed.

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Acting Director H. Smith, Directors Rush, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Acting Director Butler and Director Marion.

Resolution No. 10-11.

By Director Dumas.

Resolved, by the Board of Control of the City of Cleveland that the bid of Rockport Construction & Materials, Inc. for an estimated quantity of ready mix concrete, all items, for the various divisions of City government, for a period of one year beginning with the date of execution of the contract, with an option to renew for one additional year, received on December 29, 2010, under the authority of Ordinance No. 1182-10 passed September 20, 2010, which on the basis of the estimated quantity would amount to \$1,511,926.00, is affirmed and approved as the lowest and best bid, and the Director of Finance is requested to enter into a requirement contract for the goods and services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in the sum of no less than \$75,596.30.

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

Be it further resolved that the employment of the following subcontractor by Rockport Construction & Materials, Inc. for the above-mentioned goods and services is approved:

Tech Ready Mix
CSB/MBE — \$302,386.00 — 20.00%

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Acting Director H. Smith, Directors Rush, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Acting Director Butler and Director Marion.

Resolution No. 11-11.

By Director Withers.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Fortuna Construction Co., Inc. for the public improvement of Briggs Road and West 103rd Street Sewer Relief Project (Base Bid All Items including the 10% contingency allowance) for the Division of Water Pollution Control, Department of Public Utilities, received on October 22, 2010, under the authority of Ordinance No. 595-10, passed June 7, 2010, upon a unit basis for the improvement, in the aggregate amount of \$149,406.40 is affirmed and approved as the lowest respon-

sible bid; and the Director of Public Utilities is authorized to enter into contract for the improvement with the bidder.

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

<u>SUBCONTRACTOR</u>	<u>MBE/FBE</u>	<u>WORK</u>
North Coast Paving	CSB	
		\$13,750.00 (9.203%)
LV Surveying	CSB/FBE	
		\$1,080.00 (0.723%)
PGT Construction	CSB/FBE	
		\$7,500.00 (5.020%)
Tech Ready Mix	CSB/MBE	
		\$23,500.00 (15.729%)

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Acting Director H. Smith, Directors Rush, Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson, Acting Director Butler and Director Marion.

Resolution No. 12-11.

By Director Withers.
Be it resolved by the Board of Control of the City of Cleveland that the bid of The Apostolos Group, Inc. for the following: Purchase of Whale Mural Maintenance, all items, for Cleveland Public Power (2%, Net 0 Days), for the Division of Cleveland Public Power, Department of Public Utilities, received on August 20, 2010, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the order quantities would amount to \$34,212.00, is approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into contract for the items.

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Acting Director H. Smith, Directors Rush, Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson, Acting Director Butler and Director Marion.

Resolution No. 13-11.

By Director Cox.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Mr. Excavator, Inc., for the public improvement of the Glenville and Seville Streets Facilities fence replacement, base bid, all items, and alternate 1, for the Department of Public Works, received on December 1, 2010, under the authority of Ordinance No. 1724-09, passed February 8, 2010, for a gross price for the improvement in the aggregate amount of \$110,500.00, is affirmed and approved as the lowest responsible bid, and the Director of Public Works is authorized to enter into contract for the improvement with the bidder.

Be it further resolved, by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Mr. Excavator, Inc. is approved:

<u>Subcontractor</u>	<u>MBE/FBE</u>	<u>Amount</u>	<u>Percentage</u>
Petty Group	CSB/MBE	\$35,000	31.674%

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Acting Director H. Smith, Directors Rush, Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson, Acting Director Butler and Director Marion.

Resolution No. 14-11.

By Director Cox.
Be it resolved, by the Board of Control of the City of Cleveland that the bid of Northeast Lubricants, Ltd. for an estimated quantity of various vehicle and equipment antifreeze/coolant, all items, for the Division of Motor Vehicle Maintenance, Department of Public Works, for the period of 2 years beginning with the date of execution of a contract, received on November 18, 2010, under the authority of Section 131.17 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$146,450.00 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a requirement contract for the goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$7,500.00.

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

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Acting Director H. Smith, Directors Rush, Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson, Acting Director Butler and Director Marion.

Resolution No. 15-11.

By Director Cox.
Be it resolved, by the Board of Control of the City of Cleveland that the bid of Cleveland Freightliner dba Valley Freightliner, Sterling, and Western Star Trucks of Cleveland for an estimated quantity of various Cummins engine parts and labor, all items, for the Division of Motor Vehicle Maintenance, Department of Public Works, for the period of 3 years, with two options for one year renewals, beginning with the date of execution of a contract, received on November 18, 2010, under the authority of Section 131.17 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$100,000.00 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a requirement contract for the goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$7,500.00.

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

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Acting Director H. Smith, Directors Rush, Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson, Acting Director Butler and Director Marion.

Resolution No. 16-11.

By Director Cox.
Be it resolved, by the Board of Control of the City of Cleveland that the bid of American National Fleet Service, Inc. dba American Fleet Services for an estimated quantity of various auto and truck wheel alignments parts and labor, all items, for the Division of Motor Vehicle Maintenance, Department of Public Works, for the period of 2 years, beginning with the date of execution of a contract, received on December 10, 2010, under the authority of Section 131.17 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$30,000.00 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a requirement contract for the goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$5,000.00.

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

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Acting Director H. Smith, Directors Rush, Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson, Acting Director Butler and Director Marion.

Resolution No. 17-11.

By Director Cox.
Be it resolved by the Board of Control of the City of Cleveland, that the bid of Apex Construction & Management Co., Inc. (CSB/MBE), for the public improvement of Cleveland Public Auditorium Interior Door Improvements Re-Bid, for Base Bid Items, Allowances and Contingency for the Department of Public Works, received on December 16, 2010, under the authority of Ordinance No. 684-08, passed on July 2, 2008, upon a unit basis for the improvement in the aggregate amount of \$59,950.00, is affirmed and approved as the lowest responsible bid; and the Director of Department of Public Works is authorized to enter into contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Apex Construction & Management Co., Inc. (CSB/MBE) for the above-mentioned public improvement is approved:

<u>SUBCONTRACTORS</u>	<u>AMOUNT</u>	<u>PERCENTAGE</u>
Cleveland Commercial Door (other)	\$26,000.00	43.369%
G-Force Interiors (CSB/MBE)	\$ 4,300.00	7.173%
Post Painting (CSB/FBE)	\$ 1,200.00	2.002%

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Acting Director H. Smith, Directors Rush, Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson, Acting Director Butler and Director Marion.

Resolution No. 18-11.

By Director Cox.
Be it resolved by the Board of Control of the City of Cleveland, that the bid of R. J. Platten Contracting, Inc. (CSB), for the public improvement of Kerruish Park Site Improvements - Phase Three, for Base Bid Items #A1 - #A43, #B1 - #B30, #C1 - #C33, #D1 - #D57, #E1 - #E47, #F1 - #F39, #F43 - #F63, Alternate Items #10A - #15A, Add Alternate Items #1AA - #3AA, #5AA and #7AA - #11AA including the 5% contingency for the Department of Public Works, received on November 17, 2010, under the authority of Ordinance No. 597-09, passed on June 8, 2009, upon a unit basis for the improvement in the aggregate amount of \$2,482,692.29, is affirmed and approved as the lowest responsible bid; and the Director of Department of Public Works is authorized to enter into contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by R. J. Platten Contracting, Inc. (CSB) for the aforementioned public improvement is approved:

<u>SUBCONTRACTORS</u>	<u>AMOUNT</u>	<u>PERCENTAGE</u>
Cunningham Paving (CSB)	\$210,056.25	8.461%
Down to Earth Landscaping (CSB)	\$196,078.31	7.898%
Rockport Ready Mix (CSB)	\$ 73,000.00	2.926%
Dial Electric (CSB)	\$ 71,440.50	2.878%
Great Northern Fence (other)	\$ 68,478.00	2.758%
Granger Trucking (CSB)	\$ 41,000.00	1.651%
Industrial Surface Sealer (CSB)	\$ 30,200.00	1.216%
Lakeside Supply (CSB)	\$ 16,500.00	0.665%
Service Supply Ltd. (other)	\$ 10,800.00	0.435%
Vermillion Tree & Land Clearing (other)	\$ 6,100.00	0.246%
Krusoe Sign Company (CSB)	\$ 2,000.00	0.081%

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Acting Director H. Smith, Directors Rush, Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson, Acting Director Butler and Director Marion.

Resolution No. 19-11.

By Director Rush.
Whereas, the City has acquired the following parcels under the Land Reutilization Program (the "Land Bank Properties"), Permanent Parcel Nos.: 107-16-068, 105-33-055, 118-27-018, 118-29-044, 133-04-094, 107-16-039, 121-19-045, 118-27-013, 118-29-043, 133-04-078, 107-16-040, 121-19-023, 118-18-077, 118-29-089, 125-36-016, 143-21-128, 121-19-022, 118-19-072, 106-14-015, 134-20-051, 143-01-046, 121-19-021, 118-18-078, 106-14-016, 120-01-009, 019-21-091, 121-19-025, 118-18-076, 106-14-014, 120-01-007, 019-21-092, 121-19-024, 118-18-054, 106-01-104, 120-01-008, 018-18-007, 121-19-020, 118-19-068, 106-01-010, 130-12-096, 136-13-012, 121-19-019, 118-18-053, 106-01-009, 130-12-099, 104-25-045, 002-18-022, 118-19-074, 008-14-072, 005-26-021, 104-25-046, 002-26-030, 118-19-070, 120-15-004, 125-32-109, 142-25-131, 005-29-078, 118-19-071, 132-03-008, 107-18-052, 142-25-130, 107-09-055, 118-19-069, 016-14-017, 107-18-050, 142-27-156, 107-09-007, 118-19-075, 015-23-017, 107-18-051, 016-16-160, 107-09-008, 118-19-076, 014-02-127, 105-33-036, 016-16-040, 123-20-020, 118-19-073, 123-20-061, 105-33-037, 002-35-121, 020-06-013, 118-18-055, 131-19-037, 105-33-038, 002-34-092, 109-18-035, 006-23-069, 131-19-063, 022-04-039, 107-21-090, 006-20-113, 006-23-077, 123-21-086, 006-30-009, 107-21-093, 118-27-011, 006-23-078, 133-04-065, 006-30-010, 107-21-091, 118-27-017, 006-23-071, 104-15-136, 020-10-141, 107-21-092, 118-27-016, 002-31-068, 107-06-055, 020-10-142, 105-33-057, 118-27-012, 002-31-069, 107-06-054, 023-11-054, 105-33-058, 118-27-015, 002-31-071, 119-31-049, 105-33-056, 118-27-014, 002-31-070, 133-04-095; and

Whereas, under the authority of Ordinance No. 466-10, passed May 26, 2010 by the Council of the City of Cleveland, the Director of Community Development has entered into grant agreements with The Ohio State University and ParkWorks Inc. to provide financial assistance to OSU and ParkWorks to purchase materials and supplies and install various improvements to the above-referenced Land Bank Properties as eligible properties under the Vacant Property Alternative Use Pilot Program, including fences sheds, trees, shrubs and other vegetation, and carry out all other purposes necessary for the pilot program; and

Whereas, Ordinance No. 466-10 authorizes the Director of Community Development to lease, exclusive of utilities, the improved Land Bank Properties to various entities, agencies and individuals ("Lessees") for a period up to five years at fair market value as determined by the Board of Control; and

Whereas, the City of Cleveland will accrue substantial benefit from the lease of the above-referenced properties through the creation of amenities for City residents and through the avoidance of maintenance costs of the Properties; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 466-10, passed May 26, 2010 by the Council of the City of Cleveland, the fair market value for the lease of the above-referenced Land Bank Properties, for a period up to five years, to the various entities, agencies and individuals who have received grants through the Vacant Property Alternative Use Pilot Program is determined to be \$1.00 per year per land bank reuse site.

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Acting

Director H. Smith, Directors Rush, Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson, Acting Director Butler and Director Marion.

Resolution No. 20-11.

By Director Dumas.
Be it resolved, by the Board of Control of the City of Cleveland that all bids received on December 8, 2010, for an estimate quantity of labor and materials to install, maintain and repair the system to electronically track the mobile assets (AVL mobile units), All Items, for the various Divisions of City government, Department of Finance, under the authority of Ordinance No. 538-10, passed May 4, 2010, are rejected.

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Acting Director H. Smith, Directors Rush, Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson, Acting Director Butler and Director Marion.

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

CIVIL SERVICE NOTICE

ANNOUNCEMENTS — 2011
1/21/2011 — 1/27/2011

Announ- cement No.	Exam Method	Classi- fication	Exam Type
1	EE	Bureau Manager - Demolition (Open until position is filled)	Open
2	WR	Intern Apprentice	Open

PROOF OF CITY RESIDENCY

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

Lease - from rental agency.

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

Utility bills bearing the property address and your name.

Post Office change of address form properly date stamped.

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

Bank statements (Within last three months).

School registration of children.

Car insurance documents.

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

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

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

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

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

Library cards.

Voter registration cards.

Birth certificates.

Notarized letters or affidavits.

Social Security card.

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

**APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 1**

**BUREAU MANAGER - DEMOLITION
(NON-COMP)**

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$26,797.11 - \$79,759.73 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the

Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. **APPLICATION WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATION WILL BE AVAILABLE FROM 8:30 A.M. TO 4:30 P.M. BEGINNING ON FRIDAY, JANUARY 21, 2011 UNTIL POSITION IS FILLED.**

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

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

DUTIES OF THE POSITION

Under general direction, supervises the various operations of the Demolition Bureau. Assists in the development and enforcement of bureau policies and procedures. Supervises the demolition contracting and bidding processes. Reviews and approves payment of billings. Manages special project assignments related to building demolition, as requested. Inspects and provide structural evaluations of fire damaged buildings. Provides expertise concerning hazardous building materials. Serves as Building and Housing liaison with community groups. Serves as a member of the Commercial Review Board and Toxic Sweep Task Force. Performs other job-related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

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

A High School Diploma or GED is required. Five years of full time paid experience as a construction, demolition, or environmental-remediation contractor is required. (Substitution: Two years of inspection experience may substitute for each year of contractor experience lacking.) A valid State of Ohio Driver's License is required. Must be certified as a Building Inspector and as a Residential Building Official or Residential Building Inspector by the State of Ohio Board of Building Standards (OBBS) (Certifications must be maintained throughout employment.) For those with contractor experience, the City will prefer

candidates with additional certification or experience in asbestos or environmental remediation, demolition contracting, and/or soil engineering and grading.

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

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing.

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

AN EQUAL OPPORTUNITY EMPLOYER

**APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 2**

INTERN APPRENTICE (OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$10.00 - \$31.38 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. **APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON FRIDAY, JANUARY 21, 2011 UNTIL 4:30 P.M. ON THURSDAY, JANUARY 27, 2011.**

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, JANUARY 27, 2011.

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

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CON-

TAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under the immediate supervision of field operations staff, assists and/or shadows line crews as they perform the tasks associated with electrical utility work. Obtains training in the following areas: The safe operation of electrical utility vehicles; the proper stocking and maintenance procedures for vehicles; the utilization of applicable materials and supplies; the proper use of safety equipment and tools; the proper safety procedures for working around electrical substations; how to work with electrical transformers, streetlight wattages, and voltages; and how to establish a "safe work zone". Perform other job-related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

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

A High School Diploma (Must have fulfilled all state and local requirements for graduation, including passage of all parts of the Ohio Graduation Test (OGT, unless validly waived) or GED is required. A valid State of Ohio Class A Commercial Driver's License is required. Must have completed all requirements of Cleveland Public Power's Internship to apprenticeship Program, or an equivalent program as determined by the Civil Service Commission upon the recommendation of the Joint Apprentice Committee established by the City and Local 39, International Brotherhood of Electrical workers, AFL-CIO. Must have a 93 percent attendance record during Cleveland Public Power's Internship to Apprenticeship program, or an equivalent internship program.

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

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

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

AN EQUAL OPPORTUNITY EMPLOYER

ROBERT BENNETT,
President

January 19, 2011

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, JANUARY 31, 2011

9:30 A.M.

Calendar No. 10-255: 4622 Superior Avenue (Ward 8)

Ernest Adamic dba Safeway Tire Company, owner, appeals for an expansion of use at an existing used car sales lot and storage facility to accommodate a car wash and car detail center proposed to be on a corner lot composed of three contiguous parcels in a Semi-Industry District; contrary to Section 345.03 and by reference subject to Section 343.11(b)I.2 that first permits a car wash in a General Retail Business District, with the provision that the premises are located not less than 100 feet from a residence district and the proposed expansion abuts a B1 Multi-Family District.

Calendar No. 10-258: 935 East 146th Street (Ward 10)

Kimberly Vance, owner, appeals to install approximately 70 linear feet of 4 feet high chain link fence on a 40' x 140' parcel in a B1 Two-Family District; contrary to the Fence Regulations in Section 358.04(a) that require fences in the actual front yard in a residential district to be ornamental and not to exceed a height of 4 feet.

Calendar No. 10-261: 18101 Lorain Avenue (Ward 19)

Fairview Hospital appeals to erect a 153,470 square foot addition to an existing hospital and an accessory helipad on the building roof located on acreage in a Local Retail Business District and contrary to Section 357.07(a) proposed within the specific 15 foot setback line along Lorain Road; and subject to Section 343.01(b)(8) the addition of accessory use of a helipad and helicopter transit requires the Board of Zoning Appeals approval to determine the extent necessary for normal accessory use permitted for the limited type of permitted neighborhood service use; and a comprehensive parking plan, showing all uses of the facility and method of meeting parking requirements should be reviewed and approved by the Board of Zoning Appeals to establish the hospital use requirement for off-street parking as stated in Section 349.04(d), parking in the amount of one for each four beds, one for each three employees or doctors; an additional 88 beds requires 22 additional off-street parking spaces plus added spaces for employees in the new addition and additional requirements that may exist for areas of the hospital considered "clinic, health or medical center".

Calendar No. 10-262: 1301 East 9th Street (Ward 3)

Dave Clark, owner's representative of the premises at 1301 East Ninth Street, Cleveland, Ohio 44114, and Dan Miller, tenant, by and through their legal counsel, appeal under the authority of Section 76-6 of the Charter of the City of Cleveland and Sections 329.01(e) and 329.02(d) of the Cleveland Codified Ordinances from the administrative zoning interpretation dated November 24, 2010, citing Sections 347.12(a)(1) and 347.12(a)(2),

regarding an application for permit to establish use as nightclub/bar with entertainment and dancing.

Calendar No. 10-267: 7835 Harvard Avenue (Ward 12)

Catholic Diocese of Cleveland, owner, and Treatment Works, Inc., lessee, appeal to expand occupancy of an existing Correctional Halfway House from 40 residents to 70 in a one-and-three-story and basement masonry building on an irregular shaped acreage parcel in a Semi-Industry District; and subject to the provisions in Section 347.15(c), no Certificate of Occupancy for establishment or expansion of a Correctional Halfway House shall be issued without approval of the Board of Zoning Appeals, after public notice and hearing, in order to ensure compatibility between a proposed correctional halfway house, expansion, thereof, and surrounding properties. The Board may require modifications to a proposal as a condition of its approval and shall determine the suitability of a proposed Correctional Halfway House, or expansion thereof, at a particular location, through consideration of, among others, the following factors: (1) conformance of the proposal to the requirements of this section and to other applicable regulations of the City's Codified Ordinances; (2) the record of the proposed operator in managing similar facilities; and (3) the size of the proposed facility as it affects potential over-concentration of a correctional system population in the immediate vicinity

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

TUESDAY, JANUARY 18, 2011

At the meeting of the Board of Zoning Appeals on Monday, January 18, 2011, the following appeals were heard by the Board.

The following appeals were **Approved:**

Calendar No. 10-229: 1365 West 65th Street

Jill Davis appealed to change use from a store to a restaurant in a Local Retail Business District.

Calendar No. 10-237: 9515 Woodland Avenue

Independence Excavating, Inc. appealed for a change of use for stockpiling of various construction materials, storage and processing of recycled material that includes rock crushing in a General Industry District; subject to conditions.

Calendar No. 10-238: 9521 Woodland Avenue

Eaton Park Leasing, Inc. appealed for a change of use for stockpiling of various construction materials, storage and processing of recycled material that includes rock crushing in a General Industry District; subject to conditions.

Calendar No. 10-239: 9525 Woodland Avenue

Eaton Park Leasing, Inc. appealed for a change of use for stockpiling of various construction materials, storage and processing of recycled

material that includes rock crushing in a General Industry District; subject to conditions.

The following appeals were **Denied:**

None.

The following appeals were **Withdrawn**

None.

The following appeals were **Dismissed:**

None.

The following appeal was **Postponed:**

Calendar No. 10-204: 7101-03 Wade Park Avenue postponed to February 28, 2011.

The following appeals heard by the Board on January 10, 2011 were adopted and approved on January 18, 2011.

The following appeals were **Approved:**

Calendar No. 10-221: 2021 Cornell Road University Circle East LLC and Snavely Company appealed to construct an 8-story hotel in a K5 General Retail Business District; subject to condition.

Calendar No. 10-225: 11340 Mayfield Road University Circle East LLC appealed to reduce a parking area for existing retail/residential use below the Code requirements for construction of a new hotel in a General Retail Business district.

The following appeal heard by the Board on January 3, 2011 was adopted and approved on January 18, 2011.

The following appeal was **Approved:**

Calendar No. 10-246: 3645 West 117th Street Fahed Mohammad and Fahim Eddir, owners, appealed to change use from a day care to a grocery store and deli in a Residence Office 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."

THURSDAY, FEBRUARY 3, 2011

File No. 1-11 — City of Cleveland Construction Contract for Superior Avenue Rehabilitation (from East 30th Street to East Corporation Limit), for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance Nos. 1425-08 and 674-09, passed by the Council of the City of Cleveland, December 8, 2008 and June 8, 2009, respectively.

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

THERE WILL BE A MANDATORY PRE-BID MEETING THURSDAY, JANUARY 20, 2011 AT 10:00 A.M. CLEVELAND CITY HALL, ROOM 518, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

THE CITY OF CLEVELAND WILL NOT CONSIDER THE BID OF ANYONE WHO DOES NOT ATTEND A MANDATORY PRE-BID CONFERENCE.

File No. 3-11 — City of Cleveland Gateway East and Gateway North Parking Garage Improvements, for the Division of Research, Planning, & Development, Department of Parks, Recreation and Properties, as authorized by Ordinance Nos. 808-09, 617-10 and 306-10, passed by the Council of the City of Cleveland, June 12, 2009, May 10, 2010 and June 11, 2010, respectively.

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

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, JANUARY 20, 2011 AT 2:00 P.M. THE BURKE LAKEFRONT AIRPORT, FIRST FLOOR CONFERENCE ROOM, 1501 NORTH MARGINAL ROAD, CLEVELAND, OHIO 44114.

January 12, 2011 and January 19, 2011

WEDNESDAY, APRIL 20, 2011

File No. 2-11 — RTA Level Art Display Project, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 395-05, passed by the Council of the City of Cleveland, May 2, 2005.

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

THERE WILL BE A NON-MANDATORY PRE-BID MEETING AND SITE TOUR FOR WEDNESDAY, FEBRUARY 2, 2011 AT 10:00 A.M. THE CLEVELAND HOPKINS INTERNATIONAL AIRPORT, ENGINEERING BUILDING, 19501 FIVE POINTS ROAD, CLEVELAND, OHIO 44135-3193.

January 12, 2011 and January 19, 2011

WEDNESDAY, FEBRUARY 9, 2011

File No. 4-11 — Lower Woolen Mills Demolition & Environmental Remediation, for the Division of Community Development, Department of Community Development, as authorized by Ordinance Nos. 1881-06 and 1511-09, passed by the Council of the City of Cleveland, December 11, 2006 and November 23, 2009, respectively.

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

THERE WILL BE A **MANDATORY PRE-BID MEETING THURSDAY, JANUARY 27, 2011 AT 1:00 P.M. CLEVELAND CITY HALL, ROOM 514, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

THE CITY OF CLEVELAND WILL NOT CONSIDER THE BID OF ANYONE WHO DOES NOT ATTEND A MANDATORY PRE-BID CONFERENCE.

January 19, 2011 and January 26, 2011

THURSDAY, FEBRUARY 10, 2011

File No. 7-11 — Rehabilitation of Health Centers for the City of Cleveland Department of Public Health, for the Division of Architecture, Department of Public Service, as authorized by Ordinance Nos. 1178-08 and 1416-09, passed by the Council of the City of Cleveland, September 28, 2009 and September 29, 2009, respectively.

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

THERE WILL BE A **MANDATORY PRE-BID MEETING FRIDAY, JANUARY 28, 2011 AT 10:00 A.M. CLEVELAND CITY HALL, THE DIVISION OF ARCHITECTURE, ROOM 517, IN CONFERENCE ROOM, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

THE CITY OF CLEVELAND WILL NOT CONSIDER THE BID OF ANYONE WHO DOES NOT ATTEND A MANDATORY PRE-BID CONFERENCE.

File No. 8-11 — Variable Speed Water Booster Pump Systems Including Installation and Testing, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING FRIDAY, JANUARY 28, 2011 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.**

File No. 10-11 — Labor and Materials Necessary to Inspect, Test, Maintain and Repair Elevators, for the Divisions of Water and Cleveland Public Power, Department of Public Utilities, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING FRIDAY, JANUARY 28, 2011 AT 10:00 A.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 4TH FLOOR SOUTH CONFERENCE ROOM, CLEVELAND, OHIO 44114.**

January 19, 2011 and January 26, 2011

FRIDAY, FEBRUARY 11, 2011

File No. 5-11 — Year 2011 Cleaning and Cement Mortar Lining of Distribution Mains, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1552-10, passage pending by the Council of the City of Cleveland.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING FRIDAY, JANUARY 28, 2011 AT 11:00 A.M. CARL B. STOKES PUBLIC UTILITIES BUILDINGS, 1201 LAKESIDE AVENUE, AUDITORIUM-1ST FLOOR, CLEVELAND, OHIO 44114.**

File No. 9-11 — Cab and Chassis with Front Loading Packer Body, for the Division of Motor Vehicle Maintenance, Department of Public Works, as authorized by Ordinance No. 1849-08, passed by the Council of the City of Cleveland, January 26, 2009.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING MONDAY, JANUARY 31, 2011 AT 10:30 A.M. THE MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.**

January 19, 2011 and January 26, 2011

WEDNESDAY, FEBRUARY 16, 2011

File No. 6-11 — Citywide Scrap Metal Sales, for the various Divisions of City Government, Department of Finance, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING FOR TUESDAY, FEBRUARY 8, 2011 AT 2:30 P.M. CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

January 19, 2011 and January 26, 2011

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 21-11.
By Council Members Cimperman, Cummins, Sweeney, Brady, Brancatelli, Cleveland, Dow, J. Johnson, K. Johnson, Keane, Kelley, Miller, Mitchell, Polensek, Pruitt, Reed, Westbrook and Zone.

An emergency resolution urging the Ohio General Assembly to renew the 25% Ohio Historic Preservation Tax Credit.

Whereas, 111 applications for the Ohio Historic Preservation Tax Credit have generated a projected \$1.2 billion in private investment; and

Whereas, historic rehabilitation projects are more labor intensive than new construction projects, and incen-

tives for rehabilitation projects should be promoted to create more jobs; and

Whereas, Ohio has a significant untapped resource of 3,700 National Register-listed properties — 3rd most nationally; and

Whereas, the Ohio Historic Preservation Tax Credit stimulates the opportunity to take advantage of more federal tax incentives; and

Whereas, the greenest building is the one that has already been built; and

Whereas, there are 31 states that have programs offering historic tax credits; and

Whereas, the Ohio Historic Preservation Tax Credit has had a positive impact in large and small communities throughout every region of the State, with projects having been approved in 27 large and small communities in 26 counties; and

Whereas, the reuse of historic buildings makes Ohio competitive in the global market as we create vibrant, hip communities that will attract and retain our youth and bright, creative entrepreneurs of all ages; and

Whereas, the Ohio Historic Preservation Tax Credit assisted 37 projects in the City of Cleveland that will receive over \$104 million in tax credits that has leveraged close to \$500 million in private investment including the Capital Theater, Union Gospel Press Building, and St. Luke's Hospital; and

Whereas, 23 projects of these projects will occur in Downtown Cleveland that will receive \$62 million in tax credits that will leverage over \$255 million in investment in addition to the Medical Mart, Convention Center and Casino, including the William Taylor and Sons Department Store — now the Residences at 668 Euclid, East Ohio Gas Company Building — the future new headquarters to Calfee, Halter & Griswold, and the Schofield Building — under construction as a hotel and residence; and

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

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

Section 1. That this Council urges the Ohio General Assembly to renew the 25% Ohio Historic Preservation Tax Credit.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to the Ohio General Assembly, Governor Kasich, Heritage Ohio, Historic Gateway Neighborhood Corporation, and Mayor Jackson.

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

Adopted January 10, 2011.
Effective January 14, 2011.

Res. No. 22-11.
By Council Member Brady.
An emergency resolution objecting to a New C1 Liquor Permit at 12722 Lorain Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor

Permit at Mohsen Fanous, DBA Nick Beverage and More, 12722 Lorain Avenue, Cleveland, Ohio 44111, Permanent Number 26367590005; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at Mohsen Fanous, DBA Nick Beverage and More, 12722 Lorain Avenue, Cleveland, Ohio 44111, Permanent Number 26367590005; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted January 10, 2011.

Effective January 14, 2011.

Res. No. 23-11.

By Council Member Brancatelli.

An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 7020 Harvard Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Eden Oil, Inc., DBA Harvard Gas USA, 7020 Harvard

Avenue, Cleveland, Ohio 44105, Permanent Number 2434505 to Harvard Gas, LLC, DBA Harvard Gas USA, 7020 Harvard Avenue, Cleveland, Ohio 44105, Permanent Number 3648441; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Eden Oil, Inc., DBA Harvard Gas USA, 7020 Harvard Avenue, Cleveland, Ohio 44105, Permanent Number 2434505 to Harvard Gas, LLC, DBA Harvard Gas USA, 7020 Harvard Avenue, Cleveland, Ohio 44105, Permanent Number 3648441; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted January 10, 2011.

Effective January 14, 2011.

Res. No. 24-11.

By Council Member J. Johnson.

An emergency resolution objecting to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit to 3400 St. Clair Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit from Hong Kong Trading Center, Inc., DBA Baby Grand Restaurant & Lounge, 3400 St. Clair Avenue, Cleveland, Ohio 44114, Permanent Number 3958802 to Hayes Development Group, LLC, DBA The Stage, 3400 St. Clair Avenue, Cleveland, Ohio 44114, Permanent Number 36937060005; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit from Hong Kong Trading Center, Inc., DBA Baby Grand Restaurant & Lounge, 3400 St. Clair Avenue, Cleveland, Ohio 44114, Permanent Number 3958802 to Hayes Development Group, LLC, DBA The Stage, 3400 St. Clair Avenue, Cleveland, Ohio 44114, Permanent Number 36937060005; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted January 10, 2011.

Effective January 14, 2011.

Res. No. 25-11.**By Council Member K. Johnson.**

An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit at 12301-03 Imperial Avenue, and repealing Resolution No. 1066-10, objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a C2 and C2X Liquor Permit to 12301-03 Imperial Avenue by Resolution No. 1066-10 adopted by the Council on August 18, 2010; and

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

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

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

Section 1. That objection to the transfer of ownership of a C2 and C2X Liquor Permit to Sophie T., Inc., DBA Imperial Deli & Beverage, 12301-03 Imperial Avenue, Cleveland, Ohio 44120, Permanent Number 9120790 be and the same is hereby withdrawn and Resolution No. 1066-10, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted January 10, 2011.

Effective January 14, 2011.

Res. No. 26-11.**By Council Member Kelley.**

An emergency resolution withdrawing objection to the renewal of a D1, D2, D3, D3A, and D6 Liquor Permit at 4450-52 Broadview Road and repealing Resolution No. 962-10, objecting to said renewal

Whereas, this Council objected to a D1, D2, D3, D3A and D6 Liquor Permit to 4450-52 Broadview Road by Resolution No. 962-10 adopted by the Council on July 14, 2010; and

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

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

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

Section 1. That objection to a D1, D2, D3, D3A and D6 Liquor Permit to No Clue, Inc., and patio, 4450-52 Broadview Road, Cleveland, Ohio 44109, Permanent Number 6430477 be and the same is hereby withdrawn and Resolution No. 962-10, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

Section 2. That this resolution is hereby declared to be an emergency measure and provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and

approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Adopted January 10, 2011.

Effective January 14, 2011.

Res. No. 27-11.**By Council Member Reed.**

An emergency resolution withdrawing objection to the renewal of a C2 and C2Z Liquor Permit at 3443 East 116th Street, and repealing Resolution No. 1095-10, objection to said renewal.

Whereas, this Council objected to a C2 and C2X Liquor Permit to 3643 East 116th Street by Resolution No. 1095-10 adopted by the Council on August 18, 2010; and

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

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

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

Section 1. That objection to a C2 and C2X Liquor Permit to Rana Guraan, Inc., DBA Nadia's, 3643 East 116th Street, Cleveland, Ohio 44105, Permanent Number 7184705 be and the same is hereby withdrawn and Resolution No. 1095-10, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted January 10, 2011.

Effective January 14, 2011.

Res. No. 28-11.**By Council Member Zone.**

An emergency resolution objecting to the transfer of stock of a D11, D2, D3, and D3A Liquor Permit to 2240 Fulton Road, 1st floor, basement and patio.

Whereas, Council has been notified by the Department of Liquor Control of an application for a transfer of stock of a D1, D2, D3 and D3A Liquor Permit at Tombstone Tavern, Inc., 2240 Fulton Road, 1st floor, basement and patio, Cleveland, Ohio 44113, Permanent Number 8981727; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a transfer of stock of a D1, D2, D3 and D3A Liquor Permit at Tombstone Tavern, Inc., 2240 Fulton Road, 1st floor, basement and patio, Cleveland, Ohio 44113, Permanent Number 8981727, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted January 10, 2011.

Effective January 14, 2011.

Res. No. 29-11.

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

An emergency resolution opposing any possible cuts in the FY 2012 federal budget to Community Development Block Grant funding and strongly urging the Obama Administration in the FY2012 budget to freeze CDBG formula funding at the FY 2010 level of \$3.9 billion.

Whereas, in recent discussions about the federal budget for 2012, it has been stated by the Obama administration that all federal programs are on the table for possible cuts; and

Whereas, Community Development Block Grant (CDBG) funding could be facing a funding reduction of up to 25 % or \$1 billion dollars in the President's Budget; and

Whereas, this, or any reduction, in CDBG funding would severely slow down or eliminate thousands of local and state projects and programs that are directly contributing to local and regional recovery; and

Whereas, without CDBG funds, the City would not be able to assist Cleveland's community development corporations and similar organizations to encourage economic development, business creation and expansion, housing projects, community and neighborhood revitalization and community services programs; and

Whereas, CDBG funds enable the City of Cleveland to deliver essential services including: Community Housing Solutions (the furnace repair program, the home repair loan program, tool loan program, credit counseling and foreclosure prevention counseling); and

Whereas, CDBG funds enable the City to assist non-profit organizations providing social service programs including AIDS prevention services, at-risk youth services, elderly services, family services and local homeless shelter and homeless prevention services; and

Whereas, CDBG funds provide community development corporations in Cleveland with funding for new market-rate and affordable housing construction and acquisition for redevelopment of single family vacant sub-standard housing; and

Whereas, CDBG funds are critical in helping deal with the foreclosure crisis impacting our community, from blight elimination to foreclosure counseling, and in helping manage the negative impact this crisis has on our neighborhoods; and

Whereas, in the City, CDBG funds were essential in these development projects: Cogswell Hall (a 41-unit rehab for low income adults completed to green building standards); Detroit Avenue Streetscape in the Gordon Square District; Morgana East Infrastructure (site improvements and project support for 90 units of new construction market-rate housing); and the Flats East Bank project (a large scale mixed-use project of hotel, office and retail commercial space, housing and public use and green space); and

Whereas, in the City of Cleveland, CDBG funds have been instrumental in helping the Ohio City area open over a dozen new businesses in the last two years - with more than \$40 million dollars in new investment and hundreds of new jobs created in the neighborhood; and

Whereas, CDBG funds were essential in creating Ohio City Farm, a six-acre farm developed through a partnership between the local development corporation, the local housing authority, the Great Lakes Brewing Company and local nonprofits focused on workforce development for resettled refugees - this farm has garnered national attention on thoughtful development and sustainability; and

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

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

Section 1. That this Council hereby opposes any possible cuts in the FY 2012 federal budget to Community Development Block Grant funding and strongly urges the Obama Administration in the FY2012 budget to freeze CDBG formula funding at the FY 2010 level of \$3.9 billion.

Section 2. That the Clerk of Council is hereby directed to transmit copies of this resolution to President Barack Obama, Jack Lew, the Director of the Office of Management and Budget,

Valerie Jarrett, White House Director of Intergovernmental Affairs and Public Engagement, Senators Sherrod Brown and Rob Portman, Representatives Marcia Fudge and Dennis Kucinich, the executive directors of the National League of Cities, the U.S. Conference of Mayors, and the National Association of Counties,

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

Adopted January 10, 2011.
Effective January 14, 2011.

**Ord. No. 1626-10.
By Council Member Sweeney (by departmental request).**

An emergency ordinance authorizing the purchase by one or more requirement contracts of cellular devices, monthly cellular services, wireless connectivity and equipment, including wireless cards, installation of customer premise equipment, paging equipment, including maintenance, training and monthly maintenance services, for the Division of Information Technology and Services, Department of Finance, for a period of one year, with two one-year options to renew, the second of which requires additional legislative authority.

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 make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a one-year period, with two one-year options to renew, the second of which requires additional legislative authority of the necessary items of cellular devices, monthly cellular services, wireless connectivity and equipment, including wireless cards, installation of customer premise equipment, paging equipment, including maintenance, training and monthly maintenance services, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Information Technology and Services, Department of Finance. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a delivery order against the contract or contracts certified by the Director of Finance. (RQN 1511, RL 2010-68)

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

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

Passed January 10, 2011.
Effective January 14, 2011.

**Ord. No. 2-11.
By Council Members Pruitt and Sweeney (by departmental request).**

An emergency ordinance approving the collective bargaining agreement with the Fraternal Order of Police (FOP), Lodge 8.

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

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

Section 1. That under division (B) of Section 4117.10 of the Revised Code and subject to an arbitration award, this Council approves the collective bargaining agreement with the Fraternal Order of Police (FOP), Lodge 8, under the terms contained in File No. 2-11-10 for the period from April 1, 2010 through March 31, 2013, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit under the following schedule:

Increase	Approximate Date of Increase*
0%	April 1, 2010
0%	April 1, 2011
3%	April 1, 2012

* Wage increases shall be effective as follows:

(a) If April 1st falls in the first week of a pay period, then the wage increase shall be effective commencing at the beginning of that pay period; or

(b) If April 1st falls in the second week of a pay period, then the wage increase shall be effective commencing at the beginning of the next pay period.

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

Passed January 10, 2011.
Effective January 14, 2011.

**Ord. No. 3-11.
By Council Members Pruitt and Sweeney (by departmental request).**

An emergency ordinance approving the collective bargaining agreement with the Cleveland Police Patrolmen's Association (Non-Civilian).

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

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

Section 1. That under division (B) of Section 4117.10 of the Revised Code, this Council approves the collective bargaining agreement with the Cleveland Police Patrolmen's Association (Non-Civilian), under the terms contained in File No. 3-11-A, for the period from April 1, 2010 through March 31, 2013, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit under the following schedule:

Increase	Approximate Date of Increase*
0%	April 1, 2010
0%	April 1, 2011
3%	April 1, 2012

* Wage increases shall be effective as follows:

(a) If April 1st falls in the first week of a pay period, then the wage increase shall be effective commencing at the beginning of that pay period; or

(b) If April 1st falls in the second week of a pay period, then the wage increase shall be effective commencing at the beginning of the next pay period.

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

Passed January 10, 2011.
Effective January 14, 2011.

**Ord. No. 4-11.
By Council Members Cleveland, Brancatelli and Sweeney (by departmental request).**

An emergency ordinance to amend the title and Sections 1 and 2 of Ordinance No. 1507-10, passed November 29, 2010; to supplement the ordinance by adding new Sections 3, 4, and 5; and to renumber existing Section 3 to new Section 6 relating to the Urban Agriculture Incubator Pilot Project.

Whereas, the City of Cleveland has proposed a partnership with the State of Ohio Department of Agriculture to provide site preparation and start up funds in the amount of \$100,000 for market gardens in the Kinsman area of the City of Cleveland; and

Whereas, the Department of Agriculture requires a matching contribution in order to approve the grant; and

Whereas, Ordinance No. 1507-10, passed November 29, 2010, authorized the Director of Economic Development to use up to \$100,000 in UDAG Repayments funds to enter into one or more contracts for the Urban Agriculture Pilot Project, a vacant property alternative use pilot program with activities that include development of market gardens, and other eligible uses; and

Whereas, the Director of Economic Development desires to grant the funds to The Ohio State University ("OSU") and/or Burten, Bell, Carr Development, Inc. ("BBC") to carry out agriculture developments as part of the Urban Agriculture Incubator

Pilot Program and that both entities are bound by procurement guidelines while carrying out those activities; and

Whereas, based on their unique qualifications, OSU and/or BBC will be working with separate entities and individuals by providing oversight, technical assistance, and procurement services and that their involvement in the pilot program will result in City market gardens, and improvement and maintenance to City land-bank property; 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 title and Sections 1 and 2 of Ordinance No. 1507-10, passed November 29, 2010, are amended to read as follows:

An Emergency Ordinance authorizing the Director of Economic Development to apply for and accept a grant from the State of Ohio Department of Agriculture for the Urban Agriculture Incubator Pilot Program located in the Kinsman area of the City of Cleveland, and to enter into grant agreements with The Ohio State University and Burten, Bell, Carr Development, Inc. to provide financial assistance for the purchase of equipment, materials and supplies and installation of various improvements to City-owned eligible properties under the Urban Agriculture Incubator Pilot Program, including fences, sheds, trees, shrubs, and other vegetation, and for all other purposes necessary to implement the pilot program for a period of three years.

Section 1. That the Director of Economic Development is authorized to apply for and accept a grant in the amount up to \$100,000, from the State of Ohio Department of Agriculture to conduct the Urban Agriculture Incubator Pilot Program, as described in File No. 1507-10-B, to be located in the Kinsman area of the City of Cleveland, for a period of three years; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file.

Section 2. That the Director of Economic Development is authorized to enter into one or more agreements with the State of Ohio Department of Agriculture, or their designee, to participate in and implement an Urban Agriculture Incubator Pilot Project, as described in the above mentioned file, to be located in the Kinsman area of the City of Cleveland, and to enter into one or more agreements with The Ohio State University Extension, or their designee, and Burten, Bell, Carr Development Inc., or their designee, to provide financial assistance to OSU and BBC to purchase equipment, materials and supplies and install various improvements to City-owned eligible properties under the pilot program, including fences, sheds, trees, shrubs, and other vegetation, and for all other purposes necessary to carry out the pilot program for a period of three years.

Section 2. That the existing title and Sections 1 and 2 of Ordinance No. 1507-10, passed November 29, 2010, are repealed.

Section 3. That Ordinance No. 1507-10, passed November 29, 2010, is supplemented by adding new Sections 3, 4, and 5 to read as follows:

Section 3. That the Director of Economic Development, the Director of Law, and other appropriate City officials are authorized to execute any other documents and certificates, and take any other actions which may be necessary or appropriate to complete the transactions authorized by this ordinance.

Section 4. That the grant agreements, contracts, and other appropriate documents needed to complete the transactions authorized by this ordinance shall be prepared by the Director of Law.

Section 5. That the costs of any contracts authorized under this ordinance shall be paid from the fund or funds to which are accredited the grant proceeds accepted under this ordinance and from a cash match amount not to exceed \$100,000 from Fund No. 17 SF 652, RQS 9501, RL 2010-197.

Section 4. That Section 3 of Ordinance No. 1507-10, passed November 29, 2010, is renumbered to new Section 6.

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

Passed January 10, 2011.
Effective January 14, 2011.

**Ord. No. 5-11.
By Council Members Pruitt, Brancatelli and Sweeney (by departmental request).**

An emergency ordinance to amend the title and Section 1 of Ordinance No. 1462-10, passed November 22, 2010, relating to authorizing the Director of Economic Development to enter into an amendment to Contract No. 53903 with LH Development LLC to change the date principal and interest payments will be deferred to November 30, 2011.

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 1 of Ordinance No. 1462-10, passed November 22, 2010, are amended to read as follows:

An Emergency Ordinance authorizing the Director of Economic Development to enter into an amendment to Contract No. 53903 with LH Development LLC to change the date principal and interest payments will be deferred to November 30, 2011.

Section 1. That the Director of Economic Development is authorized to enter into an amendment to Contract No. 53903 with LH Development LLC to defer all principal and interest payments under that agreement, as amended, until November 30, 2011. During this deferral of principal and interest payments, interest shall accrue on the unpaid principal at the rate of 2% per annum.

Section 2. That the existing title and Section 1 of Ordinance No. 1462-10, passed November 22, 2010, are repealed.

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

effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.
 Passed January 10, 2011.
 Effective January 14, 2011.

Ord. No. 20-11.
By Council Member Reed.
An emergency ordinance authorizing the Director of the Department of Community Development to enter into an agreement with the Mt. Pleasant NOW Development Corporation for the Holiday Food Distribution Program through the use of Ward 2 Neighborhood Capital Funds

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

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

Section 1. That the Director of the Department of Community Development be authorized to enter

into an agreement effective December 1, 2010 with the Mt. Pleasant NOW Development Corporation for the Holiday Food Distribution Program for the public purpose of distributing food certificates and food gift cards to low income and senior citizens resident in the city of Cleveland through the use of Ward 2 Neighborhood Capital Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$6,500 and shall be paid from Fund No. 10 SF 177.

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

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

effect and be in force from and after the earliest period allowed by law.
 Passed January 10, 2011.
 Effective January 14, 2011.

COUNCIL COMMITTEE MEETINGS

**Tuesday, January 18, 2011
 1:30 p.m.**

Employment, Affirmative Action and Training Committee: Present: Pruitt, Chair; Miller, Vice Chair; Cummins, J. Johnson, Mitchell, Westbrook. *Authorized Absence:* K. Johnson.

**Wednesday, January 19, 2011
 10:00 a.m.**

Aviation and Transportation Committee: Present: Keane, Chair; Pruitt, Vice Chair; Cummins, J. Johnson, Kelley, Mitchell. *Authorized Absence:* K. Johnson.

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O—Ordinance; R—Resolution; F—File
 Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
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